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HISTORICAL
ROOTS AND
EVOLUTION
OF PUBLIC
VIOLENCE IN
GUATEMALA

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ABSTRACT

More than twenty years after the official ending of the internal armed conflict, Guatemala is still far from reaching peace. Gangs, drug cartels, among other organized crime agents, are keeping alive in more or less structured ways what the historian Robert H. Holden calls “public violence.” Those groups appeared in the country during the last three decades, as a result of an irregular transition during the peace agreements between the government and the guerrillas until 1996. Some of those are, directly or indirectly, older. What all of them have in common are several historical roots and precedents that can go to the armed conflict (1960-1996) and its institutional, political, social, and public order consequences, the transition to civil governments in 1986, the revolution in the mid-twentieth century, and even

VIOLENCE OF THE PAST ADAPTED TO THE PRESENT

the first century of the independent country in its republican adventure or the colonial times. However, even though the historical review can be divided into periods, it also involves continuous phenomena, like inequality and poverty, not assumed multi-ethnicity, *caudillo*'s and army's roles, weak institutions, unequal land distribution, changing relations with the United States, or the regional context. Those phenomena, and their relationships with the characteristics of each stage help to approximate to what happened then, and therefore, to understand with historical perspective what happens nowadays. ●

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INTRODUCTION

The Guatemalan armed conflict officially ended in 1996, but the country has not been able to eradicate violence mainly by organized crime (sometimes more, sometimes less structured) agents, and from public life. Although it has been reducing by almost a half since 2009, in 2017 Guatemala had the 12th highest homicide rate in The Americas (out of 36 territories) and the 14th in the World, with approximately 27 murders per every 100,000 inhabitants, as in 2001 (The World Bank, 2017). Also, in 2016, its capital Guatemala City had the 9th highest homicide rate between cities around the world, with a rate of 70.6 (Aguirre Tobón and Muggah, 2018), taking into account that the World Health Organization considers war-time levels over 30.

However, homicides, especially in those proportions, are not just homicides themselves. They are usually part of something bigger or more profound. Due to the widespread criminality, and also because of a lack of transparency, in some Latin American countries, there is a crisis of confidence in the institutions. Actually, according to the Global Competitiveness Report of 2019, where Guatemala is ranked 98th out of 141, the country's fourth score (out of seven) is in the Institutions pillar, composed, in terms of public order, by Organized crime (131th), Homicide rate (131st), Terrorism incidence (in contrast, 40th), and Reliability of police services (121st) (Schwab, 2019).

That reality has contributed to the increase of private security companies and took the country to the 3rd highest rate of citizen security interventions in Latin America

(Aguirre Tobón and Muggah, 2018). Both situations obey in recent times to the presence of illegal groups, such as the Barrio 18 and MS13 (among other smaller) gangs, with activities since the second half of the twentieth century also in California, Mexico, El Salvador, Honduras, and others; drug-dealing family mafias like Los Mendoza, Los Lorenzana, or Los Leones, that have been decaying in favor of the expanding Mexican Sinaloa and Los Zetas cartels, the armed conflict-resulted (and actively state participated) CIACS (from the Spanish *Cuerpos Ilegales y Aparatos Clandestinos de Seguridad*, literally Illegal Clandestine Security Apparatuses), which has been mutating in more discrete structures, and smaller organized crime groups (InSight Crime, 2017).

The 18 and MS gangs or *maras*, confronted but very disaggregated, operate in both local and transnational frameworks. Drug-dealers, in the case of Guatemala, perpetuate their business on the base of being geographically the path from the south to North America. The CIACS, born at the end of the armed conflict (1960-1996) as a recycling mix of former paramilitaries, bureaucrats, and particulars, sometimes were related to both gangs and drug-dealers and even to civil and military authorities (InSight Crime, 2017).

Those last relationships, between illicit and legal actors, especially economic, military and bureaucratic elites, came through non-consolidated peace agreement results, which sometimes has blurred the borders between elites and organized crime activities and purposes (Dudley, 2016a), in a country where almost half of the murders are being declared by “unknown” actors (Dudley, 2016b).

If that has been the latest criminal landscape in Guatemala, before the peace agreement, they were starring the

Armed Forces, guerrillas under the *Unidad Revolucionaria Nacional Guatemalteca* ('National Guatemalan Revolutionary Union', URNG), the paramilitary groups PAC (*Patrullas de Autodefensa Civil* or Civil Defense Patrols), and death squads. Those guerrillas, like most of the main Latin American ones, were born in the 50s and 60s, inspired by other experiences like the Soviet, Chinese, and Cuban revolutions, seeking social changes and trying to take power by force and terrorism. On the other hand, leading roles, but also well-known abuses from the Armed Forces are also historical, because of their significant presence in the political history of the country and even in the construction of the Guatemalan nation (Holden, 2004).

Furthermore, in all those armed groups, legal or illegal, there has been a multiethnic component that has not been positively or profoundly assumed by the Guatemalan society, stratified since the colony in general terms in white, *ladinos*, and indigenous people at the bottom. This characteristic, in contexts of colonial times and the nineteenth and the first half of twentieth-century *caudillismo* tradition, can be considered concerning the developing economy, unequal land distribution, and weak democratic institutions. The evolution of those social, political and economic components have derived into violence throughout history, also because of the political and particular interests of the ones in government and of the ones who want to face them, sometimes supported or disapproved by the United States' government (Sabino, 2008).

The changes of armed agents throughout decades and the continuous actions of both illegal and legal mean that

PUBLIC VIOLENCE HAS BEEN A CONSTANT IN GUATEMALA'S HISTORY

in the public sphere of Guatemala, there have happened different types of violence involved. In a Latin American (especially Central American) scale, the historian Robert H. Holden joints some of those in the concept "public violence," defined by him as "killing, maiming, and other acts of destruction committed by rival *caudillos*, guerrilla «liberators,» death squads, and state agents such as the armed forces and police, all of whom act within [...] the "field" of state power" (Holden 2004, p. 4).

The difference with the private one is that actions, in this case, are made in the name of the ones who commit them, while public violence involves public domination or the defense of any social order (Holden, 2004), no matter the political side or the position regarding institutions.

Even though his book covers the period 1821-1960, Holden uses that concept, which joints actions from opposite sides, because "the persistence of public violence in Latin America originates in the patrimonial institutions —among them, patron-clientage— that have ruled the region

since the sixteenth century" (Holden 2004, p. 10). This concept is used instead of the more usual "political violence" because it is easier to extrapolate to the most recent, but also the most ancient contexts. Although they are related, public violence takes into account also the hierarchical structure of society, the solidity (or lack) of the institutions, socioeconomic factors, and the regional or international context (Holden, 2004).

Therefore, in order to identify the roots and to understand the evolution of public violence it must be considered in relation to other structural problems of society,

regarding that Guatemala this phenomenon exists not only since the armed conflict or the mix of its legacy with the socio-economic situation of the country, but indirectly including historical backgrounds such as the Revolution of 1944, the *caudillismo* tradition after the independence, and even one of the colonial times.

1. BACKGROUND AT THE CAPTAINCY GENERAL OF GUATEMALA

1.1. THE GERM OF A PAPER TIGER STABILITY

The Captaincy General of Guatemala was a territory of the Spanish Empire that included current Chiapas (Mexican state), Belize, Guatemala, El Salvador, Honduras, Nicaragua, and Costa Rica. It was ruled under the viceroyalty of New Spain, mainly current Mexico. Today's Guatemalan territory in precolonial times was the homeland of the Mayas, among other indigenous groups distributed there as in the rest of Central America. That ethnic and demographic diversity plus the contact with the Spanish (firstly) conquerors and (secondly) friars, was the beginning of Central American societies, later under a joint political administration (Juarros, 1981).

The conquest of the later called Captaincy General of Guatemala started in 1524, initially by force (Luján, 1994). It does not mean, of course, that the conquest and initial colonialism through violence explain the later and the one of nowadays, but many of that violence involving indigenous communities have been existing for

centuries, being a continuous and adapting phenomena throughout Latin American history, in some countries more than in others.

In the Central American territory, there wasn't such a political unity, as the Aztec or Inca empires, and that political and geographical fragmentation derived in a stepped, longer and more destructive process of conquer by the Spaniards, who started owning the locals through legal dispositions from the Crown and non-permitted tricks that the distance allowed to commit (Cabezas, 1994). That fragmentation continued with the presence of the Spanish conquerors, who started fighting between each other for economic and territorial reasons, involving in those fights their indigenous slaves and provoking an inevitable decentralization (Skidmore and Smith, 1996).

Those economic reasons for the conquerors sustained a system initially supported in violence, being the indigenous people slaves, and after the prohibition of slavery in 1548 under the New Laws, being a "coerced labouring population providing tribute in kind and in labour" (Feldman, 1985, 1992; Sherman, 1979, cited in Corcoran-Tadd and Pezzarossi 2018, p. 86). In general terms for indigenous cultures, the submission was not something new, and sometimes Spanish conquest had the cooperation of some populations that wanted to get rid of others. However, coercion infringed by white men over the locals, differently from the previous one, sat down part of the foundations of the social stratification that still occurs in Latin America, especially where indigenous people are not a small minority, like in Guatemala.

However, colonization was not only through violence or coercion. Gradually, the Catholic Church adopted a decisive role in the encounter of both worlds and in the

communities that started developing from it. In the case of Central America, the dispersion and heterogeneity of the indigenous people, plus the looter and enrichment goals but not colonization projection of the conquerors, which had the majority of the population in poor living conditions, gave foot to friars to evangelize the locals, religion and language diverse, and to reorganize them building new societies (Luján, 1994), sowing the seed of the Captaincy General of Guatemala.

That progressive articulation made necessary a political cohesion, so, after several changes of the capital because of natural disasters, Central America (except Panama) was unified administratively since 1543 under the Audiencia of Guatemala in the city of Santiago de los Caballeros de Guatemala (today's Antigua). As in other parts of Latin America, society in this territory built itself around political and economic differences because of ethnicity, and also because of its diversification due to the inevitable miscegenation or *mestizaje*, which, in turn, could not avoid discriminations and ethnic prejudices (Luján 1994, p. 81).

The mixture was partial, prolonged in time with its cultural and social complexity, and it could not avoid the gap between indigenous and non-indigenous people in demographic distribution and in socioeconomic conditions throughout time. For example, in recent years almost 50% of non-indigenous people in Guatemala have lived in poverty, while in indigenous people it rises to 79 (Instituto Nacional de Estadística, 2015), in a country where the second group represents between a third and a half of the population (Instituto Nacional de Estadística, 2018).

SPANIARDS' DIVISION WITH THE INDIGENOUS PRECEDED TODAY'S ONE

Nevertheless, the developing of a new society brought evident changes: The Spaniards started the colonization taking with them some of the technologies and cultural and religious features of the peninsula, plus the language that was generally assumed by the locals in new communities. Those communities, based at the beginning economically in the *encomienda*, were taking form in a brief period while the political and economic systems had frictions. With the New Laws of 1542, plus the role of the Catholic Church and their *reducciones* or congregations, the indigenous population started to receive protection and was not supposed to be slaved anymore, starting to change the economic relations and development of the communities.

The New Laws were not applied in Guatemala as in other territories at the beginning because of the importance of this status quo and the resistance to change, and the rest of the sixteenth century continued in a tense calm with a slow decay of the *encomienda* system and the continuous expansion of Catholic faith (Jiménez, 1994).

Therefore, after the violence of the conquest, during colonization and the development of new societies, there were two constant realities. On the one hand, Catholicism as a cohesion element and as a vehicle of education and acculturation through the called "doctrines," as it was happening in the Iberian Peninsula. On the other, land working or administrating as main economic activities. Land and indigenous owning was the source of wealth of the Spaniards, who determined the ways of owning land for them and the indigenous, not protected also on this before the New Laws, and later mainly

through the concessions of communal areas or allegations, while the Spaniards even distorted law to usurp (Cabezas, 1994).

Both realities changed drastically the life of the indigenous, who became part of new societies where they did not rule, and the colonizers established a domain system (Casaús Arzú, 2000). Hence, the constant regarding these changes was subordination, but there were exceptions and resistances. With religion, sometimes they derived in syncretism, because “the ‘sacred’ aspect of cultures is the hardest thing to abandon when there is an option of new beliefs” (Luján 1994, p. 81), and with land, riots, in Quetzaltenango in 1569, and one century later, in San Miguel de Totonicapán (1679), Tuxtla (1693), San Francisco El Alto (1696), among others (González and Luján, 1994). Some of those occurred because of disagreements about taxes, working conditions, or corruption accusations (González, 1995).

These riots were not the ordinary situation, especially in a seventeenth-century where Guatemalan territory was consolidating with more military and economic competences, and with glimpses of political reunification after several dispositions that made part of the also called Kingdom to become a region of the Audience of Mexico intermittently. Those indigenous riots, however, were the first of some others that were going to happen in the second half of the colonial period.

1.2. FROM DISSATISFACTION TO THE INDEPENDENCE

The beginning of the Bourbonic dynasty (1700) through the Spanish Succession War carried changes to both metropolis and colonies on the other side of the Atlan-

tic, for example, regarding the increasing of bureaucrats and taxes, that were harder for the indigenous (González, 1995). Considering that control over the indigenous population through administrative and religious authorities, their riots and resistance movements shouldn't be seen as “historical isolated facts but as true social movements [...] that point to the tribute and tithe problem, the dispossession of communal lands and many humiliations and burdens borne by the natives” (Navarrete 1982, cited in González 1995, p. 163).

Examples of the continuity of these resistance movements were the Zendaes Rebellion in 1712 and almost the other ten indigenous riots since then and until 1820 (González, 1995). All had in common the annoyance by the natives against the excesses of a system (sometimes about tributes, or working conditions, or lack of land), and that exposed a clear-cut of the social stratification that ruled everyone's life. The imported system was still based on ethnic criteria, especially in the color of the skin, with Spaniards on the top, natives (majority at the beginning, then in slight decrease during the first half of the colonial period) in the middle, and African slaves (a minority in the case of current Guatemala) at the bottom, with all the examples of the *mestizaje* (each time harder) classification in between (Luján, 1995a). Due to the mix, all American born identified as non-indigenous, but sometimes accepting heritage from both cultures, was started to be called *ladino*.

That *mestizaje* overflowed the ethnic criteria but kept a stratified system that also considered economic and social relation statuses. There was not such an inbreeding in the highest classes, and it became each time more heterogeneous regarding labors and socioeconomic interests (Luján, 1995a). At the same time, like in any other place, there were each time larger gaps between rural

and urban environments, in a territory eminently agricultural. Also, like in the rest of Latin America, “it remained a deep racial prejudice against natives and blacks,” with *ladinos* trying to maintain their Spanish character and the rest trying to ‘climb’ by clarifying their phenotype and getting enough resources (Luján 1995, p. 243).

Those non-clear divisions fed back with the culture of Guatemalan society, and also with the economic gap that still existed (not only) in the eighteenth century between ethnic groups. The land still was the primary source of wealth, and for the eighteenth century, there were advances in the concepts and laws regarding landowning. Usurpations were still occurring, especially in the economic crisis that took people from the cities to rural areas more than once. However, the Catholic Church kept expanding their amount of properties, for whites and *ladinos* the Crown established the latifundium (large rural estates), and sometimes the development of both was in the detriment of the lands of the natives, who were still victims of land dispossession even when their population was increasing again (Cabezas, 1995).

With that background, in 1810, there was an attempt of rural reform promoted by the illustrate sector, which says in the preliminary document that the latifundium was the “main cause of the backwardness” (Imprenta de Manuel de Arévalo 1811, cited in Cabezas 1995, p. 289). The struggles between latifundium owners and peasants were going to come and go in the independent history of the region, and that attempt of agrarian reform was going to be the first of some others, more profound and contro-

versial, that we’re going to happen in the nineteenth and twentieth centuries, sometimes resulting in large-scale violence.

