

**CRIME, VIOLENCE, AND THE CRISIS  
IN GUATEMALA:  
A CASE STUDY IN THE EROSION  
OF THE STATE**

**Hal Brands**

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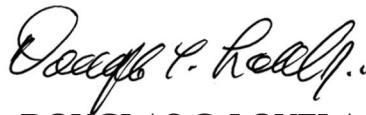
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## FOREWORD

Conventional security threats have receded in Latin America since the end of the Cold War, but unconventional threats—namely organized crime, drug trafficking, and their attendant violence—have come to the forefront of the regional agenda. In this monograph, Dr. Hal Brands examines the evolving regional security landscape by exploring the relationship between crime, violence, and state institutions in Guatemala. That country is afflicted by the actions of a wide range of criminal groups, and its current predicament demonstrates the profoundly corrosive effect that crime can have on public security and democratic governance. It also shows how weak government institutions, embedded poverty and corruption, and other structural factors stand in the way of any lasting resolution to this crisis. As a result, tackling the challenge of insecurity in Guatemala will require patient, holistic efforts that address root causes as well as symptoms.

The Strategic Studies Institute is pleased to offer this monograph, which it hopes will inform the evolving debate over regional security and unconventional threats in Latin America.



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HAL BRANDS currently works as a defense analyst in Washington, DC. He is the author of *From Berlin to Baghdad: America's Search for Purpose in the Post-Cold War World* (2008), as well as recent Strategic Studies Institute monographs on drug trafficking and radical populism in Latin America. His next book, *Latin America's Cold War*, will be published in late 2010. Brands has written widely on U.S. grand strategy, Latin American politics and security, and related issues. Dr. Brands holds a Ph.D. in history from Yale University.

## SUMMARY

In numerous Latin American countries, organized crime and violence are corroding governance and imperiling democratic legitimacy. This phenomenon is most severe in Guatemala, which is currently experiencing a full-blown crisis of the democratic state. An unholy trinity of criminal elements – international drug traffickers, domestically based organized crime syndicates, and youth gangs – have dramatically expanded their operations since the 1990s, and are effectively waging a form of irregular warfare against government institutions.

The effects of this campaign have been dramatic. The police, the judiciary, and entire local and departmental governments are rife with criminal infiltrators; murder statistics have surpassed civil-war levels in recent years; criminal operatives brazenly assassinate government officials and troublesome members of the political class; and broad swaths of territory are now effectively under the control of criminal groups. Guatemala's weak institutions have been unable to contain this violence, leading to growing civic disillusion and causing marked erosion in the authority and legitimacy of the state. This problem cannot be addressed through police measures alone; combating it will require a holistic strategy that combines robust enforcement and security measures with sustained efforts to broaden socio-economic opportunities, combat corruption, and, above all, to build a stronger and more capable state.



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Across Latin America, the state is under attack. During the Cold War, the region was roiled by political bloodshed and left-wing insurgencies; today, the threat emanates from the actions of organized crime syndicates, extremely violent youth gangs, and international drug cartels. From Tijuana, Mexico, to Sao Paulo, Brazil, these groups participate in illicit activities ranging from drug smuggling to arms dealing to simple extortion, they use bribery and coercion to hollow out state institutions from within, and they murder policemen, government officials, and citizens who refuse to cooperate. These tactics have had a devastating impact on governance; in the slums of Brazil, cities in Northern Mexico, and elsewhere, the formal state has effectively collapsed and real power lies with the predominant gang or cartel rather than with the authorities. Latin American leaders have struggled to respond to this challenge, and across the region, crime is driving down confidence in government, corroding fragile democratic structures, and compromising the authority – and thus the legitimacy – of the state. In effect, criminal elements are waging a form of irregular warfare against Latin American states, with profoundly pernicious consequences.

Recent U.S. attention to these issues has focused primarily on the narco-violence that has raged in Mexico since 2006. Yet it is probably in the comparatively ig-



nored country to Mexico's south—Guatemala—where the situation is most severe. Always a weak state with a fragmented society, Guatemala is now reeling from the activities of an unholy trinity of criminal organizations—drug-trafficking outfits like Mexico's Sinaloa Cartel and *Los Zetas*, "hidden powers" composed of well-placed, corrupt Guatemalans, and transnational gangs such as the notorious *Mara Salvatrucha 13* (MS-13). These groups significantly expanded their influence amid the disarray following a 3-decade civil war. They are now well-armed, well-funded, and their actions have become increasingly detrimental to public order. They have blatantly bribed and intimidated government officials to the point that the police, the judiciary, and entire local and departmental governments are rife with criminal collaborators and infiltrators. Murder statistics have surpassed civil-war levels in recent years, and criminal operatives brazenly assassinate government officials and troublesome members of the political class. Starved of resources and riddled with corruption, Guatemala's state institutions have been unable to reverse or even contain this violence, and from marginal *barrios* in the capital to desolate stretches of Petén, large swaths of territory are now effectively under the control of drug traffickers, youth gangs, or other criminal groups.

Indeed, rampant crime is causing the breakdown of democratic governance and a marked erosion of the Guatemalan state. Guatemalan institutions have always been relatively feeble, but the continuing wave of crime now poses an acute challenge to the credibility and authority of the government. This is apparent in purely territorial terms, as the influence of nonstate criminal actors rivals or exceeds that of the government in up to 40 percent of the country. It

is apparent in institutional terms, as criminal groups have colonized sectors of the government and turned the state to their own purposes. It is happening at a psychological level, as well. With the government unable to suppress criminal activity, Guatemalans are becoming increasingly skeptical that the current system can provide them with basic human security. This doubt is leading to diminished faith in democracy, giving voice to latent authoritarian sentiments, and in many areas, causing a descent into simple vigilantism. Guatemala is not experiencing a simple problem with crime; it is immersed in a full-blown crisis of the democratic state. Unless the Guatemalan government and its foreign partners – including the United States – can address this challenge and redress the country’s deep-seated institutional deficiencies, the region may soon be confronted with a lawless narco-state at the top of the Central American isthmus.

This monograph examines the relationship between organized crime, internal violence, and institutional failure in Guatemala. It aims to increase awareness of this growing threat to regional security and to provide a granular, textured case study of a phenomenon that, while most striking in Guatemala, is present throughout Latin America as a whole. Organizationally, the monograph comprises three substantive sections. The first, offers an overview of the emerging security environment in Latin America, examining organized crime as a form of irregular warfare. The second, zooms in on Guatemala, exploring the origins, nature, and effects of the current crisis in that country. The third, considers the implications for Guatemalan and U.S. policy.

## THE REGIONAL CONTEXT: ORGANIZED CRIME AND IRREGULAR WARFARE IN LATIN AMERICA

Since independence, Latin America has experienced relatively little interstate conflict and comparatively high levels of intrastate violence. Many of the same factors that have made international wars so rare—namely, underdeveloped state capacity and deep socio-economic and ethnic cleavages within Latin American countries—have also conduced to a striking propensity for violent internal strife. Virtually every Latin American state has experienced insurgency, political revolt, civil war, or other forms of political bloodshed, as well as less ideological—but no less harmful—tumults in the form of rampant banditry, brigandage, and criminal violence. In some cases, these internal conflicts have taken on the destructiveness of major international wars. During the Cold War, for instance, long-standing social, political, and economic strains mixed with the ideological polarization produced by superpower rivalry to generate torrential bloodshed in Guatemala, El Salvador, Peru, Colombia, and elsewhere. The worst of these conflicts (those in Guatemala and Colombia) claimed around 200,000 lives each, wrecked economic capacity and government institutions, and set Latin American countries back by years, if not decades.<sup>1</sup>

The end of the Cold War brought down the curtain on many of these insurgencies, but it did not bring an end to internal violence and upheaval in Latin America. Over the last 3 decades, an array of criminal groups—notably international drug traffickers, violent youth gangs, and organized crime syndicates—have

largely replaced Marxist rebels as the chief purveyors of disorder. Across the region, these groups have exploited weak institutions, official corruption, porous borders, poverty and social alienation, and the easy availability of small arms to expand their operations dramatically. They have carved out nodes in a variety of illicit activities – drug smuggling, human trafficking, arms dealing, kidnapping, robbery, extortion, money laundering, and others – and made insecurity a fact of life for Latin Americans. Latin America regularly competes for the title of most violent region in the world (in terms of homicides), and its youth murder rate was more than twice that of any other region in 2008. In some Central American countries, violence is approaching levels last seen during the civil wars of the 1970s and 1980s. Even where murder levels are lower, violence and crime have driven down economic activity and fostered widespread fear, making life miserable for much of the population.<sup>2</sup>

There is no single model of organized crime in Latin America. Some of the groups responsible for this turmoil are relatively small street gangs involved mainly in petty robbery, small-scale extortion, drug trafficking, and the occasional murder for hire. At the other end of the spectrum are the sophisticated, multitiered organizations that operate in several cities or even countries. These groups – gangs like MS-13 in Central America and the First Capital Command (PCC) in Brazil, as well as paramilitary groups like *Los Zetas* in Mexico – contain hundreds, thousands, or even tens of thousands of members organized into numerous cells and overseen by a centralized hierarchy. They employ individuals ranging from hit-men to accountants and lawyers, and they occupy key nodes in the illicit networks described above. With different di-

visions and subdivisions responsible for intelligence, assassinations, money laundering, drug trafficking, recruitment, and other activities, these organizations resemble corporations rather than simple street gangs.

