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The Mined Road to Peace in Guatemala

Susanne Jonas

This paper presents a political history and interpretation of the Guatemalan peace process, its turning points, and its crises. Beyond the significance of the process for Guatemala itself, the story of the peace negotiations holds fascinating and surprising lessons for a conflict-ridden world. Highlighted are the dynamics of the negotiation in its different stages, the role of the UN as a central player, its interactions with the key Guatemalan players, and some suggested hypotheses about the effects of the UN involvement.

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THE MINED ROAD TO PEACE IN GUATEMALA

Susanne Jonas

The December 29, 1996, signing of the peace accords ending Guatemala's 36-year civil war opened up a new chapter in the country's history. Guatemala's was the longest and bloodiest of Latin America's Cold War civil wars, in which some 200,000 civilians, primarily highlands Mayas, died or "disappeared." The causes of the war originated in the violent overthrow of the democratic-nationalist (nonsocialist) revolution of 1944-1954 — an operation engineered by the U.S. government in June 1954, on the grounds of stopping communist expansion in the Western Hemisphere. This counterrevolution, installed under U.S. tutelage after intervention by the U.S. Central Intelligence Agency (CIA), reversed all of the democratic and modernizing reforms of the revolution, including its moderate land reform.

The denial of social rights to the majority of the population after 1954, combined with a political system so militarized and exclusionary as to leave no room for legal political dissent, created the conditions for the development of an armed insurgent movement as early as 1960. Thus began Guatemala's Cold War civil war, which was to last nearly four decades. A major element in that war arose during the 1970s and 1980s, when a massive awakening occurred among the communities of the indigenous highlands whereby these communities became actors in the battle between the army and the insurgents. Hence, the last two decades of the war were marked by ethnic as well as political and class-based demands and struggles.

Taken as a whole, the peace accords signed at the end of 1996 between the Guatemalan government and the insurgent Guatemalan National Revolutionary Unity (Unidad Revolucionaria Nacional Guatemalteca — URNG), brokered by the United Nations (UN), went far beyond ending the war; they declared an "adios" to 42 years of painful Cold War history and projected major

changes for Guatemala. Like the accords in neighboring El Salvador five years earlier, they constituted a truly negotiated settlement. Rather than victors imposing the terms upon the vanquished, they represented a splitting of differences between radically opposed forces, with major concessions from both sides.

The process by which the accords were reached was long and difficult. As late as 1994, Guatemala's military and civilian elites were still insisting that they would never negotiate a UN-moderated and -verified peace settlement with the leftist insurgency. Resistance by Guatemala's elites to international peacemaking was nothing new. Even as the historic Central American Peace Accords were being signed in Guatemala City in August 1987, Guatemala's top military officials declared that the accords did not apply to Guatemala's civil war; having defeated the insurgent leftist guerrilla movement, the army insisted that it had no reason to negotiate. Shortly thereafter, as the Central American region began to move toward peace, the Guatemalan army launched a major "final offensive" designed to consolidate its announced triumph over the URNG. But three and one-half years (and several military offensives) later, in April 1991, the army had not achieved its goal of military victory and finally agreed to begin formal peace talks with the URNG. At that time, army officials and their civilian backers were still convinced they could win a political victory, by forcing the URNG to lay down its arms in exchange for minimal, pro forma concessions. And, in the wake of the Salvadoran peace accords of January 1992, bringing with them an extensive UN presence, the resistance to such a prospect in Guatemala stiffened.

Despite the odds, the Guatemalan peace negotiations continued in a process that involved not only the main belligerent parties (the govern-

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ment/army and the URNG) but virtually all organized sectors of Guatemalan society, as well as the UN as moderator, several "Group of Friends" governments (primarily Mexico, Norway, Spain, and the United States and, more nominally, Venezuela and Colombia) and other international players. As it unfolded, the peace process was anything but pro forma; its results were to be internationally binding and verified and promised to shape important aspects of the country's future.

This paper presents a political history and interpretation of this extraordinary process, its turning points, and its crises. Beyond the significance of the process for Guatemala itself, the story of the Guatemalan peace negotiations holds fascinating and surprising lessons for a conflict-ridden world. I shall highlight how the UN became a central player in the negotiations, describe its interactions with the key Guatemalan players, and suggest some hypotheses about the effects of its involvement. These issues are best understood by beginning from the previous period, when the UN was less central, and various Guatemalan players were resisting its participation.

As I will show, central UN involvement, which took several years to achieve, dramatically raised the stakes of the peace process to all parties concerned, both within Guatemala and internationally, and made the process much less reversible. This did not reduce the importance of domestic players, however; what is striking about this process in its totality has been the endlessly shifting interaction between domestic and international peace efforts — and the many forms of resistance to those efforts. Also, I shall suggest how (and why) Guatemala became important to the UN and the international community and came to be viewed as one of the best possibilities for a success story — although, as we shall see, success is by no means guaranteed two and one-half years after the signing of the accords in December 1996. In the end, a viable peace rests on the political will of the Guatemalan actors on all sides and at all levels.

