
***Guatemalan State Violence:
How Political Instability Breeds Human Rights Violations***

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Executive Summary

In Guatemala, a country with a majority indigenous population, it is imperative to remember the past as a precondition for analyzing current political issues (Jonas 2000: 14). Guatemala's history can be explained through the narratives of the most marginalized voices of society, to highlight ongoing political violence and injustices. War, domination, subjugation, and military dictatorships have characterized its history. To offer a more nuanced historical analysis of Guatemala, testimonies and truth commissions must be explored in relationship to its reconstructed history. A structural-violence approach employs framework that highlights the racial, geographical, and sociopolitical patterns of violence in Guatemala and its consistency between the past and the postwar period (Oettler 2006: 15- 19). Various current conditions of Guatemala must be explained through a historical analysis of the structural nature of institutionalized violence, the polarization of Guatemalan society, and the lack of restorative justice.

History of State Violence

Although Guatemala's population is more than half indigenous, a colonial and post-colonial (non-indigenous) dominance has led to Mayan social, political and economic marginalization. At various times, indigenous Guatemalans have been forced into labor servitude, or denied fundamental human rights. Although they are visibly celebrated today as the multicultural "wealth" of Guatemala, the country's indigenous populations are among Latin America's poorest and least educated (Garrard-Burnett 2015: 180-182). The human rights violations that occurred systematically the past of Guatemala were born through institutionalized racism within society from the colonial period. After the colonial period, institutionalized racism was still an existing factor in Guatemala's social structure (Garrard-Burnett 2015: 185-192). The

normalization of Mayan abuse and laws that perpetuated racism in the colonial period, are necessary to understand human rights violations during the civil war.

From 1960 to 1996, Guatemala was entrenched in a civil conflict known as *Conflicto Armado*, although some trace its roots earlier when the Guatemalan military carried out a coup against President Jacobo Arbenz Guzmán, supported by the United States CIA. Guerrilla organizations began to emerge as a voice for indigenous majority, devoted to the socialist revolution and changing the country's socioeconomic structure however, the state rejected as delinquency (Lovell 2013: 201-203). In the mid 60's, death squads that operated as the military's covert arteries began to make leaders of the land and labor reforms disappear, spreading a culture of fear about political involvement. At this point of the civil war, indigeneity became synonymous with delinquency fusing identity and political ideology. The government of Guatemala mobilized against these “guerillas” by massacring indigenous populations (Lovell 2013: 207-209). The “scorched earth” campaign began, systematically destroying and murdering inhabitants of 626 Mayan villages in an effort to destroy their land and sustenance (Lovell 2013: 205-209). Despite the ethnic nature of the conflict, the designation of genocide remains contentious on the basis of a national level, partly because both indigenous actors are casualties and perpetrators.

After the height of violence, a peace process took place between the state and the guerrilla umbrella organization, (the Revolutionary National Unity of Guatemala) during which the main goal was the punishment of human rights perpetrators. The Comisión para el Esclarecimiento Histórico (CEH), published the results of its investigation into 30 years of political repression (Oettler 2006: 15- 19). The CEH discovered archives known as the Archivo Historico de la Policia Nacional (PNC), which revealed the atrocities and complicities committed

by police officers. This archival evidence showed that between 1961 and 1996 more than 200,000 people lost their lives in Guatemala as a result of state-orchestrated acts of terrorism. The archive contained an estimated 80 million documents (Lovell 2013: 199-209). With racism rooted in Guatemala, it is difficult to envision how many indigenous folks were displaced, exiled, killed, disappeared and if justice will ever be paid. The CEH not only ruled that the state was largely responsible for more than two hundred thousand political murders, but that it committed genocide for a short period of time (Handy 1994: 35-40).

Anthropologist David Stoll published his exposition on the Rigoberta Menchú one month before the publication of these findings. The winner of a Nobel Peace Prize, Rigoberta Menchu, challenged Guatemala's official history by refusing to accept state violence and varied political responses towards Mayan women (Sanford 2001: 38). She explained through oral testimony what had occurred in great detail and gave an indigenous perspective on the genocide the government caused. As a Mayan activist she stated that the government's racist ideational basis denied the Mayans political awareness and free will. The recovery and transformation of the official political discourse denied Mayan agency and ignored the destruction of Maya villages and brutal killings of the Maya, including members of her own family.

“It is said that the bones of the dead tell no lies. In many cases, they speak on their own behalf, telling stories of pain, violence, and abuse. In Guatemala, every clandestine cemetery that is found, every bone that is recovered from Mother Earth speaks of the people who were annihilated, of the homes burned, of the indiscriminate massacres. In short, they speak of the crimes against humanity, of the genocide committed by the army against the indigenous people” (Rigoberta Menchu).

The idea that indigenous women have justified human rights, and a unique relationship with their territories and natural resources is important to the future of Guatemalan political stability. To understand how violations of human rights continue to exist in Guatemala, it is necessary to

consider the variables that shape the entire history and political culture, as well as causing a social impact in indigenous communities by encouraging social violence.

Case Studies of Corruption

The indigenous experience can be classified as a phenomenon because the nature of the Guatemala conflict sets out to exterminate indigenous peoples, while simultaneously propagating them to commit murder against other indigenous peoples. To even begin to fully understand the human rights violations that have occurred in Guatemala overtime, there needs to be a crucial understanding in state-sponsored atrocities that occurred through government transitions and disparities between classes that perpetuated disconnect. This section of the dossier will uncover instances from each decade beginning in the 1950's where there has been state-sponsored coups and heavy U.S. interference. The U.S. CIA's role in planning and executing a coup d'état resulted in the removal of democratically elected President Jacobo Arbenz Guzmán on June 27, 1954. A one-page memorandum document, unclassified in 2003, proved the direct involvement of the U.S C.I.A. The memorandum labeled *CIA's Role in the Overthrow of Arbenz* was written May 12, 1975 and it listed out the specific operational mechanisms that the CIA used in the overall mission to overthrow the Arbenz government. The country had ended the 10-year Guatemalan Revolution of 1944-1954 and saw a tremendous transition with the inauguration of President Jacobo Arbenz Guzmán. The claim is that U.S. Congress played some role in bringing about the CIA's involvement in ridding Guatemala of the Arbenz government and flies in the face of most conventional wisdom about legislative oversight of the Agency in the early Cold War period (Barrett 1954).