However, those non-sharped divisions were part of the road to independence. Local political elite (“criollos,” with Spanish ancestry) led that process seeking mainly political domain, but other social layers participated or at least had interests behind, commonly regarding better living conditions, while expecting what was going to happen (Luján, 1995c).

CLAIMS FOR AGRARIAN REFORMS HAVE BEEN EXISTING SINCE COLONIAL TIMES

For the independence from the Spanish Empire, they came together, from abroad, the influence of the United States’ independence and the French revolution in the late eighteenth-century, and the political and war context in the Peninsula that put Napoleon’s brother on the Spanish throne between 1808 and 1813. That second situation provoked, in both sides of the Atlantic, the creation of *juntas*, with the Central one in Cádiz, that started governing each province, remaining loyal initially, but in an atmosphere of reformism, to the forced to abdicate Ferdinand VII.

Meanwhile, in the Captaincy General of Guatemala, the main political charges and the protagonists of the commercial and economic fields were Peninsular Spaniards, usually replaced by others from the same provenience, not letting the local illustrated elite to access to power beyond city councils. During the 1810 decade, there were some uprisings and independence movements, like the ones in San Salvador (1811 and 1814), several Nicaraguan cities (1811 and 1812), and the 1813 Belén’s Cons-

piracy in the current Guatemala City (Luján, 1995d). Once again, things changed in both sides of the Atlantic with the six years of absolutism after Ferdinand VII came back into power in 1814, and authoritarianism plus the attempt of reconquest territories in the Americas by Spain diffculted but gave reasons to the independence of the American colonies in heterogeneous processes. In the Captaincy General of Guatemala, not being such a priority like New Spain or Peru permitted the discontent of the (pro-independence) criollos and the general population a slow and continuous advance, with the objectives of the first ones to lead the economic and political destiny of the future state (Luján, 1995c).

The drop that spilled the glass was the independence of the Mexican Empire on the 21st of January 1821, which took the criollos from the Captaincy General, with social pressure behind, to declare independence from Spain the 15th of September, after years of indecision and expectation. With almost no resistance against, later Guatemala, El Salvador, Honduras, Nicaragua, and Costa Rica became independent, unlike most of the rest of the continent, peacefully (Luján, 1995c).

That particularity just went beyond the separation from Spain to the independence from Mexico on July 1, 1823. The Captaincy General had declared its annexation one year before, but with the crisis of the early Empire and the internal pressures from different provinces' elites, it declared absolute independence as the United Provinces of Central America. Liberals were the most influential at the beginning of the independent history of the territory, and that derived in the establishment of the Federal Republic of Central America on November 22, 1824. In this federal experiment until 1834, the region, especially in the northern half, was going to live the internal differences and tensions that were caught previously by

the objective of independence. Meanwhile, the absence of bloodshed was going to become just a memory in a region whose historical development as multiple states and nations was going to be configured, partly, by recurrent violence.

2. BACKGROUND AT THE BEGINNING OF THE REPUBLIC OF GUATEMALA

2.1. FROM ONE DEPENDENCY TO ANOTHER

As in other periods where revolutions or political movements entailed independence, the Federal Republic of Central America experimented on the progress. Actually, with the initial independence from Spain, some of the foremost authorities were still Peninsular, like Gabino Gaínza in the previous Guatemala Province, while the criollo elite decided the future of their political administration around the existing institutions.

The liberals promoted a federal state, but the previous administrative unity did not mean political unanimity (Luján, 1995c). Firstly, the development of independentism in Central America was a complex long-during process in which precedents came by nonconformity against the application of some Bourbonic reforms that affected the locals with more taxes and relegated them in favor of new Peninsular officials (Browning, 1995). Although the elite promoted independence, indigenous anger was also growing,

not independence-oriented, but against their living conditions. Moreover, when the liberals established the Federal Republic and its new constitution, they shared the political scenario with centralist conservatives in favor of keeping the Spanish legate, plus local elites pretending to influence in the Republic.

Therefore, the beginning of the Central American independent provinces, later states, involved more than one process. There was no more an absolute dichotomy between the white elite and the indigenous, but inside gradually multiethnic society, social gaps were coinciding with different purposes about the political development of the territories. There were tensions between liberals and conservatives in the process of state modernization, and frictions between Federal and state authorities, with the economic elite's interests in between (Avendaño, 2009).

That third factor was crucial for the gradual fragmentation of the Federal Republic. President Manuel José Arce (1825-1829), liberal, took the advice of the conservative and powerful Aycinena Clan of looking for a unitarian power, allying himself with the conservatives and dissolving Congress and Senate in 1826. Reactions came immediately, and the Central American Civil War began, finishing in 1829 with the victory of liberal Francisco Morazán, later President (1830-1834 and 1835-1839). A new war since 1838, where the previous frictions revived, ended with the dissolution of the Federal Republic in 1842, with Morazán shot dead (Seidner, 1995).

CENTRAL AMERICAN INDEPENDENCE INVOLVED VARIOUS PROCESSES

The Federal experiment could be considered as a failure and memory of the unitarian dream in independent Central America (Seidner, 1995) or as the first attempt to consolidate new modern states (Avendaño, 2009). For both points of view, the political experiment and its violent resolution were not exclusive in the Americas, which were in state consolidation processes

sometimes through constant political disputes or civil wars between liberal and conservatives or also through the force and influence of military *caudillos*¹. In the new Central American Republics, and specifically in Guatemala, both phenomena occurred in the successive decades.

2.2. STRONG LEADERS FOR A COUNTRY THAT SEEKS TO EMERGE

The singularity of the peaceful achievement of independence in Central America contrasted with the bloody outcome that finished in the new Republics. That starting point marked the successive period of the region, immersed in that violence for controlling power while trying to consolidate institutions and nations. For both processes, liberal-conservative disputes and the emergence of the military *caudillos* figure gave rise to a strong presence of the state, counter-state, and para-state armed forces. The role of these legal and illegal armies, un-professionalized and non-consolidated, was vital in the first century of independent Central America, being in many cases platforms of the regional *caudillos* that became heads of state when those same states were beginning to develop as nations too (Holden, 2004).

1. "Military or political leader" (Lexico, powered by Oxford Dictionary), usually strongman or charismatic warlord, who started from local and regional influence to reach power at national scale. Caudillismo phenomena occurred in some Latin American countries up to the mid twentieth century, firstly aiming to consolidate states and nations, and later through populism during episodes of political vacuum or crisis.

In Guatemala, the first paradigmatic *caudillo* was Rafael Carrera, country leader from 1847 to 1865, and founder of the current Republic. He was a conservative leader from the countryside who climbed to regional power fighting against liberal federalists in the Civil War. Before the dissolution end of federalism, he was a prominent leader in Guatemala due to his military victories and his alliances with intellectual conservatives and the economic elite. During his almost two decades in power, especially after he was named president for life in 1854, he canceled previous liberal reforms, putted the Catholic Church in charge of education again, gave army men Church properties expropriated by the liberals, tried to consolidate the national territory, and, last but not least, tried to protect the indigenous (Woodward, 1995).

For the mid-nineteenth century, the indigenous were the majority of the population, and Carrera had a protective pro-*civilizing* point of view, linked to the one of the Catholic Church during the Colony, and against the criollo liberal one, which supported certain assimilation (Woodward, 1995). Carrera reached power also with the support of poor *ladinos* and indigenous, the latter still with a socioeconomic division about the others, as the two postures from liberals and conservatives prove.

In the case of conservatives, what linked them to the indigenous was the inclination of keeping traditional institutions, for the conservatives including their Church based paternalism over the indigenous masses, but also leaving them a self-government margin. On the opposite side, liberals defended dependence relationships, also seeking the “civilization” of the indigenous, but in practice in conditions of social exclusion (Pinto, 1997). Therefore, even though the co-

lonial attempt of creating a Republic of the Spaniards and a Republic of the indigenous failed centuries before, in Guatemala there were still red lines between whites and *ladinos*, and natives, and in the emerging Republic these lines were intertwined with the new political context² of confrontation between the two political currents (Pinto, 1997).

Those struggles did not mean that the indigenous, or Guatemalans in general, were living according to one current or the other, or that society was divided according to each side. During the first decades after the independence, conditions like the intensity and frequency of the political changes, fluctuations in a basically agricultural economy, the loss of part of the territory or the arrival of foreigners who diversified middle and high classes and economic activities, configured the social stratification that already existed but into a new political and national context (Luján, 1995b).

One of the most critical elements was the exporting dynamism due to the coffee boom. Until the mid-nineteenth century, the most cultivated product in Guatemala was cochineal, but fear of monoculture and Costa Rica’s success motivated farmers to diversify. Since the 50s and especially in the 60s, coffee became the essential product in a country that reached the world’s first position in its exportation, even though it was produced just in several regions, which felt the most this revolution. In 1871, coffee represented half of Guatemala’s exportations (McCreery, 1995).

Nevertheless, that massive production of coffee reinforced the precariousness in the indigenous lands and living conditions inside an economic bonanza, especially for big coffee landowners. Inevitably, diffe-

2. Decades before, in the latest years of the Colony, the Cadiz liberal Constitution of 1812 had given citizenship to the indigenous, but the Courts still applied the protectionist rules.

rences deepened between that elite and the peasantry, and even though the indigenous claimed for their ancestral territories, especially since the 70s of the nineteenth century, there were attempts to formalize new landowning typologies to try to solve part of the problem (McCreery, 1995).

Both the coffee boom and land struggles went beyond regimes. The political confrontation had a new episode when dissident General Miguel García Granados, liberal, took power with an own army in 1871 to start the Liberal Reform, with liberalism resurging regionally through urban and rural economic elites, and *caudillos* (Skidmore and Smith, 1996).

One of those, allied with him, was Justo Rufino Barrios. Also military, Barrios was named provisional president in 1873 but finally ruled the country until 1885 with deep reforms and iron fist, in a stage that was also the most violent in the short history of the republic. The Liberal Reform tried to reduce the power and influence of the Catholic Church (nationalizing properties, declaring freedom of worship, expelling the Jesuits, opening doors to Protestantism), and released a new Constitution in 1879. Meanwhile, the iron fist included pacifying conservative uprisings and a failed attempt to revive the United Provinces of Central America in the 80s, which took him to death (Contreras, 1995).

Despite the change of regime, some things did not change. For example, the indigenous component in society was accepted by the *ladinos* because it was undeniable, but racial prejudices were already installed (Luján, 1995b). The liberals started modernizing the

institutions and attending to the new economic panorama, which took people from the middle class and the countryside to power positions and contributed to the emergence of new featured families in the commercial sector. However, the new generation of liberals relegated the indigenous as semi-forced workers, but at the same time desiring for them to *ladinize* (Luján, 1995b).

ARMIES AND CAUDILLOS LED THE DEVELOPMENT OF THE STATE AND THE NATION

With the reforms ongoing, but still framed in inequality and poverty, especially in rural areas, liberals retained power for decades that included internal disputes. Manuel Lisandro Barillas was President from 1885 to 1892, and José María Reina Barrios, also military, until he was shot dead in 1898. There was a political and economic crisis, and to face that uncertainty, the answer was the figure of Manuel Estrada Cabrera, lawyer, strongman pioneer of populism (Holden, 2004) and former Minister who led the country until 1920, in the most extended uninterrupted government in Central America (Skidmore and Smith, 1996), thanks also

to his capability of retaining loyalty from part of the army. He was the first civil president in Guatemala.

Before liberalism, there was no regular army because the militias were led by *caudillos* capable of unifying forces in case of an external threat (Adams, 1996a). When liberals took power, Barrios tried to centralize it to make reforms, so he needed a structured national army (Yurrita, 1996). With the foundation of the Polytechnic School in 1873, the initial idea was consolidating an only *ladino* professional army, but the intentions were utopic because a national army could

not exclude a significant part of the population. Since they participated in the internal and external struggles of the 70s and 80s, the indigenous were gradually incorporated into the Army until the beginning of the twentieth century because of necessity and sometimes with romantic justifications that alluded to their ancestrality (Adams, 1996a).

As Estrada Cabrera started eliminating political rivals, having strategic differences with the generals in the 1906 Guatemala-El Salvador war, and being accused of electoral fraud in his reelections, the initial opposition and distrust inside part of the army took form in unsuccessful assassination attempts (Yurrita, 1996). Although he tried to modernize the forces, Cabrera failed to try to make the Army his army, as some *caudillos* before (Holden, 2004). The discontent was also civic and political and took form in 1919 with the Unionist Party, which jointed opposition forces including conservatives, workers, and students, and which finally overthrew him with the support of army men after several acts of repression (Yurrita, 1996).

After some political calm, Carlos Herrera y Luna's policy in favor of alphabetization and civic instruction, later instability, and conservative military uprisings because of corruption, the last strongman of Guatemala's first century after independence was general Jorge Ubico, who reached Presidency in 1931 and hold it firmly until 1944. With the initial interventions of the United States in Latin America since the mid-twentieth century and after the First World War (where Guatemala was allied with the US), the international order started changing, and some phenomena were internationalizing. One of those, not only in ideology but also in political structures, was communism after the Soviet Revolution.

As in other countries, in Guatemala, it emerged a Communist Party through trade unions and liberal radicals, which Ubico, supported by the United Fruit Company (UFCO)³, tried to set aside (Skidmore and Smith, 1996). However, his militarism went beyond facing opposition because he took the military and police officers to the streets, and militarized public schools. So, if Estrada Cabrera was open for US investment, Ubico also established formal military collaboration between both countries, in an adapted version of Monroe Doctrine with a consequent emerging anti-imperialism in some Latin American countries (Holden and Zolov, 2000), and as a preceding of what Holden calls the "globalization of public violence," through training and weapons supply, in a rising new international context (Holden, 2004).

During his time in power, Ubico tried to regulate the working conditions of the indigenous but maintaining the forced labor system. He considered them just as working people for rural areas (Adams, 1996b), and treated them as lazy people in a context where vagrancy was illegal, which sustained the continuity of forced labor. Those reforms occurred in a period of emerging *indigenist* political currents, in which some indigenous communities were making uprisings against *ladinos*, sometimes including murders, making Ubico interpret that confluence as an opportunity for communists to promote a revolution. To avoid that threat, Ubico promoted indigenous militias so they could eventually be a shield (or weapon) against uprisings (Adams, 1996b). With that panorama, the indigenous people started to get located on a side of the political (and future conflict) spectrum.

At the same time, through changes in the structure of top charges, Ubico tried to control an army previous-

3. The United Fruit Company was founded in 1899 as the union of the Boston Fruit Company and the Tropical Trading and Transport Company, which were operating since the last decades of the XIX century. The UFCO, in charge of production, distribution and exportations of banana and coffee, and of the construction of railways, was the emblematic company through which the United States started its political and economic interventions in the so called "banana republics" (Holden and Zolov, 2000).

ly stabilized, also according to the criteria of the US, which was leading the education of the Guatemalan armed forces (Holden, 2004). Due to the short and irregular tradition of militaries formed in academies, Ubico's reforms deepened the differences and mistrust between officers and NCOs, and army men with mainly barrack experience. After his mandate, which finished with his resignation on the 1st of July 1944 because of the pressure from the student movement against his authoritarian turn, graduated army men started a new chapter in Guatemala's political history and armed forces (Yurrita, 1996).

From a regional perspective, during Ubico's times, Guatemala was the Central American country with the largest military budget, the most benefited of lend-lease transfers from the US and, on the other side, the one with more Communist Party members. In a region that was living revolutions and dictatorships, Guatemala was going to be a "showcase" for the United States (Holden, 2004, p. 134).

