

Contributing to Peace Building and Democracy in Guatemala: An Indigenous Experience

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Introduction

The process of building democracy in Guatemala and strengthening the fragile peace achieved as a result of the Peace Accords signed between the Guatemalan army and the guerrillas on December 29, 1996, has been a difficult task. For those Guatemalans who were directly affected as a result of this internal armed conflict, the signing of the peace accords itself was an important and historical event. The internal armed conflict lasted for more than thirty-six years and truncated the social, political, and economic development of Guatemala. The report of the Comision de Esclarecimiento Historico, or Truth Commission (CEH) recorded more than two hundred thousand people dead and approximately one million internal and external refugees. It is also important to recognize that most of the people killed during the armed conflict were indigenous peasants and poor people who lived in rural areas of western and northern Guatemala. I was among those people affected directly by the armed conflict, since the army killed my youngest brother and I myself was targeted by the army as mentioned in my book *Testimony: Death of a Guatemalan Village* (Curbstone Press 1987).

I became a refugee and lived in exile in the United States for almost twenty years. During those years of exile I studied anthropology, earning my Masters Degree in 1989 from the State University of New York, Albany, and my Ph.D. from the University of Connecticut (1993). Considering my situation as an exile, I decided as a graduate student to concentrate my research on the problems facing Guatemalan refugees in Chiapas, Mexico. The data collected during my fieldwork was processed and used to write my dissertation, entitled *The Dynamics of Cultural Resistance and Transformation of Guatemalan Refugees in Chiapas, Mexico* (1993). During my graduate studies I also worked for the creation of the Commission on Human Rights within the American Anthropological Association (AAA). My concern for human rights, peace and democracy made me realize the necessity of getting involved in politics, beside my academic career as an anthropologist. Historically, very few Mayans have been in positions of power, since in order to be considered for political posts in government or in Congress it was necessary to get involved in party politics, or be a friend of those Ladino individuals who have always enjoyed these privileges and power.

More recently, and as a Mayan anthropologist writing on issues of Mayan identity, politics and leadership, I became aware of the lack of real leadership among the Mayans and that those who could be guides and leaders are often absorbed by the system, and soon they forget their

promises to the indigenous people. In other words, I was interested in writing about the crisis of Mayan leadership from a critical insider's point of view. I believe in the need for the development of new leadership among the Mayans. It is necessary to have a generation of Mayans who perceive themselves in positive ways without the syndrome of defeat and victimization. We require leaders that can interact and contribute with non-Mayans in the construction of a multiethnic and pluricultural nation-state in Guatemala.

In an effort to present my ideas as an anthropologist, now interested in politics, I wrote an essay entitled "Theoretical Basis and Strategies for Maya Leadership" which appeared in my recent book *Maya Intellectual Renaissance: Identity, Representation and Leadership* (2005). Basically, I argue that it is important to hear the multiple voices of indigenous people who could offer criticism of the strengths and weaknesses of Mayan leadership in Guatemala and build a common consensus for the construction of a truly democratic Guatemalan nation where the rights of indigenous people are respected without the racist and discriminatory relationships that characterize Guatemala at the present time.

Participating in politics and in popular elections

As mentioned above, as an academic working in a foreign university, I had my own political views of Guatemala and ideas about what to be done in terms of national policies that could benefit the indigenous people, even in the most minimal way. But those were just ideas and theoretical propositions, perhaps difficult to apply in Guatemala, given the racist and discriminatory realities in which indigenous people must live there. As a professional anthropologist and a Professor of Native American Studies at the University of California, Davis, U.S.A., I thought it would be easy to participate in party politics and implement some of my ideas without opposition. Also, I realized that most academics have good ideas and propositions, but generally do not participate in party politics, so their ideas cannot be tested or implemented. On the other hand, those who commonly participate are not academic either, so I wanted to become involved in politics as an academic and as a Mayan anthropologist with the hopes of implementing some of my ideas and strategies mentioned in those theoretical works.