To reveal the intentions behind the coup, U.S. involvement must be scrutinized. Economically, the U.S. owned 3.5 million acres of land in Central America and this made the

U.S. the single largest landowner in Guatemala (Barrett 1954). As a result, the U.S. held great power and influence over the government. The U.S.'s owned United Fruit Company, which was the main asset that the U.S. wanted to protect. The issue was that indigenous peoples and citizens of Guatemala had been advocating for land reform policies involving the redistribution of the vast amount of land owned by the U.S. occupied by bananas. At the time, 40% of land in the country was used for agriculture and this forced families to live on smaller plots of land. Additionally, 40% of the indigenous population were forced to migrate into the mountains and reside in more rural areas because of the injustice in land usage (Barrett 1954). President Arbenz understood the claims that were being made by peasant families, indigenous people, and working-class people. His plans were to put in a land reform policy but did not get to do this because the U.S. CIA's coup d'état removed him from power. Instead, the U.S. replaced him with someone who would not interfere with any U.S. business or put it in jeopardy. The justification for U.S. interference was that Guatemala was trying to be a communist country during the Cold War. After the coup, Guatemala was subjected to years of continuous violent coups, genocides, torture, and disappearances. This is mostly because the governments that followed the 1954 coup in the subsequent five decades were far more repressive than Arbenz's elective government (Barrett 1954).

Already, the social make-up in Guatemala in the 1950's began to reveal the class conflict between the people who own more land and have more power and the workers who do not have access to much land and no longer had a government that acknowledged them as citizens with life concerns. Moving into the 1960's Guatemala's power dynamics lead to an armed struggle, that has remained there ever since. It is difficult to tell if this unfolding of the strategy of armed confrontation was preceded by a process of heightened class consciousness on the part of the

dominated sectors and their immediate organizations (Beverley and Peralta 1980: 94-96). However, the importance of the guerrilla concept to modern warfare, ruling-class military thinking has given priority to the development of a counter guerrilla strategy. This was a tactic that was continuously developed by the U.S. since the 1950's as a response to guerrilla warfare on a world-wide scale, which they masked as communism to justify interference. At the time, U.S. terror was form of institutional violence in the modern world, creating the narrative that this was the norm.

Although the guerrilla movement continued to maintain activity during the 1970s, it played a secondary role to other forms of mass struggle. Government-sponsored terror did not disappear by a long shot, instead trends showed selective intensity in the region (Beverly and Peralta 1980: 94-96). Another transition of the government occurred in 1978, with the inauguration of General Romeo Lucas Garcia. This election represented the intensification of the social confrontation that was building up throughout the decade. This suggests that the use of terror for social and political pacification has been ingrained as a structural feature of the class domination exercised by the Guatemalan state. Moreover, this feature reveals how the government's army tactics continued use of orchestrated social violence was used as a tool of collective violence. The killing of indigenous peoples and other natives living in rural areas, has never stopped throughout any government transition. The claim of terror intensifying over time can be revealed through laws and policies that were set-up purposely to cause social panic. For example, press censorship included a prohibition against publishing international journals dealing with subversive activities in other countries (Beverly and Peralta 1980: 97-99). This especially targeted journalist and university students to scare them into not exposing the real events occurring in Guatemala. Another example is the curfew policy that restricted people to be

outside after a certain time (Beverly and Peralta 1980: 97-99). This prohibition even affected ambulances and fire trucks. In addition, searches of homes (cateos) were frequent (Beverly and Peralta 1980: 97-99). Each of these tactics were designed to keep people in fear and create an environment of terror. At one point, the whole capital city was surrounded to prevent people from leaving for two days while a gigantic search and seizure operation was carried out simultaneously in all parts of the city (Beverly and Peralta 1980: 97-99). This strategic repression prevented gatherings of protest and publicly exposing the government. This even prevented people from voicing that their human rights were being violated. Unfortunately, this was just the beginning of the terror and the goal was to create a general atmosphere of uncertainty, fear, terror and helplessness. The actual acts of violence were carried out by increasingly mass disappearances, genocides, the slaughtering of entire indigenous villages, massacres and the rise of insurgent camps.

It is evident that in another government transition during the 1980's that more human rights were violated as the government capitalized off the decades of fear and terror instilled in the people. Rios Montt ruled Guatemala as President for nearly seventeen months during 1982 and 1983. An argument can be made that U.S. intervention is the direct result of genocide. Mass massacre was the agenda on both parts: the U.S. and Ríos Montt. The 1982 coup backed by the U.S. included ousting President Lucas and replaced him with Rios Montt to rule the dictatorship. Under his rule, the efficiency of the killings increased, indigenous lives decreased, and he implemented policies to turn everyday people against each other such as the flagship policy called "fusiles y frijoles", guns and beans (Doyle and Osorio 1996). This is because it offered food and relocation to communities prepared to cooperate, or death to those who did not. The *Analysis of Human Rights Reports on Guatemala by Amnesty International, WOLA/NISGUA,*

and Guatemala Human Rights Commission document involves the Washington Office on Latin America, the Network in Solidarity with Guatemala and the Guatemalan Human Rights Commission, and the U.S. Embassy. In all, the primary source document concludes that many of the accusations by the human rights organizations are unfounded (Doyle and Osorio 1996). Meaning that the reports did not use the Guatemalan government as a source and that they failed to charge guerrilla groups with human rights violations. However, in 2013 Ríos Montt was convicted to 80 years for Crimes Against Humanity. The charges arose from systematic massacres of the country's indigenous population carried out by Guatemalan troops and paramilitary forces during this phase of the country's long and brutal civil war, and the related mass forced displacement (International Justice Monitor 2013). The commission specifically found that the state was responsible for acts of genocide in four designated regions between 1981 and 1983 using strategic planning and response to state policy as motivators to commit genocide (International Justice Monitor 2013). To be more specific, the commission stated that the military purposefully selected the indigenous Mayan people as an "internal enemy" as a base of guerrilla support and committed massacres with the objective of killing the greatest number of people possible (International Justice Monitor 2013). Reports show that 70% - 90% of the communities were wiped out during this period (International Justice Monitor 2013). 98% of these crimes against humanity connected to the total internal armed conflict (International Justice Monitor 2013). Rios Montt's conviction was the first time a former head of state had been prosecuted for genocide in a national, as opposed to an international, court. The trial was an important milestone in holding political and military leaders accountable for international and domestic crimes. For Guatemalans, this conviction represents the decades of state atrocities and the social, economic, and political centered human rights violations. In addition, it also raises

more questions about how political violence breeds human rights violations. Terror and fear were used as institutional tools to perpetuate the normalizing of political violence.