Those elements came together around anti-communism as a contextualized demonization of the enemies, as it happened before between liberals and conservatives, and like it was going to happen with new political rivals and interest groups. That demonization, plus the fear of falling into the enemy's rule, were constant characteristics of public violence in the nineteenth and early twentieth centuries in Guatemala, especially with an army theoretically loyal to the State, but functionally independent according to the leadership of each *caudillo* (Holden, 2004). In

GUATEMALA WAS A SHOWCASE OF THE GLO- BALIZATION OF PUBLIC VIOLENCE

that sense, Ubico tried to consolidate the armed forces under military-oriented leadership to nearly monopolize the use of large-scale violence, which was going to be more explicit later.

3. REVOLUTIONARY TIMES: CHANGES, CONSOLIDATIONS, AND PRECEDENTS OF AN ERA

3.1. MAIN FACTS

The October Revolution (1944) is considered the beginning of a new stage in Guatemala's history. Although the main events occurred on the 20th of that month, it was a one-decade process of both socioeconomic and political changes in which Guatemala was immersed in the new geopolitical framework. Also, because of how the process developed, it permitted the consolidation of several phenomena that were already existing, and that was going to adapt to the new situation of the country (Sabino, 2007). Despite the previous authoritarian regimes, Guatemala was starting a slow process of political diversification, with new social movements and political parties. The international panorama had opened the door to leftist currents and, depending on the eyes, that was seen as an opportunity or as a threat. At the

same time, the institutions were not adapted to what some reformists wanted for the country, so for the protagonists of the Revolution, it was an option for making significant changes, which provoked both supports and opposition.

After Ubico's fall, a military triumvirate led by Federico Ponce Vaides replaced him. Ponce Vaides was supposed to call elections but, perceiving that he was not going to do so, a military-civic movement (the first one in Guatemala's history, which included the Guard of Honor) overthrew him the 20th of October 1944. Organized students and some of the militaries that were conspiring wanted a change, and after Ponce Vaides' surrender, the Government was temporarily in charge of one civil and two militaries, Jorge Toriello the first one, and Mayor Francisco Javier Arana and Captain Jacobo Arbenz the others, which ruled the country until March of 1945.

The main changes that this revolutionary junta promoted were the decree that prohibited forced labor, giving autonomy to the National University, and the call to a National Constituent Assembly to develop a new Constitution. For the latest country leaders and several social and political sectors, the economic and institutional structures of Guatemala were a synonym of the past, and it was time to make the reforms in favor of progress and social equality (Sabino, 2007).

Those aspirations were concreted in the election of professor Juan José Arévalo as president in December 1944 in the first elections with the universal vote in the country. Arévalo, with his "spiritual socialism," supervised the new progressive constitution and started making changes in favor of workers, peasants, and education. His pretended deep reforms were so that

he faced more than twenty military uprisings during a period of, paradoxically, strengthening and expansion of the institutions (Skidmore and Smith, 1996).

Some of his main changes included de modernization of the bank and monetary system, the creation of social security system in 1946 and of the *Instituto de Fomento de la Producción* ('Production Promotion Institute', INFOP), the judicial regulation of the workers and their unions in 1947, and the Forced Lease Law in 1950, which was a precedent of bigger changes in the rural world (Luján, 1998), plus new hospitals and schools, among other reforms which benefited mainly the emerging urban middle class.

At the same time, part of the modernization of the country by Arévalo gave the initial form to some political divisions that later were going to explain the development of the end of the Revolution and the beginning of the armed conflict. For example, laws like the one of Thought Emission in 1947, which meant free thought, and the legalization in 1949 of the Guatemalan Party of Labor, communist, widened a political spectrum that was starting to channel new and more radical ideas, some of those inscribed in the next government and in later insurgent armed groups.

In 1950, and after an internal crisis and military uprising due to the still unclear murder of Arana, former Defense Minister Jacobo Arbenz was elected President with the support mainly of left parties and movements. As he said in his inauguration speech, he pretended to change a country with a former semi-colonial economy into a country economically independent (following the trend of import substitution industrialization that Latin America and other developing regions were trying to consolidate), develop a

modern capitalist state in the decay of the traditional and partly feudal one, and to make those transformations seeking better living conditions for Guatemalans (Skidmore and Smith, 1996).

However, beyond those aspirations, which were hand in hand with new taxes and public works, the primary pretended reform of Arbenz was the agrarian reform. Since this structural change was supposed, to begin with, massive expropriations in favor of peasants without land, Arbenz started a slow but inevitable inclination to the left, and the expropriations put him face to face with the UFCO main arable landowner of the country with almost half of those properties (Luján, 1998), and therefore with the interests of the United States.

Other major proposals were creating the respective organizations to compete respectively with the International Railways of Central America, the Puerto Barrios port (both property of the UFCO), and with the Electric Company, also owned by North Americans.

Arévalo had set a precedent with the expelling of the US ambassador in 1950, after a failed attempt to fix relations between the government and the UFCO. In a region where the United States was used to relate with non-problematic governments for its interests, that decision was a challenge for its hegemony (Luján, 1998). Moreover, anticommunism in and from the US was already ongoing in Latin America with the 1947 Rio Treaty, and the previews institutional collaboration between both countries changed while Jacobo Arbenz was in power.

ARÉVALO AND ARBENZ TOOK GUA- TEMALA TO A NEW TIME, WITH NEW PROBLEMS

Guatemala's case for the United States was a matter of democracy versus authoritarianism and of course, a matter of communism and anti-communism, in this case with deep reformist who was partly supported by the ones who were benefited with his changes, but who was facing an each time bigger opposition in the form of the *Movimiento de Liberación Nacional* ('National Liberation Movement,' MLN), founded by General Carlos Castillo Armas (Holden, 2004). With the US fearing a domino effect, as in Europe and Asia, and promoting an anti-communist discourse (Holden and Zolov, 2000), Guatemala was pointed as a possible Soviet satellite due to a president that was soft with communists, which were using him to try to reach power (Sabino, 2007).

The US complemented by starting pressuring economically and through diplomacy from the Organization of American States, in order to isolate Arbenz from the rest of the region (Holden and Zolov, 2000), but they did not find the support for military intervention. Therefore, the next step was both explicit and uncovered military support through training, intelligence, and armament. Finally, on June 27th, 1954, Arbenz, who had bought old weapons to the communist Czechoslovakia fearing an intervention (Perutka *et al.*, 2014), surrendered in favor of Colonel Castillo Armas' counterrevolutionary National Liberation Movement, political and military, which invaded the country from Honduras and El Salvador sponsored by the CIA and gradually supported by local government opponents. These facts inaugurated a new stage in the relations between the United States and Guatemala (Fajardo, Andrade,

and Villagrán, 1997), which was since then totally involved in the globalization of public violence.

3.2. IMPLICATIONS AND PERSPECTIVE

The Revolution, more than a before and after in Guatemala's history, was a historical period itself, because of the fast reforms and changes that were pretended, because of what was happening in the international panorama and because it set the bases of part of the later thirty-six-year armed conflict. It meant a partial rupture with the past, a precedent of institutional advances and progressive governments, and along with the counterrevolutionary governments, a catalyst for the deepening of political divisions for the next for decades.

On the one hand, left movements were in power for the first time in the country, and therefore their pretended reforms were seen with expectation and distrust. A new progressive constitution and the attempt of a rural structural reform were profound changes in a country which a short history of slow advances in terms of inclusive development. At the same time, the continuous autocratic strongmen regimes and the international panorama pushed the consolidation of the students' movement and the diversification of guilds, political campaigns, trade unions, associations and parties, the latest appearing and disappearing steadily and for each election more during the next decades (Estrada, 1997). From all this shake to the *statu quo* it remained a precedent, more than three decades idealized (Luján, 1998), of the possibility of making deep reforms if a leader had the support of different sectors, plus collaboration with the United States (Sabino, 2007), or at least not against their interests.

At the same time, although the political novelty and the new constitution, Guatemala was still far from being a stable democracy, and poverty and inequality were still problems for the majority of the population, primarily the indigenous and the ones living in rural areas. Electoral fraud and conspiracies occurred, strongmen now more with a more political profile, were still having the leading role in the country, and power could be taken not so hardly by force. Those fragile power and institutions did not change with the revolutionary context, and that weakness was a constant despite this case, even though there was a new constitution with clear leftist connotations for that type of document (Holden, 2004), and Arevalos' and Arbenz's progressive reforms, which most of those already existed in capitalist countries, except of course from the ones that aimed a deep agrarian reform.

The land was still both the primary richness source and social problem, and it was not only a matter of landowning for economic prosperity and commercial purposes but also a relation between landowning, racism background against the indigenous, and political influence and power since the Colony that was still strong (González-Isáz, 2014). Hand in hand with that, the differences between urban and rural worlds were not going to disappear and were more significant than the ones between high and new urban middle class, which also appeared in the ideological debate with the revolutionary governments (Méndez, 1997). From the rural world, there was not much political participation, and proof of that is that the 900 Decree, which launched the agrarian reform by expropriating UFCO's non-used lands, was not signed because of a constant popular claim, but due to the desire of structural land reform by the new urban elites plus the objectives of Arbenz's government (Sabino, 2007).

That transformation attempt led from the city was complemented by the continuous presence of a renovated indigenous identity. With the previous “indigenist” political currents and the gradual political opening of the new constitution and era, the indigenous (mainly Maya people) and their leaders partially had a new lecture of their historical situation, adapted to the mid-twentieth century western mentalities and Revolution context, and transmitted mostly by oral tradition. Without separatist projects, there were constant claims for keeping their customs and traditions in a revolutionary attempt to *ladinizing* them in favor of the nationalist interpretation of the revolution. At the same time, the indigenous kept demanding better living and working conditions, which among the changes in their identity regarding their place in a new era, started developing a new sector in Guatemala’s society and attempt of democracy (Adams, 2017).

Nevertheless, and also because it was going to happen until the 80s, the institutional fragility and the fact that militaries regularly ruled Guatemala does not mean it was a whole militarized country or a country always living under dictatorships. With the role of the irregular army for consolidating the initial Republic, the troops owned by caudillos in the nineteenth century, and the Liberal Regime with its reforms led by militaries, the armed forces in Guatemala were more than just armed forces, but also frontline political agents.

The Army was then, and historically, a pillar institution in a non-consolidated country and non-articula-

ted society, and therefore it “produced the leaders who—in a personal capacity sometimes or as representatives of certain political forces in other cases— were projected to the political arena as potential candidates and sometimes became presidents” (Sabino, 2007, p. 284). It could be through a *conventional* political career or facing power, as the Revolution and Counterrevolution showed. That historical Army’s role also showed two apparent paradoxes, which were the weak institutions while there was a constant presence of one of those, the Army, and the personalist character of governments based on that same institution (Holden, 2004).

Another historical pillar institution was the Catholic Church. Keeping its conservative point of view, during the mid-twentieth century, the Catholic Church assumed an anti-communist position, while the Revolution governments made alliances with Protestant sectors, as the liberals did before (Miller, 1997). During the armed conflict, the panorama was going to change with the liberation theology and the relations between Protestant and senior military officers.

Regarding the Revolution, initially, the Government maintained the structure of the armed forces, but gradually started adapting it, especially with Arbenz as President. For example, men from middle and low classes were recruited, diversifying the social provenience of the soldiers, the composition and structure of the high command changed, including more independence from the figure of the president. Nevertheless, at the same time, adaptation meant, for example,

CATHOLIC CHURCH AND ARMY HAVE BEEN TWO HISTORICAL PILLAR INSTITUTIONS

changing the official name of the National Army to the Revolutionary Army, or moving away from the interests of the United States. Adding the internal opposition against the other reforms, this situation provoked a distancing between the Army and the communists, organized in the later illegalized Guatemalan Party of Labor, which widened the political gaps in an unequal country during times of social changes (Yurrita, 1997), and recurrent presence of violence justified under political, social or apparently national interests.

Therefore, the nature of the agents of public violence was starting to change. If before the Revolution, it was mainly a matter of interest groups seeking power or its reinforcement in a liberal-conservative duality with an autocratic constant, the revolutionary governments, especially the second one, pretended to rearrange the game pieces by giving their connotation to the Army and by making social and political changes in an unprecedented break, going much further and at the same time against the legacy of the previous regimes.

Since that political and social opening was unexpected for the United States, and then with the expropriations from the UFCO it was a threat for its interests, Arbenz fall was an objective in a new global context where the relations with the US were not anymore as clear as the collaboration during the Second World War, but a direct paternalism in the bipolarity of the Cold War. Arévalo gave testimony in his book *The Shark and the Sardines* (1961), in which the former President criticized directly how Latin America, and specifically Guatemala, was the first victim of the United States' foreign policy (Holden and Zolov, 2000).

Involving the US directly through the CIA, the overthrow of Arbenz in favor of the National Liberation Movement which actually made Carlos Castillo Armas President, proved that public violence in Guatemala was not an internal issue anymore, and the international context, plus the difficulties in stabilizing an inevitable politically more plural and socially more active country, was going to let it continue.

With an established political influence for the emerging Cold War through the inter-American conferences of Rio (1947) and Bogota (1948), plus the precedent of the Korean War (1950-1953), and the uncertainty of the "third way" that was rooting in some Latin American countries as an alternative to external dependency, the United States faced in Guatemala its first challenge in the frame of the anti-communist policy (McPherson, 2006). The success in that first attempt in Guatemala, plus the later regional influence of the Cuban Revolution, were going to justify the startup of the Operation Condor during the rest of the Cold War especially in South America (Garzón, 2016), but also in Central America, disputing communist guerrillas and left governments with counterrevolutionary armies, death squads, and right-winged dictatorships. In Guatemala's case, the conflict, and therefore public violence, was going to be for social influence and in theory, also power, with the land old problem as background.

4. THE ARMED CONFLICT AND THE NORMALIZATION OF VIOLENCE

4.1. THE FIRST STAGE AND GENERAL CHARACTERISTICS OF THE CONFLICT

On September 1, 1954, Carlos Castillo Armas assumed the Presidency, and his Government started purging communists and radical nationalists. He annulled the expropriation of the United Fruit Company's lands, and in 1955 his government signed the mutual Aid and Defense Pact with the United States, returning Guatemala to the US influence radius and giving reasons to the nationalists of rejecting foreign interference and to a local government that promoted it (Fajardo, Andrade and Villagrán, 1997). If Arbenz's reforms and opposition polarized the Guatemalan public opinion, the MLN and its counter-reforms divided society even more, by intensifying right and left wings in the decay of the center that initially supported Arévalo and Arbenz (Skidmore and Smith, 1996).

With an Army and military chiefs historically pretending more self-preservation than loyalty to a specific leader (Holden, 2004), Castillo Armas was shot dead in 1957 by a soldier of the Presidential Guard, in a version cross of plot and conspiracies that have not been solved (Contreras and Castro de Arriaza, 1997).

Following the line traced by his predecessor, General Miguel Ydígoras Fuentes won the elections (after losing against Arbenz in 1950) and took the counter-revolution beyond. For example, when the Cuban Revolution took Fidel Castro to power on the island, Ydígoras Fuentes suspended relations with that country and authorized the training of anti-Castro troops in Guatemala that later was going to fail to invade Cuba (Berganza *et al.*, 2004).

THE ARMED CONFLICT STARTED INTERNALLY AND EXTER- NALLY PRO- VOKED

Externally inspired in the Cuban Revolution, and internally motivated by corruption accusations and adverse conditions for the militaries, a group of soldiers rebelled against the Government on November 13, 1960, demanding respect for human rights, solutions to the country's problems and a better foreign policy (Sabino, 2007). The group, led by Marco Antonio Yon Sosa and Luis Augusto Turcios Lima, failed in the coup attempt, but part of it could escape, and in February 1962, the two leaders founded the Revolutionary Movement November 13 (MR-13).

