

Guatemala (Ongoing)

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Summary of events related to the use or impact of civil resistance
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Conflict Summary:

In January 2008, President Álvaro Colóm was elected as the seventh president to take office since the return to civilian democracy in Guatemala in 1986. Twenty-two years after the return to elected civilian rule and twelve years after the formal end to the internal armed conflict in 1996, civilian actors continue to seek to develop effective strategies and forms of collective organization through which to impact upon Guatemala's unconsolidated and restrictive democracy. Guatemalan democracy is restrictive given the absence of substantial structural transformation and impact of democratic governance upon the historical causes of the armed conflict and the social formations of poverty, racism, authoritarianism and exclusion. Extreme poverty has risen in the last five years, human development indices, particularly for indigenous peoples and women are amongst the lowest in Latin America, unequal distribution of land remains acute and determined through ethnic group membership, and political and economic elites continue to manipulate the democratic system in defense of their own interests. Guatemalan democracy is impervious to popular sovereignty and has brought with it the closure of spaces for effective civilian mobilization and impact, presenting a serious challenge to activists of nonviolent action.

Civil resistance in Guatemala has principally been oriented towards confronting military dictatorships during the twentieth century. Nonviolent action within this context has been met with brutal responses from Guatemalan military and civilian authorities, meaning that by the early 1980s, political space and channels were effectively shut down and all but the most low-risk acts of civil mobilization were suppressed. However, after 1986, the return to civilian rule presented unprecedented political opportunities for actors to mobilize collectively and nonviolent conflict strategies were subsequently adopted, above all as civilian actors began to engage with mechanisms established through Guatemala's peace process. Whilst in this context civilian organizing was more permissible, as overt state orchestrated violence diminished, state violence has persisted to the present day in the form of criminalization of some civilian actions, such as the criminalization of organizations working for land reform during the 1990s and

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of the movement against the exploitation of natural resources, including mining, during the first decade of the 2000s.

The conditions under which civilian actors have mobilized have differed significantly after 1986 therefore. Consequently, the issues around which mobilization has taken place have developed and evolved, although many fundamental issues have not changed dramatically and actors remain focused upon the international and national human rights obligations of the state as the undergirding elements of their objectives. Prior to 1986, actors demanded fundamental freedoms from military dictatorships and governments, including the right to life, freedom of association, and freedom from arbitrary arrest. As conditions developed, civilian platforms were adapted, and organizations broadened their objectives, demanding public services, economic and cultural rights, and reform of and participation in the state and public authorities, particularly along the lines of the development of mechanisms to guarantee a plural state that represented the over 50% indigenous population.

Recent Political History:

Guatemala achieved independence from Spain in 1821, less as the result of a popular independence struggle than as the consequence of pacted agreements between elite groups, permitting an emerging national oligarchy to retain monopoly over the control of natural resources and means of production. Accordingly then, the majority indigenous population and poor mestizo population did not benefit politically, socially or economically from independence, but rather, remained subject to extreme exploitation, living in conditions of violent servitude and subjection, and, in the case of the indigenous population, slavery. During almost a century and a half after independence, the indigenous population was increasingly victim to brutal and racist measures aimed at securing their forced labor, assimilation into the mestizo state and elimination as politically and culturally autonomous peoples. Resistance was isolated and uncommon and economic and political elites were able to secure their domination through a combination of brute force and the strategic use of racist ideology, manifest through the practices of a racist state.

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In the final years of the Second World War, anti-authoritarian euphoria swept the Latin American region. In 1944 in Guatemala, a combination of military and popular mobilizations precipitated the fall of the dictator Jorge Ubico, who had been in power since 1931. Elections followed, through which the reformist Juan José Arévalo was elected to the presidency. Arévalo's moderately reformist presidency was followed by the more radical administration of Jacobo Arbenz, a nationalist government that sought to broaden the rights of workers and vulnerable populations, strengthen state welfare provisions, consolidate the national capitalist economy and limit the power and influence of foreign, particularly North American, companies such as the United Fruit Company that had a stranglehold on the Guatemalan economy. Arbenz's reforms were of unprecedented significance and brought vehement elite domestic and US opposition, particularly to his land reform program of 1952. After a period of instability and tension, in 1954, political maneuverings and a military intervention orchestrated by the United States government and US Central Intelligence Agency (CIA), in combination with the actions of the Guatemalan armed forces brought the ten year democratic opening to a definitive and violent close and ushered in four decades of almost uninterrupted internal armed conflict and brutal authoritarian rule. Borne upon a hurricane of anti-communist sentiment and fear, the counterrevolution reversed the gains of the ten years of spring and reinstated measures to defend US economic interests.

In response to the closing down of political channels and increasing militarization and in an effort to address the acute poverty and escalating social crisis, in 1960 the first guerrilla insurgency emerged in Guatemala. The systematically brutal response of the state in the following years was unequivocal, signaling the beginning of the internal armed conflict between the government and what was to become the guerrilla army, the Guatemalan National Revolutionary Unity (URNG). Guatemala's conflict was one of the longest and most brutal in Latin American history, defined by the absolute ferocity of the state's response to the guerrilla and a flagrant disregard for human rights standards. Between 1960 and 1986, Guatemala was ruled almost uninterruptedly by military governments, their policies influenced strongly by the US National Security Doctrine.