The dramatic shifts and turns in this often convoluted process serve as a constant reminder that Guatemala is a country where anything can happen; where nothing is linear, straightforward, or predictable; and where every advance toward peace has been met by new resistances and destabilizations. I emphasize this because El Salvador is the implicit point of comparison. Ultimately, some important aspects of the written accords are simi-

lar (namely, demilitarization and a very limited role for the army in exchange for guerrilla demobilization). However, in addition to some obvious particularities of the Guatemalan case, such as the indigenous issues, the process itself has been very different. The hidden dangers and endless resistances of the Guatemalan experience call to mind that of the Middle East more than El Salvador. At the level of political culture, as well, El Salvador is fairly transparent. By contrast, Guatemala is the country where people deny in order to affirm; even today, when almost everyone speaks the discourse of peace, there are many different constructions of the word.

1986-1990: Initial Dialogues

Guatemala's civil war dates back to 1960, with its most intense phases in 1966-1968 and the late 1970s to early 1980s. (For details of the 1966-1968 period, see Jonas 1991, Chapter 4.) Even after the army's crushing scorched-earth counterinsurgency war of 1981-1983, the conflict revived at a low intensity after 1987. But at the same time, the late 1980s saw the beginnings of a move toward peace. After the holocaust of the early 1980s (which cost the lives of up to 150,000 civilians, primarily highlands Mayas), the URNG recognized that a strategy based on military victory, or taking state power, was unthinkable and that the cost of pursuing such a strategy would be far too high for the noncombatant population. Hence, shortly after the return to civilian government in 1986, the URNG began to propose a dialogue and negotiations for a political settlement to the war. For several years, the army and government refused, insisting that the insurgents must first lay down their arms. By 1990, however, the army and government had to recognize that the war was persisting, although never at the same level as in El Salvador. The implicit admission that the war could not be won militarily created conditions, for the first time, for serious discussions about ending it.

Moreover, during the third, low-intensity phase of the civil war, in the late 1980s and into the early 1990s, other factors helped lay a foundation for peace talks. Regionally, the Central American Peace Accords of August 1987 (Esquipulas II) effectively ended the Contra war in Nicaragua and established a framework for negotiated settlements in El Salvador and Guatemala. The successful negotiations in Nicaragua (late 1980s) and El

Salvador (early 1990s) exemplified new ways to end long-standing civil wars that could not be ignored in Guatemala, despite the army's emphatic rejection of such a route for Guatemala. In addition, a larger international shift was occurring during the late 1980s: the beginning of the end of the Cold War.

By the late 1980s, considerable pressure for peace was building up within Guatemalan society. During 1989, the Catholic Church sponsored a national dialogue that, although boycotted by the army, the government, and the business elites, expressed a clear consensus among all other organized sectors in favor of a political settlement to the war — indeed a clamor for peace with political pluralism and social justice. The dialogue process was formalized at a March 1990 meeting in Oslo between the URNG and the National Reconciliation Commission (Comisión Nacional de Reconciliación — CNR) created by the 1987 Central American Peace Accords. This agreement projected a series of URNG meetings with the political parties, subsequently with the social sectors (labor/popular, religious, private sector, and others), and finally with the government/ army.

These initial steps, which also involved a personal representative of the UN Secretary-General as observer, yielded results far beyond what had been expected. In the June 1990 meeting between the URNG and the political parties in Madrid, agreement was reached, at least in principle, on the need for modifications in the Constitution, while the guerrillas agreed not to disrupt the 1990 elections. Later in 1990, even the powerful umbrella organization for big business, the Chamber of Agricultural, Commercial, Industrial, and Financial Associations (CACIF), held initial discussions with the URNG in Canada — an unthinkable event during the previous 30 years.

Beyond the formal meetings, the dialogue process opened up spaces within a repressive context for public discussion of issues that had been undiscussable for decades; in this sense, it became an important avenue for beginning to democratize Guatemala. Yet, at this stage, aside from the Catholic Church,¹ the pro-peace forces were still relatively unarticulated in comparison with the organized power of those resisting a substantive peace process.

1991-1993: Bilateral Negotiations

In April 1991, newly elected president Jorge Serrano, responding to domestic and international pressures and building on his own experience in the CNR, opened direct negotiations with the URNG. In fact, he had used a pro-negotiation stance to differentiate himself from the other, also conservative, candidates in the campaign. For the first time, top army officials agreed to participate in meetings to set the agenda and procedures for peace talks. The occurrence of these preliminary meetings, dropping the precondition that the URNG first disarm, represented a small but significant step forward. In 1991, an agreement in principle on democratization was made, and in 1992, very preliminary partial pre-agreements on human rights took place. But amidst a generalized skepticism toward the peace process (some called it *la danza de la paz* — a farce, with no serious intentions of reaching solutions), the economic and military elites remained totally opposed to a fully negotiated peace. Their resistance emerged most clearly in their “never in Guatemala” backlash response to the UN-supervised accords signed for El Salvador in January 1992 and subsequently to El Salvador's Truth Commission report in March 1993.