Moreover, after making alliances with the clandestine Guatemalan Party of Labor and other dissident organizations, including from the student movement, they founded the *Fuerzas Armadas Rebeldes* (Rebel Armed Forces, FAR) in 1963, in a Latin American context of emerging guerrillas that seek to follow the example of Castro, Guevara, and their men. These Marxists guerrillas tried to overthrow the corresponding government at the beginning, but then, at least during the first half of the conflict started moving to the intention of looking for power to set up socialism (Luján, 1998).

At that point, after Arbenz's administration and then with a Government collaborating directly with the United States in their anti-communist campaign, plus an internal guerrilla seeking power by force, Guatemala was immersed in the dynamics of the Cold War, especially in the already mentioned globalization of public violence. The right-winged military presidents of Guatemala were modernizing the Army with the support of the United States, while the guerrilla was also receiving from abroad, with Cuba trying to export the revolution (Holden, 2004). If 1960 was a turning point because of the germ of future guerrillas, it was also because the military relations between Guatemala and the United States changed first from collaboration to enmity with the revolutionary governments, and then, after the NLM coup, to a direct support in military intelligence and combat services (Fajardo, Andrade and Villagrán, 1997).

Nevertheless, the armed conflict was not the total state of the country (actually, the FAR acted primarily in the northeast and in the capital), but as it was immersed in the Cold War, it was also in the political and social crisis that the country was living, and both conditions coexisted and regularly interacted (Holden, 2004). In 1963, for example, Ydígoras Fuentes needed to calm the opposition, so he accepted Arévalo's return to the country from the exile to participate in the next elections, a decision rejected by some of his men, who overthrew him led by his Defense Minister, Colonel Enrique Peralta Azurdia. That movement proved once again the fragility of the main institutions, in a country that had not solved its contradictions and that then faced another coup and guerrillas.

Peralta Azurdia (1963-1966), trying to put an order, practically assumed dictatorial powers repealing the

Constitution (and promoting the new one of 1965), closing Congress and prohibiting political association, especially to the left (Contreras and Castro de Arriaza, 1997). Trying to put order in the emerging conflict, he fought the FAR from legal institutions (Army) and through a counterinsurgency strategy that included the creation of death squads such as *Mano Blanca* (White Hand) or the *Nueva Organización Anticomunista* (New Anticommunist Organization, NOA) (De la Torre, 2018), reviving now with structure and entity the phenomenon of para-institutional agents, which were going to be critical in the internal war. As the FAR specialized in political kidnapping and murdering, including the US ambassador in 1968, and terrorist attacks, the Death Squads focused not only in killing members of the guerrilla but also the ones they considered their direct or indirect collaborators, which included intellectuals, trade union leaders, and leftist politicians and sympathizers (Berganza *et al.*, 2004).

During the armed conflict, since the guerrillas were against each government and the system, Guatemala received help from the United States to face them. That support since the mid-60s, when the guerrillas were structured entities, was seeking to impulse a military-civic movement to win the war. Apart from the collaboration in training and weapon supply, the US helped Guatemala to introduce the military into the people's lives in a more positive way, while they were giving economic help to the National Police through the USAID cooperation agency (Handy, 2017).

The fight against the FAR continued with President Julio Méndez, the only civilian in power during the conflict years until 1986. In 1968, and through an intense offensive, the FAR was remarkably reduced by

military operations commanded by Colonel Carlos Arana Osorio, also of the MLN, and later president from 1970 to 1974. The FAR began an internal political and military crisis which finished in 1972 with the separation of the *Ejército Guerrillero de los Pobres* ('Guerrilla Army of the Poor,' EGP), that tried to reach, not as before, civic support, especially peasants and Mayas now in the west side of the country (Sabino, 2008).

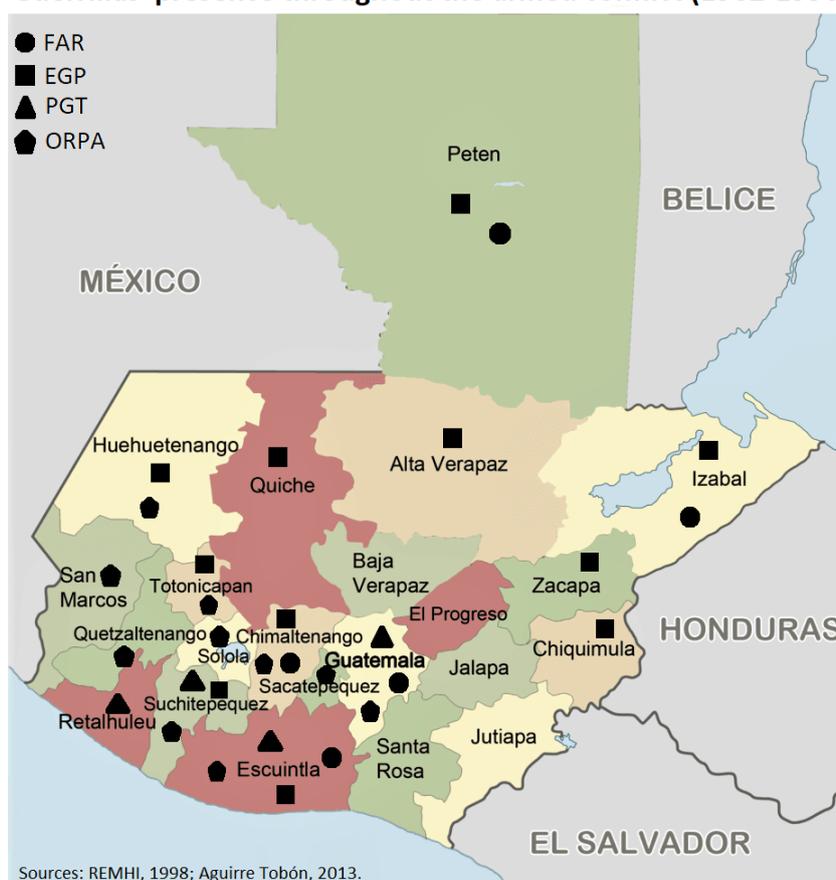
However, that weakening of the guerrillas was going to be temporal. A new stage of the insurgent fight was going to begin, and therefore also the state and para-state response in a more intense counterinsurgent strategy. The offensive from both sides of the conflict (and since 1974 with *kai-biles* elite soldier), on the one hand, seeking territorial advances plus popular support, and on the other one too but adding a containment objective, resized the scope of the armed conflict since the second half of the 70s for around ten years.

That contention was not only of the guerrillas, their influence, and damages but also to the influence of political opposition when the military governments a firm authority and each time harder political unity to face the insurgency (Brockett, 2005).

Civilian protests against in favor of more rights and equality were happening and became more recurrent since the late 70s, and repression as a response too (Brockett, 2005), not only for pacifying, but also because the second wave of the guerrillas had a student and urban component that tried to link both worlds, but that finally also did it in terms of repression from

the state or through paramilitary and para-policial forces. Even though the armed conflict was mainly a rural phenomenon, the urban political and social activity never stopped. Despite the authoritarian governments guided but at the same time limited the course of democracy, or maybe because of that, during the armed conflict there were peasants, indigenous,

Guerrillas' presence throughout the armed conflict (1962-1996)



and workers organizations that kept active sometimes protesting in favor of their rights against their murders and displacements, but also acting in the landscape of the actual conflict (May, 2001).

4.2. FROM VIOLENCE DEGRADATION TO PEACE AGREEMENTS

Guatemala did not reach a total internal state of war in terms of paralyzing the country because of confrontations (especially for 36 years). Actually, with Guatemala and its neighbors facing internal crisis, there were old collective initiatives like the Organization of Central American States (1951) or the Central American Common Market (1960) (Contreras and Castro de Arriaza, 1997), and local efforts like the Northern Transversal Strip (1970), an imaginary delimited zone for agrarian development and natural resources exploitation, which provoked a conflict of interests between the population with local and foreign companies, plus the private ones of part of the political and military elite (Sabino, 2008).



In red, the Northern Transversal Strip.
Source: Wikimedia Commons

However, the background of the conflict, with all its costs and focalized in several regions, slowed down the socioeconomic development of the country, as it also divided it in political terms into apparently irreconcilable fractions (Luján, 1998). That slow transformation and development included needs in the health system, education, roads, infrastructure, and racial segregation (Sabino, 2008).

With that national panorama, Government and guerrillas, including the new *Organización Revolucionaria del Pueblo en Armas* ('Revolutionary Organization of Armed People,' ORPA, divided from the FAR in 1971 and formally structured in 1979), mixed the goal and medium of public support with the scorched-earth policy, which consisted in destroying what or who was in contact with the enemy before. While the guerrillas needed the civil population to legitimize their cause, the Army needed too to reinforce their counterinsurgent strategy, and the scorched-earth policy affected especially the civils, stigmatized for supposedly supporting one side or the other and therefore involving complete villages and provoking massacres especially since the late 70s (Sabino, 2008).

For the 70s and 80s, the social framework of the conflict had experienced several changes. For example, some sectors of the Catholic Church, anticommunist during decades, were gradually adopting the liberation theology, because of its expansion through Latin America from Spain, and perceiving the violations of human rights and the persistence of land problems against the poor, then even more during the conflict. Some priests and bishops, many of them foreigners, participated in the conflict by giving an ideological identity for the foundation of the EGP or even as active guerrilla members in combat, having an important

role in the configuration of the first Marxist guerrillas in the country (Goicolea, 1997).

On the other hand, partly related to what was happening in the Catholic Church, Protestantism, supported by liberals in the late nineteenth century, started finding representatives in the right-wing of politics in a more religious diversity country (Garrard, 1997). After his conversion (and change of political side), the clearest example was General Efraín Ríos Montt, who had lost the Presidency against Kjell Eugenio Laugerud (1974-1978), of the MLN, and who reached power after a coup by middle-ranking officials against Romeo Lucas García (1978-1982).

Ríos Montt did not participate directly in the organization of the coup, but its leaders wanted him in front of the country, so he accepted being President leading a military junta. With an attitude of evangelical pastor in his presidential speeches (Sabino, 2008), Ríos Montt governed just between March of 1982 until August of 1983, but later official memory documents and historiography have focused in those seventeen months because those were the ones with a considerable escalation of violence that had started during the previous government (Comisión para el Esclarecimiento Histórico (CEH), 1999). Massacres as facts were not new in Guatemala, even before the armed conflict, but during the last military governments, especially Ríos Montt's, they became also a specific and systematic phenomenon, being related sometimes to natural resources exploitation, but mainly to the scorched-earth policy applied from

both sides, or the three of them, considering the specificity of the paramilitary forces (Garrard-Burnett, 2009).

Both external and internal factors motivated the offensive by the de facto Government. For example, in 1979, the Nicaraguan Revolution by the Sandinista National Liberation Front shocked the region and meant that revolutionary socialism was in the expansion so that other guerrillas could receive help from Cuba. Also, in 1979, the Farabundo Martí National Liberation Front appeared in neighbor El Salvador, which started to live its internal conflict. Also, one month before Ríos Montt reached power, Guatemalan guerrillas got reorganized, at least nominally, to show force and unity in their purposes, because the counterinsurgent strategy of the Army was succeeding against them besides the abuses. The result in 1982 was the *Unidad Revolucionaria Nacional Guatemalteca* ('National Guatemalan Revolutionary Union,' URNG), an apparent common structure

to coordinate the objectives of the FAR, EGP, ORPA, and PGT (Aguilera, 1997), with few thousands of combatants and undetermined peasants supporting directly or through linked organizations.

To face that new situation, during his almost year and a half in power, including eight months of the state of siege, Ríos Montt formalized through a decree the 1981 born Civil Defense Patrols (*Patrullas de Autodefensa Civil*, PAC), later also called Voluntary Civil Self-Defense Committees (*Comités Voluntarios de Autodefensa Civil*, CVDC), paramilitary forces crea-

DURING THE HIGH-INTEN- SE YEARS OF WAR, SEVERAL MASSACRES OCCURED

ted initially for free joining to protect communities against guerrilla attacks. However, as an irregular force that was not totally under the direct control of the state, the PAC also forcedly recruited and committed abuses like torture and civilian massacres (Comisión para el Esclarecimiento Histórico (CEH), 1999).

The reinforcement of all the actors of the conflict in this period, in the case of the Army, with the *Estado Mayor Presidencial*, initially to protect the President, but later converted into a crucial intelligence unit, derived in an increase of violence remembered mainly because of the massacres in the Ixil Triangle against the Mayan populations of Nebaj, Cotzal, and Chajul. These three massacres, as also the ones made by the military in Xamán (Chisque) and Panzós, among others, were inside the Northern Transversal Strip, the delimited zone for agrarian development and projects of natural resources exploitation. In particular, the Ixil Triangle was close to an oil zone (Sabino, 2008) and a sub-region where the EGP was present.

Those massacres were surrounded by a speech that reinforced the collective imaginary of the opposition indigenous-*ladino*, without reaching a caste war but letting violence recycling (Díaz Boada, 2012). However, Ríos Montt's authoritarianism regarding the conflict went beyond speeches with a Christian pastor's attitude and military actions. For example, he directly promoted the Courts of Special Jurisdiction, that could judge quickly (even sentencing to shooting) the ones who committed actions against the institutions, especially considering actions the guerrillas were making (Garrard-Burnett, 2009).

Far from pacifying the country, Ríos Montt took the conflict to the extremes, acting against the indige-

nous in such a way that the EGP spread the version of that initially what was happening in the country was a "genocide," version that later governments opponents and part of the historiography assumed, but also justice based on international criminal law (Garrard-Burnett, 2009). However, the discontent regarding corruption and Ríos Montt's was even inside the Executive power: his Defense Minister, General Óscar Humberto Mejía Víctores, overthrew him on August 8, 1983, to start a transition to democratic governments but through another one *de facto* (Contreras and Castro de Arriaza, 1997).

During his government until 1986, Mejía Víctores repealed the law that created the Courts of Special Jurisdiction but gave more power to the PAC and maintained the counterinsurgent strategy, which included military offensives, extrajudicial killings, tortures, rapes... (Aguilera, 1997). That continuity in the civic-military union strategy against the guerrillas, despite the abuses, helped in the gradual withdraw of the insurgents, whose civil bases were weak. The guerrillas were founded mainly by former militaries or former students from the capital, and even though they got and caught support, the links between these groups and civil society, in particular peasants and indigenous, were never strong enough for their objectives of taking power to impose a revolution (Sabino, 2008).

INDIGENOUS AND PEASANTS

Not as significant minorities, because they were not, but as special war targets, peasants and indigenous, many of them actually living in the countryside, lived the armed conflict in a particular way because the constant but not always intense reality of this internal

war occurred in their territories while they were not usually fighters, but between two fires.

In Guatemala, there were and still exist around twenty indigenous populations between Maya, Quiche, Mam, Pocomam, and Chol groups, which have at least fourteen different languages and dialects (Le Bot, 1992) that they share with Spanish. All these groups, as the African descendants Garífunas, were still at the bottom of the Guatemalan social pyramid. The divisions were still present, taking into account that each political current had a political and national strategy that interpreted the “indigenous issue” in a particular way. So, with the socioeconomic divisions already established, like the contrast between urban (in particular the semi-developed Guatemala City) and rural worlds, and regarding the rural also an ancient unequal land distribution, an extreme situation such as the ethnic dynamics made that pyramid a “volcano” that actually erupted due to the military, guerrilla and paramilitary actions against the indigenous plus the attempts of attraction from the two last of those, including priests in favor of guerrillas, but not with the enough force to develop in a civil war with race as a clear dividing line (Le Bot, 1992).

There was not an indigenous identity unity in the whole country but, with public violence from all agents around them, and sometimes even including their participation, the indigenous groups starting seeking local power while modernizing and forming an identity with the influence of the class struggle from the guerrillas (class-ethnicity ideology, in the case of the

EGP; arguments based on being racism victims, in the case of the ORPA), their ancestrality, and the coincidence, but not paradox, of social exclusion and an inevitable but not structured process of *ladinization* (Le Bot, 1992).