Normalized and Institutionalized Political Violence

In order to examine the current problems that exist within Guatemala's political process, it is necessary to recognize the influence of the State's legitimacy in normalizing and institutionalizing violence. Guatemala has given legal authorization to community organized groups to practice justice through the use of violence. In other words, political violence does not necessarily have to be explicitly committed by government officials. By legitimizing violence, it justifies the violation of human rights. For instance, studies on violence have focused almost exclusively on the Guatemalan indigenous communities of the western highlands where a series of human rights violations were documented during the mid-1990s and early 2000s (Sieder 2011: 181). Some of these violations were known as the *limpieza social* (social cleansing) in which a series of secret killings and disappearances occurred. *Limpieza social* has a long history in Guatemala. This concept refers to a "serial killings of people who have been classified as 'undesirable,' or as 'throwaway' members of society" (Sieder 2011: 182).

In recent years, the Guatemalan State has given unconstitutional rights to community groups to govern and protect their own communities based on their own beliefs of justice and community security. Since citizens do not trust the state's ability to protect them, they have decided to form community groups to defend their communities against drug-trafficking organizations. One of the arguments is how the State contributes to the meaning of what is considered to be a crime or a violation of human rights if the State has legitimized some violent crimes to be justifiable.

As Santamaria and Carey (2017) argued the “perceptions and representation of crime are just as important as violent acts themselves in shaping responses to violence and crime” (4). In this case, the representation of crime and violence function as a chain reaction to continue producing and reproducing violence. The efforts of organized indigenous peoples to exercise their own forms of law and justice. Under this perspective of practicing law and social justice falls into the context of political and state violence. One form of making justice is that indigenous justice systems contribute to collective lynching, which is viewed as a legal procedure that is justified under the political community, the idea of security and normality. Sieder argued that “collective lynchings of suspected delinquents can be understood as an extremely violent popular response to the insecurity that reflects both practices deployed during the armed conflict, and past and present anxieties and fears on the part of the marginalized rural and urban population” (163). In the process of analyzing and reflecting on the demands of indigenous communal authorities by giving them the legitimacy forms of justice. But is, also, important to analyze the social violence that these organized groups and communities have contributed as a collective violence since the end of the civil war. This connects to Santamaria argument by saying that “lynchings constitute public, gruesome, and highly ritualized forms of collective violence that involve the torture, mutilation, burning, to hanging of the victim in a prominent public space (44). The acts of lynching undermine the legitimacy of the state as the ultimate arbiter of legality, the participation of the state authorities in organizing extralegal forms of violence...organized by the state officials.

Guatemala's political and state violence demonstrates social violence as a form of collective violence such as lynching. For example, Sieder argued that some analysts have said that “...the ‘rough justice’ that indigenous community procedures can involve many have

emphasized the non-coercive nature of indigenous justice and, indeed, question the political motives of those who condemn indigenous justice systems as violating human rights. People who study lynching's have tended to interpret these as responses to insecurity and the effects of neoliberal policies, or as a legacy of previous histories of violence" (Sieder 2011: 162). This demonstrates how the state has legitimized certain types of crimes as forms of justice, in which are not view as criminal acts, but as punishments.

Criminal insurgency refers to the result of the legitimization political and state violence contribute to the destabilization of democratization during the current modern political climate in Guatemala. What happened in Guatemala politically? In comparison to the previous article, it shows a different perspective of what is considerate political violence. In other words, the author presents statistics of the deaths and crimes against elected presidents and the State as a whole. Brands argued that since the Guatemala's civil war violent crime has increased dramatically, to the point that drug traffickers, organized crime syndicates, and youth gangs are effectively waging a form of irregular warfare against the state (227). The purpose of this case study is to present a different perspective to our research project. It also has the intention to demonstrate that the same violence that the State has institutionalized and legitimized has reproduced to that point that is being reflected against them. Indeed, Brands revealed that "the 2007 national elections in Guatemala were an exercise in contrasts. The two rounds of voting...were widely judged to be free and fair, but the election campaign preceding the voting was marred by high levels of political violence" (228). In other words, it is a cycle of violence that the State has initially contributed to and they have also been affected by. Therefore, this case study contributes to the historical factors that have contributed to the destabilization of democratization during the

current modern political climate in Guatemala. As well to prove the importance of intervention of the United Nations International Commission against impunity and corruption in Guatemala.

Implications for Human Rights

The current problems with the CICIG (International Commission against Impunity in Guatemala) in Guatemala exemplify the gap between what citizens of the country view as a step forward towards a greater security of human rights and state interests for power. Approximately “70% of Guatemalans trust the work of CICIG” because of the involvement in the past of state violence against citizens (Transparency International 2018). Additionally, Guatemalan peoples have fought to gain some form of reparations or justice to rewrite the wrongs of past human rights violations. For example, the Inter-American court has supported commissions in Guatemala that have “granted precautionary measures in a number of cases” including those involving “the human rights impact of gold mining” which asked “Guatemala to suspend the concession granted to a mining company, due to the drying up of drinking water sources and water contamination” (Schönsteiner et al 2011:375). In this case, the courts allowed the interests of citizens and their rights to clean water to supersede the interests of the state and companies. Still, when looking at how human rights defenders are treated within the country, violence regains control. It is estimated that “From January to September 2015” a “recorded 380 attacks or acts of aggression against human rights defenders” were reported which included “murder, threats, arbitrary arrests, following, and surveillance” (Antoine et al 2015:90). Even if people want human rights to be strongly established in Guatemala, without securing safety for human rights defenders from the state and other organizations, its viability is low.