These groups also stand out for their propensity to attack state institutions. They bribe police and judicial officials, fund candidates for public office, and infiltrate their supporters into the civil service. Government officials who refuse to be bribed or intimidated are brutally murdered. In Mexico, the decapitation of policemen has become common, and the killing of public servants is a problem throughout Latin America. In some areas, the violence has become so intense – and government institutions so compromised – that these criminal groups, rather than the authorities, have become the true arbiters of internal order. In Sao Paulo, for instance, the PCC collects “taxes” through extortion, provides “services” (protection, food, clothing, and money) to loyal residents, “punishes” those who challenge their authority, and effectively denies the police access to large swaths of territory. In essence, the PCC has substituted its own governance for that of the state.<sup>3</sup>

Where this is the case, illicit activity in Latin America begins to straddle the demarcation between non-political and political violence, between crime and insurgency. To be sure, groups like MS-13, the Zetas, and the PCC bear little resemblance to the Marxist insurgencies of the Cold War era. Their motives are usually pecuniary rather than political (though the situation is somewhat murky in a few instances), and these organizations have shown little interest in overthrowing governments and assuming formal political power. But in countries like El Salvador, Honduras, Guatemala, and Mexico, violence has reached near-

civil war proportions, indicating something more profound than a simple police problem. While drug traffickers, youth gangs, and organized crime syndicates generally lack the coherent ideological or political program often associated with an insurgency, they have weakened the state, established a form of dominance over parts of the population, and thus had many of the same effects as an insurgency.<sup>4</sup>

This blurring of the line between traditional definitions of conflict has given rise to an updated analytical vocabulary among scholars and policy experts. Some observers classify Latin America's more advanced criminal groups as "third-generation gangs," arguing that they distinguish themselves from less sophisticated groups (first and second-generation gangs) by their transnational nature and propensity to corrode the performance and authority of the state. In the same vein, other analysts describe criminal activity as a "new urban insurgency," one that aims, not to overthrow established governments, but to take control of a city, one neighborhood—or even one block—at a time. While these definitions bear further elaboration and refinement, they do underscore the gravity of the challenge confronting Latin American governments.<sup>5</sup>

Indeed, from a purely analytical (as opposed to a normative) perspective, it may well be that many Latin American countries are beset by a form of irregular warfare. The 2007 Joint Operating Concept defines irregular warfare (IW) as "a violent struggle among state and nonstate actors for legitimacy and influence over the relevant populations." IW favors "indirect and asymmetric approaches," and frequently involves groups—transnational criminal enterprises, insurgents, terrorists—that use innovative, unconventional tactics to overwhelm a stronger foe. As a result, IW

resides in the gray area between accepted typologies of conflict. It is a “complex, ‘messy,’ and ambiguous social phenomenon that does not lend itself to clean, neat, concise, or precise definition.” While some analysts might object to the use of military vocabulary to describe criminal activity, this description—with all the nuance and even ambiguity it implies—is well-suited to the recent course of events in numerous Latin American countries.<sup>6</sup>

Because of this complexity, defending against irregular adversaries can be very difficult. It requires the threatened government to synchronize police and military programs, and to combine these security-oriented initiatives with a variety of additional projects—including social reform, institution-building, and economic development—aimed at ameliorating the conditions that allow irregular adversaries to thrive.<sup>7</sup> These tasks are daunting under any conditions, and can be especially so in Latin America. Given that Latin American armies have historically been turned against the citizenry, there is often strong resistance to involving the military in domestic security matters, even when the police are clearly overwhelmed. Poverty, social alienation, and large youth demographic bulges conspire to make gang membership or other forms of crime attractive to many Latin American youths. Corruption and the weakness of government institutions—problems that pervade Latin America as well as much of the developing world—undermine the state’s countermeasures and pose major obstacles to deploying a coherent, effective response along all necessary axes.<sup>8</sup>

As a result, Latin American governments have so far struggled to address the phenomenon of “criminal insurgency,” and the trends seem to be worsen-

ing in several countries. In Mexico, drug cartels and well-armed paramilitary groups are waging a war of attrition against the government and against one another, and the resulting “narco-insurgency” has claimed roughly 15,000 lives over the past 3 years. The government has deployed 40,000 soldiers in an effort to restore order, but official corruption, the advanced capabilities of groups like Los Zetas, and entrenched poverty and state weakness have greatly reduced the force of this offensive.<sup>9</sup> In Brazil, the PCC dominates the slums of Sao Paulo and occasionally advertises its ability to throw the entire city into chaos. In May 2006, 5 days of PCC attacks against public buildings, private businesses, policemen, and even civilians resulted in dozens of deaths, caused millions of dollars in damage, and brought life in South America’s largest city to a standstill. As one Brazilian security official put it, “The sad reality is that the state is now the prisoner of the PCC.”<sup>10</sup>

Recent upheaval in these countries—particularly Mexico—has refocused the gaze of the U.S. policy community on issues of narco-trafficking, criminal violence, and institutional weakness in Latin America. Yet it is in Guatemala—a country that has received much less attention from the media and policy analysts—where the challenge to internal order is most profound, the difficulties in confronting this violence most vexing, and the prospects for the breakdown of the state most real. Since the close of its civil war in 1996, rampant criminal activity has made Guatemala arguably the most dangerous country in Latin America. Murders increased by more than 120 percent from 1999 to 2006, with the murder rate in Guatemala City reaching an astounding 108 per 100,000 inhabitants (compared to a world average of less than 9 per



100,000).<sup>11</sup> In 2008, Guatemala suffered a reported 6,200 total murders, giving it a higher per capita incidence than Colombia and Mexico.<sup>12</sup> According to the 2008 *Latinobarómetro* report, perceptions of citizen insecurity are worse in Guatemala than anywhere else in the region, and President Álvaro Colom has remarked that “it’s more violent now than during the war.”<sup>13</sup> From Petén in the north, to Huehuetenango in the west, to parts of Guatemala City itself, as much as 40 percent of Guatemalan territory is either subject to dispute or effectively beyond the control of the police and the central government.<sup>14</sup> Additionally, organized crime has so infested many state institutions as to render them virtually worthless. In 2007, then-Vice President Eduardo Stein acknowledged that criminal elements controlled six of Guatemala’s 22 departments (the largest geographical and political subdivisions of the country) and had a strong presence in at least three others.<sup>15</sup> Guatemala’s descent into chaos has been quieter, slower, and less remarked upon than events in Mexico or other Latin American countries, but it has probably been more devastating. As Colom put it in 2008, “Guatemala’s security is dying in an intensive care room.”<sup>16</sup>

Colom should know. During a bloody election campaign in 2007, dozens of candidates and their supporters were murdered and assassination rumors swirled around Colom. For fear of being ambushed, Colom chose to travel by helicopter rather than car and maintained the company of a doctor skilled in treating gunshot injuries. Due to concerns about poisoning, he also had to exercise extreme caution in choosing what to eat. Colom eventually made it into office unscathed, but reminders of the country’s vulnerability were omnipresent. At one rally, Colom threw a dove in the air

to symbolize his desire for peace. In a moment that seemed thoroughly emblematic of the country's predicament, the bird failed to take flight and went crashing into the ground.<sup>17</sup>

## **THE CRISIS IN GUATEMALA: ORIGINS, CHARACTERISTICS, AND EFFECTS**

The contemporary crisis in Guatemala reflects a confluence of relatively recent trends and longer-running patterns. At the deepest level, domestic instability is rooted in the same historical factors – namely, a weak state and the socio-economic exclusion of broad segments of the population – that have traditionally left much of Latin America prone to internal upheaval. Like many of its neighbors, Guatemala has often had an authoritarian state, but it has never had a strong or effective state. Rugged geography limits the reach of the central government, and the resistance of powerful elites has kept tax revenues low. This insufficiency of tax revenue, in turn, has prevented the development of capable state institutions that could provide basic public goods like education, justice, and security. At the same time, the poverty, inequality, and popular marginalization characteristic of Guatemalan society have created simmering resentments and the potential for violence. Over the past 2 centuries, this toxic combination of factors has subjected Guatemala to recurring cycles of instability and disorder.<sup>18</sup>