Furthermore, indigenous and peasants were not passive when the armed conflict knocked on their doors. Many of them, especially ladino peasants, when they were victims of the guerrillas, they joined or supported the PAC in order to help the militaries to win the war. However, when they were victims of the Army as part of their counterinsurgent strategy, sometimes they organized or used their previous organizations to claim for what had happened, some of them, including young indigenous, started joining the guerrillas or at least helped them with communication and logistics. Actually, in some cases, there were divisions inside the indigenous communities, because of intergenerational differences that separated experiences in war, or terms of economic conditions,

because in some cases educated Mayas were related to the urban middle class (Little and Smith, 2009). However, a common denominator was their organization to claim for their rights, sometimes with specific types of direct actions (May, 2001).

One example of this behavior was the seizure of the Spanish Embassy in January 31, 1980, by a group of indigenous supported by members of the *Comité de Unidad Campesina* (‘Peasant Unity Committee,’ CUC), an activist organization that was protesting with other groups against poor working conditions

PEASANTS AND INDIGENOUS GOT ORGANIZED TO TRY TO RESIST VIOLENCE

and Army abuses in El Quiché region (were the Ixil Triangle was). Since they considered that the authorities were not listening to their claims, they occupied the Spanish Embassy to get their attention, and the National Police responded by burning the house, with a result of 37 dead people (Konefal, 2010).

Therefore, indigenous (and) peasants, besides being generally in the middle of various fires, when they were not silent by any armed group, they claimed against abuses mainly from the Army. The most visible face of this protests in public opinion was, and possibly it is still Rigoberta Menchú, Quiche indigenous, CUC cofounder, and pacific activist against the military abuses against her people during the armed conflict. During the conflict, she dedicated to denouncing the poor living conditions, lack of land, and violence against the indigenous, which took her to win the Nobel Peace Prize in 1992, four years after her return from the exile and when she was mediating between the government and the URNG in their steps to finish the conflict (Menchú and Comité de Unidad Campesina, 1992).

Her mediator figure, not the only one, illustrated that even though the practical fire-ceasing had to come from the state, the guerrillas and the paramilitary forces, the peace objective should have had to consider not only the involved parties in the combats but the people that were in between, affected or collaborating with any of the sides. However, even with stuck realities, the country achieved peace officially after a slow process of the political democratization of the country, along with the gradual scaling out the conflict, plus prolonged peace negotiations.

THE ROAD TO THE PEACE AGREEMENTS

As the civic-military union was useful against the guerrillas, it also contributed to the legitimization of the institutional dictatorship that the latest military governments installed. For the ones who legitimized those governments, if they were in power was because it was needed, and their military actions were framed in the National Security Doctrine that was adopted through the economic and military collaboration with the United States (Holden, 2004), and against the civil side of the guerrillas, so it justified the attacks for them (Rostica, 2014).

However, beyond the policies for the conflict, Mejía Vítores' main changes were, on the one hand, a new National Constituent Assembly. The result was the new and current 1985 Constitution, which institutionally strengthened the country with the establishment of a clearer division between the three powers, and the distinction between individual, civil and political, social and cultural, information, and environmental rights. On the other hand, Mejía Vítores set up the transition to civil governments since 1986 by calling presidential elections.

At the same time, guilds and student associations were consolidating and claiming for economic and democratic changes in an environment of general protests (Estrada, 1997), and the conflict, with all its irregularities, was starting to de-intensify. The result was the election in 1986 of the center-left-winged Vinicio Cerezo, of the Guatemalan Christian Democracy Party, who promoted peace dialogues with the URNG and peace initiatives for Central America, like the Esquipulas Agreements of 1986 and 1987 (Holden and Zolov, 2000). These agreements were a common effort, with the support of Mexico, Panama, Colombia, and

Venezuela (but not the United States, which did not recognize the Nicaraguan government) to try to reach peace and setup democracy in the region, also deriving in the foundation of the Central American Parliament, which started working in 1991.

In that year, right-winged Jorge Serrano Elías became President trying to make, like his predecessor, a Government of consensus between different political forces. Both intentions provoked contradictions. While Cerezo internally militarized the Presidency (Schirmer, 2001), he tried to develop an economic policy among with functionaries that in some cases had opposite opinions (Contreras and Castro de Arriaza, 1997), Serrano tried on the one hand to repatriate the refugees that went displaced to Mexico due to the very present scorched-earth policy of war (Montejo, 1997), but on the other he also tried to make a self-coup in 1993 through censorship, dissolving the Congress, and an attempt of manipulating the Courts.

The later called “Serranazo” self-coup, supposedly to fight against corruption, failed because of internal and external pressure, and after the Army did not support him, far from the direct political actions of other times and respecting the democratic order. Finally, obeying the Constitutional Court, the Congress elected civil Ramiro de León Carpio, former President of the commission that wrote the Constitution and former Human Rights Attorney. In a gradually renovated institutional panorama, but facing old realities derived from poverty and varied in internal intensity conflict, De León gave continuity to the negotiations with the URNG, while left parties,

THE STATE AND THE URNG FINALLY SIGNED PEACE IN 1996

practically without official representation before the 1985 election, were reemerging in the political arena (Berganza *et al.*, 2004).

Since 1987 after the second Esquipulas Treaty, the Government and the URNG started negotiating and gradually signed twelve agreements with international support between 1991 and 1996. The agreements were on: seeking for peace through politics (1991), human rights (1994), displaced people (1994), historical clarification of the conflict (1994), indigenous identity and rights (1995), economy and agrarian situation (1996), Army’s and civilian’s power roles (1996), ceasefire (1996), constitutional reforms and electoral rules (1996), URNG’s transition to politics (1996) ... and finally, on December 29, 1996, the URNG and the Government signed the *Acuerdo de Paz Firme y Duradera* (Firm and Lasting Peace Agreement), and another one for the chronology of its implementation. Both agreements were signed under the Presidency of Álvaro Arzú, who had established peace agreements as his primary goal during his campaign (Berganza *et al.*, 2004), and tried to set the bases to consolidate an emerging time in the country since the restoration of the civilian governments. Actually, his propaganda for making peace was also related to attract foreign investment (Sabino, 2017).

Even with more than thirty years of internal war, according to Carlos Sabino, since the 1944 Revolution, the country “failed to develop a political system capable of absorbing or neutralizing the minorities that were trying to destroy it. That was his weakness and, without doubt, one of the causes of the drama it had

to live for so long” (Sabino, 2008, p. 398-399). The system, despite its limitations and its weaknesses, survived and adapted, gained legitimacy and became more open (Sabino, 2008), but at the same time it hindered the search for truth, and it also opened the door for new types of violence that, as in the conflict, got mixed with the rest of the national reality. Meanwhile, the URNG compensated in the political scenario of the peace negotiations the lack of social legitimacy during the conflict (Sabino, 2017), but it did not work politically in the subsequent elections. The fact that less than 20% of the electorate voted in the plebiscite to ratify the agreements, with the majority voting against, and that the ratification was done by decree warned the social consensus in the public opinion about the conflict.

4.3. CONTROVERSIES OVER TRUTH AND MEMORY

According to historiography, during and initially after the conflict, Arévalo’s and to a lesser extent, Arbenz’s governments were considered a kind of democratic oasis surrounded by previous and subsequent authoritarian governments. But gradually, that idealization has been reducing in favor of analysis of successes, failures, and even human rights violations, with a general consensus of the interested people on the democratic and progressive precedent that especially Arévalo’s government meant, and on the clear role of the United States with the intervention in favor of the MLN to overthrow Jacobo Arbenz.

Regarding the conflict, especially since the twenty-first century there has been a majority of academic books (mainly from Guatemalan authors, and also from fo-

reigners, especially from the United States), but also books from the military, former guerrilla members, journalists, and writers, apart from the most accepted memory documents (Coronado, 2019). All these origins have given varied content that involves war issues, specific cases, and economic and social trends related. Also, apart from the Revolution and the post-conflict, the most studied or treated periods of the conflict have been its beginning and 1982-1983, due to the escalation of violence (Coronado, 2019), and there is another consensus on the emblematic facts of the conflict, but not in the specificities of each one, like the number of murdered people or the reasons behind each massacre or episode of displacements, as also in the total number of affected people.

For example, there is not an exact calculus on how many people were displaced, because many of them never came back to the country, but it is known that even though they were already returning, in 1995 a collective movement with the support of the UN brought back to the country at least 100,000 people that were displaced in Mexico, people that tried to keep the communities created and developed during more than one decade of exile (Ixkic, 2018). Even after their return, some of them were again victims of violence, like the community of Xamán, in Chisec town, department of Alta Verapaz, were a group of militaries killed at least ten people in October 1995 in facts that took years to clarify (Cabrera and Calvo, 2006)

Truth and memory are two of the most frequent victims of war, and in Guatemala, it was not the exception. During and after the conflict, both have been disseminating between the efforts for reaching it and the interests around it. Since the worst years of the conflict, actors like the Catholic Church and the

Army or activists have claimed for justice and truth. However, weak institutions that needed international support plus interest conflicts have been an obstacle for the clarification of the facts (Berganza *et al.*, 2004).

THE PREDOMINANT VERSION

About land distribution, in 1988, the Episcopal Conference published a known letter called *El Clamor por la Tierra* ('The Clamor for Land'), which denounces how the land had been a source of injustices in the country and demanding solutions for the communities. In this letter, the Episcopal Conference confirmed that it was redefining its position: implicitly a gradual abandon of the liberation theology but its maintaining of the compromise with the poor, and therefore its reluctance with the Guatemalan armed forces and political institutions (Episcopado de Guatemala, 1988).

With the last agreement of 1994, it was founded the Commission for Historical Clarification (CEH), with the support of the United Nations Verification Mission in Guatemala (MINUGUA). Investigating since that year, the CEH finally published its report *Guatemala: Memoria del Silencio* ('Guatemala: Memory of Silence'). This report established there were around 200,000 killed people, including disappeared, and that the state committed 93% of the crimes while the guerrillas the 3%, considering that 83% of the registered cases were from indigenous (Comisión para el Esclarecimiento Histórico (CEH), 1999). According to the report, the deep realities behind the facts of the conflict were historized identities, socioeconomic discrimina-

tion, racial injustice, and political authoritarianism, considering the political violence as an expression of structural violence.

Even though the final report was striking for all sides, at the beginning of the investigations, there was skepticism because the CEH was going to listen only to door-closed testimonies for six to twelve months, and

THERE IS NOT A CLEAR ESTIMATION OF THE VICTIMS AMOUNT

there were not going to be personal responsibilities attributed or judicial consequences. Therefore, in 1994, the Archbishopric promoted another report through its Human Rights Office, with more participation of the people. The result was the *Proyecto Interdiocesano de Recuperación de la Memoria Histórica* ('Interdiocesan Project for the Recovery of Historical Memory,' REMHI) or *Guatemala: Nunca más* ('Guatemala: Never Again'), published in 1998, one year before the one of the CEH, as a reinforcement of the predominant version that was still open after the publication of the report, which established 50,000 victims (Oficina de Derechos Humanos del Arzobispado de Guatemala, 1998).

The CEH report matched with the rising "Mayan movement" because Mayas finally felt included their version of history regarding the total of the country, in a claim for their history, and the acceptance of a multicultural country based on a multi-ethnic reality. Civil society and NGOs also received it well, but the Army and many politicians did not, especially because the report stated that the militaries committed "genocide" between 1981 and 1983, and also because of the disproportion on the registered testimonies and in the crimes responsibilities (Fullard and Rousseau,

2011). The problem was that the agreement also had not specified which types of violence consider and the short time for listening to testimonies.

Since both had institutional support, both reports initially became the accepted documents of what happened in Guatemala during more than three decades of war, mainly in the highlands, especially the CEH, which included reparation recommendations for peace and concord. With these characteristics, along with the compilation effort, this document and the REMHI still have been basic sources for later researches, documentation, and political intentions during post-conflict.

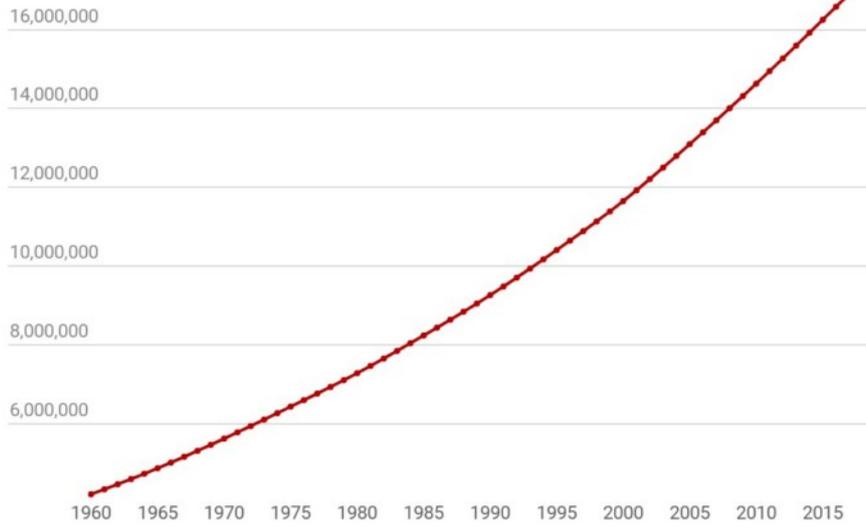
However, also considering that the CEH calculated the amount of 200,000 killed and disappeared people through statistical estimations and projections of a number of specific cases in several regions, and the different versions of the amount of massacres (from tens to hundreds), taking into account the small size of the country and its population, plus the majority of wartime being low intense, and sometimes also because of ideological differences, there have

been researchers, militaries and politicians that have questioned the 'official' numbers, and that have made their own studies and calculations, establishing even ten times less murdered people and focusing also in the guerrillas' crimes (Sabino, 2008). Moreover, and despite the REMHI and specially *Guatemala Nunca*

Más narrative have dominated in the public opinion, those significant differences have not been solved because clarifying the facts is not easy due to the interests in between, and also because while the conflict officially finished, deep socio-economic problems remained, and violence was mutating and even expanding,

taking advantage of and from the institutions.

Total population in Guatemala (1960-2018)



Source: World Bank Data

THE MILITARY AND INDEPENDENT RESEARCH

The main opposition or at least differentiation from the predominant version has come from the militaries. The first one who wrote individually about the conflict was retired General Héctor Alejandro Gramajo, who led other militaries in the publication in 2003 of three volumes called *Alrededor de la Bandera*

(‘Around the Flag’), in which he analyses with perspective the armed conflict from a praxeological point of view, as the complete title of the book says. In this book, he reinterprets moderately, and of course, considering the background of his point of view, the history and whys of the conflict, which he lived since the beginning, in order to help its understanding (Gramajo, 2003).

In general terms, Gramajo, who died in 2004, does not avoid attributing some explanations to the socio-economic situation of the country and the role of the United States as breeding ground for the conflict, but far from the “objective causes” that guerrilla sources focus on, he considers that the emerging of these groups was more a mix between the external context, the triumph of the MLN against Arbenz, and internal toleration with the first rebel militaries from the actual Army and from the government of Ydígoras Fuentes, which he defends from his professional experience (Gramajo, 2003). In other words, he attributes the initial causes of conflict to the mistakes of a state power that thought that it could but finally could not handle the situation. Actually, he criticizes how the narrative about the guerrillas changed throughout time, from “subversives” at the beginning, to “terrorist criminals” during the hardest years of war, and finally to “insurgents”, remembering that these groups, beyond terms, provoked the reaction of the Army to accomplish its constitutional assignments (Gramajo, 2003).