The precariousness of the process became evident when it stagnated in August 1992 over human rights issues² and moved toward a total breakdown during the last months of Serrano's crisis-ridden government, leading up to the May 1993 *Serranazo* (the president's attempt to seize absolute power, dissolve Congress, and suspend the Constitution) or *auto-golpe* (see Jonas 1994). The Serrano government turned out to be much more interested in imposing a cease-fire deadline than in resolving the substantive issues — a stance unacceptable to the URNG. During early 1993, for example, even while presenting himself at the UN as the great architect of the peace process, Serrano offered, in exchange for an early cease-fire, agreements only on human rights (including their verification) and demilitarization. The URNG, in turn, insisted on negotiating the entire agenda and pressed for representation of the civilian sectors at the negotiating table. Knowledgeable participants on the government negotiating team considered this to be a “maximalist” stance by the URNG and concluded that the URNG's commitment to negotiations was more tactical than real.³

The May-June 1993 political crisis unleashed by the Serranazo interrupted the peace talks altogether. Paradoxically, even the resolution of that crisis, through the ascendance of former human rights ombudsman Ramiro de León Carpio as the new president in June 1993, further postponed the resumption of serious peace talks. (For a detailed account, see Jonas 1994.) The new government, in close alliance with the “institutionalist” wing of the army high command (that is, those favoring formal civilian rule but maintaining the army’s power intact), presented unrealistic proposals for negotiations that would have discarded previously signed agreements and, in essence, would have required the URNG to disarm without any substantive settlements. These proposals were rejected almost unanimously throughout Guatemalan society — except by the army and CACIF — and were viewed as completely nonviable by key international players in Guatemala and at the UN headquarters in New York.

During the Serrano years (1991-1993), the negotiations were chaired and coordinated by Monseñor Rodolfo Quezada Toruño of the Guatemalan Catholic Bishops’ Conference as “conciliator,” with the UN as observer.⁴ In the world of Guatemala, even this represented a significant advance, insofar as the idea of a negotiated end to the war was finally accepted by the government. However, both parties still had the idea that the UN would verify but not mediate the peace, and neither side seriously expected anything like the Salvadoran model to work for Guatemala.

This bilateral phase was a necessary first stage in Guatemala, given the strong resistance by both the army and big business (CACIF) to any negotiations with the URNG. It also provided space and time for the coalescence of political forces in a civil society with a strong interest in resolving the substantive issues and with enough accumulated strength to be taken seriously. Eventually, however, this process ran up against the limits of operating in a purely Guatemalan context, without the added weight of the UN and the international community to overcome strong internal resistance. The importance of the international community became evident during the Serranazo, when leading governments such as the United States and Germany threatened to withhold trade as well as aid unless the constitutional order was immediately restored; faced with the specter of economic sanctions, CACIF was persuaded to abandon the pro-golpe forces and leaned on the army to do likewise.

By late 1993, after the efforts of the de León Carpio government to scuttle the previous gains of the peace process were rejected domestically and internationally, both sides were readier for a central UN role. The URNG came to appreciate more clearly the necessity of UN involvement in getting its full agenda discussed and reaching binding agreements. For its part, the government was anxious to remove Quezada Toruño from his role, believing him to be partial to the URNG. (As he later put it, he was being viewed as the “fifth URNG Commander.”) Furthermore, although the elites were generally distrustful of a UN role in Guatemala, both the Serrano and de León Carpio governments had tried to use the UN as an international forum for strengthening their hand against the URNG in January and October of 1993, respectively. These efforts did not succeed, but structurally they may have served to gain wider acceptance for the idea of UN involvement. By this time, as well, the government had successfully insisted that the UN replace its initial observer — whom they also saw as pro-URNG — with a new UN intermediary.

1994-1995: Initial UN-Moderated Negotiations

In January 1994, the negotiations were resumed, but this time on a much different basis: at the request of both parties, the UN became the moderator, paving the way for significantly increased involvement by the international community. The agenda-setting Acuerdo Marco, or Framework Accord of January 1994, formalized the role of the Group of Friends governments.⁵ Some of the Friend governments had been actively engaged with the process in its earlier stages. At the same time, the Acuerdo Marco established a mechanism for participation by the organized sectors of Guatemalan civil society. By this time, grassroots popular and indigenous organizations had come to view the peace process as an arena for discussing issues that were not being addressed in the formal political arena, namely Congress, and had become increasingly vocal in their demand for participation in the peace talks.

During the Serranazo, for almost the first time, these popular forces had come together to play a role in mainstream national politics, and they even participated in national dialogues with CACIF within the context of broad multisectoral alliances. Building on these experiences, popular and indigenous forces — and eventually even

women's organizations, although they initially had to struggle to be included — joined with established political parties and other sectors (including even small- and medium-sized businesses, but by its own decision, not CACIF) in the Assembly of Civil Society (Asamblea de la Sociedad Civil — ASC) established by the Acuerdo Marco. The ASC's functions were to make consensus proposals to the negotiating parties and decide whether to endorse accords once they were signed. Chaired by Monseñor Quezada Toruño, the ASC was by no means a unified bloc. It even included representatives from the ultra-rightist Guatemalan Republican Front (Frente Republicano Guatemalteco — FRG), the party led by General Efraín Ríos Montt, who had headed the military dictatorship of 1982-1983 and presided over the worst phase of the scorched-earth counterinsurgency war. In fact, the ASC's diversity and the autonomy of many of its organizations made it a vital forum for hammering out a consensus. Unlike El Salvador, there was no one party line guiding all popular organizations, much less indigenous organizations.

