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Trouble in Central America

GUATEMALA ON THE BRINK

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Although the turmoil in its neighbor Honduras drew more coverage in 2009, Guatemala also found itself hard-pressed by tumultuous political events that year. Widespread criminal violence, much of it the work of organized gangs and some of it political in nature, threatened to overwhelm the country’s weak government and drove frustrated citizens to take the law into their own hands through lynchings and protection payments to gangs.

One violent crime in particular cast a harsh light on the troubles that have dogged Guatemala’s struggling democracy since peace accords ended a 36-year internal war in 1996. On 10 May 2009, a lawyer named Rodrigo Rosenberg was gunned down while bicycling in the streets of the capital, Guatemala City. In a video that had been made days earlier, and then was distributed at Rosenberg’s funeral and widely viewed on the Internet, Rosenberg predicted his fate and accused the country’s populist, social-democratic president Alvaro Colom (elected 2007), Colom’s wife, and his associates of being behind the shooting.

This chronicle of a death foretold sprang from a climate of intense polarization, even as it fed more of the same. Although responsibility for the murder was unclear—a large team of outside investigators working for the UN would conclude in January 2010 that Rosenberg had arranged his own death¹—mass protests broke out almost immediately. White, urban Guatemalans—members of a traditional elite that had been losing political influence—turned out to demand Colom’s resignation. Beneficiaries of the Colom administration’s policies, the urban and ru-
ral poor who come mainly from the indigenous groups that make up as much as 60 percent of the population, mounted peaceful demonstrations to show their support for Colom. It was amid this charged atmosphere that the abovementioned investigators proceeded under the auspices of the UN-supported International Commission Against Impunity in Guatemala (CICIG), which had been set up back in August 2007 to build investigative and prosecutorial capacity and fight organized criminal networks. The presence of CICIG calmed tempers enough to allow violence to resume its merely everyday character.

Among the events set in motion by the Rosenberg case was a re-doubled demand by civil society and CICIG that the normally highly politicized process for choosing Supreme Court justices be made transparent. Success appeared to be in the offing until Congress balked, opting for a series of backroom deals that replaced nominees suggested by civil society with friends of the old establishment. Pressure from within and outside Guatemala eventually forced some of these nominations to be withdrawn, but others remained. At the end of the year, Congress recessed for the holidays without enacting the fiscal reforms (aimed at modestly raising tax revenues) that the state needs if it is to combat worsening poverty and insecurity.

These events bespeak a society wracked by want and strife yet having neither the institutions, the capacity, nor the will to confront the causes or the consequences of such problems. The climate for democratization is far from friendly. The modes and orders of free and popular government sit shakily atop the ruins left behind by more than three decades of bloody conflict. The traditional balance of power and ways of doing politics remain mostly unchanged. The large indigenous population still finds itself politically marginalized, the traditional ruling oligarchies still hold the levers of power, and military officers associated with the counterinsurgency have reinvented themselves as democratic politicians. Meanwhile, the clandestine security forces and criminal networks that date back to the years of conflict continue to lurk in the shadows, manipulating the course of political life through corruption and terror.

**Democracy, War, and Peace**

The April 1954 overthrow of elected president Jacobo Arbenz marked the abrupt end of a decade-long democratic interlude in more than a century of authoritarianism. A reformist experiment that ended peonage, extended suffrage to the disenfranchised urban poor and indigenous majority, and encouraged them to organize proved too much for the Guatemalan elite to handle. The enactment of agrarian reform was the final straw, galvanizing the oligarchy, elements within the Guatemalan military, and the U.S. Central Intelligence Agency to join forces against Arbenz. They maintained their alliance during the years that fol-
lowed, which witnessed a swift reversal of reforms and a narrowing of the space for free political contention. The repression sent a clear message: Democracy would lose out to preserving the traditional social and economic order.

By 1960, the fierce reimposition of authoritarian rule had stirred an insurgency that would last into the 1990s. In its 1999 report, Guatemala’s Commission for Historical Clarification estimated the total death toll at more than 200,000—mainly indigenous Guatemalans killed by the army. The insurgents caused relatively few direct casualties, yet their leaders knowingly exposed indigenous citizens to the military’s scorched-earth tactics. The conflict also took a heavy political and social toll. The army’s assassinations of local activists, its indiscriminate massacres, and its forced-recruitment drives and imposition of mandatory service in civil-defense patrols all served to divide and terrorize communities. The insurgents, meanwhile, forced their own authority on the communities that they occupied while absorbing social movements and their surviving leaders into the guerrilla struggle. The homegrown mobilization by the poor that had gained strength enough to mount mass protests during the early years of repression was crushed into oblivion.