Within this context, anti-communist politics was used as the politico-military framework to justify the systematic perpetration of egregious human rights

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violations, crimes against humanity and war crimes. A politics of terror was waged against rural and urban civilian populations with the supposed aim of defeating the insurgents by eliminating their social base, a “scorched earth” policy that decimated indigenous communities and resulted in the absolute demobilization of organizations dedicated to nonviolent struggle. Between 1981 and 1983, during the government of General Romeo Lucas García (1978-1982) and the military dictatorship of General Efraín Ríos Montt (1982-1983), the counterinsurgency, implemented as it was with overt and covert US economic, military and intelligence support, culminated in a genocide carried out against the indigenous Maya peoples by the Guatemalan state. In the aftermath of the genocide, and as a direct result of it, the military regained control of the countryside and pacified the guerrilla’s social base, as over 440 villages were burnt to the ground and, in areas such as the Ixil region, the indigenous population decreased by 23 percent.

In the following years, and with the military defeat of the guerrilla, the military institution withdrew from directly governing the country, and precipitated a pacted political transition, in which it was able to secure its own survival and the state regain a degree of international legitimacy and funding. In 1986, President Vinicio Cerezo Arévalo was elected to office, although the military did not return to the barracks, and remained in control of the civilian authorities. Significantly, given that the political transition had been pacted, and that civil organizations had been decimated during the counterinsurgency campaign, civil society played no part in the return to civilian rule and, at least in the first years, did not emerge as a significant actor.

Strategic Actions:

Since the 1944 ousting of Jorge Ubico, civil society organizations had been unable to contribute to the toppling of the military dictatorships. In the first years of democratization, however, actors gradually took advantage of the political opening afforded by the return to civilian rule, increasingly employing strategic nonviolent action as a key instrument, and thus contributing significantly to the process of democratization. Initially, collective nonviolent action was characterized by social mobilization in a broad human rights movement that engaged with issues arising from the political violence of the armed conflict, including assassinations, torture and

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disappearances, and the ongoing repression and human rights violations under civilian rule.

In the mid-1980s, actors focused their strategies upon symbolic actions, and organizations such as the Mutual Support Group (GAM) and the National Widows' Coordination of Guatemala (CONAVIGUA) carried out acts of political theatre including demonstrations, occupations and marches.

Mass marches would be focused on raising awareness of the plight of the victims of the violence, many taking place both within the capital city and in rural departments where the state-sponsored violence had been particularly egregious. Nonviolent action also took the form of street theatre, as organizations and individuals acted out particular incidents of violence or acted in plays based upon the violations carried out by the military. Whilst focusing nonviolent action towards civil society and the state and engaging in a politics of embarrassment, organizations also sought to impact the state by utilizing institutions such as the Public Prosecutors' Office and the Human Rights Ombudsman as a means through which to resolve cases of human rights violations and through which to hold the perpetrators to account. Organizations including the Ethnic Council (CERJ), Defensoría Maya and the National Indigenous and Peasant Coordination (CONIC) would denounce human rights violations to the said Office, seeking to put an end to the patterns of violence, including forced recruitment into military and paramilitary groups. Organizations also engaged in transnational advocacy networks to reinforce their domestic visibility, impact and voice. Nonviolent activists worked with international organizations such as Amnesty International and Human Rights Watch, aiming collectively to pressure the Guatemalan state to adhere to its obligations relative to the protection and respect of human rights.

Significantly, nonviolent conflict in Guatemala has been defined by two complementary forms: massive collective mobilization, as outlined above, and formalized participation in channels established within structures accompanying the peace process. In this regard, and in this context, strategic nonviolent action took on an important characteristic which was determined by the democratization process. Democratization shaped the strategies and actions of nonviolent activists: it took place within the context of a prolonged, internationally-monitored peace process, verified on the ground

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by the United Nations Mission for the Verification of Human Rights in Guatemala (MINUGUA).

In this context, civil actors were given a formalized and legitimate space, the Civil Society Assembly (ASC), through which to contribute to the content of the peace accords and thus to shape the future democratic polity through sending proposals for the accords to the negotiating parties. Actors then participated in the ASC, making a strategic decision to develop proposals for the peace accords, for example, contributing significantly to the Accord Concerning the Rights and Identity of Indigenous Peoples (signed in 1995). As the peace process advanced, civil actors were afforded increasing political space and channels for participation in addition to their activities within the streets. With the formation of the ASC, the predominant movement paradigm of informal collective action and protest, symbolic politics, was augmented as nonviolent actors shifted strategically away from the streets towards engagement with and participation in the state and the formal mechanisms of the peace process. However, civil actors continued to carry out their broad repertoire of nonviolent action, whilst engaging in such formal channels. In this regard then, nonviolent action evolved from being defined predominantly by platforms of “protest” to formalized political participation, to platforms of “proposal”.