The worst of these convulsions was the civil war that ravaged the country from 1960 to 1996. Violence involving leftist guerrillas, right-wing death squads, and government forces took 200,000 lives (out of a population base of less than 10 million), with perhaps half of those deaths occurring in a 2-year period be-

tween 1981 and 1983. (The intensity of this bloodshed was unmatched in Cold War-era Latin America. In comparison, El Salvador lost around 75,000 inhabitants during its civil war, and while Colombia suffered roughly 200,000 deaths during *la violencia* in the 1940s and 1950s, these losses came out of a much larger population base.) The scorched-earth policy pursued by the Guatemalan government devastated much of the countryside, and guerrilla attacks took a severe toll on infrastructure and economic productivity. Over 400 villages simply disappeared during the bloodiest days of the counterinsurgency in the early 1980s, and the unrelenting violence of the period left a legacy of mistrust between many social groups and the government. As recently as 2005, for instance, indigenous Guatemalans (who bore the brunt of the counterinsurgency) refused the army's help after devastating floods and mudslides. The Cold War was a time of insurgency and civil war throughout Latin America, but nowhere were the traumas as shattering as in Guatemala.<sup>19</sup>

These traumas, in turn, left Guatemala immensely vulnerable to a post-conflict resurgence of internal disorder. While war has sometimes catalyzed the formation of a stronger state, in Guatemala's case the internal conflict left social, economic, and political wreckage that has directly abetted the current crisis. The civil war left the country strewn with weapons and created a large pool of young men with little education and few marketable skills other than the ability to handle a gun. It initiated destabilizing refugee flows, and led to the growth of a predatory military elite skilled in corruption and intimidation. Just as important, the civil war exposed many Guatemalans to horrific bloodshed as a way of life, and fueled lasting disenchantment with often repressive govern-

ment institutions. As U.S. Agency for International Development (USAID) officials have written, “There exists a widespread acceptance in Guatemala that violence is an acceptable means of resolving conflict and Guatemalans do not have faith in the state’s ability to provide anything other than partial and arbitrary justice.” Peace accords signed in 1996 were intended to address these issues, but promised socio-economic reforms have never been carried out, and the decision to slash the size and mission of the security services – while necessary to convince the Left to sign onto the accords – weakened the only institutions capable of maintaining some semblance of domestic order. The civil war magnified the longstanding shortcomings of the Guatemalan state, leaving the field to opportunistic elements that would prey upon that weakness.<sup>20</sup>

The resulting potential for instability has been greatly compounded by relatively recent shifts in the inter-American drug trade. While Guatemala has long been involved in poppy production, its prominence in the cocaine trade has increased steadily of late. Beginning in the late 1980s, U.S. interdiction programs in the Caribbean forced Colombian traffickers to route cocaine shipments through Central America en route to Mexico and the United States. Located roughly halfway between Colombia and the United States, possessing a largely uncontrolled border with Mexico and frontage on both the Gulf of Mexico and the Pacific Ocean, and characterized by rough terrain that impedes effective government surveillance, Guatemala soon became a primary way station for Andean cocaine. The amount of cocaine transiting the country has grown exponentially over the last 2 decades, and jumped by 47 percent between 2006 and 2008 alone. U.S. officials estimate that between 180 and 400 met-

ric tons of cocaine transit Guatemala per year, and the value of this trade may be \$10 billion annually. As the Guatemalan drug trade has grown larger, it has also grown more violent, with numerous entities competing for control of the profits. A weak state prone to disorder and violence has now become a focal point of the international drug trade, creating lucrative opportunities for a wide range of criminal elements.<sup>21</sup>

### **International Drug traffickers.**

Three principal types of criminal organizations are currently active in Guatemala. The first group is composed of international narcotics traffickers. As Guatemala has taken center stage in the inter-American drug trade, its territory, coastline, and waterways have become thoroughfares used by a variety of major drug-trafficking organizations (DTOs). During the 1980s, Colombian cartels dominated the Guatemalan drug trade, often cooperating with corrupt military officials to move cocaine, marijuana, and heroin shipments northward. After these organizations – particularly the Cali and Medellín cartels – were dismantled in the early 1990s, Mexico’s Sinaloa cartel stepped into the void. Sinaloan preeminence lasted for more than a decade, but since 2005, *Los Zetas* (a rival Mexican organization) have begun to assert their own claim to the Guatemalan drug trade. The Zetas are moving south in part to extend greater control over their supply network, and in part to find sanctuary at a time when the Mexican government has launched an all-out offensive against the DTOs. According to one official in the Drug Enforcement Administration (DEA), the Zetas are seeking to “reach out into Guatemala, extend their operation into Guatemala, and take over the Guatema-

la corridor." They compete with smaller Guatemalan traffickers as well as larger international syndicates, and Guatemala is now experiencing a multi-sided, violent struggle over drug routes and profits.<sup>22</sup>

These DTOs use a variety of methods for moving drugs through Guatemala. At the lowest level of sophistication, "mules" carry drugs through commercial airports and border crossings, and large shipments are often simply driven across Guatemala's borders in trucks or other vehicles. Alternatively, South American narcotics arrive at ports like Puerto Quetzal and Puerto Barrios via commercial shipping lines, or are moved by small, "go-fast" boats that traverse Guatemala's coastal seas and inland waterways. Another common conveyance is the small airplane. In remote rural areas, traffickers have set up makeshift runways (often just a clearing in the natural vegetation) where drug-bearing planes can deposit their cargo for the overland journey across the Mexican border. In some cases, the planes are reused; in others, they are simply abandoned. According to U.S. officials, there are more than 490 clandestine airstrips in Guatemala. One former official who had recently flown over the Petén reported seeing "numerous makeshift strips and dozens upon dozens of wrecks scattered over the wilderness."<sup>23</sup>

As these statistics indicate, the drug trade and its by-products are pervasive in Guatemala. In rural areas of Huehuetenango and Petén, traffickers are accumulating (by purchase, if possible, and by violence, if necessary) privately held properties to be used as safe havens and depots for drugs and arms. The DTOs are also a major source of employment. They pay poor laborers to clear land that can be used for clandestine airstrips, and provide cash and protection to small farmers who cultivate poppy. Narco-money suffuses

the entire economy. Much of the perhaps \$10 billion in drug money that flows through Guatemala each year is laundered through local banks, business ventures, and public investment projects. The result is an odd combination of poverty and drug-funded excess. The small town of La Reforma in eastern Guatemala has no bank or grocery store, for instance, and most of the population can hardly meet their own basic needs. Yet the town boasts a “first-rate hospital and handful of mansions,” apparently paid for with profits earned from the narcotics trade.<sup>24</sup>

Immense drug profits invariably bring about a rise in official corruption, and Guatemala is no exception. One observer estimates that roughly \$1 billion of the drug money that flows through Guatemala each year is used to bribe government officials.<sup>25</sup> This estimate is probably high, but the DTOs have certainly purchased the loyalties—or at least the acquiescence—of officials at all levels of government. According to the U.S. State Department, “money from the drug trade has woven itself into the fiber of Guatemalan law enforcement and justice institutions.”<sup>26</sup> The cartels pay small-town mayors for the right to set up clandestine airstrips, and bribe judges, police commanders, military officials, and border guards to avoid government surveillance or prosecution. Much of this bribery takes place at the local level, in remote areas where drug trafficking is heaviest and state institutions are weakest. As the Guatemalan ambassador to Mexico concedes, “The co-optation of local power by organized crime in some regions of Guatemala is a fact.”<sup>27</sup> In the past several years, the DTOs have become even more ambitious, paying off members of the Congress and recent presidential administrations. In September 2008, Colom fired two top aides (Carlos Quintanilla,

the Secretary for Presidential Security and Administrative Affairs, and Gustavo Solano, the head of the Strategic Analysis Secretariat) for allegedly helping the DTOs place listening devices in the president's residence and office. According to *Stratfor*, "All executive orders regarding Guatemala's fight against drug trafficking must now be considered compromised."<sup>28</sup>

Where *plata* (money) cannot co-opt the authorities, *plomo* (lead) is used to batter them into submission. Local and state officials who decline to participate in narcotics trafficking have been murdered, often in brutal fashion. DTO operatives are also believed to have been behind a recent assassination attempt against the governor of the Petén.<sup>29</sup> While political murders often go unsolved, it is widely suspected that the DTOs played a central role in the violence that marred the 2007 election campaign. In the run-up to the vote, seven congressional deputies and dozens of other candidates and their supporters were murdered—in a few cases, after being kidnapped and tortured. The purpose of this bloodshed was to eliminate politicians thought to be hostile to a certain DTO, show the rest of the political class the price of opposing the drug trade, and thereby neutralize any political will to confront the traffickers. "Controlling the political system is their goal," says one Guatemalan analyst.<sup>30</sup>

