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DEMOBILISING GUATEMALA

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Demobilising Guatemala¹

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War is often seen as a conflict between competing ‘sides’ where the aim is to win. However, the aims in a way may be quite diverse and may include, for example, the acquisition of wealth and the suppression of democratic forces – aims which may be better served by prolonging a war than by winning it. Getting away from the idea that war is all about winning creates intellectual space for exploring continuities between war and peace (which are usually conceptualised as opposites). In particular, it encourages us to think about how these ‘aims-beyond-winning’ (like economic accumulation and suppression of democracy) may continue to be important in peacetime.² Rather than assuming a sharp break between war and peace, it may be more productive to suppose that conflict is ever-present (in war and peace),³ that conflict (whether in war or peace) is shaped at a variety of levels by various groups who create and manipulate it for various reasons, and that conflict in peacetime is in many ways a modification of conflict in wartime.

It is often stated that Guatemala’s civil war was profoundly shaped by the Cold War and that the peace became possible in part because of the thawing of the Cold War. This is indeed an important part of the story. It may also be that our understanding of the Guatemalan war has been profoundly shaped by the Cold War, and correspondingly that our understanding of the peace has been profoundly shaped by post-Cold War paradigms. This could be another obstacle to comprehending the transition from war in one period to peace in the next.

Within a Cold War paradigm, the war has been seen from both sides of the political spectrum as an ideological confrontation between left and right – depending on your political stance, a rebellion on behalf of an exploited population that was ruthlessly crushed in defence of the interests of a landed oligarchy, or a defence of freedom against Communists and foreign infiltrators. The government clearly constructed its own battle in terms of a global battle against Communism – in large part to get international support and legitimacy, in this case from the United States. Conversely, the rebels – though rather unsuccessful in attracting military support from abroad – presented their struggle as one against capitalism and imperialism.

Subsequently, the peace has generally been understood as the (sometimes difficult) implementation of a variety of commonly accepted principles (democratisation, liberalisation,

¹ Much of the material upon which this paper draws is based on interviews carried out by the author in May 2002 in Guatemala City and Huehuetenango. On the whole, names have been withheld due to the political sensitivity of the issues discussed.

² It may also help in explaining how a transition from war to peace (or peace to war) becomes possible. See, for example, David Keen, ‘War and peace: What’s the Difference?’ in Adekeye Adebajo & Chandra Lekha Sriram (eds), *Managing Armed Conflicts in the 21st Century*, Special Issue of *International Peacekeeping*, 7:4 (Winter 2001).

³ This is a central theme in DESTIN’s Crisis States Programme.

modernisation). In line with the alleged ‘end of history’, these principles have been summarised as ‘the Washington consensus’.⁴

Thus, from the idea of two camps, implacably opposed, each trying to win, we are invited to believe in the existence of a new, post-Cold War world where ideological divisions are greatly eroded and aims are widely shared in a kind of liberal consensus. These aims, moreover, are seen as threatened by obstacles (criminals and ‘clandestine forces’) which are often referred to but rarely discussed (particularly in relation to Guatemala’s political economy). In this discourse, the obstacles are a kind of unwanted and shadowy externality, a one-line explanation for Guatemala’s problems that is rarely itself explained.

In a way, these silences mirror silences on the war itself. In the discourse of International Financial Institutions (IFIs), and notably of the International Monetary Fund and the World Bank, the Guatemalan war is rarely discussed except as something that damaged the economy and society and something that should be quickly dispensed into history. However, it is important to stress that the structures that grew up in the war – notably the security structures – are, for the most part, still around. The apparent end of ideological war has not banished many of the structures and the people mobilised to fight this war, though it has left many of them without a clear sense of ideology or purpose. Nor has the end of the war banished the extreme inequalities, poverty and exploitation that played such a large role in generating conflict. In other words, the war cannot be assumed away. Counterinsurgency structures and elite interests represent a significant obstacle to the implementation of the 1996 peace accords, an obstacle that needs to be taken into account in advance, rather than noted retrospectively as a reason why things did not work out as hoped and planned.⁵ Of course, some of these factors and obstacles are known and understood by some of the key actors (for example, elements of the US government and the UN). But for the most part, it seems that policy proceeds as if these factors were not important – in part through ignorance and perhaps in part (more knowingly) because it is advantageous to proceed as if they were not important. A neo-liberal agenda makes it very difficult for international donors either properly to address grievances underpinning the war or seriously to reform and rebuild the state in such a way that it could challenge the insidious alliance between criminal elements and the still-present counterinsurgency structures.

Vested Interests Of Armed Groups

The army

Although the officially-defined enemy during the Guatemalan counter-insurgency was Communism, it would be a mistake to suppose that the only aim on the government side was to defeat the rebels. Part of the aim was to use the counterinsurgency – and the ‘cover’ which war provided – for the intimidation and suppression of a wide range of pro-democracy, union and human rights groups. Jonas and Walker note that generations of activists were killed by the army and illegal paramilitary forces.⁶ A key objective was suppressing the rural

⁴ Compare also Mark Duffield, *Global Governance and the New Wars: The Merging of Development and Security*, London & New York: Zed Books, 2001, on ‘liberal peace’.

⁵ Compare E. J. Clay & B. B. Schaffer (eds), *Room for Manoeuvre: An Exploration of Public Policy in Agriculture and Rural Development*, London: Heinemann Educational Books, 1984.

⁶ Susanne Jonas & Thomas W. Walker, ‘Guatemala: Intervention, Repression, Revolt and Negotiated Transition’, in Thomas W. Walker & Ariel G. Armory (eds), *Repression, Resistance and Democratic Transition in Central America*, Wilmington, DE: Scholarly Resources, 1999, p.7.

development movement that had grown up in the years just before and after the 1976 earthquake.⁷

Particularly since Guatemala's political economy was based heavily on the exploitation of indigenous labour in coffee and sugar plantations, attempts at unionisation and democratisation were a profound threat to the economic and political elite. From their study of one village on Lake Atitlan, Benjamin Paul and William Demarest observed tellingly in 1988:

What disrupted the peace in San Pedro was not the presence of differences and divisions but the army's recruitment of agents and spies that had the effect of exploiting these cleavages... Ever since the Arevalo-Arbenz [1944-54] era, San Pedro society has been moving in the direction of greater democracy, while the Guatemalan government has been moving in the opposite direction. Increasing divergence between the two tendencies, the local and the national, can be seen as the source of the affliction that befell San Pedro.⁸

Revolution in Nicaragua in 1979 added to the perception of a threat and to the brutality of the crackdown. Rebel leader Rodrigo Asturias, interviewed in Guatemala City in 2001, said: "It's a society with a strong racist element, a traditional fear of an indigenous uprising, and it was inflated by 1979 in Nicaragua and the idea that this was contagious in Central America". Shelton Davis writes:

Most observers are in agreement that the purpose of the Guatemalan army's counterinsurgency campaign was as much to teach the Indian population a psychological lesson as to wipe out a guerrilla movement that, at its height, had probably no more than 3,500 trained people in arms. In essence, the purpose of the campaign was to generate an attitude of terror and fear – what we might term a 'culture of fear' – in the Indian population, to ensure that never again would it support or ally itself with a Marxist guerrilla movement.⁹

Significantly, in terms of reducing the strength of the guerrillas, repression quickly proved counterproductive. By the late 1970s, the army's repression of indigenous communities, rather than terrorising them into passivity, was tending to encourage them to arm for self-defence.¹⁰ Davis notes that indigenous groups joined the guerrillas more in search of defence against army and death squads than through ideological understanding.¹¹ David Stoll, author of a controversial but detailed study of the war, observed:

The army's violence backfired. Instead of suppressing the guerrillas, it multiplied a small band of outsiders into a liberation army, mostly Indians drawn from local communities. By the end of 1980, government atrocities seemed to have alienated the entire Ixil population [Ixil was a key region for the rebels].¹²

⁷ Shelton H. 'Introduction: Sowing the Seeds of Violence', in Robert M. Carmack (ed.), *Harvest of Violence: The Maya Indians and the Guatemalan Crisis*, Norman & London: University of Oklahoma Press, 1992 [1988], p.21.

⁸ Benjamin D. Paul & William J. Demarest, 'The Operation of a Death Squad in Sad Pedro la Laguna', in Carmack (1992), p.154.

⁹ Davis (1992), p.24.

¹⁰ Jonas & Walker (1999), p.9.

¹¹ Davis (1992), p.23.

¹² David Stoll, 'Evangelicals, Guerrillas and the Army: The Ixil Triangle under Rios Montt', in Carmack (1992), p.103.