This is why in May 2003 I agreed to participate in party politics when I was invited to run as a candidate for a seat in Congress. I was on the national list proposed by the coalition of parties called the Great National Alliance (GANA) which won the elections. I was fortunate because the vice-presidential candidate Dr. Eduardo Stein Barillas supported my candidacy for Congress. This is how I came to run for political office as an indigenous person, for the purposes of which I took a leave of absence from the University of California. During the political campaign, I had the opportunity to visit many cities and communities in Guatemala where I addressed the people focusing on indigenous issues such as human rights, and the implementation of the Accords on Identity and the Rights of Indigenous People. As I travelled alongside the vice-presidential candidate, I learned about the many problems and requests from the poor and indigenous communities of the rural areas. I truly believed that the party for which I was running (GANA) would respond to the most pressing needs of the poor and rural communities I visited during the campaign.

On November 14, 2003, the Great National Alliance won the elections and the presidential and vice-presidential candidates Oscar Berger and Eduardo Stein became the new heads of government, while I won my seat in the Guatemalan National Congress. I took my position as Congressman and soon I requested to be placed in the executive branch, hoping that in that position I could do more for Guatemalans and indigenous people in general. To my request the newly elected President appointed me as head of the Ministry of Peace or Secretaria de la Paz (SEPAZ).

I accepted the appointment even though SEPAZ is not an institution that executes projects as other ministries do. Instead, SEPAZ only coordinates and promotes the implementation of the Peace Accords by promoting national dialogues, supporting civil society and the different commissions created to push forward the implementation of the Peace Accords such as the Comision Paritaria de Reforma y Participacion, Comision de Lugares Sagrados, Foro de la Mujer and others. The role of SEPAZ is, therefore, more ideological in the way that it creates and plans programs for the government to implement the Peace Accords in coordination with different institutions.

I truly believed that the Peace Accords should give direction to the national policies of the government, so in this post I hoped to push forward the implementation of such accords, particularly the Accord on Identity and Rights of Indigenous People. This is how, on February 25, 2004, the Secretaria de la Paz (SEPAZ) organized the re-launching of the Peace Accords and the National Commission for the Implementation of the Peace Accords was created. It was necessary to fulfill the obligations of the Guatemalan state and to implement those accords that could help to bring real peace and justice to those who suffered during the armed conflict. Also, SEPAZ focused on pressing issues such as access to resources and means of production, health, education, improvement of tax collection, democratic participation and inclusion of those poor and marginalized social groups. Most importantly, it strove for the recognition of the multiculturalism and diversity of Guatemala.

All Guatemalans must be convinced that peace and justice will be possible only if there is consensus and a compromise for changing the situation and focusing our attention on bringing solutions to the roots of the problems that gave rise to armed conflict. In this process, the international community has contributed, especially in some major national priorities such as sustainable rural development, indigenous people and interculturalism, reparation to the victims of the armed conflict, the promotion of a culture of peace, and security issues. But governmental aid has never managed to change the situation of despair and poverty in which the majority of the population is submerged.

During the year 2004, the fulfillment of national commitments and promises made during the political campaign seemed to be a possibility, since the priorities listed above were carried out with seriousness by the social cabinet run by the Vice-President of Guatemala and the Peace Ministry or Secretaria de la Paz. Actions were carried out immediately to respond to these needs in the following way.