Before the REMHI and CEH report, Gramajo had published *De la Guerra... a la Guerra* (‘From War... to

War’) in 1995. In this book, he reviewed the history of the armed conflict when it was about to finish, to talk about the hard political transition to civil governments and the search for peace (Gramajo, 1995), which included three military copy attempts against Vinicio Cerezo that he had avoided as his Defense Minister.

SOME MILITARIES HAVE COME OUT TO TELL THEIR VERSION

In this case, Gramajo analyses the political crisis that started with the “Serranazo.” He considers how the political parties lost legitimacy since the beginning of the transition by trying to step on the situation, instead of focusing on developing a deep democratic renaissance, the role of economic in the transition through the contacts with the military intelligence and the decision of not supporting De León Carpio waiting for his successor, the emerging social and human rights organizations and social spirit that wanted a true new time, or the Army’s decision to step aside the front line of politics.

Regarding public violence beyond the state, for Gramajo, there were two antisystem agents. On the one hand, extreme conservatives that for him could conspire in favor of their interests no matter the possible damages to the country. On the other, reduced guerrillas that, as he states, were dedicated to gain ground against civil organizations regarding the fight for social rights in order to win political and in opinion legitimacy before the final ceasefire, and thinking in their future electoral support (Gramajo, 1995), that was going to be gradually reducing.

Also from the Army, retired General Mario Mérida has published two essays in the same line, but from

a more radical point of view. The second one is *La Historia Negada* ('The Denied Story'), published originally in 2010, a year since which militaries started publishing more about the conflict. With the support of several academic researchers, Mérida goes beyond Gramajo's reinterpretation of the conflict, and based on an extended bibliography and original documents, tells the history of the conflict from the point of view of the militaries (Mérida, 2013), including in it the main content of his first book, *Venganza o Juicio Histórico* ('Revenge or Historical Trial'), published originally in 2003 (Mérida, 2016).

In both books, especially the second one, Mérida criticizes *Guatemala: Memoria del Silencio* report by the Commission for Historical Clarification. It is not an absolute opposition against the report, but an argued and evidence-based lack of trust. For example, he points out his distrust in the three members of the Commission (Christian Tomuschat, German lawyer, expert on international law; Alfredo Balsells Tojo, Guatemalan lawyer, and Otilia Lux de Cotí, expert on indigenous issues), for him the three of them with inclinations to the left or with interest conflicts because of connections with civil organizations that were involved in the conflict, like de CUC. Also, Mérida criticizes the document pointing that the state considered the indigenous as enemies, and focuses on the methodology of the report, which was mainly testimony based, and according to his findings, the sample of what the commissioners were looking for focused on denounces against the Army (Mérida, 2013). Therefore, he considers the document historically important, but not as the official history of the conflict.

When it comes to the history of the internal war, Mérida says that it was caused because of the influence

of the external polarization over the internal one that was happening not even since Arbenz or Arévalo, but since communism appeared in the country in the early 1920s. He justifies the military coups arguing that it was a self-conscious institution, and he justifies Army's actions during conflict based on the argument that the counterinsurgent strategy was a legitimate defense response to the insurgency strategy of the guerrillas in a war that for him happened as a consequence of the influence of external polarization over the internal one. About that, Mérida assumes that the role of the United States was the only possible according to the context and its condition, also knowing that he had studied at the Western Hemisphere Institute for Security Cooperation, previously US Army School of the Americas, the Condor Operation military leaders incubator (Mérida, 2013, 2016; Garzón, 2016).

Hence, Mérida details the guerrillas' strategy showing their manuals in order to introduce the ones of the military, like the strategies, annual campaign plans since 1982, combining a focus on the military strategy and the guerrillas' actions that for him were not quite known with much detail before, like their influence over the indigenous communities, their attacks against infrastructure, their promotion of parallel groups like the PAC from the other side and sometimes blurred with civil organizations, among others (Mérida, 2013, 2016).

Furthermore, apart from individual retired militaries, the main collective publication from veterans came in 2012 by Guatemala's Military Veteran Association (*Asociación de Veteranos Militares de Guatemala*, AVEMILGUA). For *Guatemala Bajo Asedio: Lo que nunca se ha contado* ('Guatemala Under Siege: What

was Never Been Told'), AVEMILGUA collected two own publications in 1998 (a book about the origin and development of violence in the conflict) and 1999 (bulletin), plus a dozen history books, and other documentation to write a reinterpretation of the history of the conflict and its causes.

AVEMILGUA bases its version on the justification of the necessity of maintaining the debate about the truth of the conflict. Considering both internal and external contexts, its narrative takes the international advance of socialism, the October 1944 revolution, and armed aggressions of the first guerrillas as the causes of the internal war. The book authors treat constantly the guerrillas as terrorists that the Army's actions took to failure, being the book mainly a history of the conflict more in terms of battles and strategy than related to political and social issues. AVEMILGUA criticizes the anti-military dominant current that it perceives in public opinion regarding to the conflict and aspires indirectly to claim the Army's image by focusing on the guerrillas' crimes and actions, and therefore by considering them a discredited enemy for the armed forces, society and the state (Asociación de Veteranos Militares de Guatemala, 2012).

In 2014, a second volume called *Guatemala bajo asedio II: Cómo se manipuló la paz* ('Guatemala Under Siege: How Peace was Manipulated') states (according to several synopsis) that after the military defeat of the guerrillas, the ideological heirs dominated the narrative twisting the memory of what had happened during the conflict, because the URNG had won legitimacy during the negotiations by getting ri-

ght part of its diagnosis to justify the conflict (Sabino, 2017).

In academia, there have been publications in the same way. For example, young researcher Olmedo Vásquez defended in 2017 his thesis *Enfrentamiento armado interno en Guatemala: justificaciones, autores y consecuencias* ('Internal Armed Conflict in Guatemala: Justifications, Authors, and Consequences')

at the Pontifical University of Salamanca. In his research, Vásquez focuses on the actions and crimes that the guerrillas committed, and in demystifying their justifications for rebelling against the state, situation which he emphasizes as an abnormal transgression that the state had to face.

For him, proof of that is that during the conflict there were *just* three *de facto* governments totalling six years and ten months, while he argues that the other military presidents reached power because people wanted a leader who knew about war due to the context (Vásquez, 2017), and not because of corruption and a weak electoral system that

was not going to truly change with the 1985 Constitution.

Vásquez also widens what he understands by the conflict to delegitimize the guerrillas' statements of rebelling against authoritarianism, starting in 1944 with the Revolution and not in 1960. Therefore, he counts that all civil governments until 1996 ended their periods except Serrano, while just 33% of the military presidents did it, another 33% was overthrown by a direct coup, 17% taken out by an armed group, and the others were killed. Nevertheless, he also divides

THE ARMY WAS CRUCIAL IN THE COURSE OF THE COUNTRY

the agents in for or against the state, being against the guerrillas, and including in for the PAC among the Army, the Constitution, and governments. However, his balance, besides rejecting the traditional narrative that did not condemn the guerrillas, is as in the general historiography that the armed conflict brought to Guatemala economic delay, less national and foreign investment, moral wear, corruption, and more criminality (Vásquez, 2017).

Combining academic background and military testimonies, Ph.D. in Political Anthropology, long-time expert and military analyst to the CEH Jennifer Schirmer published originally in 1999 *The Guatemalan Military Project. A Violence Called Democracy*. In this book, Schirmer writes the history of the Guatemalan armed conflict from 1963 to 1996 but based on interviews with military personnel that told her some intimates of the Army during the war (Schirmer, 2001).

In her research, Schirmer joints testimonies of more than fifty military personnel, most of them high-ranked and including Efraín Ríos Montt, all of them who let her confirm crimes from the Army against civilians during the armed conflict, and how and why did it happen. She also interviewed across one decade former Presidents like Vinicio Cerezo or Ramiro de León Carpio, and more than one hundred interviews including politicians, judges, lawyers, US Embassy employees, sociologists, journalists, and human rights activists, in order to get the most complete picture as possible about human rights violations coming from the Army during war, and about its leading role in the political processes (Schirmer, 2001).

Schirmer's emphasis on the Army, even though she wants to know the reach of abuses, is not based on

the aggressor narrative, but on how the Army dominated the democratic scenario no matter if the president was civil or military. She goes beyond the traditional conception of equalizing civil governments to democracy and military governments to authoritarianism. Her main conclusion is that during the armed conflict (and before) Guatemala was democracy just nominally, but not really, because the military developed a dominance system beyond who was in power, especially since 1982 and also through a military intelligence that dominated the civil one even during the transition to post-conflict. For the author, this dominance system or practically co-government, along with the counterinsurgency strategy justified or at least permitted the Army kill whomever they considered the opponents of the state, which were officially guerrillas but, according to some testimonies, also the indigenous, despite they did not accept genocide crime (Schirmer, 2001).

Taking into account that the conflict occurred in the framework of Cold War polarization, and knowing the support from the United States to the Guatemalan military, the CEH asked the country for documents in order to contribute for truth, and the United States declassified more than 4,000, apart from giving 1.5 million dollars to the functioning of the Commission. Actually, regarding the CEH report, while being President Bill Clinton said in a visit to Guatemala City that all the help from the United States to Army's operations and intelligence that derived in repression and human rights violation was wrong and a mistake not supposed to be repeated (Holden and Zolov, 2000). But even though not anymore US-sponsored, the legacy of the conflict in the successive years maintained through fighting terror with terror, with other actors (Snodgrass, 2006).

Also, beyond testimonies, there have also been official documents that proved that the Army not only committed massacres, as the guerrillas and the PAC did it too but that sometimes killings and disappearing people were systematic realities. The best example, which was revealed in 1999, is the called Military Diary, a 53-page document with 183 names of people and their political or social organization filiation that were supposed to be captured between 1983 and 1985, during Mejía Vítores government (Secretaría de la Paz (SEPAZ), 2011).

Finally, in terms of public violence, despite specific controversies over truth and memory or the debatable consensus on the official memory documents or the maintained silences about civilian and specifically indigenous links with the guerrillas, the Army had a crucial role of course in the armed conflict, but at the same time in the political and democratic (or authoritarian) course of the country.

Therefore, it was at least the clearest agent regarding the field of state power that Robert Holden states. Its actions, self-preservation-oriented, went beyond each government or even the objective of winning the internal war, also with the help of the PAC, while the guerrillas, with all the damage they made, were in comparison *just* seeking power as proportionally minority armies, but never with true options of achieving it because of lack of social control, military capacity and influence, in a changing context of country's mentality and institutions in favor of the promise of the peace agreements. A context that was not going to escape from silent but constant

realities that were already existing, and from others that were going to appear or reappear in the successive years. The conflict was over, but its legacy, not at all.

5. POST-CONFLICT GENERAL

SITUATIONS: AN OLD NEW SCENARIO

5.1. A POOR WOUND HEALING IN THE SEARCH OF PEACE

Even though the sign of the peace agreements in Guatemala officially ended more than thirty years of internal conflict in a new context of civil governments, it was just the beginning of a not-ended process with unhealed wounds, due to the persistence and consequences of violence. For example, just after two days of the publication of the REHMI report, bishop and main promoter of the project, Juan Gerardi, was killed in unclear facts, and years later, militaries of the *Estado Mayor Presidencial* were condemned.

The political transition and the desire for renovation in the country did not take with them a deeper transformation of a system partially adapted, and because the economic situation of the country was not the best after the regional "debt crisis" (Sabino, 2017). The end of the guerrillas and the official dismantling of the PAC, but not its complete disarmament (Schirmer,

**ARMED
CONFLICT
IS OVER,
BUT NOT
THE BA-
TTLE FOR
MEMORY**

2001), the step back of the Army in the political frontline, but not in its structure or National Security Doctrine, and the new framework out of the Cold War, which actually pushed the search for peace because of the discredit of communism, actually changed the reality and the discourse about Guatemala's course. Those big changes were not enough, but a platform on top of which Guatemala partially achieved building something new. With the official ending of the armed conflict, the guerrillas were finally disarticulated, and the URNG became a political party. Since then, there have not been counter-state public violence agents anymore, but that does not mean the phenomenon was a matter of the past.

For example, one of the agreements included the foundation of the *Policía Nacional Civil* ('Civil National Police,' PNC), a new force for a new time in which the police were not supposed to be under the military sphere of influence as practically it was before. However, if the previous National Police were involved in illegal detentions, threats, or torture, the new PNC also brought problems like corruption or members involved in murders since the beginning.

Many of their initial 20,000 members came from the National Police and from the Army, which was reduced in number around a third approximately from 40,000 to 15,000 members by Óscar Berger's government (2004-2008) (Feilding and Fernández, 2016). Apart from the reduction, in that moment the Army did not get modernized, which was worst for citizen security. Meanwhile, the problem with the PNC at the beginning was that it had no clear structure and doctrine, it was very centralized so at the beginning it could not adapt to local situations, it had in 2001 14% of indigenous in a country where they were about

40%, personnel with crime records were sometimes incorporated, and despite new training, the difficulty for winning trust of the people and therefore the one for fighting against rising criminality from former paramilitaries or *maras* (Glebbeck, 2009).

At the same time, Mayan communities, which participated in the peace agreements, were claiming for historically denied rights, as main victims of the conflict and during a reconfiguration of their identity in favor of the Mayan movement. This new movement was institutionalized in 1994 with the *Coordinadora de Organizaciones del Pueblo Maya de Guatemala* ('Maya People of Guatemala Organizations Coordinator,' COPMAGUA), a general assembly so they could be organized to make proposals for the peace negotiations. But besides their organization, the 1995 agreement, which recognized their cultural and land rights and needs for reparation (without considering an agrarian reform), did not go much more beyond than an attempt recognizing Guatemala's multi-ethnicity, because in the 1999 referendum to modify the Constitution regarding this issues this was rejected (Rubio-Marín, Paz and Guillerot, 2011).

This situation also made it harder to apply the agreements and the recommendations of the CEH report about compensating them materially (lands) and economically, plus the psychosocial support and dignity-oriented symbolic reparation as the key for a true peace beyond the formality of signatures (Cabanas and Del Cid, 2003). Actually, in 2003, President Alfonso Portillo (2000-2004) created the National Reparations Program (PRN) pressed by Mayas that were seeing how the government was recognizing former PAC members for their services during the conflict. The PRN seeks individual and collective, effective,

and symbolic reparations, but the implementation of what was signed has been more a matter of social pressure than of fulfilling accorded obligations (Rubio-Marín, Paz, and Guillerot, 2011).

Actually, according to the Kroc Institute for International Peace Studies, after ten years of the final agreement, the implementation of what was accorded was in 69%, with successes in political participation, demobilization, among others, and with the majority of the rest percentage regarding to victims' rights, agrarian reform, and justice (Kroc Institute for International Peace Studies. University of Notre Dame, 2005). In the case of justice, it has to do with the National Reconciliation Law of 1996 (Decree 145-96), which most important points were eliminating crime responsibility for political and related felonies during the conflict, leaving the door open for attending victims' cases of crimes against human rights.

Even in those cases, transitional justice has been slow and inefficient because it has not had enough resources to embrace the investigations crimes committed decades before, and if it is the case, condemn people that are still in or around power positions (Aldana, 2013). Then, impunity in Guatemala has not been only an issue of crime perpetrators not paying for what they did, but a "sense of a situation of insecurity encompassing crime, the corruption of state institutions and a non-functioning justice system" (Zimmermann, 2017, p. 81).

That is why Mayas kept protesting. One example is the case of the department of Sololá, where Mayas

were not only doing it against violence but also being active agents in the reconstruction of social fabric by keeping working and promoting their cultural manifestations, which visibility and attention is one of their main claims. The main obstacle, apart from impunity and not enough effective attention from the state, is the general climate of insecurity (Little and Smith, 2009), due to the slow but constant recycling and appearing of violent actors, and the culture of violence that all parties, plus common delinquency, had installed in parts of both cities and countryside.