Shunned internationally for their brutality, the Guatemalan armed forces eventually set about giving themselves a political makeover. Without relinquishing power or ending a war that they were winning, they permitted the negotiation of a more liberal constitution in 1985 and a shift from military-dominated electoral authoritarianism to civilian-run semi-competitive elections, held that same year. With Guatemala’s pariah status lingering even as the Cold War was ending, with peace coming to neighboring Central American countries, and with the insurgency sputtering but not fully extinguished, leaders of the government, the army, and the guerrillas reluctantly opened peace negotiations of their own.

The resulting accords asserted civilian supremacy in both the security and political realms; guaranteed respect for human rights and the rule of law; and recognized the cultural, political, and economic rights of indigenous communities as enshrined in international conventions and treaties. The agreements also acknowledged the need to pursue fiscal reforms that would strengthen the state’s capacity to attenuate poverty and inequality. The accords are notable as well, however, for what they left out. Land reform was off the agenda, as were the prosecution of human-rights violators and the purging of the military and police forces.

Hailed at the time as providing the framework for a more just, inclusive and rights-respecting democratic nation, the peace agreements reflected the international and domestic political climates in which they were generated. Guatemala’s peacemakers were forced to the table by an international environment in which democracy had become the only viable political currency and neoliberalism its economic counterpart.
The dual transition seriously limited the options of a debilitated guerrilla force determined to ensure its political future, and tempered elite anxieties that more democracy would threaten oligarchic interests.

Significantly, the agreements were merely a series of pledges. Making good on them would require new laws, including changes to the constitution. Having preserved their political influence through terror, elites felt rightly confident of their capacity to shape the ensuing battle over implementing the peace deal. The resounding defeat (amid low turnout) of a May 1999 referendum on proposed constitutional reforms gave the old elites a key early win. The years since have revealed the cleverness of their negotiation strategy, the emptiness of the promises made, and the resulting limits on Guatemala’s democratization.

**Whither the Democratic State?**

With an average of seventeen murders per day amid a population of just 13 million, Guatemala is among the world’s most violent countries. The mayhem highlights the failure to enact the state reforms pledged in the peace accords. The well-trained civilian police force envisioned by the peace accords has yet to materialize. Instead, a rush to establish a functioning police presence, combined with shoddy vetting procedures and the absence of clear rules regarding who can join, have allowed former military and police personnel associated with human-rights abuses to end up in the ranks of the new police. Inadequate training and capacity building have left old attitudes and behaviors unchanged, explaining persistent patterns of police abuse. An insufficient allocation of resources has produced an institution that is inept at filling its security role and vulnerable to corruption and cooptation by drug traffickers and other organized criminals. And although some progress has been registered over the past year, frequent turnover at both the Interior Ministry and police headquarters has hobbled efforts to purge the force of wrongdoers and launch desperately needed reforms.\(^6\)

A legal system that guarantees impunity rather than upholding the rule of law makes the security crisis worse. Senior military officers associated with the armed conflict hold seats in Congress, and one such officer even serves as leader of the main opposition party. No high official from the counterinsurgency era has yet had to face trial for rights abuses. Moreover, crimes committed since the signing of peace are rarely investigated, are even less frequently prosecuted, and almost never result in convictions and punishment. Prosecutorial and judicial posts are politicized and poorly resourced. Justice is for the rich. Those lacking influence tend to languish in overcrowded and inhumane prisons without due process. When the occasional military officer or member of the elite does face criminal charges, the course of justice is often skewed by string-pulling, bribes, threats, or even assault and murder.
The political leadership’s consistent inability to deliver fiscal reform further hampstrings the state. President Colom’s most recent proposed budget calls for tax revenue to increase by less than 1 percent to roughly 10 percent of GDP, a far cry from the 12 percent projected in the peace accords. Even that modest proposal, however, is running into stiff resistance from the private sector and affiliated political parties, with an attendant effect on poverty and inequality. Recent figures estimate that 80 percent of Guatemalans are poor or at risk of poverty, and the country is one of only three in all of Latin America to have seen inequality grow more severe over the past eight years.7

Substandard police, a poorly performing judicial system, and acute poverty and inequality contribute to the spiral of violence. Illicit activities flourish with little check from a dysfunctional legal system or weak security forces corrupted by organized crime. By failing to uphold the rule of law, the system in fact undermines it. An impunity rate of 98 percent shows that you can, literally, get away with murder in Guatemala.8 To make matters worse, criminality among the police and the persistence of police abuses deter many victims from even reporting offenses.