Sustainable rural development:

One of the accords that has received little attention has been the Accord on Socioeconomic Issues and the Land, and to respond to this accord, the Cabinet for Rural Development for Peace was established. During the previous government of the Republican Guatemalan Front (FRG), the Council of Rural and Urban Development law was passed, and it was necessary to have now a law on rural development. This has been a concern of all sectors and a team for discussing the rural development program was organized with the participation of political parties, civil society and business people. It was hoped that the results of the dialogues and discussions emanating from these roundtable meetings would be transformed into public policies that could give solutions to the agrarian problem. It is well known that in Guatemala there is an unequal distribution of land, a problem that gave rise to the armed conflict which lasted more than thirty-six years, and with a great cost in human lives. The Ministry of Agriculture with its program run by Fontierras (Landfund) has carried out some land titling and donation to landless peasants, but *finca* invasions by landless peasants has continued with repressive actions of dispersal carried out by the national civil police under the orders of the Minister of the Interior.

A program of land reform is not being contemplated by the current government, although this is one of the demands of peasant organizations which are negotiating with the government after a threat of an uprising by the unhappy peasantry, workers and schooteachers if there is no answer to their demands. However, an advancement on the land issue has been the passing of the Ley de Catastro (land documentation and titling) by Congress. Hopefully, this new law will be soon implemented and we will be made aware of the national reality of the land ownership and agrarian problem.

At the present, the law initiative Ley de Desarrollo Rural Integral is being considered in Congress and it will become the center of discussion and debate by the members of Congress during the rest of this year, with a view to having it passed as a major law for national change and development. The future of Guatemala will rest on a national program of rural development in which indigenous people should take part in the planning and implementation of such a program. But before this rural development can take place, there is a need to pass the compensatory laws by Congress in order to minimize the impact of the TLC on the poor, indigenous people and rural populations of Guatemala.

Indigenous people and interculturalism

The Accord on the Rights and Identity of Indigenous People has been the most neglected of all the accords. As we know from the Memory of Silence's report and the concluding remarks of the Commission of Historical Clarification (Truth Commission), the indigenous and rural inhabitants of Guatemala were the most affected by the armed conflict. Thousands were killed and some 45, 0000(??) became legal refugees in Mexico, while close to a million became internally displaced in Guatemala. It is clear then that the abuses of the rights of indigenous people have continued throughout the centuries since the Spanish conquest until now, so the

implementation of the Accord on Identity and Rights of Indigenous People is fundamental for changing the structural violence that indigenous people have lived through for centuries in this country.

It is important to note that the political constitution of Guatemala was reformed in 1985, and since then there is a section in the constitution that recognizes Guatemala as a multicultural and multiethnic nation. However, Article 70 of the constitution concerning indigenous communities was not developed, stating only that a law must be developed to deal with the indigenous issue. Since then, this article has remained untouched since there is no real national interest in making the indigenous issue as a national priority.

During the political campaign (October 12, 2003), the then presidential candidate Oscar Berger and vice-presidential candidate Eduardo Stein made a promise to the indigenous organizations to promote solidarity and the inclusion of indigenous people in the Executive branch of government. Unfortunately, the agreement known as the Iximche Declaration was not honored by those who made the promise to eradicate inequality, racism and discrimination facing indigenous people in Guatemala. In other words, little has been done to implement the accord on identity and indigenous rights, and to promote real peace and justice for the poor and the dispossessed of the country.

This year, the Congressional Commission on Indigenous Communities that I am heading will push forward the law initiative that will create the National Day of Indigenous People of Guatemala, and it will also support the law initiative for rural development. This Congressional Commission will also propose the creation of a *Secretaria de Desarrollo de Pueblos Indigenas*. Hopefully, with the next government, this project of creating a specific institution for the development of indigenous people (cultural, economic, technological and educational) will be a reality.

Reparation to the victims of the armed conflict

Since the new regime took office on January 14, 2004, the *Secretaria de la Paz* has worked to create the Commission for Reparation to the Victims of the Armed Conflict. That is how on February 25, 2004, and in the name of the State, the elected president Oscar Berger asked pardon for the atrocities committed during the armed conflict. Then he announced the creation of the National Program for Reparation with an allocated yearly budget of 300,000,000 quetzales to be distributed in different programs for reparation, including economic, cultural, material and psychosocial reparation, for an initial period of thirteen years. Similarly, the National Commission for the Implementation of the Peace Accords was created to monitor the implementation of the Peace Accords after the United Nations Monitoring Commission (MINUGUA) left Guatemala.