Guatemala’s patterns of political corruption and state sponsored violence helps bring a better understanding to the discourse and practice of human rights because it shows how change

is not solely dependent on the organizations that exist to promote human rights, but also relies on the cooperation of the state. If the state does not enforce human rights at all costs, then cases like President Morales's attempts at eliminating the corruption commission, "reduce freedom of expression and constraint civil society organisations" that would otherwise promote domestic human rights (Transparency International 2018). The result is a progressive "trend towards undermining democratic norms, the result of which is the proliferation of corruption, impunity and authoritarianism" within a country (Transparency International 2018). Understanding the aspects of states enforcement also begs another question. If the state does not promote human rights, what else can be done to push their motivations to support the idea? One solution could involve including the United States, "a key donor to CICIG", to "support the commission in its fight against impunity for corruption in Guatemala" (Transparency International 2019). This does not mean attempting an on-the-ground invasion of a country, but instead simply acknowledging that a state that is connected to Guatemala supports human rights and therefore Guatemala should as well. Not influencing the state through international relations would support the killing of "Thousands of Guatemalans" that "die every year because the State has failed to guarantee them a place free of violence" therefore maintaining "an index of impunity that only reinforces violence and insecurity" (Antoine et al 2015:215).

Enforcing solutions to the issues in Guatemala are not easily administered. This goes back to the understanding of how human rights works on a state level. Simply supporting human rights is not enough. There are challenges "in procedural and institutional terms" that "relate to the effective functioning of the legal assistance mechanisms" that would result in "remedies against structural discrimination" (Schönsteiner et al 2011:383). Essentially, human rights thought must also examine the institutional ability a state has to systematically include policy

that would reinforce human rights. The ability of human rights to be strong in a country relies, once again, on the willingness of a state to legitimize human rights within its legal and institutional system. This, therefore, expands the current thinking about human rights globally to something that must include the cooperation of the state and international state actors to push a cultural acceptance of rights.

There are signs that political corruption and state violence are improving in some situations. The Inter-American courts have become the stage on which debates about “discrimination based on sexual orientation, rapes committed by high ranking officials, wiretapping, unfair dismissal, and political participation” have taken place (Schönsteiner et al 2011:363). Additionally, the CICIG “has had significant success in prosecuting numerous high-level corruption cases” (Transparency International 2018). The court also pushed to resolve cases that occurred in the 1970s and 1980s, but it was not until “2008 and 2009” that cases involving the “disappearances, massacres and torture that occurred... were decided against Guatemala” (Schönsteiner et al 2011:363). Still, the Guatemalan Constitutional Court has attempted to continue the fight for human rights. Recently, the Constitutional Court ordered the President to “comply with the... re-entry of the CICIG Commissioner, Iván Velásquez” and argued that the “Failure to do so would ‘lead to autocracy and disregard for rule of law in the country’” (Tucker 2018). Alternatively, this does not necessarily mean that simply fixing the corruption would solve problems of justice and reparations. Following the court rulings and establishing stronger human rights practices might assist in reconciliation between the state and citizens, but “dictatorships, exclusion, discrimination, and a long, painful internal armed conflict that claimed hundreds of thousands of victims” has left Guatemala “with an immense debt in terms of justice and reparation” (Antoine et al 2015:31). The amount of pain caused would be difficult to

quantify in terms of reparations for those who were victims of state violence. Using the court system to try to enact justice would also be difficult because “the institutional framework is weak, and with a system of justice with high levels of impunity” justice might not come quickly and swiftly” (Antoine et al 2015:31).

Activism, despite the dangers human rights advocates face in Guatemala, continues to be a large part of why human rights is being debated within the country. Organizations like Transparency International have urged “the United Nations and the international community to show energetic support to the fight against corruption in Guatemala, and to support the continued role and independence of the CICIG” (Transparency International 2018). The group Accion Ciudadana in Guatemala has also played a large part in calling “for active participation from citizens and civil society groups of Guatemala to ensure that CICIG can continue to fulfil its important mandate for ending impunity” (Transparency International 2019). The advocacy done by these two groups keeps the fight against corruption and state violence alive.

Conclusion

Guatemala’s state governance has been subject to various instances of foreign intervention, repeated administrative changes to the presidency, and inconsistency in enforcing human rights organizations to help solve the problems of the past. State sponsored violence and structural violence caused by long periods of class, racial, and gendered violence from before the Mayan genocide to the present has contributed to the inability of the CICIG to fix major corruption issues. If one wishes to project human rights in Guatemala into the future, the structural violence that grew with state violence must be considered. Furthermore, the corruption that exists today in Guatemala could not have been made possible without the events that occurred more than 50 years ago.

ANNOTATED BIBLIOGRAPHY

Antoine, Rose-Marie Belle; Cavallaro, James L.; Orozco Henríquez, José de Jesús; González, Felipe; Ortiz, Rosa María; Robinson, Tracy; Vannuchi, Paulo. *Situation of Human Rights in Guatemala*. Inter- American Commission on Human Rights, 2015, pp. 11–218, <http://www.oas.org/en/iachr/reports/pdfs/Guatemala2016-en.pdf>

The report describes the, up until then, situation of human rights in Guatemala. Human rights in Guatemala has been bumpy for decades and the possible historical causes of the corruption being experienced in the country now is outlined in the report. The IACHR also wrote sections on the continual experiences of indigenous peoples, women, and the effects of government violence on the citizens. Not only do these sections dive into the historical context of the issues in Guatemala, but it also gives legal analysis based on international treaties and laws about human rights. This report is useful to the dossier the group is writing because it gives a relatively recent perspective on how human rights are being handled in Guatemala. It is not enough to simply look at the history behind events that caused corruption to become the norm within the government, but it is also necessary to understand the implications for the future. The report gives us a little insight into why human rights matter in Guatemala.

Associated Press. *CICIG reanuda trabajo en Guatemala*, 2019. <https://www.latimes.com/sns-bc-amc-gen-guatemala-cicig-20190213-story.html>

The International Commission against Impunity in Guatemala (CICIG) resumed its judicial activities within the Central American country. Later on, the highest constitutional court suspended an order from the president to unilaterally end the work of the UN agency. The CICIG announced in its Twitter account that its lawyers would participate in the hearing of the case called "manipulation of justice", in which a former organized crime prosecutor and an army general who allegedly manipulated witnesses and evidence were prosecuted. At the beginning of January, President Jimmy Morales announced the end of the commission, a United Nations mission that investigates clandestine and security apparatuses embedded in the Guatemalan state. The Constitutional Court, however, suspended the decision. The article relates to our dossier by presenting correlations as part of the causes of today's government corruptions and initiatives to prevent the International Commission to investigate. Moreover, the article relates to our research because the political initiatives that the State in relation to corruption, crime, and violence shape the meaning and representation of violence and crime. This case can be analyzed by using my previous research and trying to make connections and explanations.