The plurality of collective actors (organized sectors), each with its own agenda and vision for Guatemala's postwar future, gave the Guatemalan process a unique character and dynamic. This plurality, both between and within sectors, can be captured in the image of a symphony orchestra with a multiplicity of sections — as contrasted with the Salvadoran process, more of a trio among the government, the Frente Farabundo Martí de Liberación Nacional (FMLN), and the UN. It also explains why the peace process was not limited to the negotiating table in Mexico, but rather reflected the interactions between the negotiations *per se* and the opening of democratic spaces in Guatemalan society as a whole. Ultimately, the peace process became the political terrain on which competing agendas about the country's future were being played out.

Beginning in 1994, then, the ASC became a central actor in making proposals to the negotiating table on each of the substantive themes on the agenda; its proposals were not binding, but they could not be dismissed or ignored. None of this, however, stopped government and army officials from continually attempting to downgrade the ASC's role and accusing it of being a facade for the URNG and of trying to open new fronts for the URNG. Indeed, as part of its psychological warfare, the government used the mass media to intimidate not only the popular movement but virtually all sectors of society.

Under the new negotiating arrangements, a breakthrough Comprehensive Agreement on Human Rights was signed in March 1994, calling for immediate steps to be taken by both parties and the immediate establishment of UN verification mechanisms to monitor human rights. (Days after the accord was signed, the head of the Constitutional Court was assassinated in broad daylight — a typical message from Guatemala's peace resisters.) Two further accords were signed in Oslo, in June 1994: one on the resettlement of populations displaced by the war and a second establishing a Truth Commission — formally, the Commission for the Historical Clarification of Human Rights Violations and Acts of Violence That Have Caused Suffering to the Guatemalan Population (Comisión para el Esclarecimiento Histórico — CEH). But the latter accord produced a crisis in the process,⁶ which was seriously compounded by delays in the implementation of the human rights accord. For one thing, the government took no steps to comply with its obligations under the accord; in fact, human rights violations worsened dramatically, and the war intensified during this period (April-October 1994). In August, the URNG refused to return to the negotiating table until the provisions of the accord were implemented.

Months passed before arrival of the UN Mission for Human Rights Verification in Guatemala (Misión de las Naciones Unidas para la Verificación de los Derechos Humanos en Guatemala — MINUGUA) that had been mandated to begin functioning immediately — even though virtually all participants and observers agreed that the presence of such a UN mission could significantly change the situation on the ground.⁷ During the tense interim period before the arrival of the MINUGUA mission in November 1994, government and army officials repeatedly objected that the planned mission was too large and should not be empowered to initiate investigations into human rights abuses. These delays, coinciding with the Truth Commission crisis, undermined the credibility of the entire peace process.

As this crisis moved toward resolution during the fall of 1994, negotiations were resumed on the next theme, indigenous rights. Both because of the complexity of the issues and because of serious tensions over the timetable for the negotiation process,⁸ an Accord on Identity and Rights of Indigenous Peoples was not reached until March 1995. The accord itself included far-reaching changes — including a constitutional reform declaring the country to be multiethnic, multicult-

tural, and multilingual — and was considered a landmark achievement for a country whose population is 60 percent indigenous. By no means did it fulfill all the demands of Guatemala's organized indigenous movements, but it did lay the basis for future gains.

Internationally, however, the signing of the indigenous accord was somewhat overshadowed by the simultaneous eruption of a major scandal in Washington concerning the involvement of a Guatemalan military officer on the CIA payroll during the early 1990s murders of U.S. citizen Michael DeVine and URNG commander Efraín Bámaca, married to U.S. lawyer Jennifer Harbury. These revelations blew the lid off an explosive Pandora's box, increasing pressures on Washington to break long-standing secret ties to the Guatemalan Army. (For details on this relationship, see Jonas 1996.) Within Guatemala, the immediate effect was to rattle the peace negotiations seriously, as the army officer corps closed ranks to defend itself. Structurally and longer range, however, the scandal had a more positive effect, as it put the Guatemalan Army, already beleaguered by endless human rights criticisms, even more on the defensive, both at home and abroad — despite the army's posturing to the contrary — and weakened the hand of peace resisters in the military high command.

A separate international factor was the message from the May 1995 meeting of the Paris Consultative Group of Donor Countries (mainly the United States, Europe, and international lending institutions): major funding for Guatemala would be held up until a final peace accord was signed and until tax reforms in Guatemala guaranteed internal financing. This message seemed particularly important at the time in affecting the attitude of some big business sectors, and, thereafter, the more modernizing groups within CACIF demonstrated greater interest in the peace talks. They were also becoming involved because their issues, namely, of a social-economic nature, were now on the negotiating table.