Some observers were suspicious that the wider agendas of economic accumulation and the suppression of democratic forces meant the government did not want to end the war. War is not necessarily simply a contest; it is sometimes a system. One donor with long experience in the country observed:

There was never a huge guerrilla movement – it was more used by the army so they could do what they wanted. They could have destroyed them like this [clicks fingers]. The guerrillas were not so much. There were groups of them in particular areas. We're not talking like Colombia's FARC [the rebel group Fuerzas Armadas Revolucionarias de Colombia].

A suspicion that winning the war was not necessarily an overriding objective is heightened by allegations that the army preferred picking on civilians to confronting armed rebels.¹³ In his analysis of the war, Alessandro Preti cites a landowner's allegation that the army was refusing to go and attack rebels known to be in particular areas.¹⁴ When asked to comment on this allegation, rebel leader Rodrigo Asturias remarked:

Yes, they were sometimes more interested in attacking civilians than armed rebels. The war was a very irregular war, not a normal confrontation. Yes, that definitely happened. Despite being very desirable to attack a guerrilla concentration, it was very costly and particularly when going against well-trained troops who'd been perfecting military strategies for a long time, using traps, holes in the ground, mines. They could lose a whole thirty people.

An analyst who has campaigned against military abuses for many years said the degree to which the army was ready to confront rebels was variable:

There was a politics of terror – attacking civilians. Many times the military preferred not to attack the guerrillas and focussed on attacks on the civilian population to spread the terror, both to the civilians and the guerrillas.

Some of the risks of counterinsurgency operations were offloaded onto indigenous people in the civil patrols, many of whom joined up because one way to survive the holocaust was to cooperate with its perpetrators. Stressing the reduced risk to the army, Stoll has observed that:

In December 1982, the head of the Cotzal civil patrol claimed that the local army detachment had not lost a single man since his civil patrol was organized in January but that his 900-man civilian force had lost 76 dead to the guerrillas.¹⁵

The counterinsurgency saw the military evolve its own institutional interests (including significant economic projects). Meanwhile, the civil patrols – part of a counterinsurgency 'on the cheap' that turned indigenous people against each other – also evolved their own institutional and economic interests, providing a means for patrol leaders in particular to increase their power and privileges.

¹³ This has been observed in other wars – for example, in Sierra Leone.

¹⁴ Alessandro Preti, 'Guatemala: violence in peacetime – a critical analysis of the armed conflict and the peace process', *Disasters*, 26:2 (June 2002), pp. 99-119.

¹⁵ Stoll (1992), p.106.

On a global level, the 1990s seem to have seen a shift from funding warfare via alliances with Cold War superpowers towards violence that was more self-funding and financed in large part by international trade.¹⁶ This was not a sudden transformation. The reliance of warring parties in Afghanistan on opium trading, for example, began during the Cold War era. Similarly in Guatemala, the army's attempts to secure finance from various kinds of relationships with organised crime goes back even to the 1970s. However, reductions in external support – in this case from the mid-1980s – definitely gave a boost to these attempts at self-funding violence. This has helped give the armed forces in Guatemala some degree of immunity – or at least partial independence – from outside pressures. Also significant in establishing this autonomy has been deception through 'creative accountancy'. One trade unionist in the peace movement said:

How did the army finance the war? In two ways. One was using the budget of every single civil agency.¹⁷ Second, they developed their own economic interests. They developed their own economic bank, an insurance company, import businesses, a supermarket, contraband. After the end of the Cold War, it included business in Russia – in the bonds business – and in the US. And there was money from development aid. So they could do all this and say 'Fuck you' to the US. They had their own armaments factory in Coban in Alta Verapaz. It still exists today.

He gave further details of how the army's economic interests evolved:

The army in 1963-73 was becoming dominant... Anti-Communist ideology was being preached by the US – taking officers for training at the Escuela de las Americas. The army became aware it was foolish to be paid miserable salaries and be putting lives on the line while the private sector was profiting hugely, so they decided they too should enjoy the spoils of war, or the spoils of the system. They would take land, either unused or indigenous land. Or they established economic enterprises. One group of generals established a cement factory and another a beer factory – the Tacana brewery to challenge Gallo, but they were paid off by the Castillo family, bought out. Similarly, the Novella family bought off the army's cement factory. Profiting was important at the individual level – taking enough to build a house, or stealing land... Profiting also led to tensions [in the Guatemalan army]. The rank and file saw themselves going to fight and being killed and saving La Patria while generals were making businesses and doing huge corruption schemes.

In the 1970s, diversification of exports was associated with increasing concentration of land ownership and a rise in expropriations from the peasantry. The main beneficiaries were army generals who used their control of the state to accumulate wealth and who were, according to Jonas and Walker, incorporated into the ruling class.¹⁸ Many peasants had received land via colonisation schemes in the 1960s only to have it taken away by army officers in the 1970s.¹⁹ One journalist observed:

¹⁶ See Francois Jean & Jean-Christophe Rufin, *Economie des Guerres Civiles*, Paris: Hachette-Plurriel, 1996; and David Keen, 'The economic functions of violence in civil wars', *Adelphi Paper* no. 320, London/Oxford: International Institute for Strategic Studies/Oxford University Press, 1998.

¹⁷ This 'tradition' continues, with the hidden transfers of resources to the Ministry of Defence from other ministries.

¹⁸ Jonas & Walker (1999), p.6.

¹⁹ Jonas & Walker (1999), p.8.

When the military won elections in 1970, the military gave land to military personnel in the north of Coban. It's a very productive area – coffee and wood and cattle – and created the Estado Mayor Presidencial [EMP, Presidential General Staff – military intelligence]. It was because the military didn't want to be overviewed by the intelligence service, so created their own.

When I asked a consultant closely involved in the Guatemalan peace talks how the economic project within the army had begun, he commented:

The explanation goes back to '63 when a military commander by the name of Enrique Azuria became head of state. To ensure the loyalty of the armed forces, he came up with a Weberian system of benefits for service - normal salary, paid-for cars, housing paid for, scholarships to go abroad, a special supermarket for the military, additional salaries in dollars. High ranking staff got opportunities to participate. The army acquired a television station, industry, a parking lot, insurance. This was the legal part. But, especially as the war emerged, parallel to that - stealing cars, kidnapping, paid-for assassinations, corruption and the biggest, narco-trafficking.

Though one military analyst felt military involvement in the economy had actually gone further in Honduras,²⁰ James Dunkerley and Rachel Sieder suggest that the Guatemalan armed forces came to acquire the most extensive economic interests of all Central American militaries, adding that the Guatemalan military's economic independence from both the domestic bourgeoisie and the US represented a contrast with the Salvadoran military. The armed forces also acquired the state electricity and telecommunications monopolies, the national airline, and a national TV channel (Canal 5).²¹

When the sheer brutality of the counterinsurgency led to a proliferation of rebels, a second phase was launched, involving the control of movements and the creation of 'strategic hamlets' where 'developmental' resources were to be concentrated. This brought additional economic benefits to the military. Carol Smith has noted that the military benefited from its control of food supplies and of "a considerable proportion of labor in the regional economy".²²

The war also saw the development of a close relationship between elements of the army and organised crime. One military analyst noted:

The counterinsurgent state – some states are highly institutionalised, for example apartheid South Africa didn't leave enforcement to informal mechanisms.²³ But in Latin America and especially Guatemala you've had ruling elites not even pretending to respect their own laws. For example, in the counterinsurgency it became clear that, if need be, the army will defeat guerrillas using any resource they had. There was no serious problem of political prisoners – nobody reached the jails. But we had the laws against that. The groups defending the state were

²⁰ "In Honduras the army was more successful as an institution - there was a big cement factory. The army became relevant in the Honduran economy."

²¹ James Dunkerley & Rachel Sieder, 'The Military: The Challenge of Transition', in Rachel Sieder (ed.), *Central America: Fragile Transition*, Basingstoke: Macmillan/Institute of Latin American Studies, 1996, p.85.

²² Carol A. Smith, 'Destruction of the Material Bases for Indian Culture: Economic Change in Totonicapan', in Carmack (1992), p.226.

²³ This view should not be overstated, incidentally.

going against the laws of the state, and these groups decided if they were going to fight clandestine groups, they would have to develop clandestine methods. They used criminals to carry on selective targeting of leftists. And they used the PACs [Patrullas de Autodefensa Civil, or civil patrols]. In the capital, they used criminals (not recruited into the army) in attacks against trade unionists, opposition politicians, university professors etc.