The violence attending the drug trade has escalated amid the intensifying competition for dominance in Guatemala. The Zetas ruthlessly target their competitors as well as officials thought to support rival DTOs; the Sinaloa cartel and several Guatemalan organizations have responded in kind. In March 2008, a firefight in Zacapa between the Zetas and Guatemalan traffickers claimed 11 lives. Several months later, another shootout involving the Zetas, this time in Hue-



huetenango, left 17 dead. According to press reports, the fighting was so intense that police and military units elected to wait for the combatants to exhaust themselves before moving in to restore order. That same month, 15 innocent bus passengers were killed in a nighttime attack that bore all the markings of a drug-related massacre. "When there becomes a misunderstanding of sorts," says a DEA official, "they're going to resolve it one way, and that's by physically removing their competition."<sup>31</sup>

While the Zetas are hardly the only culprit in this bloodshed, their arrival bodes especially ill for Guatemala. The Zetas were initially formed by Mexican special-forces deserters, and many members have advanced training in intelligence, counterinsurgency, ambushes, complex assaults, and other techniques. The group is renowned for its brutality, often beheading its opponents and, in a tactic apparently borrowed from Iraqi insurgents, posting torture and execution videos on the Internet. As George Grayson comments, "Even mentioning the word 'Zeta' conjures images of castrations, decapitations, and immersion in vats of lye."<sup>32</sup> The Zetas use a variety of heavy weapons, including AR-15s, AK-47s, MP-5s, improvised explosive devices, 50-caliber machine guns, grenade launchers, and bazookas. Thanks to their military training, they wield these arms with devastating efficacy. As two writers for *Stratfor* note, "Assault rifles in the hands of untrained thugs are dangerous, but if those same rifles are placed in the hands of highly trained special forces soldiers who can operate as a fire team, they can be overwhelmingly powerful."<sup>33</sup>

These capabilities have allowed the Zetas to turn much of northern Mexico into what one DEA official calls "somewhere between Al Capone's Chicago and

an outright war,” and the group has advanced rapidly into Guatemala as well.<sup>34</sup> As of mid-2009, the group had an estimated 300-400 operatives in Guatemala, and Zeta operations have increased in frequency and effect. In April 2009, Zetas ambushed police carrying out an anti-drug raid, killing five officers. They subsequently made a successful escape from the scene, leaving behind an astonishing amount of firepower. The group has established training camps, arms depots, and drug caches in the regions that border Mexico, and Guatemalan officials estimate that the Zetas have a presence in 75 percent of the country.<sup>35</sup> “They are all over,” says a DEA official. All this has led Guatemalan officials to complain that “we are being Mexicanized.”<sup>36</sup>

### **Hidden Powers.**

The international DTOs both cooperate and compete with domestically based organized crime syndicates known as *poderes ocultos*, or hidden powers. These groups are deeply rooted in the Guatemalan political system. According to a detailed investigation by the Washington Office on Latin America, the hidden powers are “networks of powerful individuals in Guatemala who use their positions and contacts in the public and private sectors both to enrich themselves from illegal activities and to protect themselves from prosecution for crimes they commit.” They are made up of prominent businessmen, current and former military officers, politicians, civil servants, and defense and law enforcement officials – in other words, they are part and parcel of Guatemala’s elite. These individuals use their influence to carve out shares in a variety of illicit networks: drug trafficking, bribery,

kickbacks, diversion of customs duties, illegal contracting practices, illicit resource extraction, extortion, human trafficking, kidnapping, car theft, and others. In some cases, they mix these illicit activities with licit dealings in the formal economy, such as involvement in the mining and oil industries. While most *poderes ocultos* are relatively informal, protean networks, others have evolved into quasi-corporate entities that feature “hierarchical leadership structure, with capital and manpower to run sophisticated enterprises.” They employ current or former members of the security services to carry out their dirty work, and have also contracted such tasks to Guatemala’s large youth gangs (discussed below).<sup>37</sup>

The hidden powers are an outgrowth of the civil war. From the 1960s onward, the experience of fighting the violent left led to the formation of tight-knit military fraternities among officers who rose through the ranks together. At the same time, the fact that the military effectively dominated Guatemalan affairs for much of this period encouraged the rise of acquisitive, praetorian elite. As the army prosecuted a bloody counterinsurgency against the guerrillas, corrupt officers used their influence and connections to snap up the best arable land, acquire favorable positions in mining and industry, divert government funds for their personal use, and engage in the drug trade and other illicit activities. These tendencies persisted after war’s end, as the emergence of a weak democratic state offered alluring opportunities for corruption and malfeasance, and as the need to avert any reckoning with atrocities committed during the conflict encouraged military officers to maintain professional solidarity and seek alliances with other powerful Guatemalans. The military fraternities formed during the civil

war thus evolved into the *poderes ocultos* of today. *La Cofradía* was originally created by army hard-liners, and its leaders are thought to include two former generals. *El Sindicato* contains a contingent of military officers from the class of 1973, and is the chief rival of *La Cofradía*. *El Archivo* was formed by members of the Presidential General Staff, a group deeply involved in counterintelligence and electronic surveillance during the civil war. Other organizations, such as *Grupo Salvavidas*, have similar pedigrees.<sup>38</sup>

The hidden powers have an ambiguous relationship with the international DTOs active in Guatemala. Guatemalan crime syndicates originally provided transportation and protection for groups like the Zetas (who still employ a few dozen *Kaibiles*, counterinsurgency specialists who deserted the Guatemalan army). As the Zetas have become more ambitious, however, they have targeted any group—Guatemalan or otherwise—that refuses to meet their demands. The November 2008 firefight in Huehuetenango demonstrated the deteriorating relationship between the Zetas and Guatemalan organized crime networks, and a number of recent incidents tell the same story.<sup>39</sup>

If conflict between the hidden powers and international DTOs has become so intense, it is largely because their goals are so similar. Like the DTOs, the hidden powers are determined to weaken the Guatemalan state or—better yet—to control it through corruption. They finance political parties and congressional campaigns in hopes of bringing confederates to power, and buy off police officials, prison guards, judges, and other civil servants to assure themselves a free hand. U.S. officials believe that the hidden powers have particularly strong ties to the Public Ministry, military intelligence, the judicial system, the National

Civil Police (PNC), and political parties such as the Guatemalan Republican Front (FRG), which includes former military dictator Efraín Ríos Montt and ex-President Alfonso Portillo (2000-04). *El Archivo* and *Grupo Salvavidas* were well-represented in Portillo's administration, and government attempts to restrain organized crime were so transparently insincere that Guatemala was decertified for U.S. counternarcotics aid in 2003. The situation has not much improved since then. Guatemala has since been recertified for U.S. aid, but in 2007, Eduardo Stein conceded that organized crime syndicates effectively controlled six of Guatemala's departments.<sup>40</sup>

As with the DTOs, the counterpart to corruption is violence. The hidden powers maim and murder members of competing organizations and deal roughly with government officials or civil society groups that threaten their influence. Organized crime elements have warned Guatemalan journalists to "shut up and stop talking," and human rights activists, members of the Peasant Unity Committee, and other individuals who oppose the *poderes ocultos* have been threatened or even lynched.<sup>41</sup> Allies of the FRG violently demonstrated in order to "persuade" the Guatemalan courts to allow Ríos Montt to run for president in 2003. Advocates of greater government and financial transparency have been kidnapped, and witnesses in politically charged criminal cases have been killed.<sup>42</sup> During the 2007 campaign, the hidden powers apparently competed (or perhaps collaborated) with international DTOs to murder and intimidate potentially troublesome politicians. According to one account, the strategy used by the hidden powers was one of "pruning the field of electoral candidates to guarantee that the winners stay in line." In one case, this strategy

entailed kidnapping, torturing, and executing a candidate's 14-year old daughter.<sup>43</sup>

The mixture of corruption and violence perpetrated by these groups was most pungently demonstrated by the PARLACEN (Central American Parliament) killings of 2007. In February, three Salvadoran representatives to PARLACEN became separated from their convoy while traveling through Guatemala. The three men and their driver were assassinated in what was apparently a drug-related slaying (the precise motive remains unclear), their bodies burned and left beside the road. This crime shocked Salvadorans and Guatemalans alike; even more appalling was the aftermath. Guatemalan authorities apprehended four policemen in connection with the slayings, but while the men were being held prior to trial, they themselves were murdered. There was no question that these latter killings were abetted by official complicity, as the victims were being held behind eight sets of locked doors in a prison near Guatemala City. To top off the whole sordid episode, the judge investigating the killings was murdered in July 2008, and the alleged mastermind of the affair was later identified as a former congressional deputy and mayor. The entire affair was deeply troubling to many Guatemalans, and it laid bare the extent to which organized crime and its attendant violence had penetrated the country's institutions.<sup>44</sup>