Within Guatemala, meanwhile, the peace process began to be directly impacted by the dynamics of the November 1995 general election campaign. During the first half of the year, the URNG issued an unprecedented call urging Guatemalans to vote; this was interpreted as signaling an implicit shift toward a political means of struggle. A few months later, for the first time in 40 years, a leftist coalition of popular and indige-

nous organizations came together as a political party, the New Guatemala Democratic Front (Frente Democrático Nueva Guatemala — FDNG), to participate in the elections. The FDNG nominally was independent from but considerably influenced by the URNG, and its formation was taken as a further sign of the latter's shift to political forms of struggle. Equally significant, in an August 1995 agreement brokered by the Central American Parliament on the Panamanian island of Contadora, the URNG promised to suspend military actions during the last two weeks of the electoral campaign in exchange for a commitment from the major political parties that the peace negotiations would continue under a new government and that the accords already signed would be honored. For the first time, Guatemala's political class accepted that the negotiated agreements constituted accords of state and, as such, could not be jettisoned by any future government or Congress.

UN-moderated negotiations continued throughout the rest of 1995 on the next theme, social-economic issues, including the ever prickly question of land reform. Yet, the negotiations took second place to the November elections, and no agreement had been reached by that time. Still, by mid-1995, one could sense a significantly greater commitment to the peace process on all sides. As always in Guatemala, progress generated strong resistance, including calls from the more recalcitrant hard-line sectors to halt the entire peace process,⁹ but, increasingly, these were seen as coming from minority factions. Therefore, even the period when no new agreement was signed (April 1995 to April 1996) was a critical time for confidence-building among the Guatemalan players. Both sides were strengthened by the outcome of the 1995 electoral process. Despite his extremely narrow victory in the second round, Alvaro Arzú entered office on a strong note, bolstered by his party's majority in Congress and well articulated with the economically powerful CACIF. The URNG, for its part, was implicitly strengthened by the surprisingly strong showing of the newly created FDNG. Despite its lack of political experience and resources, the FDNG won 7.7 percent of the presidential vote and 6 of the 80 congressional seats, becoming the third-strongest political party in Congress. In addition, several indigenous *comités cívicos* (civic committees) allied with the FDNG won important mayoralties, including Quetzaltenango, Guatemala's second-largest city.

Until they actually occurred, such results had not been believed possible in Guatemala.

The other decisive novelty of 1995-1996 that strengthened the impetus toward peace was the presence and active functioning of MINUGUA throughout Guatemala. Although the actual human rights situation remained fairly dismal, MINUGUA represented the first direct, on-the-ground, ongoing international presence in Guatemala, and this shifted the balance of forces within the country.

MINUGUA I (1994-1996): The Human Rights Mission

Although my purpose here is not to provide an in-depth institutional analysis of MINUGUA's functioning,¹⁰ I shall discuss briefly the mandate and functions of MINUGUA beginning in late 1994, as part of the larger UN investment in Guatemala. Despite the delays in its deployment, MINUGUA represented a crucial commitment from the international community — in the UN lingo, a “confidence-building” institution — particularly coming prior to the signing of peace accords and at a moment of stagnation and high tension in the negotiations. Because it embodied resource expenditures, MINUGUA became the most concrete expression of the international community's interest in Guatemala. It also represented a promise of what the international community could do for Guatemala after the signing of final peace accords, a down payment of sorts.

MINUGUA's periodic human rights monitoring reports served as a signal to the international community regarding the human rights climate in Guatemala. One message emerged clearly from MINUGUA's first four reports issued in March, June, and October of 1995 and March 1996. The main obstacle to human rights improvements was impunity, not — as the government had long maintained — the continuation of the war, meaning that there could be no improvement in human rights until after a cease-fire. According to MINUGUA's fourth report, and summarizing the first year of its operations, “The Mission saw no decisive progress in the commitment to fight impunity.” The persistence of impunity was “attributable basically to the absence of a State policy for combating it”; the government had failed to investigate, identify, and punish those responsible for human rights violations. Although it identified some areas in which progress had been made, the report expressed “deep concern”

that “during the period covered by its reports, no effective measures were taken to follow up the majority of [its] recommendations.” More concretely, the MINUGUA reports focused attention on specific cases and violations by both sides (government and URNG) and indicated to each side what steps to begin taking immediately. Two subsequent reports, issued respectively in August 1996 and March 1997, covering the Arzú government's first year in office, were significantly affected and overshadowed by the endgame dynamics of the negotiations, as will be seen below.

MINUGUA by itself could not correct Guatemala's abysmal human rights situation; yet, the very presence of a mission of more than 400 people throughout the country changed the human rights context, most notably during 1995. For one thing, its presence had a dissuasive impact, serving as a tangible reminder that the world was watching the human rights situation in Guatemala very carefully. (One top MINUGUA official saw the angry responses to the mission's first report as a sign of the mission's effectiveness; at least it was being taken seriously.) MINUGUA's presence also contributed to overcoming the pervasive fear experienced by many Guatemalans, by providing a neutral place or haven to take their testimonies; this opened spaces for freer expression, particularly in remote rural areas where many people had never had contact with pro-human rights officials. And in the high-profile October 1995 massacre of 11 refugees returned from Mexico at Xamán, Alta Verapaz, MINUGUA's rapid arrival and pronouncements preempted the army's attempts to blame the victims. This prompt response contributed to the resignation of the defense minister and to the eventual, unprecedented consignment of the case to a civilian court.