Barrett, David. "Congress, the CIA, and Guatemala, 1954." *Sterilizing a "Red Infection"*, Central Intelligence Agency, 1954, www.cia.gov/library/center-for-the-study-of-intelligence/kent-csi/vol44no5/html/v44i5a03p.htm.

This is a primary source CIA document that was currently unclassified. The main actors involved in this are the US Congress, the CIA and Guatemala. The source is important because it really underscores the fear that the U.S. had that Guatemala was turning into a communist country. It mentions how under Truman and Eisenhower persuaded themselves that Arbenz and his political party were communist just because they purchased Soviet made garments. At the

same time the article provides evidence of the U.S. looking other way while the CIA was gearing up to overthrow the government. However, this proved hard to do, as the new government moving in were more oppressive. The article lays out the congressional role in intelligence policy, the coup of 1957, the Johnson Resolution, a deserting vote, a degree of knowledge, press coverage, and the hush hush treatment. Each of these sectors would add to the overall dossier project because it outlines the U.S. and CIA motives surrounding the United Fruit and its sister company, International Railways of Central America. These two interests have monopolized Guatemala's exports and shifted the means of production to U.S. hands, leaving the Guatemala economy worse. The CIA source reveals that the overthrow can be linked to the idea of land reform hurting the U.S. company. It shows how the U.S. purposefully labeled Guatemala as an emerging communist country to justify war. The document reveals how the CIA and the White House was willing to do whatever was necessary to get rid of the Arbenz government to protect their own assets. The U.S. foreign policy at the time truly included the massacre of thousands of indigenous and Guatemalan peoples.

Brands, Hal. "Crime, Irregular Warfare, and Institutional Failure in Latin America: Guatemala as a Case Study", *Studies in Conflict & Terrorism*, 2011, pages 228-247.
<https://www.tandfonline.com/doi/pdf/10.1080/1057610X.2011.545937?needAccess=true>

This article examines the current crisis in Guatemala which focuses on the "criminal insurgency." The article relates to our research project by providing historical factors that have contributed to the destabilization of democratization during the current modern political climate in Guatemala. In relation to that, the article focuses on the analyzes of the increase of crime and the factors that have led to the increased. In comparison to the previous article, it shows a different perspective of what is considerable political violence. In other words, the author presents statistics of the deaths and crimes against elected presidents and the State as a whole. Brands argued, "Guatemala's civil war in 1996, crime—especially violent crime—has increased dramatically, to the point that drug traffickers, organized crime syndicates, and youth gangs are effectively waging a form of irregular warfare against the state" (227). The purpose of this case study is to present a different perspective to our research project. But it also has the intention to demonstrate that the same violence that the State has institutionalized and legitimized has reproduced to that point that is being reflected against them. Indeed, Brands revealed that "the 2007 national elections in Guatemala were an exercise in contrasts. The two rounds of voting—in which Guatemalans elected a president and 158 congressional deputies—were widely judged to be free and fair, but the election campaign preceding the voting was marred by high levels of political violence" (pg 228). In other words, is a cycle of violence that the State has initially contributed to and has also been affected by. Therefore, this case study contributes to the historical factors that have contributed to the destabilization of democratization during the current modern political climate in Guatemala. As well to prove the importance of intervention of United Nations International Commission against impunity and corruption in Guatemala.

Cullather, Nicholas. *Operation PBSUCCESS: The United States and Guatemala, 1952- 1954*. CIA History Staff Document, 1994, nsarchive2.gwu.edu/NSAE/NSAE4/docs/doc05.pdf.

This is actually a secondary source directly from Nicholas Cullather who was a part of the history staff for the central intelligence agency in Washington D.C. The dates that this source

covers are from 1952-54 which is very important to this entire dossier because it reveals one of the CIA's operation involving Guatemala and The United States. This source is significant because it reveals the CIA's role in planning and executing the coup known as 'coup d'état' that resulted in the removal of Jacobo Arbenz Guzmán on June 27, 1954. Not only this, but the source also lays out the U.S. intentions behind it which involved preventing land reform to secure the United Fruit Company's success (a U.S. company). It's important to note that Jacobo Arbenz Guzmán was democratically elected to represent the Guatemalan people as the country just ended the 10-year Guatemalan Revolution of 1944-1954. After his death, Guatemala would be subjected to years of continuous violent coups, genocides, torture, and disappearances. This source gives a great description of the narrative of the CIA's role because it is written by a person who had worked in contract for the CIA and was given access to top secret files. The source also examines the years leading up to the elected presidency of Guzman and what the economy and social context were like. The source gives us insight on military, White House and CIA details that other sources would not have. For instance, the source includes dialogue that the CIA had with President Eisenhower at the time and reveals that reports back were often cover ups and lies. In the end, the CIA's coup only led to a massive movement that left tens of thousands displaced, killed, or missing.

Doyle, Kate, and Carlos Osorio. "U.S. POLICY IN GUATEMALA, 1966-1996." *Analysis of Human Rights Reports on Guatemala by Amnesty International, WOLA/NISGUA, and Guatemala Human Rights Commission*, Department of State, Confidential Cable, 1982, nsarchive2.gwu.edu/NSAEBB/NSAEBB11/docs/.

This source is a list of 32 primary source documents that range from the United States Agency for International Development, Secret cable to the Defense Intelligence Agency, Secret messages. This source is significant to the dossier because the military killed over 3000 people between 1979 and mid-1980 and these 32 primary source documents are proving that the CIA should be held accountable. The genocide of people was under the policies set by Efraín Ríos Montt's government. Killings were their tactic and the often-punished entire villages of people. The excuse that seems to fit the non-discriminate killings, rapes, and torture to all people was anti-communism. Moreover, American intervention is the direct result of genocide. Mass massacre was the agenda both the US and Ríos Montt operates by. The 1982 coup backed by US and included ousting President Lucas for Montt to take over (document 13). Under his rule, the efficiency of the killings increased, indigenous lives decreased, and he implemented policies to turn everyday people against each other. These primary sources documents reveal specific outcomes if policies set under Montt. In particular Montt's flagship policy was called fusiles y frijoles, guns and beans. This is because it offered food and relocation to communities prepared to cooperate, or death to those who did not. Documents 11-13 reveal that no one was safe even though the government made promises like this one. Document 16 will be helpful in this dossier because it shows that there was an Analysis of Human Rights Reports on Guatemala done by Amnesty International and Guatemala Human Rights Commission in 1982.