### **Pandillas and Maras.**

Extremely violent youth gangs make up the third major group of criminal elements in Guatemala. Rampant gang activity has plagued much of Central America since the 1990s, and Guatemala fits squarely within this pattern. The most reliable estimates put

the number of gang members in Guatemala at around 14,000 as of 2006—or just slightly less than the total size of the Guatemalan army. These individuals belong to hundreds of gangs of widely varying structure and size. *Pandillas* are relatively small, flat organizations that operate in a single neighborhood and have a few dozen members. *Maras* are larger, more sophisticated groups that can have tens or even thousands of members spread across several different countries. They are organized hierarchically, with numerous national cells, or *clicas*, that report to a centralized gang leadership.<sup>45</sup>

The dominant *maras* in Guatemala are the *Mara Salvatrucha 13* (MS-13) and the *Barrio 18* (18th Street) gangs. MS-13 contains roughly 80 percent of gang members in Guatemala; 18th Street commands the loyalties of another 15 percent.<sup>46</sup> Both gangs have a strong presence throughout northern Central America and Mexico, and they enjoy working relationships with various Mexican and Colombian drug traffickers. MS-13, for example, is thought to be particularly close to the Sinaloa cartel and its enforcers. These *maras* also have tens of thousands of members spread across more than 40 U.S. states: organized crime analyst Samuel Logan calls MS-13 “America’s most violent gang.”<sup>47</sup> While the various national branches of 18th Street and MS-13 retain some operational independence, they are also expected to be responsive to directives issued by their respective transnational leaderships. In 2007, a federal grand jury indicted two MS-13 leaders for allegedly ordering murders in the United States from their prison cells in El Salvador. MS-13 and 18th Street are thus far more advanced than simple street gangs; they are sophisticated transnational criminal organizations (TCOs) in their own right.<sup>48</sup>

The top-level leaders of these *maras* are often experienced criminals in their 30s and 40s, but the rank-and-file come from a younger demographic. Most gang members are between 12 and 24 years in age (although some are far older), and about 90 percent are male.<sup>49</sup> A few of these individuals are sociopaths who like to commit crimes, but the vast majority joins gangs for more mundane reasons. Most *mareros* suffer from poverty, unstable family backgrounds, a lack of educational, social, or professional outlets, or some combination of these factors. “They have no realistic hope of getting anywhere in the modern world,” says one USAID official, “and they are very much prone to whatever the streets have to offer them.”<sup>50</sup> For marginalized youths, gang membership offers a steady cash flow, a sense of status and belonging, and, for men, access to women. Says one expert, “These kids look at the power the gangs have in terms of the chicks, the money.” Gang membership also allows these individuals to develop a distinct social identity, as *maras* and *pandillas* have unique hand signals, graffiti, tattoos, and manners of dress. (Tattoos have become less common of late, as gang members seek to make themselves less obvious to the police.) For disadvantaged teens and young adults, Guatemalan gangs fulfill an important – if perverse – social function.<sup>51</sup>

The gang problem in Guatemala has its origins in the civil war, when displaced and uneducated – but often well-armed – young people turned to crime as a solution to the challenges of demobilization and reconstruction. This phenomenon subsequently received a major boost from destabilizing refugee flows. During the 1980s and 1990s, tens of thousands of Guatemalans who fled the violence in their own country settled in Southern California. Preyed upon by established



youth gangs, Guatemalan and other Central American immigrants formed their own gangs, including 18th Street and MS-13. Because the founders of these gangs had often acquired some military experience during the civil war, these *maras* quickly became some of the most feared criminal organizations in Los Angeles, and they participated in the Rodney King riots and other major disturbances during the 1990s. Beginning in the mid-1990s, however, U.S. authorities increasingly deported gang members to Guatemala and other Central American countries. In the 8 years after 1996, nearly 500,000 Latin Americans were deported for committing crimes that carried at least a 1-year sentence, and in FY 2006, Guatemala received around 3,600 criminal deportees. Many deportees spoke imperfect, anglicized Spanish (or none at all), lacked economic opportunities in Guatemala, and had no skills to trade upon other than their criminal proficiency and their gang connections. Consequently, the gang problem in Guatemala metastasized, with gang populations swelling over the past ten years and law enforcement agencies struggling to keep pace.<sup>52</sup>

*Maras* and *pandillas* are at the center of the crime epidemic afflicting Guatemala. The *pandillas* focus on petty extortion, robbery, small-scale drug trafficking, and occasionally kidnapping and murder. The *maras* are involved in all of these activities, and use their international connections to participate in arms smuggling, human trafficking, large-scale car robbery, racketeering, and other organized crimes. They sometimes aid the larger cartels and *poderes ocultos* by providing security for drug shipments, or by distributing cocaine and other narcotics in the small but growing Guatemalan market. In other cases, they carry out contract killings for organized crime syndicates.<sup>53</sup>

As gang activity has increased, so has violence. Gangs competing for control of a particular block, neighborhood, or city attack each other with weapons as unsophisticated as makeshift knives, as fearsome as AK-47s and fragmentation grenades. Brutality has become a form of psychological warfare in these contests, and gang members who fall into the hands of their opponents are sometimes tortured or dismembered before being killed. This is particularly the case in Guatemala's overcrowded prisons, which have increasingly become central arenas for gang-on-gang violence. In one instance, gang members decapitated and burned seven victims in a prison east of Guatemala City.<sup>54</sup>

The majority of gang violence is directed against rival gangs, but a substantial portion affects the broader population. The compatriots of a fallen gang member sometimes take revenge against the entire family of his or her murderer, and as gang-versus-gang competition has intensified, these organizations frequently seek to shock the population of a certain area into submission. One detailed study reports that in 2004, "initiation into the 18th Street Gang required the rape, disfiguration, and murder of a young woman."<sup>55</sup> In many instances, violence against the population is simply the natural concomitant of gang-related crime. *El Flaco*, a member of MS-13 who claims to have killed 22 people, explains the ruthless methods by which the gang extorts money from affluent Guatemalans. "We have a saying: If you don't pay, we won't hurt the father, sadly, it's the children who'll pay," he explains. "We send them a letter. Then we surveil their kids. We ask for \$5,000 to \$13,000, depending on the kind of business he's in. If he doesn't pay, we kidnap his wife or a child, and we kill them. Then we send him body

parts showing him we mean business, and we keep kidnapping family members until he pays.”<sup>56</sup>

This approach to extortion is evident in another favored gang tactic—attacking the heavily used bus systems in Guatemala City and other urban centers. The gang that dominates a certain bus route normally charges around \$13 per day for the right to transit the zone unmolested, and drivers who refuse to pay are summarily murdered. To reinforce this climate of fear and intimidation, gang operatives occasionally conduct widespread, simultaneous attacks on transportation infrastructure, as happened in Guatemala City in early 2009. Overall, 255 bus drivers, and their assistants were murdered nationwide in 2008.<sup>57</sup> Though the extent of gang activities in Guatemala has sometimes been exaggerated, their brutality and destructiveness can hardly be disputed.

### **Violence, Corruption, and the Erosion of the State.**

For a country that never fully recovered from the civil war, the effects of this criminal activity have been devastating. Economic performance is suffering because crime deters investment, impedes licit trade, and diverts both public and private money from development into security initiatives. As early as 1999, crime cost Guatemalan businesses an average of \$5,500 annually, and this amount has probably risen over the past decade.<sup>58</sup> Future economic performance and social development are also under threat from growing drug consumption, which has spiked as narcotics saturate the country. About 10 percent of the cocaine that enters Guatemalan territory is now kept for internal consumption (a high proportion given the small size of the Guatemalan market), and drugs are easily

acquired at hotels, bars, and clubs. Drug treatment centers are filled beyond capacity. Five years ago, one center in Guatemala City had 20 patients; now it has to accommodate 250.<sup>59</sup>

Even more problematic is the overall level of violence. As noted above, homicide rates in Guatemala are stratospheric. Drawing on data collected by the United Nations (UN) Office on Drugs and Crime, the Congressional Research Service notes that, along with El Salvador, Guatemala is “among the most violent countries for which standardized data has been collected.”<sup>60</sup> Citizens and officials lament that the country is more violent now than during the civil war, and the numbers bear this assertion out. While recent murder rates have not approached the levels of violence seen in 1981-83, homicide totals since 2006 have surpassed the average number of murders between 1970 and 1996. In numerous areas—not just in remote regions like Petén and Huehuetenango, but also in marginal *barrios* in the capital and other cities—violence is so intense and criminal organizations are so powerful that the police can enter only at the sufferance of the preeminent gang or DTO.<sup>61</sup>

This rise in violence has been matched by a marked upsurge in official corruption. Corruption is difficult to measure precisely, but all serious observers agree that criminal elements have been hugely successful in penetrating the security forces, judicial institutions, and practically every other office or agency charged with maintaining law and order. DEA officials report that corruption is rampant at the local level, and in 2007, Guatemalan police chief Erwin Sperisen estimated that 40 percent of the PNC was tarnished.<sup>62</sup> This corruption goes all the way to the top. As mentioned previously, Colom fired two close advisers on suspi-

cion that they had fed sensitive information to drug traffickers. The head of the PNC, Porfirio Pérez Paniagua, was recently dismissed on suspicion that he and more than a dozen subordinates pilfered hundreds of thousands of dollars and nearly 120 kilograms of cocaine. Corruption, former Vice-President Stein has remarked, “is part of a web that includes the National Civil Police, the Public Ministry, the judicial branch, the nation’s Justice Department and the penal system. . . . All the entities here have been penetrated by organized crime.”<sup>63</sup>