The other significant innovation in MINUGUA's mandate — doubtless a lesson from the experience in El Salvador — was to couple verification with the strengthening of national institutions charged with human rights protection. The MINUGUA reports evaluated reasons for the so-called defective functioning of the judicial system, the public prosecutor's office, the national police, and other public security forces in investigating and prosecuting criminal activities as well as human rights abuses; among these reasons were the autonomy of the army and its adjunct units and forces. Beyond pinpointing these structural problems, MINUGUA (together with the UN Development Program — UNDP) began to work

on strengthening institutions in a number of areas. It was beyond MINUGUA's purview, however, to correct the root problems of militarization, which remained to be resolved at the negotiating table: this would require the dismantlings, not the strengthening, of existing structures under the army's control and the creation of new institutions, above all, a truly autonomous civilian police force.¹¹

Aside from the limitations of its mandate and separate issues related to its funding,¹² MINUGUA faced several external constraints. The most immediate of these came from Guatemala's peace resisters, taking several forms. The first was a series of overt attacks against MINUGUA: shooting up the office, as well as ongoing threats, harassment, and even kidnappings directed against MINUGUA personnel. In none of these cases did the government arrest those responsible. In short, MINUGUA was experiencing the effects of the impunity documented in its reports. Another set of attacks came from hard-liners in the army and private sector, accusing MINUGUA of defending *izquierdas humanas* rather than *derechos humanos* (that is, of favoring the URNG) — despite MINUGUA's sharp criticisms of the URNG for charging war taxes in rural areas, accompanied by threats and reprisals, and engaging in other armed activities that endangered civilian lives.

Most important, the government engaged in patterns of passive resistance and undermining MINUGUA's work behind the scenes, particularly on the part of government institutions that were supposed to be strengthened. There were ongoing attempts to limit MINUGUA's functions on the grounds of national sovereignty, as well as generalized resistance to implementing MINUGUA's recommendations by institutions of the legal/judicial system.¹³ While chafing under MINUGUA's presence, the government tried at the same time to use it as an argument for getting rid of Mónica Pinto, the independent expert mandated by the UN Human Rights Commission, but in the real world of Guatemala, there certainly was room for an expert who was not permanently based in the country and hence would not operate under the pressures affecting MINUGUA as an in-country mission.¹⁴

In short, MINUGUA was operating amidst the minefields of Guatemala's subterranean message system. Many of the messages directed against MINUGUA were, in reality, expressions of resistance to the peace process as a whole. In particu-

lar, the Guatemalan Army's goal was to outlast MINUGUA and, more generally, to survive the peace. The most serious hidden danger for MINUGUA was that this war of attrition could eventually end up undermining its effectiveness or credibility. On balance, nevertheless, MINUGUA's presence affected the human rights context in Guatemala in important, constructive ways and, whatever its problems, was being evaluated as successful overall. Beyond its human rights and incipient peacekeeping functions, then, MINUGUA was structurally part of the calculus of the peacemaking process.

Changes in Chemistry in 1996: The Arzú Government and the Endgame Dynamics

Before his hair-raisingly narrow victory in the cliffhanger January 1996 runoff election (less than 2 percent margin over the party of ex-dictator Ríos Montt, who was openly opposed to the peace process),¹⁵ incoming President Alvaro Arzú had begun to hold direct, secret meetings with the URNG in different venues, sponsored by various governments and the Vatican Community of San Egidio.¹⁶ After taking office, the new government — recognizing, among other things, that international funding was contingent upon signing a final peace accord — took a very positive stance toward the negotiations, raising expectations that a final peace accord would be signed in 1996. Arzú's government also included a center-left peace-cabinet component, with the new Peace Commission (Comisión de Paz — COPAZ) headed by ex-URNG militant Gustavo Porras, strongly pro-peace Foreign Affairs Minister Eduardo Stein, and Defense Minister Julio Balconi, one of very few nonhawks in the army. The new government also ceased to engage in the direct and indirect attacks on the URNG as a “defeated force” and as “subversive terrorists,” which had been the prevailing discourse of previous governments and their negotiating teams. Unlike its predecessors, this government viewed the URNG as its negotiating partner — a key element in any successful negotiation. Perhaps this changed chemistry owed something to President Arzú's patrician/ruling-class background, which enabled his government and cabinet to feel less beholden to or intimidated by the army than the previous governments of Vinicio Cerezo, Serrano, and de León Carpio.¹⁷

In any case, the actions taken by the new government in its first months, including shakeups in the army and police to purge the most corrupt elements shortly after taking office, paved the way for the URNG's unprecedented good-faith gesture in March 1996, calling an open-ended halt to offensive armed actions. The government responded by halting offensive counterinsurgency operations. This marked, if not the end of the war overall, at least the end of open armed confrontations.