Garrard-Burnett, Virginia. "Living with Ghosts: Death, Exhumation, and Reburial among the Maya in Guatemala." *Latin American Perspectives*, vol. 42, no. 3, 2015, pp. 180–192.

While the Guatemalan civil war occurred over 3 decades ago “Living with Ghosts: Death, Exhumation, and Reburial among the Maya in Guatemala” discusses the posttraumatic stress that survivors of the civil war face. The article is important to the historical background as it provides the ongoing stress of Mayan populations and how they were extremely affected by these conditions. Due to the ongoing relationship between the living and dead that Mayans require the deceased to have proper burials. The reburial of the dead from the civil war has had cathartic effects for survivors and has contributed to the construction of historical memory. Overall the article, highlights the complexities and nuances of trauma of healing that the indigenous majority faces to this day.

Handy, Jim. “Demilitarizing Community in Guatemala.” *Canadian Journal of Latin American and Caribbean Studies / Revue Canadienne Des Études Latino-Américaines Et Caraïbes*, vol. 19, no. 37/38, 1994, pp. 35–60.

This article explores the development of Guatemalan Mayans seeking to reshape their government in political climate of the 1990s. Community members have courageously protested the military presence in their towns and voiced opposition to civilian patrols and forced recruitment. The article “Demilitarizing Community in Guatemala.” highlights that one of the most important struggles in Guatemala in recent years is the attempt to demilitarize their communities by residents in highland villages. While focusing primarily on military presence in the western highlands it examines the common theme of a need for change. The article then ends with a discussion centering the extent of how these demands have changed the political climate in Guatemala.

International Justice Monitor, 2013, “Background.” *Jose Efrain Rios Montt*, www.ijmonitor.org/efrain-rios-montt-and-mauricio-rodriguez-sanchez-background.

Jonas, Susanne. “Democratization through Peace: The Difficult Case of Guatemala.” *Journal of Interamerican Studies and World Affairs*, vol. 42, no. 4, 2000, pp. 9–38.

"Democratization through Peace: The Difficult Case of Guatemala," argues that experiences such as the transitional history of Guatemala cannot be fully understood in the context of a single body of literature. The article first summarizes how the Peace Agreement, after the war and how it contributed considerably to Guatemala's democratization, and then analyzes Guatemala since the beginning of the 1980s as a means of addressing some of the broad theoretical debates. It also takes account of the 60% indigenous population in Guatemala and how the quality of political democracy is affected by cultural diversity, as previous attempts to build a democracy in Guatemala have been made by suppressing them.

Lovell, W. George. “The Archive that Never Was: State Terror and Historical Memory in Guatemala.” *Geographical Review*, vol. 103, no. 2, 2013, pp. 199–209.

“The Archive that Never Was: State Terror and Historical Memory in Guatemala,” discusses the astonishing discovery of secret police and military archives during the 36-year civil war of Guatemala. This article shows archival evidence that between 1961 and 1996 more than 200,00 people lost their lives in Guatemala as a result of state-orchestrated acts of terrorism. The

archive contained an estimated 80 million documents known as the Archivo Historico de la Policia Nacional, which reveals the atrocities and complicity committed by police officers. The archives' dismantling renewed fierce debates on history, memory and justice. In general, this article looks at the struggles of Guatemala to manage this avalanche of evidence of past war crimes and examines how the post-justice war activists worked to reconfigure the terror archives to implement social change.

Oettler, Anika. "Encounters with History: Dealing with the 'Present Past' in Guatemala." *Revista Europea De Estudios Latinoamericanos y Del Caribe / European Review of Latin American and Caribbean Studies*, no. 81, 2006, pp. 3–19.

The evidence presented in "Encounters with History: Dealing with the 'Present Past' in Guatemala." discusses the social actors involved in commemorating the past. Despite Guatemalan political constraints and problems in distinguishing between historical and individual responsibility, "Encounters with History: Dealing with the 'Present Past' in Guatemala." marks the turning point in the investigation of human rights. By addressing the impact of truth commissions and the truth in Guatemala, we see the benefits and limitations that the commissions have in serving truth and justice. Moreover, how these social actors have presented a cultural narrative to deal with reconciliation and how these two investigations both use historical inquiry to come to terms with criminal responsibility. The overall theme of the article is that Truth Committee has become a key instrument of transitional justice during the last decade.

Peralta, Gabriel Aguilera, and John Beverly. "Terror and Violence as Weapons of Counterinsurgency in Guatemala." *Latin American Perspectives*, vol. 7, no. 2-3, 1980, pp. 91–113., doi:10.1177/0094582x8000700207.

This is a secondary source scholarly journal article by Gabriel Aguilera Peralta and translated by John Beverly. This 1980 article does a fantastic job of looking at the terror and violence in Guatemala from the counterinsurgency lens. The fact that the army's tactics were so brutal and violent cannot be disconnected with U.S. foreign policy at the time. The U.S. used the goal of surpassing communism as an excuse to fund the Guatemalan military. This source is about 22 pages long and the emphasis on using this piece is because is mentioned distinctively the events during the 1960's and 70's. One of which, shows Guatemala pretending to be under civilian rule during the civil war from 1966-70 when Mendez acted as a puppet for the CIA. Guatemala's civil war did not begin until 1960 and this document examines the context before, during and after the war. Not only this, but it gives a year by year description on the social, political and economic context. Because it has a really detailed historical timeline, it mentions the presidency of 1970 when Carlos Arana took over. This document has some primary source evidence inside, such as Arana's inaugural speech with transcripts of words he actually said. He often encourages indigenous communities to turn against each other by supplying extra to one and leaving the other one out. The paper goes into details about the challenges the Mayans have had to overcome during and after the civil war. It even mentions the oil discovery in 1970 that brought another element into the civil war and more violence and displacement than ever before. This is significant to the specific coups that the CIA were behind because it reveals the

continuous violence and terror that infiltrated the country. The article lists many facts, includes accurate descriptions and numbers to explain the violence phenomenon that Guatemala was in.