These effects are not lost on Guatemalan officials, and, over the past half-decade, three presidential administrations have deployed various countermeasures. In 2003-04, Portillo launched Plan Escoba (“Clean Sweep”), an anti-gang offensive that locked up over one thousand *mareros*. His successor, Óscar Berger, sent small groups of Guatemalan soldiers into the Petén to destroy clandestine runways. In 2007, the Guatemalan Congress agreed to the creation of the International Commission against Impunity in Guatemala (CICIG), a UN-sponsored body charged with fighting corruption and investigating high-profile crimes.<sup>64</sup> The Berger administration bolstered the PNC by hiring 3,000 army veterans, and, when Colom was campaigning for president in 2007, he promised a “zero tolerance” stance toward organized crime and corruption.<sup>65</sup>

These measures have permitted some very modest progress in combating criminal activity. In 2008, the government terminated more than 1,000 corrupt police officers and eradicated record levels of opium poppy. Overall, however, the situation in Guatemala is not much improved, and it may actually be deteriorating. Only one major drug trafficker was arrested in

2008, and he was quickly released on a technicality. The gang population is growing, murders continue to rise, and incidents like the PARLACEN killings and recent narco-massacres indicate that trends are running in the wrong direction. For all of Colom's efforts, violent crime, disorder, and insecurity are still pervasive in Guatemala.<sup>66</sup>

In some sense, this disappointing outcome owes to forces beyond Guatemala's control. Aggressive U.S. deportation policies have flooded Guatemala with thousands of criminals each year, and information-sharing on these deportees is limited. Guatemala also suffers from being located between the world's chief producer of cocaine—Colombia—and its chief consumer—the United States. As Interior Minister Francisco José Jiménez put it in 2008, Guatemala is “the meat in the hamburger.”<sup>67</sup>

Yet the chief enabler of continuing insecurity in Guatemala is the fundamental weakness of the state. Nearly 2 centuries after independence, the Guatemalan government is still incapable of raising revenue, administering justice, or providing basic public goods. Because tax rates on individuals and businesses are low, and tax collection is inefficient, tax revenue remains remarkably low at 10-12 percent of gross domestic product (GDP) (the average in Latin America is 18 percent, and developed countries generally collect tax revenues equivalent to 30-45 percent of GDP).<sup>68</sup> As a result, government institutions are immature and underdeveloped—shortcomings that are crippling to even well-intended law and order programs. The prisons are stuffed beyond capacity, making it impossible to maintain sanitary conditions or even police the incarcerated population. CICIG is underfunded and overworked, while oversight of the banking system

is spotty at best. The situation in the judicial system is even worse. A dearth of trained prosecutors and forensic examiners, a lack of modern equipment, and an unreasonable workload for judges have combined with other factors to ensure that only 2 percent of murder cases are ever solved.<sup>69</sup>

This dynamic is even more pronounced with respect to the police and military. The former institution is chronically underfunded, and, with military spending amounting to only .33 percent of GDP, it is hardly surprising that the forces of order are severely overmatched. The security forces are small—Guatemala has around 20,000 police officers and 15,000 soldiers, compared to at least 14,000 *mareros* and thousands more DTO and *grupo clandestino* affiliates—and completely inadequate to patrol the country's rough terrain and porous borders.<sup>70</sup> Naval vessels that chug along at 10 knots can hardly interdict go-fast boats that reach 50-60 knots, and police side-arms are no match for the fragmentation grenades, automatic weapons, armor-piercing ammunition, and rocket launchers used by organized crime. "These are things we have only seen in photos of Iraq and the Gulf," one police commander laments. As the Zetas establish themselves in Guatemala, this mismatch will only become more lopsided.<sup>71</sup>

Of all the factors inhibiting a successful government response, corruption may be the most important. While corruption is ultimately a personal choice, it also reflects crucial failures of the state: the failure to offer salaries sufficient to maintain an honest workforce, the failure to provide a climate of security that will permit honest officials the option of refusing to work with criminals, the failure to root out corrupt officials from the bureaucracy, and so on. So far, these

failures have eviscerated the effectiveness of Guatemalan anti-crime initiatives. In the early 2000s, the Anti-Narcotics Operations Department (DOAN), an agency created specifically to deal with drug trafficking, had to be shut down after it became known that its members were involved in crimes including kidnapping and murder. Organized crime elements regularly receive early warning of impending government raids, and recent reports indicate that security officials may have helped drug traffickers steal AK-47s and Uzi submachine guns from military armories.<sup>72</sup> CICIG is far less corrupt than most government institutions, but its achievements have been limited by the fact that it has to work through those very institutions. "The narco nexus may be stronger than the state now," says former Deputy Minister of Security Julio César Godoy. "The narcos abuse and kill, and nobody says anything because the judges, prosecutors, military commanders, and governors are all bought off."<sup>73</sup> In these circumstances, even honest officials have little choice but to go along with the ethos of corruption that rules their agencies. As one U.S. official has explained of the situation in Guatemala: "Prosecutors are reluctant to vigorously pursue criminal cases because they fear being compromised at every level. Police officers are mistrustful of their peers because corruption is pervasive within their ranks. The courts, the prosecutors, and the police are afraid of compromise, and all are without mutual support of each other. The result is an almost complete refusal by any of these three entities to effectively engage in the counterdrug mission."<sup>74</sup>

Finally, the Guatemalan government lacks the resources to address persistent social strains that make crime such an attractive option for many youths. Because the state is starved of funding, it has long been



unable to provide decent public education, offer basic services in poor neighborhoods, or otherwise combat the effects of extreme poverty. While Colom has spoken to this issue, the Guatemalan political class as a whole has responded anemically to calls for socioeconomic redistribution or even an expansion of publicly funded educational or social outlets. Funding for prevention and rehabilitation programs remains inadequate, and while privately and foreign-funded pilot projects have shown promise, they have not yet been replicated on a wide enough scale to have a nationwide impact. As a result, enforcement-first initiatives like *Plan Escoba* have had only a superficial effect on the gang problem. In fact, by locking up vulnerable youths in overcrowded detention facilities where gang affiliation is crucial to survival, it may have simply reinforced gang loyalties and thereby compounded the crisis. Institutional weakness and deep-seated socioeconomic problems have long left Guatemala vulnerable to internal upheaval, and these issues now stand in the way of any lasting solution to that turmoil.<sup>75</sup>

The government's failure to provide even a minimal level of domestic security has been profoundly corrosive to the national psyche. Persistent violence and unstinting corruption have made Guatemala a society characterized by fear, cynicism, and mistrust. Even those who have not been directly victimized by crime are terrified of its effects. According to a study conducted by USAID, "86 percent of Guatemalans surveyed feel that the level of insecurity facing Guatemala presents a threat to the future well-being of the country, and 45 percent feel that insecurity poses a threat to their own personal security."<sup>76</sup> There is no confidence that the government can stem this tide or even protect those citizens who are brave enough to

confront the perpetrators of violence. “There are no investigations here,” says one Guatemalan. “We think we know who did it, but everyone is too scared to say.”<sup>77</sup> To many Guatemalans, in fact, the forces of order are not simply ineffective; they are downright malevolent. Only 25 percent of the population believes that the police can be trusted, and 73 percent of urban and suburban residents “believe that the police are directly involved in crime.” According to the director of CICIG, the entire judicial system has been “invaded by criminal structures” and needs an “exorcism.”<sup>78</sup>

This disillusion touches on the greatest long-term threats posed by organized crime in Guatemala—the degradation of democracy and the erosion of the state. As the authorities fail to protect the population and uphold the rule of law, as DTOs and gangs dominate broad patches of Guatemalan territory, as government institutions are hollowed out from within—in sum, as the Guatemalan government fails to meet the basic requirements of a functioning state—citizens are losing faith in their country’s fragile democracy. Only 28 percent of the population had confidence in Colom’s government in 2008, and this cynicism extends to the system as a whole. According to *Latinobarómetro*, only 8 percent of Guatemalans think that democracy works better in their country than in the rest of Latin America, the lowest figure in the region.<sup>79</sup> Former Vice President Stein concedes, “Democratic governance is in jeopardy.” Indeed, insecurity and official fecklessness are giving voice to authoritarian sentiments. According to a 2004 USAID study, “Guatemalans that perceive insecurity in their communities. . . have less support for the democratic system and the values that define it. Guatemalans cite crime, along with corruption, as one of their top concerns and high levels of

crime is cited as the top justification for a military coup." Guatemalans are increasingly turning away from an ineffective democratic state, further depriving it of legitimacy and authority.<sup>80</sup>