For criminals involved in smuggling and other rackets, success depended on relationships with state officials. Meanwhile, the army was able to disguise its own involvement in organised smuggling rackets by working through groups of criminals. Counterinsurgency and anti-narcotics operations provided perfect cover. The analyst continued:

They went on to gain control of immigration and customs, and were developing a very nice business for themselves. And they organised groups to work in this – they were not using uniformed people for this work. They said they wanted to keep track of arms trafficking, smuggling and movement of suspicious people.

Peace in 1996 represented a threat to these cosy relationships, bringing the twin threats of rule of law and closer international scrutiny:

When peace came, the criminal networks were not functional any more. The army was being displaced from power and couldn't guarantee impunity. Criminals had already established very good links with the military officers. The government had the support of the business community, the international community, and the left.

For those opposing organised crime and state brutality, capitalising on this window of opportunity would depend on being able rapidly to construct a viable state capable of enforcing the law. However, this has not been done. The military analyst went on:

The current [Portillo] government, with its chronic political crisis and factional fighting, has led to de-institutionalisation – eroding the already weak institutional basis in Guatemala. So criminal groups have had the opportunity to re-emerge, but because the state is eroding. It's retired military officers mostly – left over from the counterinsurgent state. They're becoming politically relevant again...

Since the complex accumulation of goals that shaped the war went beyond simply defeating the rebels, it follows that the war's end in 1996 left many of these agendas very much alive. A perceived need to suppress pro-democracy groups has persisted on the part of many sectors of the Guatemalan elite, war or no war. The army and civil patrol leadership have attempted to defend their power and privileges, war or no war. The structures of the counterinsurgency – and relationships with organised crime - have not only persisted but have continued to shape the political economy of peacetime Guatemala. Jennifer Schirmer's work brings out the attitude among many senior officers that the war goes on, despite the 1996 peace agreements. The peacetime enemy is defined as criminals and subversives, a transition that is in some ways smoother than it might appear, since the rebels were also referred to as criminals and subversives.²⁴

²⁴ Jennifer Schirmer, 'The Guatemalan Politico-Military Project: legacies for a violence peace?', *Latin American Perspectives*, 26:2 (March 1999), pp. 92-107.

Investigating the military budget is risky. In July 2000, there was a break-in at the offices of the National Coordinator for Human Rights (CONADEHGU) and computers were stolen as well as paper files relating to the office's research into the military budget. The perpetrators left behind surveillance photos of the office's director.²⁵

However, the UN's political mission MINUGUA has made some investigations. The 1996 peace agreement stipulated a 33 per cent reduction in the military budget as a proportion of GDP. In 1997 and 1998 the military budget was indeed reduced, falling to lower percentages of GDP than the agreed level of 0.66 per cent. In 1999, the total military budget was 914 million quetzales, or 0.68 per cent of GDP – marginally more than the peace agreement stipulated.²⁶ However, MINUGUA noted in May 2002:

The situation was different in 2000 and 2001. Although the amount assigned to the military in the National Budget Law in both years reflected the established target, the target ended up being overshoot as a result of constant financial transfers which the Executive made to the Ministry of Defense. This resulted in the Ministry executing amounts far in excess of the target established in the Agreement. In these two years, the total expenditure executed by the Armed Forces was 0.83 per cent and 0.96 per cent of GDP respectively, proportions similar to those prevailing during the armed conflict. At the same time, inadequate sums were assigned to the Priority Spending Programme for Peace... The Mission [MINUGUA] believes there is a two fold non-compliance: on the one hand, the increase in spending by the Ministry of Defense, on the other, the failure to prioritize social spending because of these transfers.²⁷

Revealingly, the National Budget Law for 2002 tried to correct transfers by including a provision preventing the Executive from making transfers from the funds reserved for national debt payments to other items.²⁸ Money was transferred in 2002 from the PNC (National Civilian Police) to the Ministry of Defence while the Police Academy suffered from a severe lack of resources.²⁹ One experienced donor representative told me in May 2002:

There's been an increase in the budget of the army – it's doubled in the last year, but not officially. It's transfers from other ministries – a transfer from the Ministry of Interior has been a large amount. The Ministry of Interior doesn't have too much left for itself!

There were some 46,900 soldiers in active service at the end of the conflict in 1996. By September 1998, according to government figures, this number had been reduced to 31,423, a reduction that met the requirements of the peace agreement.³⁰ One analyst in the peace movement said: "The army is supposed to have reduced by 33 per cent since the end of the war, but the budget is still growing. It doesn't make any sense! Lots is directly robbed by the Ministry of Defence." This implies some very significant economic benefits for senior officers.

²⁵ US State Department, *Country Reports on Human Rights Practices for 2002 – Guatemala Section*, 31 March 2003b.

²⁶ MINUGUA (United Nations Verification Mission in Guatemala), 'Verification Report: Status of the Commitments of the Peace Agreements Relating to the Armed Forces', May 2002, p.14.

²⁷ MINUGUA (2002), pp.14-15.

²⁸ MINUGUA (2002), p.15.

²⁹ US State Department, *International Narcotics Control Strategy Report*, 2003a, 9/35.

³⁰ MINUGUA (2002), p.16.

Many observers say that the numbers of soldiers on the pay-roll has actually been cut more drastically than official figures indicate, with the difference again accruing to senior officers. One trade unionist commented: “Even with the assessment of MINUGUA, nobody knows how many soldiers there’ve been... There are actually 15,000 soldiers in the army but the army say there’s 30,000 and the difference is going into the pockets of officers.” Another analyst, closely involved in the 1996 peace accord, concurred:

There are only 15,000 in the army now. That is true. There were 51,000 active forces. The peace accords demanded a reduction to 33,000 and that’s the number being used and they’re demanding budgets for this. But there are only 15,000 or 16,000 active forces, so there is a great theft of funds... It’s really a historic tradition to do this: exaggerate the size of the army and divide the difference between the first, second and third in command - and the military intelligence person, they always have to get some. The 1, 2, 3 on the top of each command - it’s each unit. It’s a bit like the case of El Salvador, where the US was paying 1 billion US dollars, but officers were taking a big cut and the US eventually complained. It’s not just corrupting a few [in Guatemala]; it’s institutionalised... The sad thing is that’s the least of the misappropriation they’re doing.

Further underlining the power of more senior ranks is the fact that reductions in personnel, according to MINUGUA, have affected the rank-and-file rather than officers and NCOs. At the time of the peace agreements, a reduced intake quota was established for the *Escuela Politecnica* (military academy), which should have reduced the size of the officer corps. However, MINUGUA reported an increase in the number of officers graduating from the military academy in 2001.³¹

An army of some 30,000 would seem, in any case, to be inappropriately large if it is intended for external defence. MINUGUA says the regional context means “questions arise about the need and relevance of Armed Forces of the current size and structure”, citing in particular the Framework Treaty on Democratic Security in Central America, which makes provision for collective defence and solidarity in the case of armed aggression and for territorial integrity within the framework of Central American integration.³²

Revealing of the failure to reform the armed forces in Guatemala is the pattern of geographical deployment. The peace agreement “establishes that the military forces must be redeployed for the purposes of national defense, border patrol and protection of Guatemala’s maritime and territorial jurisdiction and airspace”.³³ But in 1999 MINUGUA found that “deployment continued to be oriented toward counter-insurgency”.³⁴ In 2001, MINUGUA added:

Between February and September 2000, it was verified that the Maya Task Force and more than 30 detachments were dismantled. Since that period, there has been no further progress in compliance with this commitment, which was rescheduled for the end of 2002.³⁵

³¹ MINUGUA (2002), p.16.

³² MINUGUA (2002), p.16.

³³ MINUGUA (2002), p.17.

³⁴ MINUGUA (2002), pp.16-17.

³⁵ MINUGUA (2002), p.18.