Perez, Sonia. *Policía de Guatemala favorecería a hermano de presidente*, 2019.

<https://www.latimes.com/sns-bc-amc-gen-guatemala-corrupcion-20190212-story.html>

The National Civil Police (PNC) of Guatemala cleared the police records of Samuel Everardo Morales Cabrera, brother of President Jimmy Morales, even though he is currently accused of a corruption case. Pablo Castillo, a police spokesman, told reporters that the cancellation of police records was made under the premise of presumption of innocence. According to the protocols of the police itself, in order for the records to be erased, it is required that the court hearing the case certify its final resolution and indicate that it has no pending appeals and notifications. The president's brother is running for the government position, but the Constitution of Guatemala establishes that the relatives of the president cannot be deputies. Some jurists interpret that the prohibition of the Magna Carta is applied so that no relative can be elected while the president is in office. The article states that the presidential family has had several legal problems that also involve President Jimmy Morales, who has been accused on three occasions by the Office of the Prosecutor and the International Commission against Impunity in Guatemala (CICIG) of several crimes. The first: hiding financial information of the party that brought him to power. The second: to have received a bonus from the army for about \$ 61,000, which he had to pay back. And the third: illicit electoral financing of the official party. This article is essential to our dossier studies because it presents recent political issues that cause today's government corruptions and initiatives to prevent the International to investigate. The corruption happening inside the government is being reflected in society. By the end of CICIG, corruption will be completely open and will only contribute to more destabilization of democratization

“Released CIA Memorandum 1975.” *CIA'S Role in the Overthrow of Arbenz*,
www.warhistoryonline.com/wp-content/uploads/2015/10/CIA-Arbenz-overthrow-FOIA-documents-1of5.gif.

This is a one-page memorandum and primary source document that was unclassified in 2003. The subject of the memorandum is: CIA's Role in the Overthrow of Arbenz. It was written May 12, 1975 and it does list out the specific operational mechanisms that the CIA used in the overall mission to overthrow the Arbenz government. This source will be used as a follow up document for the Operation Success document because it gives us concrete evidence on exactly how the CIA maneuvered the overthrow. This is a short but powerful document because it reveals that the CIA is assuming responsibility for operations against Arbenz. The first tactic the CIA used was the paramilitary operation that was used to intimidate the president. The document list that about 80 men received training in Nicaragua, 39 were trained to sabotage, 6 as shock troops and the rest as support personnel. All together the CIA recruited 260 men from Honduras the second tactic the CIA used was the air operations. The document exposes the four phases: initials stockpiling of equipment, the delivery, aerial resupply of troops and fighter support. Some items included propaganda and bombs. They used C-47's and F-47's to discharge cargo and drop bombs. This document was a secret document El Salvador in an effort to increase pressure on the president. The document does not mention anything about the phony radio

station set up by the CIA that broadcasted false reports about lake water being poisoned and an approaching invasion on 5,000 military men.

Sanford, Victoria. "From I, Rigoberta to the Commissioning of Truth: Maya Women and the Reshaping of Guatemalan History." *Cultural Critique*, no. 47, 2001, pp. 16–53.

"From I, Rigoberta to the Commissioning of Truth: Maya Women and the Reshaping of Guatemalan History." provides a historical analysis of Guatemala's past with a testimony of truth and justice. The winner of a Nobel Peace Prize, Rigoberta Menchu, challenges Guatemala's official history by refusing to accept to state violence and varied political responses towards Mayan women. This article explains that the Guatemalan army and some academics tried to explain Mayan political activism as guerrillas and organizations manipulating the Maya. This perception shares the same racist ideational basis that denies the Mayans political awareness and free will. The recovery and transformation of the official political discourse denies the Mayan agency, in particular Mayan women. It eventually shows us that Guatemala's history can only be told through the stories of the most marginalized voices of society, to highlight what really happened and how the wounds of the past have been repaired.

Santamaria, Gema and David Jr, Carey. *Violence and Crime in Latin America: Representations and Politics*. Norman: University of Oklahoma Press, 2017.

Santamaria and Carey argued that crime and violence are socially constructed categories. These categories fall under the meaning of what the State gives to and to what they consider to be "formally illegal and what is considered criminal in everyday interactions between the state and non-state actors.... (pg 4)" The argument of what is crime is followed by the power that the State has given to community groups to govern and protect their own communities. Many Latin American countries, citizens do not trust the ability of the state to protect them from crime groups. Since citizens do not trust the state's ability to protect them, they have decided to form community groups to defend their communities against drug-trafficking organizations.

In other words, this case study is essentially important to our research project because it reflects how the political violence and State violence are correlated to the legitimacy, they give to organized groups and the justification of their justice system. To be more clear, State and political violence do not necessarily to be explicit in their behavior such as corruption and impunity, but also their relation and decision making in giving the power to community groups to exercise criminal acts as a form of legal procedures. In this case, institutionalized violence is represented, establish and produce in communities.

For example, in chapter two, Santamaria argued that "lynchings constitute public, gruesome, and highly ritualized forms of collective violence that involve the torture, mutilation, burning, or hanging of the victim in a prominent public space (pg 44). The acts of lynching undermine the legitimacy of the state as the ultimate arbiter of legality, the participation of the state authorities in organizing extralegal forms of violence organized by the state officials. Over the years, since and after the Guatemalan civil war youth have been the target of the state and drug traffickers.

Studies on violence against suspected criminal in postwar Guatemala have "focused almost exclusively on the indigenous communities of the western highlands where a series of lynching were documented during the mid-1990s and early 2000s" (pg 181). Some were known

as the *limpieza social* (social cleansing) in which a series of secret killings and disappearances occurred. *Limpieza social*, or “social cleansing,” has a long history in Guatemala. The terms refer to the “serial killings of people who have been economically pushed so far toward the fringes of misery that the more affluent members of society classify them as ‘undesirable,’ ‘throwaway’ human beings” (pg 182).