This trend—with all its pernicious consequences—is already well-underway, and is finding clearest expression in two related phenomena. The first is the privatization of security. With the police either corrupt or overmatched, well-to-do Guatemalans are turning to private security firms for protection. This industry has flourished of late, and private security personnel—who are often well-armed—now outnumber police by roughly 7.5 to 1. The growth of this industry has furnished affluent citizens a measure of security, but it has also reinforced the fact that the state has lost its monopoly on the use of force. Just as troubling, this development has merely underscored the suffocating inequality that suffuses Guatemalan society. The fortunate few can purchase personal safety; the impoverished many cannot. As the state erodes, security is no longer a public good, but rather a luxury available only to those of means.<sup>81</sup>

The second phenomenon is an immensely disturbing trend known as "social cleansing." Citizens frustrated with the state's inability to protect them have taken the logical next step—vigilante violence. Bus companies, store owners, white-collar professionals, and others subject to extortion or intimidation now employ hired thugs to eliminate their tormentors. "Almost every night," reports the *Washington Post*, "teams of gunmen storm into the nation's poorest neighborhoods to seize another man, woman, or teenager deemed guilty of wrongdoing. Almost every morning, another corpse turns up showing signs of torture or strangulation."<sup>82</sup> The perpetrators of these execu-

tions call themselves “Avenging Angels” and “Justice Makers.” They often wear commando-style uniforms, and there is mounting evidence that some vigilantes are off-duty police or military personnel. “We’re helping Guatemala to clean up all this garbage,” says one vigilante.<sup>83</sup> According to one analysis, extrajudicial executions increased by 60-70 percent from 2001 to 2005 (though this may be a conservative estimate), and the death toll has reached into the hundreds in each of the past several years. Not surprisingly, many of the dead are victims of mistaken identity or simple score-settling. Ominously, this violence—often directed at residents of poor neighborhoods—has revived memories of the death-squad terror inflicted on much of the population during the civil war.<sup>84</sup> With the state discredited, Guatemala is descending into vigilantism and chaos.

This development should be a source of concern to observers in both the United States and Latin America. The continued destabilization of Guatemala would provide transnational gangs and DTOs responsible for a large share of drug trafficking into the United States with a safe haven and an improved base of operations. It would impede U.S. counternarcotics operations in Central America, and make the restoration of order in Mexico all the more difficult by providing the Zetas and their rivals with a cross-border sanctuary. Most troubling of all, the collapse or effective evisceration of the Guatemalan state would set a troubling precedent in a region where representative government remains fragile and countries from Mexico to Brazil are facing the same type of threat from organized crime and internal violence. Accordingly, the following section considers options that Guatemalan and U.S. officials might weigh for addressing this crisis.

## POLICY IMPLICATIONS

The first imperative in dealing with organized crime in Guatemala is to understand the depth and complexity of that issue. The current crisis is manifest in the actions of heavily armed, well-funded, ruthless criminal organizations, but it is both rooted in and compounded by a number of powerful, long-running structural factors. A lack of constructive social outlets and economic opportunities, heavy drug consumption in the United States and other destination countries (and, more recently, in Guatemala), ubiquitous official corruption, and the fundamental debility of Guatemalan state institutions have consistently abetted criminal activities and made this challenge exceptionally difficult.

To view the challenge in Guatemala as simply a law enforcement problem is thus to attack it in superficial and unproductive fashion. Just as experts on counterinsurgency and IW emphasize the need to embed the use of force in a larger scheme of military and non-military programs, anti-crime initiatives in Guatemala must address both the symptoms and the underlying causes of the current unrest. Guatemalan officials will need to implement a strategy that combines robust enforcement and security measures with sustained efforts to broaden socio-economic opportunities, combat corruption, and, above all, to build a stronger and more capable state. Such a strategy must include a wide range of complementary initiatives: aggressive, targeted actions against organized crime, an expansion of educational opportunities and basic services, overhauling inefficient and outdated institutions, purging corrupt officials, increasing public and

private investment in communities, and others. So that government revenues will rise and the rest of these measures will be possible, strengthening the tax code and improving tax collection will also be necessary. Moreover, these initiatives will have to be integrated into a coherent whole. Economic development and institutional reform cannot occur in a climate of violent chaos, while, as the recent experience with *mano dura* programs in El Salvador and Honduras has shown, enforcement-oriented programs will accomplish little, if not partnered with a more holistic approach.<sup>85</sup>

If this sounds like a daunting task, it is. Grappling with organized crime and building a more effective state will require an unprecedented commitment from Guatemalans of all stripes. Economic elites will have to pay more taxes and acquiesce to a degree of economic redistribution, the political class will have to confront corruption and take social questions seriously, and the rest of the population will have to overcome its ingrained cynicism about government motives and capabilities. Accordingly, a central prerequisite of the strategy outlined above will be the establishment of some sort of national compact between the Guatemalan government, the political class, and civil society. So far, a consensus has been elusive. The well-to-do have traditionally resisted paying more taxes to a corrupt government, the corrupt have shown little interest in exposing their own transgressions, and the political system remains polarized and fragmented. This last problem was on display in early 2009, when accusations of murder and corruption against Colom provoked dueling demonstrations by his mostly rural, lower-class supporters and the urban, middle, and upper-class groups that opposed his election.<sup>86</sup>

Yet there is reason to hope that this political paral-

ysis may eventually be overcome. Popular frustration with crime and disorder is on the rise, pushing important sectors of society toward the conclusion that the costs of a more assertive strategy are worth bearing. In early 2009, Colom succeeded in getting the Catholic Church and civil society organizations to approve the government's national security agenda, and he wrangled a \$1 billion security budget (an increase over the recent past) out of the Congress. As crime imposes a rising toll on the private sector, the business class has clamored for a stronger government response and has slowly become more receptive to the need for social investment and poverty-reduction programs. As the business class moves in this direction, it may gradually pull its political patrons along. In Mexico and Colombia, the current governments have turned popular anger at persistent internal violence into a political consensus in support of aggressive government action coupled with ambitious state-building projects; the task for Colom and his successors will be to do the same.<sup>87</sup>

While the impetus for any such strategy must come from within Guatemala, the United States will have an important supporting role to play. Various U.S. agencies have extensive experience in wrestling with the type of problems now manifest in Guatemala, and U.S. assistance can serve as a force-multiplier for Guatemalan initiatives.<sup>88</sup> For the most part, this does not mean starting from scratch. The State Department, DEA, Federal Bureau of Investigation (FBI), USAID, and other U.S. organizations have long been active in Guatemala, and in 2008, the U.S. Congress approved the Merida Initiative, a regional counternarcotics program that includes \$6-18 million per year for Guatemala. As part of the same general package, Guatemala will also receive a roughly equivalent amount in Me-

rida support funds administered by USAID.<sup>89</sup>

Still, these programs need to be seen as the beginning, rather than the culmination, of U.S. support for security and stability in Guatemala. U.S. aid to Guatemala actually fell (in both absolute and real-dollar terms) between 2002 and 2007, and insufficient resources are a problem for nearly every U.S. program in Guatemala. While the Merida Initiative will provide a limited infusion of new resources, it is slated to last just 3 years. This is not a sufficient time horizon—the current crisis in Guatemala (and in Latin America more broadly) has taken shape over decades if not longer, and containing it will also be a lengthy process. It may thus be necessary for resource levels to rise modestly. Greatly expanded U.S. assistance is clearly not feasible given current American commitments and priorities. But devoting an extra \$30-40 million per year to U.S. programs in Guatemala would represent a large proportional increase in U.S. assistance while adding only a small burden to the overall foreign aid budget. And if this assistance helps head off a more acute crisis, it will generate long-term savings for the United States.<sup>90</sup>

Just as the Guatemalan government will need to combine law enforcement programs, social and economic initiatives, institution-building, and other measures, U.S. policy should emphasize a holistic, integrated approach to combating instability. American policy should combine sustained, long-term efforts to address the structural enablers of violence with more immediate, enforcement-oriented measures that will produce visible successes and help restore government credibility. Similarly, U.S. officials must be attuned to the multiplier effect that can result from coordinated action on several fronts—the way that



reducing police corruption induces greater community cooperation and thus better intelligence, the way that enforcement measures against a certain criminal organization can create space for social and educational projects in a specific neighborhood, and so on. Finally, with numerous U.S. agencies involved in this process, it is imperative that American officials forge a common strategic outlook and make effective use of existing mechanisms (such as the “Country Team”) for substantive interagency coordination. This is especially the case with counternarcotics programs, which involve myriad offices and agencies and continue to be plagued by a lack of collaboration between participants.<sup>91</sup>

Within this framework, there are a number of issues that merit particular attention. With respect to security and enforcement, it is crucial to leverage intelligence and law enforcement assets so as to improve the quality (not necessarily the quantity) of arrests. While Guatemala has not gone as far as its neighbors in enacting *mano dura* anti-gang programs, Plan Escoba and other police initiatives have shown a similar tendency to scoop up and incarcerate large numbers of suspected gang members. Unfortunately, these sweeps are neither effective nor resource-efficient. They tax Guatemala’s already-strained police and prison capacities and do little lasting harm to the *maras*. Most of the individuals arrested are low-level operatives who possess few specialized criminal skills and are easily replaced by the *maras* or the DTOs.