Despite, or perhaps alongside, the vastly improved bilateral dynamics between the government and the URNG, one could detect an effort by the government to sideline the UN and decrease international community pressures under the guise of the new understandings between the two belligerent parties. ("We love each other so much that we need no intermediary.") In fact, this dynamic — perhaps a new expression of old antagonisms of the Guatemalan elites toward the UN — was to emerge more clearly in early 1997, immediately after the signing of the final peace accords, in connection with implementation and verification of the accords.¹⁸ According to top UN officials, Arzú's party, the National Advancement Party (Partido de Avanzada Nacional — PAN), and CACIF had been warned by their colleagues in El Salvador's rightist party, Republican Nationalist Alliance (Alianza Republicana Nacionalista — ARENA), to limit the UN role. It took a combination of the URNG's insistence on a central UN role and sensitivity by the UN officials in dealing with the government to defuse open hostility. Thus, some believe, both MINUGUA and the UN negotiating team had a lower profile during the first part of 1996, which coincided with the budget crisis of the UN General Secretariat and the attendant uncertainties about MINUGUA's future (see Note 12).

In May 1996, the Accord on Social-Economic Issues and the Agrarian Situation was finally signed. The accord reflected the new correlation of forces that was to characterize the Arzú government: greater direct involvement by CACIF and a somewhat lower profile for the corruption-ridden and increasingly discredited army. The accord initially was embraced by CACIF but strongly criticized by popular organizations.¹⁹ Although it recognized poverty as a problem and committed the government to increase taxes as a percentage of gross domestic product (GDP), it did not contain an outright land reform nor even a direct job creation program (with unemployment and underem-

ployment at 66 percent). No one could have any illusions that people's daily lives would be improved directly by the accord, and this raised the specter of a socioeconomic deterioration such as the one experienced in El Salvador after the 1992 peace accords. Despite these shortcomings (which were predictable, given the need to bring CACIF on board), eventually the ASC was persuaded to give its stamp of approval to *avaluar*, or endorse, the accord. UN and other international officials viewed the accord as reflecting a number of lessons from the Salvadoran experience, in particular, concerning relations between the UN and the international financial institutions (International Monetary Fund [IMF], World Bank, and Inter-American Development Bank) during the implementation phase.

Meanwhile, the negotiators moved on to the next difficult issue, demilitarization. Several months of intense negotiations culminated in the signing of this most central accord of all, the core of the entire peace process: the Accord on Strengthening of Civilian Power and the Role of the Army in a Democratic Society. The accord mandated far-reaching constitutional reforms to limit the functions of the previously omnipotent army to the defense of the national borders and Guatemala's territorial integrity. The accord eliminated the civilian self-defense patrols (Patrullas de Autodefensa Civil — PACs) and other counterinsurgency security units, reduced the size and budget of the army by one-third, and created a new civilian police force to guarantee civilian security. It also mandated necessary reforms of the judicial system to eliminate the pervasive impunity. In short, this represented a plan for dismantling the Cold War counterinsurgency apparatus of Guatemala and held the potential, if fully implemented, to initiate important democratic transformations of the state.

The signing of this accord on September 19, 1996, in Mexico, also represented the high point of the entire peace process; clearing this major hurdle stamped the process with a certain finality and irreversibility, for demilitarization had been one of the main latent issues underlying the negotiations. This signing was widely hailed and celebrated as the effective end of the war. Undoubtedly, it represented the profound shift that had taken place with the Arzú government. Only two years prior (summer 1994), the army and its civilian allies (including Hector Rosada, chief negotiator for the de León Carpio government) had been

insisting that the army would never negotiate with the URNG about its future downsizing or reduced role; rather, these issues would be determined internally and unilaterally by the army. At that point, the army still had been arguing that it was victorious and, therefore, could impose its terms. Hence, with the radically different settlement represented by the September 1996 accord, there was a sense that, at long last, people could begin to believe in the peace process and that once-distant visions of democracy could become realities.

No one was prepared, then, for the plunge from peace euphoria to peace backlash in response to the news in late October that a high-ranking cadre of one of the URNG organizations, the Organization of the People in Arms (Organización del Pueblo en Armas — ORPA), was responsible for kidnapping 86-year-old millionaire Olga de Novella. Kidnapping had become the most common form of crime in Guatemala, but this was different: a high-level kidnapping by the URNG — especially by ORPA, which had always been considered the most pro-negotiation of the URNG organizations — coming precisely when the end of the peace process was in sight. Dubbed the “October Surprise,” the kidnapping was followed by the equally shocking revelation that the government had negotiated to swap Novella for the responsible URNG cadre, Isaías. After the scandal broke, the government suspended the peace talks for several weeks, returning to the table only after ORPA’s head, Gaspar Ilom (Rodrigo Asturias), had resigned from the URNG negotiating team.²⁰

Aside from the virtually irreparable political damage to the URNG itself, this incident nearly jettisoned the entire process. It gave the coalition of peace resisters in the army and the private sector exactly the ammunition they needed to launch their peace backlash (“we cannot negotiate with terrorists”) and raised real questions about the URNG as a negotiating partner. In many circles, peace itself became a dirty word, and it became clear how thin the support was for peace even among modernizing business elites, not to mention the army. CACIF stated that it would support a permanent ending of the process if the government decided to take that course. Only international pressure and the efforts by the UN negotiator himself — and the fortunate fact that all of the substantive agreements had been signed, above all the demilitarization accord — eventually, in November, got the process back on track. By that

time, however, the URNG and the pro-peace forces in the government were under widespread attack, a tendency that worsened rather than abated over time (see Note 20). The very survival of the peace process was a testament to the fact that it was solidly grounded and that the UN and the entire international community, as well as key Guatemalan players, had a considerable stake in its success.