Reparation was considered an urgent measure against the violation of the human rights of the victims committed by elements of the State. In other words, this action of reparation to be executed by the National Program of Reparation (PNR) was an act of justice long awaited by the victims of the internal armed conflict.

Once again, the implementation of the reparation program has been delayed and little has

been done until now, if we consider the magnitude of the problem and the availability of funds for the program. Most of the disagreements have emerged because of the different groups' interests represented by the members of the National Commission on Reparation (NCR). Because of these internal problems with the NCR, the executive branch, predominantly the vice-presidency, took over the direction of this program. Despite this intervention, the program continues to be a problem, according to the victims who continue to wait for the program to start providing help and support to the victims.

During the months of April and May 2006, the head of the Congressional Commission for Peace and Destruction of Mines, Rosalina Tuyuc, was quoted in the following manner, in a statement that has not changed for the last two years. "We are still working on organizing the program and in the process of opening regional offices in the affected areas of the country." It is, then, obvious that since the beginning of the program in February 2004, little has been done, and in order to maintain its unexecuted budget and not to be thrown into the Common Fund, the PNR redirected Q260 million of its budget to the national program of reconstruction in the areas affected by Hurricane Stan, which devastated the southern coast early this year. It is necessary to mention that this affected region is also where the major finca plantations exist, so the reconstruction of roads was considered a national priority, while the victims were once again relegated to last in Guatemala's priorities. The government redirected national funds from institutions such as the ministries, and the social funds to the victims of Hurricane Stan, while forgetting once again the needs of the victims of the armed conflict. On May 5, 2006, national organizations met with the Peace Commission of Congress and stated their anger and frustration against the president of the program for reparation, Rosalina Tuyuc. If the PNR does not cover the regions affected by the armed conflict this year and start with the reparation program on a larger scale, there will be a national demonstration and strike. During the meeting, the victims argued that the National Program for Reparation was being politicized. In other words, if the program begins next year (election year) then it will be clear that the reparation program has been used already for political campaign, thus causing a great injustice to the victims of the armed conflict.

Culture of Peace and Security

It is widely known that the Guatemalan human social fabric was destroyed during the armed conflict. Many children, now adults, grew up in the midst of violence and insecurity. A generation of young people was lost during this 36 years of armed conflict and now, are among those who are organized in gangs committing crimes across the nation. A culture of peace has not yet been developed, despite the reduction of the national army, since there is no organized program directed to rescuing the youth from the dangers of the streets. Even worse, very often elements of the national civil police are involved in armed robbery, kidnapping, drug-trafficking and crimes. There has been a growing unrest and massive demonstrations in Guatemala City where poor peasants, schoolteachers and workers are demanding security, employment, respect for their rights and just remuneration for the jobs they perform.

The Catholic church is also demanding more attention be given to the poor and the landless

peasants. Some of these landless peasants have invaded or taken national *fincas*, thus challenging the government which lacks of a land reform policy to respond to these urgent needs. When *fincas* are taken by peasants, very often the security forces are sent to expel and disperse those invaders, and in these actions, peasants and police elements have been killed, as in the case of *finca* Nueva Linda on the southern Pacific coast in 2004.

Meanwhile desperation and chaos have reached most distant indigenous communities and some have taken the law into their hands and executed or lynched the criminals that they have captured. This environment of fear and desperation cannot help to strengthen peace and reconciliation in Guatemala. Instead, violence, insecurity, and organized crime has gained a stronghold in the land.

Indigenous People and Legislation

Considering that most national problems in Guatemala do not get answers or solutions, Congress has made some efforts to legislate for the poor and those less favored indigenous populations. In this way and as a congressman, I have been strengthening the Congressional Commission on Indigenous People by organizing national and regional seminars to consult and discuss legal initiatives with indigenous people and leaders.