A more effective approach would be to target *mara* and DTO leadership elements, operatives who possess valuable skills (such as experience in money laundering or electronic surveillance), and the experienced *sicarios* (hit-men) who are responsible for much

of the violence. (This latter category is actually smaller than one might think; according to one U.S. official, perhaps 80 percent of murders are committed by 20 percent of murderers.)<sup>92</sup> This key player approach will place a premium on information-sharing, but it will also entail helping Guatemalan law enforcement agencies build the capabilities – witness protection, a greater capacity for wire-tapping and undercover operations – necessary to undertake successful prosecutions against organized crime higher-ups. Similarly, Immigrations and Customs Enforcement (ICE) would do well to improve information-sharing on deportees with gang or criminal backgrounds, as current procedures relay only limited information – sometimes not made available until the deportee in question has already arrived in his or her home country – to Guatemala and other recipient nations.

A necessary counterpart to better targeting and information-sharing will be a redoubled campaign to attack the financial disadvantage the government currently faces. At present, the PNC is out-gunned by the criminals because the government is being out-spent by them. As mentioned above, while Colom obtained a \$1 billion security budget in 2009, the proceeds from drugs smuggled through Guatemala may be as much as \$10 billion annually. Over the long term, redressing this imbalance will require raising greater tax revenues and thereby expanding the government's resource base. In the short term, it is essential that U.S. and Guatemalan officials tackle the other side of this problem by attacking the finances of criminal organizations. In particular, U.S. agencies with experience in disrupting illicit financial flows can help refine Guatemala's emerging anti-money laundering laws and train the personnel to enforce this regime. They can

also aid Guatemala in developing more effective asset forfeiture laws (so that the government can avail itself of resources seized from the cartels) and building a centralized tracking system to ensure that these assets do not disappear into the pockets of corrupt officials. As the State Department recently reported, these measures are central to evening the financial mismatch between the government and organized crime.<sup>93</sup>

As recent experience has shown, aggressive enforcement strategies will produce desired results only if carried out by competent, honest officials. Addressing current deficiencies in the PNC and other law enforcement organizations will require thoroughgoing institutional reform over a long period. In the interim, it will be necessary to find more immediate ways of improving police performance, if only at the margins. High levels of corruption notwithstanding, there are pockets of trustworthy, courageous Guatemalan security personnel. U.S. policy should seek to identify these groups, augment their capabilities, and gradually build a core of reliable law enforcement professionals. The United States possesses several tools that can be useful in this regard: personnel exchanges with U.S. law enforcement agencies, interaction with police officers from Washington, DC, Los Angeles, and other cities where community policing techniques have been used to good effect, and assistance in training and vetting the small, elite forces that will be needed to carry out sensitive operations.<sup>94</sup>

More effective police will need to be supported by a more effective judicial system. As discussed above, Guatemala's institutions are simply too weak at present to support any meaningful law and order program. Corruption, a lack of laws tailored specifically to fighting organized crime, insufficient training for

prosecutors and investigators, and even the simple absence of administrative and physical infrastructure have rendered the judicial system an embarrassment and fed public alienation. Redressing these weaknesses will need to be an important part of any comprehensive U.S. assistance strategy. U.S. agencies can assist the Guatemalan judiciary in developing specific anti-gang laws, provide training for investigators and forensic examiners, and offer assistance in developing effective prosecution strategies. At an administrative level, USAID should emphasize the development of personnel and management systems that reward good performance. The key in all this is to take a building-block approach: Start with small, basic tasks that can form a foundation for more ambitious measures later on. In some cases, USAID is already involved in promising pilot programs oriented along these lines. Cooperation with the Public Ministry has led to more effective investigative techniques and increased the number of murder prosecutions in Guatemala City. The construction of 24-hour courts in Villa Nueva has helped streamline a notoriously slow judicial process and ensure that those accused of a crime go before a judge in timely fashion. Given additional resources, it may be possible to expand upon these programs and begin to undertake system-wide initiatives.<sup>95</sup>

This mixture of selective engagement and institutional reform should form the basis of U.S. policy toward the Guatemalan military as well. The military is currently prohibited from participating in domestic policing missions due to its human rights record, but because the PNC is so often outgunned and overstretched, the armed forces are being tacitly reintegrated into this role. As this happens, it makes sense for the United States to engage and build the capacity

of those units involved in interdiction activities (as the State Department is doing on a limited scale through a partnership with Guatemala's Joint Task Force Fuentes), but U.S. officials should also work to ensure that Guatemalan military institutions continue to develop in a way compatible with democratic norms. Over the past decade, one of the more successful U.S. programs in Colombia has been to provide financial, technical, and political support to the office charged with investigating human rights abuses by the military, and a similar effort may be useful in Guatemala.<sup>96</sup>

U.S. policy must also address the social conditions that provide a steady stream of recruits for *maras*, *pandillas*, and other criminal organizations. The need is not for programs like *Plan Escoba*, which lock up Guatemalan youths without offering them any meaningful alternative to gang membership. The need is to invest in education, vocational training, and after-school activities that will keep kids off the streets and give them some hope of succeeding in a licit line of work. Similarly, it will be necessary to strengthen the network of organizations and programs that focus on reintegrating ex-gang members into society and thereby lessening the chances of recidivism.

To its credit, USAID and its partner organizations have been very active in exploring these sorts of programs. The "Challenge 10" television show (partially funded by USAID) depicted ex-gang members cooperating to start small businesses, and follow-on projects placed around 170 former *mareros* in gainful employment as of November 2009. Over the past several years, USAID has also worked with rotary clubs, churches, and other civil society organizations to establish several community centers where Guatemalan youths can learn to use computers, take classes in a

trade, or simply hang out. The centers offer community members access to constructive activities, a chance at self-improvement and, not least of all, a refuge from the trouble and insecurity that they would otherwise encounter. They are also extremely cost-effective. Start-up costs run about \$16,000, and because the centers are often based in spaces donated by churches and rely on volunteers for staffing, they cost just a few hundred dollars per month to sustain. If this sort of initiative can be partnered with expanded educational opportunities, it can provide young Guatemalans with an alternative to gang membership and crime.<sup>97</sup>

As the Challenge 10 and community center programs illustrate, the social and economic aspects of Guatemala's crime problem are best addressed not through direct resource transfers from U.S. agencies to poor Guatemalans, but by emphasizing public-private partnerships that encourage communities to invest in themselves. Mobilizing private business, the churches, and other civil society groups entails a number of benefits: it brings additional resources (both financial and human) to bear on the problem, taps into social networks that can provide young people with means of emotional support outside of the gangs, and fosters a shared sense of purpose between the government and important groups of citizens. Accordingly, facilitating these partnerships should be a key aspect of U.S. policy, especially given the resource constraints that prevail in Guatemala.

If American officials are serious about combating insecurity in Guatemala, they must also face up to the reality that a large chunk of the money that funds organized crime in that country (and elsewhere in Latin America) comes from the consumption of illegal narcotics in the United States. Since the unveiling of

Plan Colombia roughly a decade ago, the increasing emphasis on combating drug-related violence abroad has not been matched by sustained, intensive efforts to deal with the demand side of the equation. Funding levels for domestic demand restriction activities fell as a percentage of the U.S. counterdrug budget between 2001 and 2008, the budget for anti-drug advertising fell by more than half under the Bush administration, and the approval of the Merida Initiative occurred concurrent to a \$73 million cut in domestic treatment programs. Outlining a comprehensive demand-side strategy is beyond the scope of this paper, but it is clear that the United States will need to devote greater resources, greater political will, and greater creativity to dealing with its homegrown contributions to narco-trafficking and drug violence in Latin America.<sup>98</sup>

This list of measures should be considered suggestive rather than definitive or exhaustive. Combating crime, ameliorating social ills, and correcting institutional decay are far from exact sciences, and a capacity for innovation and adaptation will be vital in addressing these issues. Accordingly, U.S. officials must remain flexible in dealing with what promises to be a fluid, dynamic situation. The need is for what Francis Fukuyama has called the policy “entrepreneur,” the creative problem solver “willing to experiment with new approaches, to learn from others, and more important, to abandon initiatives that are not bearing fruit.”<sup>99</sup> As the United States and its partners seek to deal with the security challenges taking shape in Guatemala and across Latin America, Fukuyama’s exhortation offers a worthy ethos.



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