Not surprisingly, Guatemalans hold their country’s police and courts in low regard. According to a 2008 poll, only 40 and 45 percent, respectively, avow confidence in the police and the judicial system.9 The phenomenon of mob lynchings in particular reflects a mixture of exasperation and fear. The lynchings are home-baked responses to the absence of trustworthy and effective institutions that are capable of providing security and enforcing the laws. Embedded poverty and inequality are key contributors as well. Although scholars and practitioners may disagree on solutions, they concur in attributing gang membership and involvement in the drug trade to social marginalization and a lack of alternative economic opportunities.10

At the same time, both the violence and responses to it have roots in a history of authoritarianism, a legacy of brutal armed conflict, and the peace settlement’s failure to transform existing power structures. The war left behind stockpiles of weapons and large numbers of people trained and accustomed to their use. It also worsened the perversion of state institutions, exacerbating the tendency of security forces to inflict repression and of courts to bend before the powerful. The criminal networks that pervade Guatemalan society are yet another malign bequest of the armed conflict. During the counterinsurgency, military and police officials learned to “branch out” into land theft, gun running, human trafficking, and drug dealing. Many illicit networks that were started then remain active now. They operate in the shadows, vie for political influence, and hold state institutions hostage. They pursue illicit economic interests while shielding their members from having to answer for wartime atrocities.11

In an environment in which politics and the state are captive to or-
ganized crime, the scarcity of political will needed to pursue necessary reforms is hardly surprising. By the same token, the establishment of CICIG required tremendous courage and perseverance by a handful of dedicated politicians and civil society leaders. Though progress has been slow and results mixed, CICIG remains a bright light on an otherwise dark horizon. In addition to taking on the Rosenberg investigation, it has pushed forward key legislation and reforms, principally a weapons law. It has enhanced the transparency of the judicial-nomination process and initiated legal proceedings against individuals associated with corruption, including a former defense minister and president. Arguably, it has also made the political climate friendlier to institutional reform, not only by strengthening civil society’s hand but also by directly pressuring politicians on matters such as the Supreme Court appointment process and the purging of rights abusers from police ranks that finally began to get underway in 2009.

The political costs of the violence make themselves felt in ways that go beyond the faltering of the state and its institutions. The grim reality of democratic backsliding can be seen in the desperate expedients to which Guatemalans have been turning in their search for protection. The lynchings have been the most dramatic example of these, but along with them has gone a heightened privatization of security across the board. No one is sure just how many private guards there are in Guatemala today, but even the most conservative estimates place their number at three times that of the 20,000-strong national police force. They suggest the persistence of a tradition in which landowners pay gunmen to repress peasant organizers. Despite the peace accords’ call for a smaller army with no internal-security role, the Colom administration has been reopening bases and proposing a fresh expansion of the armed forces to near wartime numbers. Insecurity and a public outcry for order provide official justification for these measures, but the effect has been renewed trauma for rural survivors who describe the paralyzing fear that they feel when armed troops return to their communities.

Political Institutions

Elections are the area where democracy has made the deepest inroads. The hard-fought 2007 presidential race was the third since the signing of peace accords, and the fifth since the military-initiated liberalization. Promising “a social-democratic government with a Mayan face,” Colom staged an impressive come-from-behind runoff victory over retired general Otto Pérez Molina of the conservative Patriotic Party (PP), winning by 52.8 to 47.2 percent. Colom’s party, the National Union for Hope (UNE), gained an additional 16 seats in the 158-member, unicameral Congress, giving it a 48-seat plurality.

With only scattered reports of fraud or intimidation, the elections
were mostly free, fair, and competitive. Recently enacted reforms helped to level a crowded playing field. Each of the 15 parties fielding congressional candidates received guaranteed media time, while the public funding allocated to parties securing at least 5 percent of the presidential vote was doubled. Moreover, parties were required for the first time to account for their funding sources in reports to the Supreme Electoral Tribunal. Colom and Pérez Molina gave voters a distinct choice by differing sharply over whether to fight crime with the PP’s preferred mano dura (hard hand) approach or through the UNE’s plan to team punishment with efforts at rehabilitation, reintegration, and social development.