MAYAN COMMUNITIES KEPT CLAIMING FOR THEIR RIGHTS

THE LYNCHING PHENOMENON

The culture of violence that was a heritage from the armed conflict can be seen in the usual murder in robbing or robbing attempts, but its normalization is precisely illustrated with phenomena like lynching. Lynching has been studied paying attention to the social, economic, and security situations of communities after the war, especially the ones who had lived it directly. At least in the first five years of post-conflict, there was a link between the violence, especially massacre seen by the communities before, and the later lynching committed against alleged criminals or any *undesirable* people for part of the community (Arroyo, 2005).

Nevertheless, lynching in those years occurred mainly in departments with the highest rates of social exclusion, like El Quiché, Alta Verapaz, San Marcos, Huehuetenango, and Petén (Human Development Report of 2000 by the United Nations, cited in Arroyo, 2005). As in the conflict, sometimes these episodes included

not only disordered mobs against someone or between groups of people, but also capture, interrogation, torture, and execution, and were usually done during the day and in public places (Arroyo, 2005). Actually, in El Quiché, the department that suffered massacres the most was the one that presented lynching cases the most after one decade of the conflict ending (Snodgrass, 2006).

However, popular lynching or *linchamientos*, despite its informality and volatility, were also a matter of lack of institutions. With the visible step back from the Army, and the non-consolidation of the PNC during its first decade, lynching has also been happening because of missing authorities that, respecting the law and human rights, are capable of maintaining order (González, 2013). The Army had tried to keep that order for more than thirty years, becoming a referent of the stage presence, and then its absence and not well replacement derived in an irregular reconfiguration of the hierarchy of the social order. And since the lack of institutional presence has historically been related to Mayan communities, lynching also occurred around them, sometimes regarding land disputes in a country that at the beginning of the twenty-first century had 80% of cultivable lands in hands of 4% of the population (MINUGUA report of 2000 cited in González, 2013).

Despite the gradual reduction of lynching, one of its dangerous consequences has been its justification based on community self-defense due to the non-consolidate presence of the PNC and the state in general terms, not only in basic services but in transversal issues like justice (Argueta, 2016). Taking advantage of that partial cultural assimilation there have also been third parties that pay people to lynch or directly kill another person or that manipulate the social discon-

tent in favor of their interests, making it more difficult for justice to clarify facts. Even more when local authority after the official end of the conflict was reinforced with the Local Security Boards, and the Vigilance Committees, partly legacy of the PAC, blurring borders with the operation of organized crime agents (Argueta, 2016), the new but not always new faces of public violence in Guatemala.

5.2. THE MUTATION OF PUBLIC VIOLENCE: 'MARAS', DRUG DEALERS, AND CIACS

During the transition to civilian governments, the peace negotiations, and the final peace agreements, the main attention regarding public violence was in the Army, the guerrillas, and the paramilitary forces because of their dominance in that scenario and due to the political context. But since those times, new types of violence, such as the lynching, were starting to large-scale appear, but differently from popular mobs, these were differentiated and, of course, linked to the post-conflict and the socioeconomic and political situation of the country, also more related to new contexts, sometimes are related to each other, and all of them taking the weak institutions not as a problem, an enemy or an ally, but as an advantage.

Therefore, these new agents of violence are not exactly divisible in counter-state and para-state, because they do not operate in a context of seeking or maintaining explicit state power. However, these actors can be framed in the landscape of public violence, adapting or extrapolating Robert Holden's concept to recent times, because these groups use force and coercion to fight for a change or maintenance of the social order that they installed or dispute, also related but not exactly

the same state one. These are small gangs and the *maras*, more structured and which have been operating from locally to transnationally; drug cartels that have been acting within the geographical path condition of the country, and somehow the CIACS, clandestine security organizations related to political and economic powers.

Although the 2000 United Nations Convention against Transnational Organized Crime (UNTOC) did not establish a specific definition of “organized crime,” actually because of the emerging of new types of criminality, it says that an organized crime group is “a group of three or more persons that was not randomly formed, existing for a period of time, acting in concert with the aim of committing at least one crime punishable by at least four years’ incarceration, in order to obtain, directly or indirectly, a financial or other material benefit” (United Nations Convention on Transnational Organized Crime (UNTOC), 2000). The UNTOC covers just transnational crimes, so *maras* and drug-dealers could fit in this wide definition, and to a lesser extent, the CIACS, depending on the nature and relations of each one.

Concatenating that emerging panorama of criminal agents’ presence and state incapability, plus the legacy of the Army’s traditional role and later political explicit retreat in favor of a weak PNC, private security companies started to emerge sometimes founded by former militaries, due to the lack of effectiveness of public security. These companies started to be regulated since 2009 through the General Direction of Private Security Services (DIGESSP), inside the Ministry of Government (García, 2015).

According to the 2019 reports, there are currently 213 of these companies registered (Dirección General de Servicios de Seguridad Privada, 2019), more than in the previous years, but less than before 2015.

The context, which sat the bases, and the logical demand for security gave rise to these new companies that became not only important for the ones who can pay for their services, but also in size considering the dimension of private and public security. In 2018 there were registered 23,638 people as private security employees, while the PNC had 36,208 in the last decade with around four guns per 100 people in the country (Chávez et al., 2018).

These private security companies, including the illegal ones, are of course not in a state of war in the strict meaning of the expression, but giving to the ones who can afford it the protection from common crime, but also from organized crime, which factions fight between each other, but sweeping away innocent people from civil society.

NEW TIME FOR THE COUNTRY, NEW TIME FOR VIOLENT ACTORS

‘MARAS’: STRUCTURAL CHALLENGES WITH DISAGGREGATED GROUPS

Maras are well known as one of the most violent illegal armed structures apart from illegal armies and terrorist groups, also considering their mainly urban connotation. These gangs, which most emblematic are the MS13 or Mara Salvatrucha and the 18, appeared significantly in marginalized zones of Los Angeles in the 1980s. Many of their members, usually Mexican and Central American illegal immigrants, were

deported in the 90s to their home countries, were local gangs and marginalized young received and got in touch with their street culture, including codes, symbols and language, and violence influence, adapting to the local context (Rosen and Samir, 2019). In a very unstructured way, the gangs started expanding, especially in the Northern Triangle of Central America, due to the incapability of the states to face them or to avoid their expansion, and the climate of violence and insecurity that they did not begin, but that they ended reinforcing.

Hence, *maras* in Guatemala are not a direct legacy of the conflict, because gangs existed since then, but appeared due to the interaction of deported immigrants with existing gangs and with conflict-related drags, like urban social exclusion (sometimes regarding displaced people from the countryside to cities, mainly the capital), a broken social fabric, weak police and justice institutions, and a rooted violence culture, including weapon availability (Cerón, 2013). That same breeding ground has also served the reproduction of *maras'* violence, which imposed as a dominion system but also presented culturally as an option for marginalized young people in order to be part of something (Cerón, 2013).

Thirty, twenty years ago or nowadays, potential *mareros* in poor or conflictive neighborhoods join these groups because they represent security, because being part of the *mara* means respect regarding the other members, and solidarity, because is a safe space where a kid, teenager or young adult receive economic and affective support from his or her partners, instead of the problems of a usually unstructured family (Vinyamata, 2008) or the education and employment opportunities that he or she could not have.

Maras also develop the networks that the rest of civil society with its organizations does not reach. Hand in hand with that, *maras* offer socialization and live codes that the potential members do not receive from their home, the state, or religious communities. The reproduction of that particular and violent lifestyle in specific neighborhoods and streets derives for them in a desire to control territories that they identify with themselves and their *mara* (Prado, 2018). Of course, *maras* are a problem for society and the vulnerable youth, but at the same time, they have been a solution against or a scape from social exclusion, the absence of the state, and the limits for social organizations or foundations when trying to reach them.

The result at least with the MS13 and the 18 has been the transformation from small street gangs in the middle 80s to transnational *maras* in the twenty-first century that work in from hyperlocal contexts, with invisible frontiers inside neighborhoods, up to transnational networks. Despite their possible internal divisions (MS in El Salvador) or lack of international articulation, all of them seek the imposition over the rival *mara* in each territory, trying to establish a social order, and getting involved with other organized crime organizations (Cerón, 2013), and with actions beyond street violence, robbing or killing, such as drugs, people, and arms trafficking, illegal immigration, procuring or recently increasing, extortion.

In the Northern Triangle, Guatemala has the most amount of denounces of extortion, with 102.7 per 100,000 inhabitants in 2017 in over 17 million people country (The World Bank, 2018), but it is also the one were the *maras* receive less money through this coercive method. However, especially the MS13 has received millions of dollars to strength functioning

and structures, in detriment of the life quality of the victims, which are mainly small business owners in both urban and rural areas, and public bus and taxi drivers. The method, traditionally done *in situ* or by phone, has developed with mobile technologies, and has had such an impact and has been such a drag for the rest of society, that there have been other anonymous people that pretend to be *mareros* to extort too (InSight Crime and The Global Initiative Against Organized Crime, 2019).

The facilities of mobile phones have permit *maras* members and leaders to extort from prison. Because prisons are another big issue when it comes to *maras* and to how does the state is facing them. In the Northern Triangle, prisons were *mareros* are, are more than full of people. That overcrowding, mixed with corruption by or coercion against PNC officers, have permitted the *maras* to continue extorting, but also to the leaders to keep doing their jobs in their territories from jail.

Due to the lucrative activities that are surrounding, plus the deep roots of their and violence cultures in society, and their partly disaggregated nature that makes harder to quantify and identify their members, *maras* have been a true challenge for the Guatemalan institutions in terms of security and public order (Prado, 2018). The most common response against *maras* in the Northern Triangle since the 2000s has been the so-called *mano dura* ('heavy-handed'), but incarcerating *mareros* or even suspects has not been more than a short-term solution that derives in worst problems, including PNC and even the Army taking prisons due to very out of con-

MARAS HAVE BEEN CHANGING THEIR MODUS OPERANDI

trol situations inside (Toller, 2014). This last example is part of the enrollment of the Army in law enforcement operations and internal security, which retired General and former President Otto Pérez Molina (the only former Army men President since civilian governments) did not begin but bolstered Constitution-based while being in charge (2012-2015) (Toller, 2014).

There has been controversy over that participation of the Army in prisons due to several cases of extrajudicial killings, including one case, *Operación Pavo Real* ('Operation Peacock'), that involved the new President Alejandro Giammattei (2020-2024), prison system director in 2006, and who was finally declared innocent.

Besides the ineffective repressive strategy against *maras*, there have also been approaching from other parts of society that proof that institutions should face the problem more integrally. Regarding extortion, which is related to homicides and criminal governance, communities have responded in different ways. For example, NGO *Colectivo Artesano* advocates to limit contact between prisoned *mareros* and *mareras* so that women could be far from extortion. Also, there are foundations from Evangelical churches and civil society that try to help gang members to get out of that world, with relative effectiveness. Of course, in a securitized country like Guatemala, there have also been responses from that sector that sometimes has the resources that the PNC does not (InSight Crime and The Global Initiative Against Organized Crime, 2019).

In other countries, there have also been attempts to facing *maras*. El Salvador, for example, has tried *mano*

dura with more intensity than Guatemala and Honduras, and also tried to reach a truce between both biggest *maras*, but failed on both. There have been even self-defense strategies in specific communities or neighborhoods, and also in Guatemala's case, public-private alliances (InSight Crime and The Global Initiative Against Organized Crime, 2019). Meanwhile, Nicaragua, Costa Rica, and Panama have experienced less the danger and impact of *maras*, which have permitted them to focus more on preventive and if necessary rehabilitating programs (Toller, 2014), because as being part of a gang is the potential cause of several crimes, it is also a consequence of what was not done before to avoid it.

Another country that has been affected by *maras* and that has applied specific policies about them it is the United States, also since the 2000s and both locally and internationally, because transnational gang violence could affect diplomatic relations with Mexico and the Northern Triangle of Central America. Leading those relations, and after trial and error, the United States has been developing programs in the areas of "diplomacy, repatriation, law enforcement, capacity enhancement, and prevention" (Toller, 2014, p. 19).

An integrated strategy was the Central America Regional Security Initiative (CARSI), with 301.5 million dollars between 2010 and 2012, plus other 107.5 million for 2013, which have been for violence prevention, capacity building, and narcotics interdiction and law enforcement (Shifter, 2012). The initiatives inside CARSI contemplated anti-gang measures, but drug-dealing, for which the US created special units, was the most relevant front of the policies because apart from being a problem itself, its economic implications were catalyzing the rest of the problems in the

Latin American countries that were involved, including Guatemala.

DRUG DEALERS: ON THEIR WAY AND PRESENT

The armed conflict did not directly cause violence of drug cartels in Guatemala, but it started in its context because the country's logical focus in the negotiations and the lack of state presence permitted its emerging and the boom was in the final 80s and early 90s, with the deepening of prohibition and war on drugs (Feilding and Fernández, 2016). If *maras* and gangs are the biggest threat in terms of direct public violence, drug-trafficking has more tentacles because of the millions of dollars that it moves, reaching authorities, politicians, PNC, Army, and civil society.

Since the 90s, Los Lorenzana family mafia changed contraband for drug-dealing using their networks; Los Mendoza, also contrabandists in the northern Petén region, also became powerful drug-dealers, and so Los Leones did in the eastern frontier with Honduras and el El Salvador, where they were already robbing cars and cattle (InSight Crime, 2017). Eastern departments of Izabal and Zacapa are maybe the most unstable region in Guatemala regarding drug-trafficking and its implication. Both departments border with Honduras, where firstly Los Zetas dominated the path of cocaine from one country to the other, and then disputes between Mexican and local cartels have been disputing the control of the frontier access points of the zone, which has had one of the highest homicide rates in the world (International Crisis Group, 2014).

The phenomenon in Central America started later than in the South. Those family mafias started when the War on Drugs by the United States made Co-

Colombian and other regional drug-dealers change the cocaine route to the North from the Caribbean to Central America and Mexico. With its geographical position, Guatemala became a path from Honduras, El Salvador, and Colombia (through the sea) to Mexico and the United States.

In the twenty-first century, with the Mexican War on Drugs strategy against cartels in its territory, the cartels' increasing power also moved to Central America, where they had links with the family mafias. In the case of Guatemala, it provoked internal disputes that, along with captures by the state in the last decade, have made those groups way smaller versions of what they were, but in favor of the actual Mexican organizations such as Los Zetas, Sinaloa, Tijuana, El Golfo or Juárez cartels, and of some new ones allied, like Los Huistas, associated with the Sinaloa Cartel (Dudley *et al.*, 2016).

The drug problem in Guatemala, as in the rest of Latin American countries involved, has to do with prohibition (formally established in 1961 at the UN Single Convention on Narcotic Drugs) and an ineffective war on these substances, which in the case of Guatemala rises the drug-dealers in their business as a bridge between the South and the North, and making use of the porous borders with El Salvador, Honduras, and Mexico and of the poor coast-line protection.

Also, the social fracture of the conflict and state fragility have permitted the drug-dealers to get immersed in the violence dynamics of the post-conflict (Feilding and Fernández, 2016), getting involved with *maras*,

recycled groups from former death squads and paramilitary forces, with corrupt(ed) local authorities, militaries and PNC, and a co-opted population. The result until now has been the group feedback between corruption, political instability, and different type of violence, plus the production of marihuana, opium in San Marcos department, and methamphetamine, all these in detriment of civil society. The interaction

has been so that the authorship of practically half of the homicides in the country is unknown, being the rest mainly related to drug-traffickers and *maras* (Dudley, 2016b).