The Ixil area was particularly devastated in Guatemala's counterinsurgency. MINUGUA noted:

... from the strictly military viewpoint, it is hard to justify the existence of detachments such as those deployed in the Ixil Area (Bisan, Chiul and Chajul), whose mission is to provide security for logistic movements, as this is a region with a virtually non-existent communications infrastructure.³⁶

At the end of 2000, Guatemala's Chief of the General Staff undertook to dismantle the Ixil Area detachments. Yet this was not done. In 2001, the Minister of Defense recognised that the deployment of the Armed Forces was still counter-insurgent in nature.³⁷

Training and education within the army during the armed conflict was geared towards counter-insurgency.³⁸ Again, this has not changed much. An Armed Forces' evaluation of the Kaibil (Kaibil Special Operations and Training Centre) course in July 1996 led to only two changes. The first was a change in the motto from "The Kaibil is a killing machine when foreign forces or doctrines threaten the Fatherland or the Army" to "The Kaibil is the elite of the Guatemalan soldiers when foreign soldiers threaten the Fatherland". The second was the inclusion of humanitarian law and human rights law in the curriculum. On the latter, MINUGUA observes, however, that "these subjects were assigned little time and were not taught in an appropriate way", adding that "old practices of ideological inculcation persist, training continues to be counter-insurgent, corporal punishment is still one of the methods used to discipline students, and the use continues of such mottos as 'If I advance, follow me; if I stop, pressure me; if I retreat, kill me'."³⁹ The courses of the School of Civilian Affairs and Psychological Operations, and of the Armed Forces Intelligence School, continue to revolve largely around internal conflict. The military instruction handbook on counter-insurgency has been replaced by a handbook on 'comprehensive co-operation'. However, MINUGUA notes that "a comparison of the two texts reveals that the change has basically been in name only, and that there have been few changes to the substantive content". The Adolfo V. Hall military academy still has corporal punishment for students – something that used to be administered throughout the Armed Forces. MINUGUA notes:

This is a controversial subject among the military education authorities as some maintain that corporal punishment is implicit in military training while others point out that these practices lead to abuses and manifest a readiness to modify disciplinary codes and internal regulations.⁴⁰

More generally, MINUGUA observes:

... there is a structural imbalance in the defense budget inasmuch as pay for personnel represents 80 per cent of the total. This places great constraints on the possibilities of investment and military education and thereby adversely affects the process of modernization and professionalization of the Armed Forces.⁴¹

³⁶ MINUGUA (2002), p.18.

³⁷ Many military detachments have additional missions like protecting ecology, cultural heritage, control of arms trafficking, prevention of forest fires – "functions that would better be assigned to civilian entities" (MINUGUA, 2002, p.18).

³⁸ MINUGUA (2002), p.19.

³⁹ MINUGUA (2002), pp.20-21.

⁴⁰ MINUGUA (2002), p.21.

⁴¹ MINUGUA (2002), p.15.

To some extent, the socio-economic elites in Guatemala appear to feel they can allow a downsizing of the army in a context where private policing has been booming. The total number of private police was variously estimated in 2002 at between 45 and 50,000. The private police is mostly made up of demobilised soldiers, as well as a number of ex-PACs. Private police have been prominent in the armed protection of landed estates at risk from Mayan peasants who feel they got little from the long years of revolutionary war. They also carry out some of the intimidatory 'work' that formed part of the old counterinsurgency. One trade unionist commented:

With so many private police, you don't need an army, and the private police have got better arms... There are 50,000 private security police, many of them illegal. They are directly organised by the military and ex-military. The prerequisite for involvement in private security is that you are an ex-soldier. The national police is supposed to be 20,000.

An expert on delinquency and organised crime gave this assessment of the role of the private police:

There are groups organised from the state, and those who have consent from the state. For the most part, the army is not acting itself, but the dirty work is done by the other groups. There's private police, private companies that the state consents to. There's no regulation of the private police – they're booming. Private police have some 45,000 – more than the national police, though the national police have risen to 20-25,000. The private police are creating a lot of violence. They have a relationship with the conservative sectors – people from the trade unions are being intimidated by the private police. Guards in the big farms are armed by the owners. Ex-insurgents, ex-military, ex-torturers, and the ex-PACs have gone into the private police. By day they have one face, by night another face. They organised themselves into gangs – to enrich themselves and maybe offer their services as agents to carry out violence in some way. Bodies are often found tortured – it's reminiscent of torture methods used in the counter-insurgency, beating in specific spots of the body, and the way the arms and hands have been tied. You recognise it from the war.

The weakness of law enforcement in Guatemala is a key problem. The weakness of the police and the civil intelligence makes it very difficult to provide credible alternatives to a largely unreformed military (including a largely unaltered military intelligence). In these circumstances, the military can continue to legitimise itself through the 'war on crime' and the 'war on drugs'.

The continuing power of a conservative private sector tends to reduce opportunities for constructing a viable, accountable state – or to get away from the over-reliance on counterinsurgency structures.

The private sector has been ambivalent in relation to the peace process. On the one hand, many elements of the private sector were instrumental in pushing for peace, not least to facilitate the integration of Guatemala into international trading networks. On the other hand, elements of the private sector have at least three reasons for seeking to undermine Guatemala's fragile peace. First, some elements of the private sector continue to rely on profoundly exploitative economic relationships and with this comes a continued interest in the suppression of democratic forces, including the intimidation of unions and the blocking of land reform. Second, there are elements of the private sector which are closely entwined with

a burgeoning criminal economy which in turn requires a degree of disorder in order to prosper. Third, the private sector as a whole has usually resisted the increase in taxation necessary for the implementation of the significant welfare provisions in the peace accords. The Guatemalan private sector has been accustomed to paying little or no tax. Indeed, this seems to be part of the explanation for the escalating spending on the military: a government attempting to increase taxes has been trying to cement the loyalty of the military in the face of a possible private sector-backed coup.⁴²

One experienced donor representative said in 2002: “The army is increasing because this government is afraid of a coup which could be given by the private sector, and using the parallel structure, the same which was existing in the 1980s.” Civil intelligence chief Edgar Gutierrez told me: “The previous government turned their attention to economic, social and even agrarian reform. This provoked a confrontation between the government and the private sector that had been dominating the public agenda. The military has been a bit of a neutral.” One senior academic explained in more detail:

There’s a confrontation with the private sector, entrepreneurs and CACIF [Comite Coordinador de Asociaciones Agrícolas, Comerciales, Industriales y Financieras] – a very powerful organisation of the entrepreneurs, finance, services, industry, agriculture. So this government has a hard confrontation with CACIF. This confrontation during these [last] two years is going in favour of the government, and the entrepreneurs are losing though not defeated. The tax problem is the core... It’s a problem of deficits – we can’t accomplish the peace accords – on education, health – with 8 per cent taxation... The government has imposed some tax laws against the will of the CACIF. Portillo [President Alfonso Portillo Cabrera] has called for the support of the army, and they must give something in exchange for the loyalty of the army. The national expenditure budgets [for the army] are growing rapidly every month. In the past, the economic policies were dictated by CACIF, and CACIF put in place the Ministers of Economy and Finance. This is the first government that doesn’t do that. CACIF would like to impose their interest. The problem of taxes is a permanent problem in Guatemala. In the peace accords, the government agreed to raise the proportion of taxes in relation to the Gross National Product from 8 per cent to 12 per cent and then 14 per cent by 2004.

The need to bolster the loyalty of the army seems to have led to concessions beyond the escalating budget. A senior academic commented:

Retired generals are using the old army condition. At this moment they have more influence than any moment in the past. They are beginning to go into the political process, influence the President in the nomination of the Minister of War [Defence], Minister of Interior. [You have] military in the migration offices, in the police, four or five in the parliament – a slow but real process of remilitarisation of the state. Why has the army’s power risen? Rios Montt [President of Congress] is a second President. He has more factual power than Portillo.

In July 2003, Rios Montt was authorized by the Constitutional Court to be a Presidential candidate, but then the Supreme Court temporarily suspended that ruling, prompting busloads

⁴² Compare Venezuela.

of Rios Montt's followers to descend on Guatemala City and attack journalists and critics of Rios Montt.

Weakness of the police

The Guatemalan security apparatus is deeply implicated in organised crime. During 2002, according to the US State Department, Guatemala's National Civilian Police's Anti-Narcotics Operation Department (DOAN) stole more than double the amount of cocaine that was seized. The US State Department added:

DOAN personnel also held the small village of Chocon hostage, while torturing and killing two village residents, in an effort to steal 2000 kilos of cocaine. These scandals and others led first to the firing or transfer of more than 75 percent of the DOAN personnel, and ultimately to the elimination of the unit in October 2002.⁴³

The US government has estimated that "up to 400 metric tons of cocaine are shipped through the Central American corridor to Mexico and the United States annually, with up to half of that total passing through Guatemala".⁴⁴ Cocaine seizures reached a high-point of some 10 metric tons in 1999. But under the Portillo administration, performance has been particularly poor. Cocaine seizures fell to 1.4 in 2000, and totalled only 4.1 in 2001 and 2.4 in 2002.⁴⁵ An estimated 10 percent of some cocaine shipments passing through Guatemala is left behind as payment for services rendered, and most of this is sold in Guatemala as crack (V-23). The Guatemalan government's ability to deal with narcotics trafficking and organised crime in general is inhibited by "widespread corruption, acute lack of resources, poor leadership, and frequent personnel turnover in law enforcement and other Government of Guatemala agencies".⁴⁶

I spoke with a lawyer in the town of Huehuetenango in the northwest of Guatemala. He spelled out some of the collusion with organised crime in the area:

Our justice system is weak. Well-organised delinquency groups – kidnapping, bank assaults – have found very favourable conditions to do their crimes. The system is so weak and they can just buy the police chief, give lots of money in order to not be molested. Criminal groups have relationships with the Central American region – Honduras, southern Mexico, El Salvador, groups operating there. They get support for narco-trafficking, especially from the army. Because of our location, near the border to Mexico, we have the narco-traffic – mainly of Colombian origin. Plus, many of the population of 'Huehue' [Huehuetenango] migrate to the US – so this favours the people who deal with drugs.