Schönsteiner, Judith; Beltrán y Puga, Alma; Lovera, Domingo. Reflections on the Human Rights Challenges of Consolidating Democracies: Recent Developments in the Inter-American System of Human Rights, *Human Rights Law Review*, Volume 11, Issue 2, 1 June 2011, Pages 362–389, <https://doi.org/10.1093/hrlr/ngr011>

The authors of this law review describe the emergence of multiple topics in the inter-american courts since its existence. Although the court still works on cases regarding “transnational justice” for events from the mid to late 20th century, the authors argue that the court has also become the stage on which debates about “discrimination based on sexual orientation, rapes committed by high ranking officials, wiretapping, unfair dismissal, and political participation” have taken place (363). The courts have changed with the diversity of human rights issues that exist. Despite all its efforts, though, the Inter-American courts are not always effective in their outcomes. It was not until “2008 and 2009” that cases involving the “disappearances, massacres and torture that occurred in the 1970s and 1980s were decided against Guatemala and Bolivia” (363). The time gap between the occurrence of the human right violations and the year the court was able to rule on it exemplify why the court has yet to exert any real influence as a governing system. Still, though, the courts, as stated by the authors, have been able to resolve structural violations within countries.

This law review is relevant because it focuses on the legal apparatus that the American continent put into place to attempt to bring justice to human rights violations. The Inter-American courts were created to resolve issues that states could not otherwise fix themselves either because they perpetrated the human rights violation or because they do not have enough diversity in their political system to see violations as a problem. It is important to examine the results of the courts debates and their legal logic because it sets a precedent for the way states act towards citizens. It also defines the way the international community deals with human rights issues.

Sieder, Rachel. “Contested Sovereignties: Indigenous Law, Violence and State Effects in Postwar Guatemala.” *Critique of Anthropology*, vol. 31, no. 3, Sept. 2011, pp. 161–184 <https://journals.sagepub.com/doi/pdf/10.1177/0308275X11409729>

The article analyzes the efforts of organized indigenous peoples to exercise their own forms of law and justice. However, under this perspective of practicing law and justice falls into the context of practicing social violence and impunity. One form of making justice is that indigenous justice systems contribute to collective lynching, which is viewed as a legal procedure that is justified under the political community, the idea of security, and normality. Sieder argued that “collective lynchings of suspected delinquents can be understood as an extremely violent popular response to the insecurity that reflects both practices deployed during the armed conflict, and past and present anxieties and fears on the part of the marginalized rural and urban population” (163). The purpose of this article is to analyze and reflect the demands of indigenous communal

authorities by giving them the legitimacy forms of justice. But is, also, important to analyze the social violence that these organized groups and communities have contributed to collective violence since the end of the war.

This research article relates to our dossier studies on Guatemala's political and state violence because it demonstrates the correlation between social violence as a form of collective violence such as lynching. For example, Sieder argued that some analysts have said that "...the 'rough justice' that indigenous community procedures can involve many have emphasized the non-coercive nature of indigenous justice and, indeed, question the political motives of those who condemn indigenous justice systems as violating human rights. Those working on lynchings have tended to interpret these as responses to insecurity and the effects of neoliberal policies, or as a legacy of previous histories of violence" (162). This demonstrates how the state has legitimized certain types of crimes as forms of justice, in which are not view as criminal acts, but as punishments.

Transparency International. "Transparency International Condemns President Morales' Attempt to Stop Anti-Corruption Fight." *Www.transparency.org*, Transparency International, 2018, www.transparency.org/news/pressrelease/transparency_international_condemns_morales_attempt_to_stop_corruption.

Transparency International is an organization that measures the level of corruption that a country might display compared to other countries. The article specifies the organizations suspicion and concern over President Morales's announcement about eliminating the independent corruption commission. President Morales made the announcement "surrounded by military and police leaders" while the "media reporting the simultaneous deployment of the military to the offices of CICIG" (Transparency International 2018). The presence of these specific state actors create a concern because they have been the institutions that have historically committed violent crimes against humanity. The military has also played a big part in being a partner or source of corruption in Guatemala. Since about "70% of Guatemalans trust the work of CICIG", the elimination of the commission shows a disparity between what civilians believe is a priority and what the government wants to keep covered up (Transparency International 2018).

The article is important to the overall project because it not only shows how corruption is a deep seeded issue in Guatemala, but also that the international community is aware of current problems happening in the area. One problem with contemporary human rights issues is that organizations and people do not keep track of what is going on, but if people are aware then the image of the government is tarnished. It also provides a good perspective into why civilians do not trust the government.

Transparency International. "Guatemala: Expulsion of CICIG Must Be Immediately Reversed." *Www.transparency.org*, Transparency International, 2019, www.transparency.org/news/pressrelease/guatemala_expulsion_of_cicig_must_be_immediately_reversed.

The article chronicles the international condemnation and awareness of corruption issues in Guatemala. The Secretary General of the United Nations has expressed disapproval of President Morales's actions towards the CICIG. Additionally, the awareness that Guatemala has

fallen into corruption in politics has resulted in the inclusion of legal battles being threatened towards the state. Eliminating the CICIG is seen to be an “illegal” action and therefore has repercussions. This is important to the discussion of the future of human rights in Guatemala because it acknowledges the need to learn from past mistakes. The international community is not just going to sit without saying anything and let another government stop from fixing the corruption. Combined with legal battles and public awareness, the corruption prevalence in Guatemala shows to be a case of institutions trying to call out problems and fixing them before it escalates.

Tucker, Duncan. “Guatemala: Government Must Comply with Constitutional Court Order.” Amnesty International, 2018, www.amnesty.org/en/latest/news/2018/09/guatemala-gobierno-debe-acatar-orden-de-la-corte-de-constitucionalidad/.

The Amnesty International short update provides an insight into the legal battle being fought in Guatemala over the attempt to end the CICIG’s anti-corruption work in Guatemala. The article explains that the courts in Guatemala have deemed the elimination of the commission inappropriate. They also stated that President Morales is obligated to comply with the requirements of the commission to help their investigation into his involvement with corruption. This exemplifies yet another layer of resistance in Guatemala. Both the courts and the civilians view the elimination of the commission as something negative and makes it look like the President is trying to hide something.

Ultimately, the importance of this information lies in its ability to shed light on the battles President Morales is having to fight in Guatemala to justify his actions. It is important to note that this then implies that the courts and civilians are ahead of the political institutions on being open to change and allowing human rights to grow.