Turnout rose thanks to a steadily declining fear of political participation and the enactment of key measures, including the provision of more than six-thousand additional polling places. A rural registration drive secured a 50 percent increase in the number of eligible voters. First-round participation, estimated at over 60 percent, surpassed levels obtained in previous elections. For the first time ever, the rural turnout rate exceeded its urban counterpart, while Mayans’ participation ran 10 points higher than turnout among the nonindigenous (ladino) population.

The election results are also suggestive of growing Mayan political influence and agency. The UNE’s victory, earned with wins in 18 of Guatemala’s 22 departments, contrasted starkly with the poor showings of its principal rivals. The Guatemalan Republican Front (FRG), a party founded and led by the genocide architect General Efraín Ríos Montt, secured just 9.8 percent of the first-round presidential vote, a steep drop from the numbers that it had ridden to control of Congress and the presidency as recently as 1999. Although Pérez Molina carried Guatemala City in both rounds, the PP was trounced in the countryside. By voting for the UNE over the FRG or PP, indigenous Guatemalans displayed greater understanding of the political landscape and striking political resolve, rejecting both actors associated with the era of military rule and their heavy-handed approaches to social strife and violence.

Both the candidacy and (counterintuitively perhaps) the poor showing of Nobel Peace Prize laureate Rigoberta Menchú offer further glimmers of hope for democracy. Menchú’s presence on the ballot broke a racial barrier, marking the first entry of an indigenous competitor into a presidential race, while her seventh-place finish with just over 3 percent of the vote speaks to the political discernment of indigenous voters. Her late entry into the race, her choice of a prominent ladino businessman as her running mate, and her decision to stay away from a continental indigenous summit held at a Mayan sacred site shortly after announcing her candidacy, all raised serious doubts regarding a possible Menchú government’s commitment either to defending indigenous rights or addressing the widespread poverty that afflicts Mayan communities.
Menchú’s candidacy thus provided an inspirational example without inducing indigenous voters to shift their allegiances from parties to whom many had already committed. By casting their ballots in accord with their perceived social and economic interests rather than ethnic identification, large numbers of Mayan voters displayed a commitment to the construction of the politically inclusive, multicultural Guatemala envisioned in the peace accords.

In certifying these elections as meeting democratic standards of freedom, fairness, and competitiveness, observers were willing to give Guatemalan democracy the benefit of the doubt. They acknowledged the penetration of electoral politics by organized crime, noting its role in the campaigns of the leading presidential contenders and its responsibility for campaign-period violence that killed some fifty party officials, candidates, and members of Congress. On a guardedly positive note, observers were able to confirm that calm prevailed on election day itself. Despite the lamentable 12 percent decline in turnout during the runoff, observers remained impressed by the participation rate among rural, indigenous voters. Finally, commentators noted some of the worrisome features of party politics, including parties’ tendencies to be dominated by elite interests, to lack consistent casts of players from one election to the next, and to flout laws such as the recently enacted one that requires each party to make a full disclosure of its campaign financing. The observers’ bottom-line attitude might be described as “wait and see.” It remains an open question whether the UNE will usher in a promised era of inclusive governance reminiscent of the Arbenz years in terms of its attentiveness to the poorer, indigenous elements of society.12

**Dysfunctional Parties**

The dubious behavior of Guatemala’s political parties cannot be written off as just an expression of the normal growing pains that all democratizing countries suffer. Instead, it reflects the country’s history of exclusionary politics, military dictatorship, and electoral authoritarianism, as well as a war that weakened the social fabric without transforming the structures of power, and a peace plagued by hollow promises of reform. With few exceptions, today’s political class has mastered the art of deception. Politicians may follow democratic practices that sometimes yield positive outcomes. Yet they do not provide truly representative or responsive governance.

The Guatemalan political scene is dominated by parties that mainly serve as instruments for elite and, increasingly, criminal interests. To attain power in a formally open political environment where the franchise is universal and the poor form a majority, these parties enter election seasons with platforms designed to exert broad appeal. Once the voting ends, however, governance for all practical purposes becomes some-
thing to be worked out purely within elite ranks. Representatives of elite sectors hold the leading public posts and choose the course and content of law and policy.