A human rights worker in Guatemala City gave this assessment of how crime and punishment work in Guatemala:

There's a war between the narcos. How can drugs be captured by national police and put in storage, and suddenly it disappears? The government is trying to say 'Someone stole the drugs and we'll capture them.' The national police is getting into houses and looking for drugs. The same police advise the narcos that they

⁴³ US State Department (2003a), V-21.

⁴⁴ US State Department (2003a), V-21.

⁴⁵ US State Department (2003a), V-21 & V-27.

⁴⁶ US State Department (2003a), V-21.

will do the operation, and the narcos can go... The national police will ask for money from the Gallitto [gang – in English, ‘little cocks’] for leaving them alone... It’s easier for criminals to get out of jail than to be captured in the first place. The people in jail who can’t get out are the poor people without attorneys. It can be one to three years. Maybe mistaken identity put them there in the first place, and in jail they learn to be criminals.

Subjection to injustice seems to have brought about a desire to create one’s own justice, and to redirect the violence towards someone else. One journalist commented:

Guerrillas were called ‘delinquentas subversivas’. In the war, the army says to the patrols, ‘You should catch the delinquents and then kill them in front of the population.’ So for them there’s nothing wrong in catching guerrillas and killing them in front of women and children in the centre of a town. If you look at the lynchings, it’s the same process. They take the delinquents and kill them in front of the community. Minugua [UN political mission] says in 80 per cent of cases, there’s one or two members of civil patrols in charge of mobilising the community for the lynchings. In the war, the man of the community involved in recruiting for the civil patrols was the military commissioner.⁴⁷

In theory, this position was disbanded, but the ex-commissioner is often involved in the lynchings. When the population wants revenge, maybe someone takes the chicken and it’s enough to be killed. People feel if they wait for the police, and the police talk to the judge, and they send the delinquent to the *Ministerio Publico* (Attorney General), and then maybe nothing happened because the jails are crowded, and nobody wanted to make a process because it’s just a chicken and the delinquent is sent back to the community. Maybe, yes, there’s a pent up sense that justice has not been done [feeding into lynchings]. Mostly, it’s a sense of ‘What they did to us, we want to do to another. People have been living in a very insecure state for 30 years. Maybe your neighbour doesn’t want you and goes to the army and says you’re a guerrilla, and they come and kill you – no justice. And people feel, ‘If we wait, there’s never going to be justice.’ It’s one of the biggest difficulties in the way of democracy. I don’t believe in this system of justice, of impunity.

The normalisation of violence against certain ‘delinquent’ groups has been marked, and police action has frequently been arbitrary. Like the counterinsurgency (and the distinction sometimes blurs), police action often fails to target the expressed enemy but succeeds in intimidating a much wider group. These phenomena are certainly not unique to Guatemala. For example, in the context of Brazil, Scheper-Hughes has argued that some people are not considered to be worthy of state protection – and that a society, even the victims themselves, may see violence as normal, inevitable or even acceptable. Further, she says police actions are often arbitrary and intimidate entire social groups.⁴⁸ One man who has carried out a detailed study of crime and young people in Guatemala City said:

The police don’t make a good investigation. They keep saying they [those they target] are delinquents and it isn’t important. The final objective is to keep young

⁴⁷ Military commissioners could make money by offering to waive recruitment if a relative (for example, a father) paid them a bribe (Paul & Demarest, 1992, p.127).

⁴⁸ Nancy Scheper-Hughes, *Death without weeping: the violence of everyday life in Brazil*, Berkeley: University of California Press, 1992. See also D. Rodgers, *Living in the Shadow of Death: Violence, Pandillas, and Social Disintegration in Contemporary Urban Nicaragua*, unpublished Ph.D. dissertation, Department of Social Anthropology, University of Cambridge, 2000.

people afraid, so they don't participate. It's striking how many of the victims are girls – maybe 20-25 per cent women – young women, often very young like 13. People are often killed in a horrible way, with elements of torture – a manifestation of the counter-insurgency project. There's a strong discourse against youth, an open discourse against youth, especially those who dress strangely and have tattoos.⁴⁹ We even accept the idea of killing them.

He added that during the war, government infiltration would actively recruit gang members, who might then be killed:

There's an ideological construction where 'mara' is equal to delinquent. The government is always talking about security, and they need to create the impression they have been taking action. If there aren't enough of them – criminals, gangs – you create some. So you make it appear as if you are countering it.

To a significant extent, recognition of an individual's human rights in Guatemala has continued to be conditional – in peacetime as in wartime. Recognition of rights tends to be conditional on an individual avoiding the label of 'rebel' or 'subversive' or 'delinquent'. Of course, this fundamentally undermines the whole concept of human rights, which are intended to apply to all humans - including those who have had accusations made against them. The (presumed) guilt of certain groups is intimately connected with continued abuses against them.

The military and organised crime

Four connections between the military and organised crime are prominent. First, as noted, soldiers may be 'on the take', tolerating organised crime because they are taking a cut.

Second, the prevalence of crime provides legitimacy for continued high levels of military spending, particularly given the weakness of law enforcement. According to MINUGUA, the authorities often try to justify military spending by referring to the Armed Forces' support for other state institutions that are weak or absent in the country's interior.⁵⁰ It is worth noting that while arms controls could play a key role in combating crime, the Guatemalan government has repeatedly stalled on laws to improve arms control.⁵¹ How influential the military has been in this stalling is not clear.

Third, retired generals, ex-soldiers and ex-PACs play an important role in organised crime, and often expect to be protected by the authorities. A human rights worker suggested:

One effect of impunity is the direct continuation of war criminals, ex-PAC, ex-military continuing on criminal lines because they haven't been brought to justice. Also, impunity is creating a set of values that you can do whatever you want. Delinquency is concentrated in the 'maras', who express a total disrespect for societal values of respecting others. We work in Ixcán, part of Quiché – when groups who hijack buses are arrested, often ex-PACs, they say 'So what? We have friends in the military.' That's an attitude we encounter.

⁴⁹ "When the court system analyzed arrest warrants for juveniles, it found such reasons as having tattoos or scandalous behaviour in public" (US State Department, 2003b, 11/35).

⁵⁰ MINUGUA (2002), p.15.

⁵¹ MINUGUA (2002), pp.12-13.

A member of the civil intelligence service in Huehuetenango reported:

Our levels of corruption have got so bad that individual policemen were saying, ‘Why if they were stealing 80 million Quetzals at the high levels, what difference will it make if I steal this?’ You need to distinguish common delinquency and organised delinquency. Common delinquency is linked to poverty, unemployment, stealing for food. Levels of nutrition are so low! Organised delinquency is well structured. They have information and are protected or have some kind of relationship with some people in the government. Robbery of banks, kidnapping (sometimes millions of dollars for just one individual), kidnapping, narco-trafficking, car-stealing, smuggling. There’s also quick kidnapping to force someone to pull out money from a bank – this tends to be more common delinquency... There’s a culture of war that hasn’t really dissolved. In delinquency gangs, participants have been soldiers, or guerrillas, or ex-PACs, so they all have a culture of war and they have all been trained for what they’re doing. When they commit an assault, it’s what they know how to do!