At the moment, the Commission on Indigenous Communities that I preside over is greatly troubled by of the lack of legislation concerning indigenous people. Article 70 of the Guatemalan Constitution concerning indigenous people needs to be developed into a law pertaining to indigenous people. However, in order to achieve a legislation where the rights of indigenous people prevail, it is fundamental that the ethnic diversity of Guatemala be recognized, valued and promoted. It is necessary that we as Guatemalans know and understand ourselves mutually, so that we can unify our efforts in this long and tortuous process of transforming the unequal social relations practiced in Guatemala. Also, it is necessary to restructure the state and its institutions, so that the Peace Accords may be implemented, specifically the Accord on Identity and Rights of Indigenous People.

We want to contribute to the construction of national unity and national identity, both founded on the cultural diversity of Guatemala. But as we know, the ethnic identities and the existence of indigenous people themselves have not been the priority of the previous governments. For this reason, the indigenous people want to be actors in the transformations of their societies, so that Guatemala can become a great nation where all Guatemalans can be recognized as true Guatemalans and not as second class citizens. Currently, indigenous people have been discriminated against and seen as inferior or as second class citizens. In the search for solutions, it is necessary to know each other mutually, that is, to be aware of the existence of the 24 indigenous linguistic communities of Guatemala, valuing this diversity as an asset for the construction of a multicultural nation, and not as an obstacle that foments division and fragmentation of the national identity. In this search for solutions against exclusion and discrimination of indigenous people I consider it necessary to strengthen their identity and unity by creating a National Day of Indigenous People in Guatemala.

The Congressional Commission on Indigenous People over which I preside, has prepared a

legal initiative for establishing the date August 9th as the National Day of Indigenous People in Guatemala. This initiative will be presented to Congress in the hopes that it will be approved without much opposition. The indigenous legislators want to maintain a permanent dialogue and consultation with indigenous communities and to start a historical discussion in the context of legislation, presenting law initiatives to Congress that will dignify and promote the rights and identities of indigenous people. I believe it is important to legislate not only *for* indigenous people but *with* indigenous people. That is why the Congressional Commission on Indigenous People is meeting with regional and local leaders to discuss the law initiatives mentioned above. It is important to be in close contact with our constituency in order to be aware and to be informed of the needs of this poor and rural population. In this way the legislative agenda derived from the Peace Accords should be prioritized, as well as the compliance with international agreements signed and ratified by Guatemala, such as Convention 169 of the International Labor Organization (ILO). The Congressional Commission on Indigenous People is also promoting meetings with different organizations and NGOs that are working on proposals for legal initiatives with the intention of unifying the different proposals and prioritizing legal initiatives for indigenous people.

The indigenous experience and point of view in government

I am sure that Mayan leaders want to contribute to the construction of a multicultural and multilingual nation-State in Guatemala, but to achieve this, it is necessary to build a common consensus that goes beyond our daily preoccupations and individual or group necessities. Ultimately, we want to propose ideas and proposals for the creation of programs that could ensure the structural development of indigenous and rural communities in Guatemala.

Historically, to deal with indigenous issues in Congress has been a difficult task, since there are very few indigenous people in Congress. During the present legislature there are only eleven Mayans in Congress, of the 158 legislators, most of whom are non-indigenous. In other words, the interest of the majority of legislators lies not in the indigenous situation, but in other national problems. So, even if there have been indigenous people in government and in Congress, those few do not have the power to change the situation and give indigenous people the opportunity to contribute as equals to the nation. If there is no unity and a strong voice that support the law initiatives presented by indigenous legislators, it will always be difficult to make changes for the best. Of course we cannot always achieve absolute consensus on every issue, but we must reach a general consensus on important issues that concern all indigenous people and Guatemalans.