There has been no effort to develop a rooted party system, and there is scarcely even a pretense of party discipline. Parties enter and leave the political fray with surprising regularity. Floor-crossing in Congress is common. Political groupings are much more likely to change shape on the basis of major players’ personal calculations than on any programmatic or ideological grounds. Legislative coalitions are hard to craft and even harder to keep, rendering Congress an arena of constant confrontation and attendant stalemate. Tracking a meandering and endless legislative process requires enormous concentration and energy and ultimately disappoints those who rely on the democratic process to enhance the quality and content of democracy. Given the narrowness of interests served, even reforms and laws that appear to deepen democracy deceive. Laws that might unduly prejudice elite or criminal interests are mostly watered down, never enacted, or never enforced. Legislation always seems to be riddled with loopholes, such as the munitions law that exempted past and present politicians, or the reformed judicial-nominations process that nonetheless permits Congress to ignore its requirements and evade transparency. Similarly toothless is the campaign-finance act that gives an electoral-oversight board the nominal authority to demand disclosures but without giving it the power to mete out anything other than derisory sanctions.

The conservative parties’ behavior as instruments of the oligarchy has given the left considerable political space in which to operate, but the strength of neoliberalism plus funding disparities and other power and resource imbalances have limited leftist prospects. So has a dearth of leadership. Decades of brutal repression eliminated an entire generation of the most committed reformist leaders. Additionally, the transformation of a guerrilla movement into a representative political party has not been easy. Guatemala’s insurgent leaders possess neither democratic instincts nor political charisma—they are military commanders, unschooled in democratic politics and predisposed to an authoritarianism suited to the battlefield. Furthermore, in trying to achieve through peace what they failed to secure through war, politically ambitious leftist leaders have forged alliances with members of the elite whom they resemble in class and ethnic background. In the process, the leftist leaders have drifted away from their vision for change and forsaken the indigenous base upon which they relied in fighting the war.

The Colom administration has brought some change, but has yet to provide more representative or responsive democratic governance. The same patterns of political confrontation, infighting, and stalemate prevail. Congressional floor-crossing continues unabated. In Colom’s first year as president, 35 candidates defected, including a dozen from
the governing UNE and thirteen from the second-largest congressional bloc, the right-of-center Grand National Alliance (GANA). Fierce conflict stems in part from UNE’s challenge to traditional elite influence. The current government has appointed fewer members of the elite to key ministries and has siphoned away development activities that historically have been the oligarchy’s preserve.

Yet rather than fundamentally altering the balance of power, these measures have more narrowly strengthened the UNE’s constituents. For example, an emergent UNE-affiliated economic elite has been the prime beneficiary of state infrastructure contracts that all too often appear to be awarded through shady backroom deals involving illicit actors. The Rosenberg case, which underlined the dangerous turn that political infighting can take, had its origins in corruption charges involving presidentially appointed seats on the board of the Rural Development Bank (Banrural), a major player in the money-transfer industry that moves sums between the large Guatemalan diaspora (particularly in the United States) and the homeland. While the UNE’s allies do well for themselves, badly needed fiscal reforms continue to languish unenacted amid unsavory deal making in Congress.

A Disappointing Midterm Report Card

At the rough midpoint of the UNE administration, the report card shows minimal commitment to engaging the poor and indigenous as either partners or participants in a social-democratic project. Soup kitchens, open schools, and especially Mi Familia Progresa, a conditional cash-transfer program overseen by the first lady, form the key drivers of Colom’s push to alleviate poverty. But legislative initiatives required to address the structurally embedded causes of poverty are conspicuous by their absence. The Colom administration has also failed to reveal its promised “Mayan face.” Despite having delivered Colom’s victory, indigenous Guatemalans hold less than a fifth of the UNE’s congressional seats and only a single cabinet post—atop the Ministry of Culture (a traditional “ethnic appointment”) rather than, say, the Ministry of Agriculture, whose portfolio is concerned with economic issues that are of primary concern to Mayan communities. Substantive indigenous concerns have drawn little in the form of funding or legislative attention. The Indigenous Development Fund received less than 1 percent of all social spending allocated in 2008, while an indigenous-proposed rural-development plan remains stalled in Congress. In August 2009, Colom publicly acknowledged his administration’s neglect of indigenous needs and pledged to do better. But popular skepticism now substitutes for the hope that accompanied the UNE’s election.