The harmful role of ex-PACs, ex-generals and ex-military more generally suggests dangers in programmes of ‘purification’ in the wake of a conflict. Of course, one way of getting rid of abusive elements from an *ancien regime* is simply to fire them. In Iraq, this approach is currently being pursued with some vigour by the US-dominated coalition administration. But those sacked from state posts do not necessarily go away quietly.⁵² One important source of criminal activity in Guatemala seems to have been the group of officers kicked out of the army after a failed coup d’etat in 1993 when peace was looming. This group went on to play an important role in a criminal organisation known as GS, according to sources. The US State Department reports (2003a, V-24) that after significant US government and public pressure, the Government of Guatemala announced at the end of 2002 that it was opening investigations against five retired military officers who are allegedly involved in drugs trafficking. They included retired General Luis Francisco Ortega Menaldo - “believed by many,” the State Department said, “to be the leading figure of organized crime in Guatemala” (US State Department, 2003a, V-24). In Guatemala, there has been some attempt at providing compensation for demobilisation – what Jack Snyder has called “golden parachutes” – but with mixed success.⁵³

A fourth connection between the military and organised crime lies in the activities of military intelligence. One trade unionist commented:

⁵² Ramiro Lopes de Silva, the UN’s most senior humanitarian official in Iraq, said at the end of May 2003 that the sudden decision to demobilise 400,000 Iraqi soldiers without any re-employment programme could generate a ‘low intensity conflict’ in the countryside, particularly given the tightened security in the capital. De Silva also questioned the authority’s de-Ba’athification programme under which up to 30,000 Ba’ath party officials are automatically excluded from office (Rory McCarthy, ‘UN chief warns of anti-American backlash in Iraq’, *The Guardian*, 27 May 2003). The demobilization does appear to have contributed significantly to subsequent disorder.

⁵³ Jack Snyder & Edward Mansfield, ‘Democratization and War’, *Foreign Affairs* (May/June 1995). A lot of the demobilisation was from the Mobile Military Police. The programme of the National Peace Fund (FONAPAZ) and the International Organisation for Migration – provided economic compensation for the Mobile Military Police for time spent in the armed forces, plus professional/technical training, facilities for finding employment with government departments or the private sector, and credits for those seeking to establish small businesses. “The Mission’s verification indicates that all the demobilized personnel received economic compensation. Given the programme’s voluntary nature, the use of its other aspects was uneven” (MINUGUA, 2002, p.10).

The weakness of civil institutions and the police has meant that military intelligence is key in controlling crime, like kidnapping. EMP protects the President and controls him. It's not the government but the state that's the problem. G2 controls the society and the army. It's EMP and G2 controlling the society and the President.

Underfunded governmental attempts to combat crime seem to have helped clandestine intelligence organisations to solidify relationships with organised crime. These relationships have sometimes been turned against the human rights community – again a continuation and modification of wartime patterns where criminal organisations were used to intimidate activists. Subject to particular intimidation have been human rights organisations trying to bring abusive army officers, including Rios Montt, to justice. The declared intention of the Government of Guatemala has been to place intelligence under civilian control, but civil intelligence (primarily the *Secretario de Asuntos Estratégicos*, or SAE) has been underfunded and weak, whilst limited information has been provided to it by military intelligence.⁵⁴ Unaccountable intelligence organisations cannot be relied upon to combat crime rather than participating in it. As the head of the civil intelligence, Edgar Gutierrez, commented:

There've been two governments now after the peace accords. The first one [under President Arzu from 1996 to 1999] resorted to using clandestine intelligence organisations to fight organised crime and made the mistake of not dismantling these clandestine organisations. Then there was the assassination of Archbishop [*obispo auxiliar*] Gerardi [just after publication of a major church report on the atrocities of the war]. This same apparatus and method have been used to intimidate the human rights organisations, the same as were used against organised crime... The post-conflict state has used the structures of the war, the clandestine apparatus. The big trap of the state in using old intelligence apparatuses from wartime now is that the boundary between those clandestine intelligence operations and organised crime is becoming thinner and thinner, and these intelligence operations cooperate with the *Ministerio Público* [Ministry of Justice] and the judicial organisations and the national police, and often the different official and unofficial agencies conduct parallel investigations that derail and cover up what really happened, and do so quite consciously, so truth and justice are not brought to light.

A military analyst involved in the peace agreement commented:

One of the key structures in the military corruption is the Presidential Chief of Staff – in charge of security around the President. The EMP is at the centre of military corruption. We envision you have to dismantle this structure. I was commissioned by the UN to look into how to dismantle the EMP, and the ambassador of the US was one of the loudest voices saying the EMP has to be dismantled. But we didn't achieve anything. In seven months the UN project didn't achieve anything. Portillo was not able to change anything. It shows it's a complex structure. You'd need a President with strong backing and a strong, clear political agenda to reconvene the military apparatus and especially the EMP, but Portillo is definitely not that kind of President.

The EMP's budget actually doubled in the course of 1992, with some of the funding transferred from the budget of the Ministry of Agriculture, Livestock and Nutrition and some

⁵⁴ MINUGUA (2002), pp.22-23.

from the budget of the Peace Secretariat, set up to monitor implementation of the peace accords.⁵⁵ The US State Department confirms that the EMP's budget has been rising while fewer resources have been given to the SAE.⁵⁶ In addition to the transfers from the National Civilian Police (PNC) to the Ministry of Defence in 2002, money was also transferred from the police to the EMP.⁵⁷

Habits of surveillance and penetration of civil society during wartime seem to have created ample opportunities for relationships with organised crime. One analyst in the peace movement said:

The army having shops and businesses was also a way of watching society more closely – a very, very strong presence. Military intelligence, police intelligence, customs, police, immigration, the general sector of taxes – they were basically controlled by the military, and still are.

Information is power, and the army has tended to make sure it has the best information. A trade unionist in Guatemala City commented:

A few displaced from the army are involved [in organised crime]. G2 and EMP have financial power, bureaucratic power and technical ability. The key thing is it's got intelligence, information. When the army study in the university, they used to come away with a degree in communication and technical science. Now they come away with a degree in military science... Civil society is completely weak. There's an intentional policy of not educating people. The military have a data-base and are prepared.

Shame And The Counter-Insurgency Structures

A betrayal of the army?

The Guatemalan army has historically been invited into violence (specifically, into an anti-Communist struggle) by the private sector and by the United States. However, in an era of thawing Cold War tensions when human rights concerns have (at least on the face of it) taken precedence over Cold War struggles, both the Guatemalan private sector and the US have tended to retreat from their support of the army and indeed increasingly to condemn precisely the groups that were previously invited into violence and supported in it. Within the army, the sense of betrayal is strong, as is the loss of a clear identity and sense of purpose (formerly fighting the anti-Communist struggle). This seems to help explain the large-scale deviation of the Guatemalan military into criminal activities and its apparent symbiosis with organised crime (at once a financial opportunity and a new, legitimising source of 'threat').

The way in which the army became a tool for landed interests and the US is worth noting. An army is not necessarily a force for reaction,⁵⁸ and some observers speak of a progressive, modernising element within today's Guatemalan army. However, in Guatemalan history, such progressive elements were marginalised. Indeed, this seems to be part of the explanation for the Guatemalan insurgency. One analyst very close to the military commented:

⁵⁵ Amnesty International, 'Guatemala, 2002: The human rights toll', *Amnesty International Report*, 19 December 2002.

⁵⁶ US State Department (2003b), 1/35.

⁵⁷ US State Department (2003a), 9/35.

⁵⁸ For example, Egypt's army proved a progressive force in many ways.

The revolutionary government of 1945-51, the army was divided at that time, with modernisers backing a democratic revolution and conservatives more receptive to the moneyed classes and landed classes. Neither could have made a counter-revolution without the US. In 1954-63, there were several uprisings within the army from officers critical of the government – modernisers. This led to a purge – the army got rid of all these left-leaning officers. Some went into exile and some founded the guerrilla movement. At that time, the army was a mere policeman of the state and took orders from the extreme right political party and the US. The Guatemala system did not open up enough. The army became a factor, as different political groups got radicalised because they were not allowed to participate.

The army's sense of its own interests – something that developed in the course of the civil war and that was related to continuing armed conflict of some kind – created a kind of tension with the private sector, which itself began to acquire an increasing interest in peace. A trade unionist closely involved in the peace movement observed:

In 1980 to '86, the army realised it was isolated by the private sector. They didn't want to pay taxes to support the war. And they didn't want to fight in the war... [In the 1970s] soldiers started to make themselves businessmen, so they too could get economic power. The army and private sector separated completely in the '90s and the army started to get its own institutional thesis. But the structure of the dirty war was much stronger. So now the enemy of the army is inside the army – the ex-militaries, and those who really wanted the war. You've got a belligerent part and an institutional part.