DRUG CARTELS USE GUA- TEMALA AS A PATH TO THE NORTH

Regarding the law, the first important regulation of drugs in Guatemala was one of 1992, which confirmed and reinforced previous prohibitions. However, it has problems since the beginning, like the lack of boundaries between the amounts of drugs for personal use and supply. Far from making real the rising scientific, political, and economic currents in favor of legalizing in the 90s and early 2000s, Guatemala depended and depends on the United States' support, which boosted in 2008 with the

Mérida Initiative for Mexico and Central America that later derived in the mentioned CARSI and more programs in the same sense (Feilding and Fernández, 2016).

The latest relevant attempts of changing national strategy against drug-trafficking came by President Otto Pérez Molina, after his predecessor Álvaro Colom (2008-2012) demanded a paradigm change, but not much beyond, like responsibilities for consuming countries or more cooperation and less demand.

Pérez Molina worked nationally and internationally

to promote a new agenda over drugs and drug-trafficking, getting Central American support at the beginning, but after the United States showed its reluctance, Honduras, El Salvador, and Nicaragua stepped back. Finally, with Panama and Costa Rica, Pérez Molina took the topic to the Organization of American States (OAS), which published in 2013 a report with recommendations of alternatives for incarceration, such as shorter sentences focused but focused on rehabilitation, and the creation of drug courts. In 2014, the OAS proclaimed the *Declaración de Antigua*, a calling to countries to “adapt drug policies to national realities, place an accent on human rights and fundamental freedoms, open the door to consider new approaches based on scientific evidence, and find alternatives to incarceration” (Organization of American States (OAS), 2014; Feilding and Fernández, 2016, p. 62).

However, intentions initially have been nothing since then, especially missing the support of the United States that still holds the guardianship of the relations with Guatemala and the rest countries of the region. The War on Drugs has continued with its repressive policies, and besides the difficult fight it is for the ones who combat it, there have been some sectors around official institutions that are not quite interested in its ending (Dudley *et al.*, 2016).

CIACS: BEHIND THE SCENE

Guatemalan armed conflict ended in 1996, but after the peace agreements, violence was normalized because it was structured due to its presence at all levels (Caballero-Mariscal, 2018). The paradigmatic example of groups that took advantage from that and extended impunity, apart from having sometimes direct

or indirect relations with violent organized crime, were and are the Illegal Clandestine Security Apparatuses or CIACS, which could be divided in the ones whose leaders are inside the state powers, the ones outside that have collaborators inside the state, both sometimes bordering illegality, and the ones related to transnational organized crime (Pérez, 2015).

These groups, which mutated from the collaboration and collusion between former paramilitaries, state agents (from bureaucracy, intelligence, and security), militaries, private security agents and economic interest groups, emerged with the armed conflict ending, because some of them became decontextualized, so they looked forward to work easier in favor of private or political interests, including the ones related to crimes and truth about the armed conflict (Pérez, 2015). As specific interest groups around, inside, or behind power, they took advantage of the gradual and partial transformation of the country after the peace agreements to configure what Amnesty International called the *Estado de Mafia Corporativa* or Corporate Mafia State (Cabanas and Del Cid, 2003). They are not interested in the state collapse, but in keeping it porous, unstable, and weak so they can easier develop their legal or illegal businesses, or reach power in public institutions.

The state's corruption and absence before and after the agreement permitted and catalyzed the emerging of organized crime, in the case of the CIACS, acting against the general interest by trying to take possession of the state sometimes within the state because functionaries have been involved. This process, conceptualized by expert Peter Lupsha, is the Lupsha's Three Stages of Criminal-State Relations, which can be applied not only to CIACS, but also to drug dea-

lers (and maybe in a lesser extent to *maras*): both started acting as predators, expanding themselves at the expense of the state and rivals, and then as parasites, which means using state resources or facilities to grow, to finally and partly reach a symbiotic relationship with it, creating a state inside the state (Dudley, 2016a).

Therefore, it has not been the state as a block working in favor of a specific third party, but the state power and money divided into interest groups in a puzzle that has been reorganized in each election. There has been a questionable truth, lack of attendance and reparations to the victims, an Army not in front but surrounding power, remaining anticommunism and “internal enemy” strategy as before, emerging economic elites, political parties with low acceptance and electoral machinery nature depending on the election and (the increasing amount of) candidates, and young attempt of democratic institutions, which gave rise to new and renovated networks that politicized the state and mixed elites and organized crime. Those networks, depending on each CIACS, were and are closed, working for particular interests, or more open, related to gangs and drug-traffickers (Dudley *et al.*, 2016).

CIACS’ survival was so problematic that in 2004 the Guatemalan Government founded the CIACS, an international commission to dismantle those apparatuses that later, after an agreement with the United Nations, changed into the *Comisión Internacional Contra la Impunidad en Guatemala Internacional* (‘Commission Against Impunity in Guatemala,’ CICIG), more robust and which started operating in

2007. Its mission consisted in fighting impunity derived from the CIACS, by strengthening the Public Ministry (Prosecutor), and in expanding the culture of justice.

Specifically, and based on investigated cases, the CICIG identified in its 2012 report the CIACS operating actions around extrajudicial killings, extortion, human trafficking for illegal adoption, corruption, drug-trafficking, crimes related to agrarian and social conflicts, and merchandising and people illegal trafficking (Comisión Internacional Contra la Impunidad en Guatemala (CICIG), 2012). That shows the connection that CIACS have had or made between violence and corruption to sustain a system in the middle of a weak democracy, in a new context, but as the Army did it directly during the conflict. Hence, CIACS could be considered as public violence agents because they have involved the murder of people, implicitly imposing not a wide social but specific public order, where they can be more sophisticated.

CIACS ARE THE MIX OF VIOLENCE, CORRUPTION, AND IMPUNITY

Some of the investigated or dismantled CIACS are: *La Cofradía* (‘The Brotherhood’), military network that took advantage of weak authorities in favor of legal or illegal businesses; *El Sindicato* (The –trade– Union), involved in *La Línea*, a corruption case about controlling contraband in custom points that made Pérez Molina, now being judged resign in 2015; reconvered for social and opposition control *Estado Mayor Presidencial* and PAC, and the *Red Moreno* (‘Moreno Network’) and *Grupo Salvavidas* (‘Lifeguard Group’), to maintain impunity (Pérez, 2015).

Including drug cartels and *maras*, the presence of all these actors before, during, and after the peace, agreements have kept Guatemala as part of the most unstable region in the world out of the war zones. As in neighbor countries, the end of the armed conflicts did not mean the recovery of a previous democratic system, but changes in the political system while violence continued with other faces and was firmly society rooted (Cruz, 2003). Moreover, the different faces of post-conflict violence are not only related to each other but also with persistent social exclusion, inequality, ethnicity, and of course, they are a cause of the homicide rates, insecurity, and fed back with political instability (Matute and Garcia, 2007).

5.3. INSTITUTIONS AND SOCIETY: BETWEEN STAGNATION AND ACTION

For the immediate years after de conflict, violence and corruption had inhibited a society that has overcome internal war, and that has partially supported an attempt of a renovated political panorama that came after the conflict (Garavito, 2003). Therefore, the normalization of public violence with the armed conflict, its persistence and changes after the peace agreements, and its relations with the economic and political situation of the country have resulted in the violent conditions of social reality, with the burden condition entailed for social development and political and economic inclusive growth (Oficina de Derechos Humanos del Arzobispado de Guatemala, 2013).

It seems as many problems and not much state capacity to face them, but not as the one supposed for being declared a failed state. Actually, with the ending of its polemic mandate between August and September

2019 after several disputes with President Jimmy Morales (2016-2019), the CICIG published two reports, one called *Guatemala, un Estado capturado* ('Guatemala, a Captured State'), in which synthesizes how after the conflict the CIACS have done so with and to the institutions (Comisión Internacional Contra la Impunidad en Guatemala (CICIG), 2019b). The other one summarizes its twelve years-job: 1,540 syndicated people, more than 660 processed, around 70 crime structures investigated and a dozen disarticulated, more than 120 big cases judged, and more than 100 condemns, plus national and local repercussion in the political life (Comisión Internacional Contra la Impunidad en Guatemala (CICIG), 2019a). Other reports are about hidden funding for political campaigns in all the spectrum, Public Ministry strengthening, preventive prison, among others.

Knowing that state fragility, since the 1985 Constitution and the transition of civil governments, there have been institutional attempts, apart from the specific ones related to the conflict, and apart from the continuity of electoral and civilian democracy itself, to face all those rooted and related problems.

For example, with the Constitution, in 1986, there were founded the *Procuraduría de Derechos Humanos* ('Human Rights Ombudsman Office'), the first one of that nature in Latin America, and justice institutions as the Constitutionality Court or the Electoral Supreme Court. Also, the mentioned Public Ministry was founded in 1993 as the prosecuting institution, during a period of reforms to adapt the justice system to a democratic context, where prosecuting should not be for social control as during the worst years of the conflict (Michel, 2018). In 2006, President Óscar Berger (2004-2008) promoted the Law Against Organi-

zed Crime (Decree 21-2006) to fight against all these illegal groups, included the CIACS ones. The transformation of the CICIACS into the CICIG, from investigating to also strengthening the fight against impunity among the Public Ministry, shows at least an attempt of state-building with the help of the United Nations and international cooperation. Furthermore, in 2006 was founded the National Institute of Forensic Sciences (INAFIC), an autonomous organism of the justice system crucial to boost the identification processes of victims of assassination.

Of course, these efforts coming from the institutions have not been enough. Therefore, civil society has been acting through NGOs, human rights, and transparency organizations, which are taking a relevant role in order to press the institutions to investigate and condemn crimes of the armed conflict but also to prevent and face current violence ... In the case of justice, there have been advances through private prosecution promoted by NGOs: it has succeeded at least as an alternative, and it also enhances the accountability of public institutions (Michel, 2018).

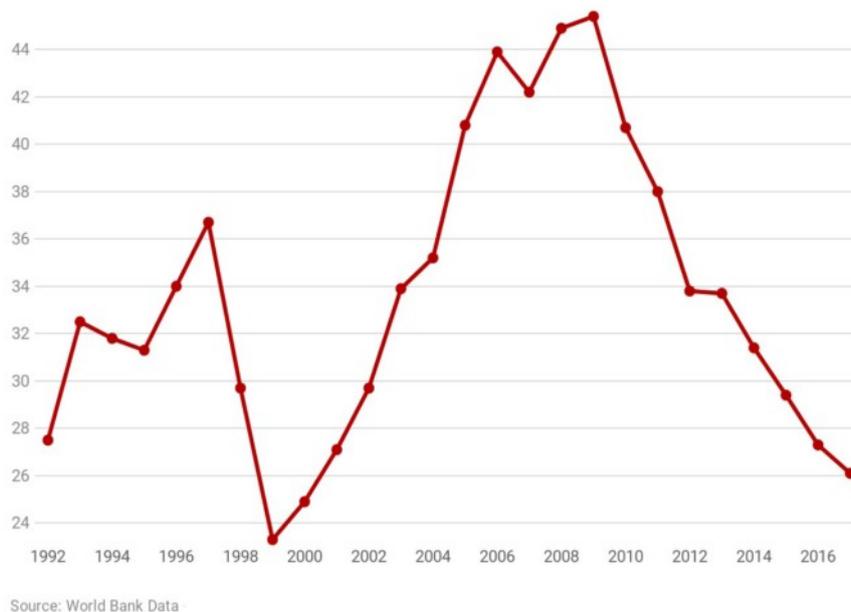
There has also been a joint work from both institutions and NGOs, like the *Coalición por la Seguridad Ciudadana* ('Coalition for Citizen Security'), founded in 2014 by representatives of official institutions, the entrepreneurial sector, and organizations of civil society.

This coalition, supported technically by the *Centro de Investigaciones Económicas Nacionales* ('National Center of Economic Investigations,' CIEN) seeks for the institutional coordination of the justice system, the PNC, Public Ministry, among others, in the processes of denouncing, prosecuting, citizen accompa-

niment, analysis of criminality, and evaluation of institutional effectiveness in order to improve it and to improve the prison system, but also to improve pacific coexistence.

Also, the CIEN has proposed solutions for public policies about violence and crime prevention hand in hand with communitarian support, combining an integral strategy with territorial and social focalization, recommending school attendance and changes

Homicides in Guatemala per 100,000 people (1992-2017)



in the rising of children to violence since the beginning in order to reduce their vulnerability (Centro de Investigaciones Económicas Nacionales (CIEN), 2016). Hand in hand with that, the Public Ministry and the PNC have been coordinating their strategies since 2010, looking not only for specific homicide cases but for deeper structures behind. All these actions plus several social policies for education and youth, and aid for families could explain part of why does the homicide rate has been reducing in almost half since 2009, when it reached its maximum after the conflict, with a practically constant rise since 1997.

Not in the best way, the fall of Arbenz and the armed conflict put Guatemala in the international scenario, but then Rigoberta Menchú's Nobel Prize, the peace agreements, and the job of the CICIG have done it too. With a climate of violence still present, radical differences between cities and countryside, corruption inequality, and indigenous still excluded as starting points..., but not an armed conflict anymore, Guatemala has an opportunity for peacebuilding through collective action starting from the local, as it has demonstrated looking for justice on crimes against right abuses, as also against corruption with big protests in 2015 (Argueta and Kurtenbach, 2017), which had had recent precedents against Colom. With its historical roots and evolution, public violence spread structural violence in Guatemala's society, but in many of those episodes, social cohesion and international support have also demonstrated that there can be solutions if they seek for strengthened institutions that attend the problems on their deepest and historical causes.

CONCLUSIONS

Public violence usually involves collective actions from institutional, para-institutional, and counter-institutional agents that seek influence and power in the public sphere. The varied nature of this concept goes beyond democracy, authoritarianism, or an unusual situation like the Guatemalan armed conflict and includes at least legal or illegal violence from the state and revolutionaries and counterrevolutionaries with debatable legitimacy. It is related to political violence, but it is useful as a wider concept because public violence not necessarily has to be political, like in the armed conflict or the conservative versus liberal struggles, but to maintain a domain system just as in the Colony, or to keep a specific social order like the ones of the *maras* and drug cartels in the twenty-first century.

In the case of Guatemala, looking for the historical roots and evolution of public violence means reviewing the history of the country in the light of this concept, with its changes and continuities. The fact of considering background or manifestations of public violence since the conquest and the Colony, in the adventure as a new country, in revolutionary times or the armed conflict does not mean that Guatemala has been essentially or fundamentally a violent country, or that violence explains its history. However, its dilated presence to consolidate or fight political and military authority, or even to impose a system, and in the last decades also for criminal activities sometimes related to state agents, entangles with each historical period and its main political and social processes as a going and coming reality.

At the same time, there have been other continuous phenomena, like racism and not assumed multi-eth-

nicity, caudillismo, armies' and mainly the Army's roles, landowning inequality, poverty, changing relations with the United States with its perpetuated dominance, or weak and easily captured institutions, which interacted with the characteristics of each period and which had (and have) to do with violence appearing, recycling, and remaining. It means, with a historical perspective, that the roots and evolution of public violence in Guatemala are not only specific facts or phenomena, but their interactions with short, middle, and long-term processes.

The armed conflict of 1960-1996, Guatemalan most studied historical period, grabbed old realities and new experiences, like the previous Revolution, and exploited them for more than thirty years. With the peace agreements, far from pacifying the country, the conflict threw everything, including missing truth on what had happened, over a new context of democracy with new civilian governments, but with violence rooted into society, a securitized culture as a result, and the weak institutions at the beginning permitting the emerging of organized crime actors that, not directly related to the public violence agents of the internal war, had grown in that legacy. Meanwhile, civil society, in the middle of fires, then from militaries and guerrillas, now more of rival gangs and drug-dealers, when not acting in any side, has tried to resist and adapt, with international support instead of intervention, proving through its actions and through institutions that solutions for public violence are not in *mano dura* strategies but in the deepest causes of what has produced violence, which are the ones that the most vulnerable people are still living.

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