The current regime’s leftist bent is reflected in strategic rather than programmatic terms. The government treats its supporters as a clientelis-
tic base, ripe for cooptation. In the medium term, the poor are viewed as key to UNE’s reelection. In the short term, they are what the new elite aligned with Colom is using to confront an old, diehard opposition. The UNE thus responds to political challenges such as the Rosenberg case by mobilizing a nationwide grassroots base. Harking back to traditional ways of doing politics, the party organizes mass protests that reprise social-movement tactics left over from authoritarian days, when reformists were barred from formal political spaces and had no choice but to take to the streets.

Substantial segments of the marginalized poor play their assigned role. Grateful for the cash transfers, they take what they can get and dutifully turn out to protest. After all, the current political landscape, devoid of a credible Left, leaves them little alternative. But they trust neither the government nor the political system. Their behavior conveys cynicism at a time when opinion polls reveal widespread disenchantment and alienation. Political parties are the least trusted of all institutions, winning the confidence of only about a third of respondents, while Congress is locked in a tie for next-to-last place, earning a 40 percent trust rating. At 15 percent, the share of Guatemalans who avow identification with a political party is Latin America’s lowest, making the country a standout even in a region where weak party identification is a longstanding tradition. Perhaps more worrisome, fully half of all respondents say that they are dissatisfied with the way in which democracy works in their country. Only 57 percent state that democracy is always the most preferable form of government, and roughly a fifth agree that authoritarianism may at times be a better option. These figures, too, identify Guatemala as a regional weak spot insofar as democratic legitimacy is concerned.

The mass protests of May 2009 offer a window on the strengths and weaknesses of civil society. It comprises three major blocs. The first represents elite interests; the second is an NGO community at whose core lie organizations committed to human-rights and democracy promotion; the third represents rural and indigenous concerns. The three blocs differ in terms of goals, resources, strategies, historical experiences, degrees of access to power, and ethnic makeup. They lack internal cohesion and—here is another legacy of authoritarianism—they tend to see the other blocs as adversaries rather than as potential partners or even allies of convenience.

As discussed in the preceding section, the cohesiveness of the first group is increasingly threatened as a traditional oligarchy contends with an emerging new elite, generating the confrontational politics that defines the Colom administration. Nonetheless, the elite sectors old and new still hold the reins of power. They exercise influence directly as members of the government and opposition, and also through their powerful peak associations. Interestingly, elite sectors have been reluctant
to claim membership in civil society, denigrating a concept they perceive through a historical lens of armed conflict in which civic activism was conflated with subversion. But as the core traditional elite becomes locked in battle with the current government, it has come to appreciate the political advantages of situating itself in civil society, thereby assuming the democratic credentials that legitimize opposition to the government both domestically and internationally.

The NGO community is replete with people who are veterans (or at least survivors) of the armed conflict—some were insurgents in the countryside; most were student or trade-union activists in the cities. In a striking departure from the war years, when it was too dangerous to petition for human rights and doing so served little purpose given Guatemala’s international isolation, these organizations have since established themselves as effective advocates for human rights and democracy. As in other postauthoritarian societies, their strength betokens their growing expertise on security, judicial, and legislative matters; their capacity to document human-rights abuses; and their well-established contacts with the international community. They have also managed to shift from the “outside game” of protest politics to an “inside game” with fair success, arguing for reform as civil society representatives and overseeing human-rights policy as members of government teams.

Guatemalan politics has changed, but some things about it have not changed enough. In particular, the climate of violence and impunity challenges human-rights defenders who find themselves under (literal) assault from organized criminal networks whose chieftains understand that the serious and systematic enforcement of human-rights safeguards would be “bad for business.” Those in danger may be individuals who are committed to uncovering the truth about past human-rights violations and bringing perpetrators to justice; union activists who push for improved labor conditions; or indigenous leaders who are embroiled in land disputes or who find themselves at loggerheads with mining and hydroelectric companies that threaten the lands and livelihoods of indigenous people. The year 2008 saw a total 220 registered assaults on human-rights defenders, an annual figure that had already been surpassed by the end of August 2009.