One human rights activist close to the security structures said:

The army feels it was screwed up by the private sector. The private sector needed the army till the end of the Cold War. Then it rejected the army. You have people not thinking about Communism, and [army] officials thinking more and more about their own economic needs. In the army, there's been a really strong anti-imperialist, anti-gringo streak. They feel they were trained to kill Communists, and feel they were betrayed.

The analyst close to the military said:

The roots of the [current] crisis? There's a process of education of the armed forces. There was a coalition with the landed classes, the aristocracy. It's authoritarian states that build repressive armies. This entity becomes more relevant politically and demands a say and may even become a dominant actor... Those depending on the army came to see it as an obstacle – their repressive tactics were stopping markets in the US and vacations in Miami and whatever. Now there's a huge protest in the officers' corps against the moneyed classes because they feel betrayed. *They were doing their dirty work and then their backers decided they were no longer useful* [my emphasis].

The first perceived 'betrayal' seems to have come from the US, with much of the business community sharing a sense of betrayal and disbelief when the struggle against Communism was de-emphasised internationally. The military analyst explained this a bit more:

The feeling of betrayal is dangerous indeed. Originally, the repressive alliance was the Catholic Church, business, the army – the counter-insurgency. Some of

the Church got involved on the other side [with the rebels]. That left the army and the business classes. They waged war against the guerrillas. When the international conditions changed with the government of [Jimmy] Carter and resolutions on human rights, then at that point the Guatemalan regime thought they were waging a war against Communists and the business classes went to argue in Washington that they were saving the world against Communism and they couldn't understand the change in attitude, especially because the US had been training etc. They just couldn't believe it! The US cut off all assistance to the army.

While the era of US President Ronald Reagan brought a partial restoration of the anti-Communist agenda, economic interests linked to globalisation – together with the expense and stigma of war – seem to have helped to create an increasing reorientation towards peace among large parts of the private sector inside Guatemala. Significantly, it was under the PAN (National Advancement Party) – in which the private sector and landed interests were the dominant force – that the peace agreements were signed in 1996. The military analyst continued:

The business elites saw that the world was not as tolerant as before to the absence of human rights and there was lack of access for business to [international] markets. So they began to see something had to change. They adapted themselves very quickly and let the weight of the counterinsurgency fall on the shoulders of the army. The private sector said 'We were not fighting the war; the army was fighting. You want to know who was killing? Go to the people with the guns. It was not us.' The army became very resentful that the elites were creating an image that the army was fighting the guerrillas while the rest (including the private sector) were the victims... It is significant enough, the sense of betrayal. Now the army is not just running to see what the private sector wants from it. Some groups in the private sector have gone to the army to invite a coup. The army doesn't see an interest to get involved in that [my emphasis].

Part of the process of the government distancing itself from human rights abuses was making new appointments at the top of the army, mostly from the air force and navy. This seems to have been a threat to military intelligence, which was exerting political influence via many of the generals who were forced into retirement. It also angered the generals concerned.

Two waves of forcible retirement – under Arzu in 1997 and Portillo from end-1999 – removed key generals associated with the 1996 peace agreements, while Arzu's retirements also sidelined many generals deemed to be responsible for wartime abuses. Many of the latter have remained influential, however. A second military analyst told me:

There's a feeling of general frustration [in the army]. This feeling of frustration, of having been excluded. We encountered a very high level of general frustration, of having been misused by the powers of capital and, with this for once, they are right – they have been misused and betrayed by capital. A lot of that came through in the peace negotiations and after the peace accords, and there was the accusation of being the ones to blame. They couldn't influence processes after the accords, and with the politics of Arzu in dismantling these structures, it left a military with such strong hierarchy problems that [top officers] were taken out and replaced by a bunch of people. The steering was now coming from outside, and not inside the apparatus. Previously, there had always been political guidance

to the army, and the army had become to some degree the toy – manipulated by outside. All this has influenced much in increasing the corruption. The most frustrated are the most corrupt. There are serious problems of hierarchy. Those who are giving the political steering are a group of retired staff, *La Cofradia*. Ortega Menaldo is key, one of the principle military advisers to Portillo. From the inside there's a void. They don't know what their role is. They've been so much a toy of political games – Portillo, Montt – the loss of direction at a psychological level. So they don't know what to do to be promoted, rather than having served and being promoted for service. It leads to more frustration and more corruption. It's partly this dismantling of hierarchy.

War, peace and the distribution of shame

The advent of peace has ushered in attempts to apportion blame for the war. These have included not only the removal from office of generals associated with the war but also judicial proceedings against Rios Montt and others. These attempts have promoted a significant backlash, not least in attacks on human rights organisations. Apportioning blame carries the threat not only of legal sanctions but of feelings of shame. Indeed, while violence may give rise to feelings of shame, the reverse is also true. As James Gilligan shows in his study of violent criminals incarcerated in the US, extreme feelings of shame tend to promote actions designed to eradicate the source of that shame.⁵⁹

As abuses escalate, the task of warding off shame seems to become more and more pressing.⁶⁰ Judith Zur notes that PAC militia chiefs, or *jefes*, in Guatemala have had a strong fear of women's words, and of war widows in particular. They fear ridicule, physical retribution, legal retribution, and retribution from the spirits of those they have wronged. This seems to have fed into sexual violence. Zur observes "jefes (and men generally) are bewildered and offended by the women's laughter, their 'lack of respect', and wonder what they will do next". Zur observes that, for the PAC leaders, "demotion to the ranks of the [Indian] 'other' among whom they have kidnapped, tortured and killed would expose jefes to both physical and supernatural danger".⁶¹ One human rights researcher told me:

The PAC – it's a men's group, became very *machista*, and women notice it very rapidly... The PAC were afraid of women because women were not trained to be part of the PAC. So the PAC and the military were afraid of what the women were seeing and what they could say. They [the women] had not received this 'education' – in terms of anti-Communism etc. In the San Bartolome study, women were saying people from PAC say you have a loose tongue and you have to come live with me - a kind of sexual slavery. The men said why they feared them. In the colonial period, Mayan historians sometimes say some women were not colonised like men and that they continued the cultural traditions. (Many Mayan women fear being condemned to no change [by this kind of discourse]). In both cases [in the colonial period and under the PACs], women were kept out of the ideological 'education', and in the colonial period, seen as something positive. It's women who are seen as different from men.

⁵⁹ James Gilligan, *Violence: Reflections on Our Deadliest Epidemic*, London: Jessica Kingsley Publishers, 1999.

⁶⁰ See Gilligan (1999); and Thomas J. Scheff, *Bloody Revenge: Emotions, Nationalism and War*, Boulder: Westview, 1994.

⁶¹ Judith, N. Zur, *Violent Memories: Mayan War Widows in Guatemala*, Boulder, Co.: Westview Press, 1998, pp.122-123.

Antonius Robben, in a chapter on Argentina's Dirty War in the 1970s in the book *Societies of Fear*, argues that both the military and the guerillas had this kind of fear of the neutral. Those who refused to take sides were often attacked, verbally or physically:

The indifferent, the timid and the frightened did not constitute a military or political threat but a conceptual and moral threat, a threat to the oppositional meaning of enmity and the partisan morality it entailed. They showed that the violence was not inevitable but a product of human choice and making.⁶²

For the most part, guilt and shame have not been acknowledged by the perpetrators of violence in Guatemala. Noting the lack of academic work on the perpetrators of violence, one human rights researcher and campaigner said it was easier to get the victims to speak. Moreover:

...the army won the war. There is not one army official who has talked with regret about what they have done. That is very significant. In other countries – elsewhere in Latin America, in South Africa – you still find some. Yes, there's pressure from commanders. It's not easy for them to do this [admit responsibility], and they have a lot of control over their people. In the army, everybody knows something about someone, that if you talk, they will talk. Not one person in Guatemala has admitted, expressed regret. That feeling is stronger here, for some reason. We thought during the work of the truth commission, we thought there would be some who came forward anonymously. But nobody did. There was an institutionalist line within the army – they wanted a peace agreement. Others were saying 'We won the war. Why should we sign the peace treaty?'

As in other wars, dehumanisation played an important role in facilitating and deepening violence. Judith Zur notes that: "...cultural norms and morality have been contaminated by patrol duty, leading to new definitions of humanness which exclude 'subversives' and their surviving kin".⁶³ Challenging these definitions means undermining perceptions of many within this security apparatus that they are involved in a continuing and legitimate 'war'.⁶⁴ This in turn would force them to confront their own crimes (both during the war and afterwards) within a framework that does not legitimate them – indeed within a framework that logically gives rise to feelings of shame.