Nonviolent activists also forged important instruments in terms of the platforms and frameworks that they utilized strategically to present and articulate their demands. Initially, given the context in which they emerged and the tools (national legislation and institutions; normative juridical framework) that were available to them, organizations employed a narrow understanding of human rights, defined as fundamental civil and political rights. These rights were directly relevant to their initial struggles in the aftermath of military dictatorship and were supported by a broad range of international networks and a shared discourse – in short, a conducive political opportunity structure. As democratization advanced and as the systematic violence of the armed conflict gave way to less generalized patterns of violations, and in a regional context favorable to demands based upon ethnic claims to entitlement, nonviolent activists began to articulate their demands and political activities through a framework that claimed a broader configuration of rights – including economic rights and collective cultural rights. The increasing relevance of international instruments, such as

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the International Labor Organization Treaty 169 Concerning Indigenous and Tribal Peoples in Independent Countries, contributed to this process, whereby nonviolent activists took advantage strategically of political and juridical opportunities to advance their struggles. Accompanying these changes in rights platforms was the gradual emergence of indigenous identity as the predominant discourse through which to claim entitlement and as a key element of the identity of nonviolent activists. By the signing of the final peace accord in 1996, indigenous actors had assumed a key role as nonviolent activists.

Players and Actions:

In Guatemala non-violent activists have come principally from two distinct backgrounds. Firstly, as non-indigenous victims of the repression, from principally urban areas, and secondly indigenous victims of the rural counterinsurgency. In the newly afforded space of the return to civilian government, these victims formed important organizations, such as GAM, CONAVIGUA, and the Ethnic Council (CERJ). However, whilst the social base of almost all organizations was indigenous people, particularly indigenous women, due overwhelmingly to focus of the political violence upon the indigenous population, the leadership of the organizations in this time remained non-indigenous.

These organizations formed a popular movement, a coalition of movements carrying out nonviolent action linked together both through coordinating structures and informally through their common goals, practices, discourse and identities as non-elite civil actors. Significantly, the indigenous movement evolved substantially during the peace process and demanded an autonomous space. The former unity of indigenous, human rights, peasant and women's movements, brought together in the context of the peace negotiations, became fragmented after the end of the peace process, and such organizations now are defined by their sectoral interests.

Ensuing Events:

Since the end of the peace process and with the gradual consolidation of electoral democracy, the human rights situation has improved in certain

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respects, most notably the guarantee of political and civil rights. However, Guatemala's democracy remains pernicious, racist, exclusionary and fragile, held hostage as it is by the interests of elite economic and political groups, organized crime and clandestine parallel groups. In this context, the protection and guarantee of human rights by the state, particularly of economic, social and cultural rights, is partial. Exclusion, extreme poverty and marginality determine the lives of the majority of Guatemalans and thousands of people continue to die each year of curable diseases and poverty-related illnesses. Indigenous peoples continue to suffer institutional, structural and interpersonal racism and experience the worst human development indicators.

In this context, human rights defenders are subject to violence and harassment and nonviolent protest has been criminalized, as the state celebrates its supposed democratic nature nationally and internationally. Whilst the state's legitimacy is increasingly questioned within society, apathy and indifference and the legacy of the violence of the armed conflict, which institutionalized a culture of fear, violence and political paralysis, have impeded broad social mobilization. Many Guatemalans still believe that human rights defenders and nonviolent activists are communists or criminals and that human rights are dirty and dangerous words. There is little unity between the distinct indigenous, human rights and peasant movements, and competition for political space and international funding is severe. Many nonviolent activists have sought to participate directly in state institutions and political parties with the aim of transforming the state, and mass collective action has thus undergone demobilization and fragmentation, given the state's capacity to incorporate oppositional actors and thus neutralize their actions. Consequently, civil actors' capacity for holding power accountable has increasingly diminished. A series of spaces for political participation on a broad variety of themes has been established, such as the Table for Dialogue on Rural Issues. Nevertheless, the real impact of such spaces is minimal and subject to elite decision-making, meaning they are spaces of participation without impact. The long-term ramifications of transitions and/or political pressure brought about through civilian struggle remain elusive; however, it is clear that deep impact upon structural and historical patterns of domination has not been achieved.

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Despite these conditions, activists continue to develop strategies to transform the nominally 'democratic' state and shape their own lives and fundamental liberties, using regional and international networks and innovative international normative juridical frameworks to demand their individual and collective rights. Indigenous politics appears to be one of the most innovative forms of addressing these issues, as indigenous peoples organize around ILO Convention 169 Concerning Indigenous and Tribal Peoples in Independent Countries and the UN Declaration on the Rights of Indigenous Peoples, seeking reform of the state and the development of public policies to address the collective rights of indigenous peoples. This new development has been crucial for the evolution of strategic nonviolent action. However, indigenous politics has not yet reached the level of a national indigenous movement; mass collective action has not been consolidated and indigenous peoples continue to participate in the state and political parties as individuals, not as peoples, and a broad based indigenous movement that carries out strategic nonviolent action through shared discourse and platforms throughout the country (geographically and politically) has not yet emerged.

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