**Tensions in Activist Ranks**

A deep chasm divides human-rights groups from indigenous-rights associations. The former record data on attacks against peasant leaders, but until recently have underreported these and have done little to publicize the escalating numbers of victimized rural activists. The tensions are rooted in history, culture, and politics. As indigenous-rights activists see it, the *ladino*-led human-rights and democracy community continues to harbor racist attitudes regarding their indigenous fellow citizens. Two
comments that I often hear in the context of my research may be taken as illustrative. The first contends that levels of violence today exceed those recorded at any point in Guatemalan history, a statement that ignores the repression inflicted on indigenous communities between 1979 and 1983, the peak years of conflict during which most of the deaths and disappearances occurred. The second asserts that the violence wracking the country today is not state-sponsored or political—a proposition that is designed to recognize a new era, but which also disregards a rural reality in which protesting peasants are still targeted for violent repression by well-connected criminal gangs and members of state-security forces.

The Guatemalan human-rights community is ideologically confounded by the rise of an indigenous-rights movement. That movement’s understanding of rights as encompassing collective cultural, social, and economic claims does not sit comfortably with the contemporary human-rights community’s focus on the protection of the political and civil liberties of individuals. Self-directed Mayan activism also discomfits human-rights groups that have long been accustomed to organizing and speaking for this oppressed segment of the Guatemalan population. Such autonomous stirrings deprive human-rights organizations of a base that once they took for granted, and force them to deal instead with indigenous Guatemalans who may not always be down-the-line backers of every item on the political agenda that human-rights and democracy-promotion groups typically embrace.

These strains pose a potentially greater obstacle to collaboration than do the conflicts that simmer between elites and human-rights NGOs. Debilitating to the rights community in general, they constitute an especially vigorous challenge for the indigenous movement in its uphill struggle to gain recognition and redress. Guatemala’s Mayan population bears the scars of historical exclusion and repression and still suffers most acutely from the devastating social and political effects of the armed conflict. Years of counterinsurgency warfare left communities and incipient forms of social organization devastated. Mayans came out of the war poorer than ever, with their leadership ranks decimated and their communities divided against themselves by counterinsurgent tactics, whether in the form of civil-defense militias or the purposeful spreading of evangelical Protestantism. Poverty, lingering mistrust and fear, and sharp differences of worldview prevail. They make it difficult to reconstitute the social capital that had generated burgeoning social movements in the years preceding the war. Making matters worse, the Colom administration’s populist policies have generated another layer of tensions, dividing those who mobilize to claim rights from those content to accept government-bestowed favors.

The Constitution of 1985, international treaties that Guatemala has ratified, and the peace accords themselves allow for the recognition of indigenous cultural, political, and economic rights. But these rights are
honored principally in the breach as successive governments mouth promising slogans while neglecting the hard work of dialogue, inclusion, and reform. Unable to build cross-sectoral alliances and slow to form international ties, Mayan activists are consistently frustrated in their efforts to exercise their rights as citizens. Accordingly, indigenous struggles take place against a familiar backdrop. Denied formal access, indigenous people resort to mass-protest tactics—blocking roads and staging marches—while their leaders convey exasperation. Faced with mass protests, the government declares states of emergency and turns a blind eye to violence. Protesters are branded as criminals and languish in jail, while those who engage in rural repression enjoy impunity.

On 29 December 2009, a hobbled Guatemalan democracy marked thirteen years since the signing of the accords. The democratic advances of those years have been real: Formal democratic procedures are observed, formally democratic institutions are in place, and levels of social organization and political participation have substantially increased. Yet it is hard to ignore the enormous difficulties that Guatemalan democracy faces, whether in establishing a functioning democratic state, building a representative and responsive political-party system, fostering an inclusive civil society, or making room for effective democratic dialogue and participation. These are not simple challenges, remediable through procedural tinkering, piecemeal reforms, or a strategy of waiting out the current, ineffectual administration and hoping that a better one will waft in on the wings of the next election.

The years of formal peace have exposed a polity and society in which old patterns and structures of power still prevail, and in which the ethnic and class divisions that fueled the armed conflict remain close to the surface. The political transformations required to address Guatemala’s democratic deficit are fundamental. A marginalized majority must become able to exercise its citizenship rights and gain acceptance as a political player with agency. This majority must then in turn support the establishment of a new democratic game plan, complete with the new and more democratic rules and commitments that alone can make it a reality. This is a tall order and a weighty task. The pieces of Guatemala’s democratization puzzle are more easily grasped than is its overall solution, and yet time and events press on every side. The path ahead will be neither easy nor straight.

NOTES


8. See the 16 February 2009 report of the special representative of the UN secretary-general on the situation of human-rights defenders in Guatemala, available at www.unhcr.org/refworld/country,,UNHRC,,GTAM,4562d94e2,.0.html.