International Aspects And 'The Politics Of The Mirror'

In their book *Africa Works*, Chabal and Daloz point to what they call "the politics of the mirror".⁶⁵ This is the system, beginning under colonialism and often continuing after independence, where elites in poor countries may go along with the priorities of powerful foreign governments – perhaps in current times flattering these governments by their apparent pursuit of privatisation, democratisation, financial orthodoxy or whatever, whilst

⁶² Antonius Robben, 'The Fear of Indifference: Combatants' Anxieties about the Political Identity of Civilians during Argentina's Dirty War', in K. Koonings & Dirk Kruijt, *Societies of Fear: The Legacy of Civil War, Violence and Terror in Latin America*, London: Zed Books, 1999.

⁶³ Zur (1998), pp.152-153.

⁶⁴ Compare Tim Allen, who sees war as conferring status, and sometimes legitimacy, on violence ('Perceiving Contemporary Wars', in Tim Allen & Jean Seaton (eds), *The Media of Conflict: War Reporting and Representations of Ethnic Violence*, London: Zed Books, 1999).

⁶⁵ Patrick Chabal and Jean-Pascal Daloz, *Africa Works: disorder as political instrument*, Oxford: James Currey, 1999.

simultaneously giving priority to private accumulation and preserving power for themselves. Foreign governments and international financial institutions have sometimes been content to accept the image or illusion of progress towards these goals, whilst the reality may be very different. For example, privatisation – as we have seen in the work of Reno, Duffield and Castells – may sometimes be a way of transferring national assets to elite private groups.⁶⁶ So long as a rigid distinction is made between policy and implementation – that is, that the policy is good but the implementation is a problem – it can be relatively easy for local elites to get away with this.⁶⁷

In Guatemala, this process has been going on for some time. For example, the coup of March 1982 brought General Rios Montt to power. A façade of constitutional democracy was required, not least to get international financial assistance. But in the 1985 Presidential election, only rightist centrist parties were allowed to participate. In the 1990 elections, again no real opposition parties were permitted.⁶⁸

Jennifer Schirmer argues that the Guatemalan army has adapted itself to the fashionable language of human rights, but often in a very superficial way (cf also MINUGUA). I spoke to someone who had worked for MINUGUA. She said:

Part of the job was doing training for the police and soldiers and so on. We were looking at institutional culture. We did training about human rights and humanitarian law. Here the army is very, very smart. The army here has a political project. When MINUGUA arrived in 1994 the army understood they had to change their policy, and they started dealing with human rights law and humanitarian law - they were already making an initiative. It was common to talk with a commander who could be some kind of expert. Almost every official in the army had the blue Universal Declaration of Human Rights. There's a difference between the official speech and the inner behaviour – it is a little bit 'Guatemala style'. People here are so used to dealing with the international community. They know very well our speech and apparently they agree with us but you never know what they are thinking.

One human rights researcher and campaigner said:

This whole thing of participation, democracy, dialogue has become very shallow, very on the surface. Participation does not mean anything deeper than you being physically in a meeting, and democracy as the formal party system has also become very shallow. There have been many efforts to have a formal legal state, but we have a legal state with people starving. So the question is how democracy, participation and the legal state have nothing to do with the quality of life of the people, and why there's so little emphasis on the latter. As time passes, it becomes so obvious – this disconnection.

New global 'wars' represent new opportunities to reframe local conflicts. A trade unionist commented: "[The influence of G2 and EMP] has been reinforced and legitimised by September 11th. It's a big step backwards for Guatemala. In a country like Guatemala, the events of September 11th have made things worse." Another peace campaigner suggested:

⁶⁶ W. Reno, *Corruption and State Politics in Sierra Leone*, Cambridge: Cambridge University Press, 1995; Manuel Castells, *The Information Age: Economy Society and Culture, Vol. 3: End of Millennium*, Malden & Oxford: Blackwells, 1998; and Duffield (2001).

⁶⁷ See Clay & Schaffer (1984).

⁶⁸ Jonas & Walker (1999), p.10.

“The parallel structures of the army – they can violate any judicial process in the name of anti-terrorism.” A human rights activist close to the security structures said: “With September 11th, the relationship between the army and the US is beginning to strengthen again.” Schirmer notes that US encouragement to army in fight against drugs has helped to maintain the army’s post-war power and its position at least partially outside the law.⁶⁹ On an international level, the end of the Cold War did not see US military spending fall by as much as might have been anticipated, as other ‘wars’ (against drugs, ‘rogue states’ and terrorism) were plotted or waged. In ostensibly peaceful Guatemala, military spending has been rising rapidly, and other ‘wars’ are also being fought (against drugs, criminals, ‘subversives’ and ‘terrorists’).

Many felt MINUGUA had for a long time ‘gone easy’ on human rights abuses in the post-war period. One former Minugua worker observed:

In the 90s the UN was coming from a very dark period – Rwanda, Somalia. They tried to prove they could manage the international milieu. The world was looking for a new leader. The UN came up with a big success in Guatemala and El Salvador, and now they need to prove it is as successful as they said at the beginning.

From late 1980s, the government’s adoption of neo-liberal policies of structural adjustment aggravated the social crisis.⁷⁰ It also makes it very difficult to build up a capacity for law enforcement that could challenge the ex-PACs, the private police, the military and military intelligence, all of which draw a degree of legitimacy from high crime levels. IFI support also seems to enhance the government’s immunity to human rights pressures – particularly since this funding is supplemented by hidden incomes arising from the criminal economy (notably in the case of the military). One influential donor said in 2002: “There’s a strong division between the IFIs and donors, who are really giving grants not loans.” He added:

This government succeeded in winning the election because of the support of the US embassy, the US government. The President decided to upgrade the peace accords as a policy of state. It was significant because the FRG has not signed the accord in ’96. Just to make this concession, to the Americans, it was something positive – saying we will go further with the accords. But this has just been a cosmetic approach. The government presented a matrix that has not been implemented, and 2001 was a year of incredible corruption... This [Portillo] government is a very strange one. They are doing absolutely all what the IMF is asking for. They have very good macro-economic indicators. Even if the population is suffering more and more, statistically it looks like a paradise and it seems Guatemala is an excellent student. The only conditionality for an agreement with the IMF is the adoption of financial law – changing control of the Central Bank, of credit, of private banks. It’s a very closed circle who have their own banks and are making loans to themselves, so these need to be changed. But I’ve not heard the IMF asking for the implementation of the peace accords... The World Bank is trying to show it is very interested in the reduction of poverty. But how can you say that if what you are asking for is related to drastic economic reform which ill affect the poorest people negatively? The model chosen is an old model – income through agricultural export products. I don’t see elements that are changing. There are loans to agencies to export. The IMF and World Bank are

⁶⁹ Schirmer (1999).

⁷⁰ Jonas & Walker (1999), p.13.

giving them to ministers. If agreement is reached in the current negotiations, the IMF will lend 150 million Euros to support the financial system, for economic readjustment. The World Bank is focussing on transparency, the fight against corruption. We need education for work, and access to markets on a local basis – it's an illusion to think that poor smallholders are going to produce for the international market. Many are not even registered to vote.

I asked about the relative influence of IFIs and donors on the Guatemalan government. He said:

The government needs two billion Quetzals. The international community of donors is giving a maximum of 700 million. The International Financial Institutions at least 1.3 billion. You can see the difference. Yes, it's a loan, but it's for the next government to pay back, so who cares? And the loan is transferred to a state account in the Bank of Guatemala under the minister's name - it can be used for a political campaign!

On experienced journalist commented:

There *is* pressure from donors, but it's not very intelligent. Gutierrez and people around him work with AID. He had the image of Gerardi, REMHI [the Catholic Church's project for Recovery of Historical Memory], so they sell to the [US] embassy the idea that if the embassy supports Portillo against Montt, they will have a very good government and support for the peace accords. And the embassy supports Portillo, but nothing happens. The embassy is changing its line now, but it's too late – because they have oxygenated this government too much, and all the people around [head of civil intelligence Edgar] Gutierrez can't do anything. They don't have the power. The problem is they excused a lot of things in the first years – the US did. You see things which are not good and say 'If we wait a bit, it will improve.' Portillo just disappeared from the government.

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- We will examine the effects of international interventions promoting democratic reform, human rights and market competition on the 'conflict management capacity' and production and distributional systems of existing polities.
- We will analyse how communities have responded to crisis, and the incentives and moral frameworks that have led either toward violent or non-violent outcomes.
- We will examine what kinds of formal and informal institutional arrangements poor communities have constructed to deal with economic survival and local order.



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