We can ask ourselves what has been achieved in terms of the legislative agenda of indigenous people since the signing of the Peace Accords? There are some positive results such as the Law of National Languages, the Ley Marco de los Acuerdos de Paz, the Law on Development Councils (Ley de Consejos de Desarrollo), and the law initiative against discrimination and racism. But there also remain many obstacles in the advancement of the legislative agenda prioritized by indigenous people. Among these obstacles we can mention the opposition and division that exist internally within indigenous organizations. Another problem

is the conditioning of indigenous leaders by political parties in order to obtain certain spaces and positions within the party.

The participation of indigenous people in the creation of public policies relating to indigenous communities has been marginal. Currently there are very few institutions that respond to the needs of indigenous people. Among these institutions are the Indigenous Fund of Guatemala (FODIGUA), the Academy of Mayan Languages, the Commission Against Discrimination and Racism, the The Indigenous Secretariat for Women`s Defense, and the Commission on Indigenous Communities of Congress. None of these institutions have significant resources or budget for the fulfillment of their mission. For this reason we can affirm that indigenous issues are relegated to last in the national agenda, and thus, indigenous people continue to be historically excluded and discriminated against.

Conclusion

I have mentioned some of the major problems facing indigenous people today, and their difficulties in participating in positions of power in government. Although Mayans, Xinkas and Garifunas together form the majority of the Guatemalan population, their rights and identities have not been totally respected and promoted in Guatemala. However, the indigenous people of Guatemala have great hopes in changing this historical situation of neglect and discrimination in which indigenous people have lived through generations and centuries. There is hope for building solidarity and harmony between communities in an effort to construct a multicultural and pluriethnic nation-State. For indigenous people, it is necessary to participate in debates and national dialogues, so that we may establish a position that can help us to push forward with the necessary changes that can transform the unequal ethnic relationships practiced in our country. But first, I insist, we need to recognize ourselves as brothers and sisters and members of an ancient Mayan culture that has deep roots in the land that we inhabit. What kind of nation are we going to build if we do not know and respect each other as inheritors of the ancient Mayan culture? My proposal of pan-Mayanism is important for the understanding of unity in the diversity of the indigenous cultures of Guatemala

To conclude, I insist that the reparation to the victims of the armed conflict should be a priority, since after three years of talking about it and with a budget of 300,000,000 quetzales, the program is not in place yet. We have to know the real history of this country, the history of pain and suffering that afflicted these poor communities, especially the indigenous communities of Western Guatemala. We must learn a lesson from this human suffering so that these perverse actions and violations of human rights should never occur again. We should learn from countries like Japan, which after suffering a holocaust has become a world power economically, and a leader in peace building, with respect for human rights and the environment: a true model country in economic and sustainable development in the world.

Today, Guatemalans must reject divisionism and promote unity. They must reject hate and despair, while building peace and solidarity. Finally, Guatemalans must reject violence and insecurity, while giving reconciliation and democracy a chance. The future has to come and we

must contribute to it, following the teaching of our sacred book, the *Popol Vuh*, “Let’s all awaken, let’s call everyone, so that no one should be left behind the rest of us!”

References

- Constitucion Politica de Guatemala* (1985), Ciudad de Guatemala, Tipografia Nacional.
- Montejo. Victor D. (1987), *Testimony: Death of a Guatemalan Village*, Willimantic, Curbstone Press.
- ____ (1999a), *Voices from Exile: Violence and Survival in Modern Maya History*, Norman, University of Oklahoma Press.
- ____ (1999b), *Popol Vuh: The Sacred Book of the Mayas*, (Illustrated edition for children), Toronto, Groundwood Books.
- ____ (2005), *Maya Intellectual Renaissance: Identity, Representation and Leadership*, Austin, University of Texas Press.
- Secretaria de la Paz, Presidencia de la Republica de Guatemala, *Guate en Paz: Informe de labores, 2004*, Ciudad de Guatemala.