The negotiation of the final operational accords during November and December, leading up to the signing of the final accords in Guatemala on December 29, 1996, was significantly influenced by the changed correlation of forces, with the URNG now clearly on the defensive and making tactical, if not substantive, concessions. The European governments and Mexico took initiatives to save the process by arranging a three-week tour for the signing of these operational accords; they invited not only the negotiating team but also key representatives from Guatemalan society, including the ASC and CACIF. The Europeans seemed to understand the crucial role they could play in making Guatemalans believe in the process — in a sense, holding up a mirror to reflect back to the Guatemalans an idea of their accomplishments.

The official cease-fire agreement was signed in Oslo in late November, followed in December by an accord on constitutional reforms in Stockholm, an accord on the reinsertion of the URNG in Madrid, and finally, a detailed implementation *Cronograma*, or Timetable, in Mexico. Of all the Friend governments, only the United States remained aloof and did not insist on claiming its share of the credit — an indirect sign, perhaps, of where Guatemala stood on Washington’s priority list, once the threat from armed insurgents was gone.

The last major crisis came over the reinsertion accord because it raised the always latent but unresolved issue of amnesty — for whom and under what conditions. Clearly, the war could not be ended without pardoning URNG insurgents whose only crime had been to take up arms against the state. But the issue remained as to whether human rights criminals in the army would be amnestied under the same terms as URNG insurgents. The accord itself, worked out and signed in Madrid, contained more limited provisions to amnesty army officers. But the conservative-dominated Congress immediately rushed through a law that considerably widened the

amnesty. In its final form, the partial amnesty would cover war-related crimes — excluding genocide, torture, and forced disappearances, but not extrajudicial killings. Essentially, it kicked the ball back to the courts, but the judicial system was still operating within a general framework of impunity and threats from the military. Human rights groups, which had already greeted the watered-down Truth Commission accord of 1994 with howls of protest, immediately threatened to take the new amnesty law to court and challenge it in every way possible. (Several of those groups had also taken initiatives to compensate for the weakness of the peace accords on the issue of justice for victims of the army's crimes, by setting up their own entities and coalitions for investigating war crimes.) The tensions on the eve of the signing of the final peace accord left no doubt that the struggle against impunity would have to continue well into the postwar situation.

Despite this unhappy final scene in the drama of the peace negotiations, the return of the URNG leadership (minus Gaspar Ilom) on December 28, 1996, and the actual signing of the final accords on December 29, was a momentous occasion, a turning point in Guatemalan twentieth-century history. Because it ended not only Guatemala's 36-year civil war, but also the whole cycle of Cold War counterinsurgency wars fought in Latin America since the 1960s, the signing of Guatemala's peace accords was an event of great importance for Latin America as a whole.

Guatemalan Peace in the International Limelight

As we have seen, by the beginning of 1994, both parties to the Guatemalan conflict had become convinced that a high-level UN role was essential to the success of the negotiations. UN moderation of the peace process dramatically raised the stakes for all concerned and made the entire process much less reversible. At the same time, the UN became convinced that it should become seriously involved in Guatemala. This was still something of a gamble, as it was by no means clear that Guatemala could be a peacemaking success. Yet, Guatemala had become important to the international community, despite its small size, partly for symbolic reasons, including the magnitude of the human rights atrocities there, and partly for practical reasons: a success in Guatemala could contribute to larger goals of leaving Central

America a zone of peace and stabilizing the situation in Chiapas.

By 1994, then, the need for UN involvement in Guatemala seemed clear to almost everyone; however, there were currents that had to be carefully navigated. The first of these was the articulation between domestic and international players. The wisdom of the January 1994 Acuerdo Marco, which marked the transition from internally to internationally moderated negotiations, was the simultaneous creation of the ASC and the formalization of its role — if not specifically at the negotiating table, at least in making proposals to be taken seriously. Indeed, if the UN had been perceived as displacing this important Guatemalan player, the entire process could have been derailed. Structurally, the accord created a mechanism for articulation between the ethnically/culturally/politically diverse world of Guatemala and the larger world of the international community. To build on the plurality of forces in Guatemalan civil society was an often underrecognized innovation, an element that had not been part of the Salvadoran experience.

The most difficult issue surrounding the role of the UN and some of the Friend governments in 1994-1995 was the recurring theme of artificial timetables and deadlines appearing to be imposed upon the process. One example occurred in June 1994, when the URNG was generally believed to have been forced to accept an unacceptably weak Truth Commission as a sign of "progress" (see Note 6). Ironically, despite generalized dissatisfaction with the Truth Commission accord, structurally the agreement may have helped clear the way for the international community to begin taking the Guatemalan peace process seriously. On other occasions subsequent to its arrival, there were both subtle and not so subtle hints that MINUGUA's mandate might not be renewed without concrete advances in the negotiations. The crisis of late 1994/early 1995 had undertones of an international ultimatum, particularly to the URNG (see Note 8); once this crisis was resolved in February 1995, there was a palpable easing of international pressure. Analytically, these examples reveal the contradictory nature of proactive international involvement: the added leverage it brings is necessary to overcome internal resistances, but unless handled with great care and intelligence, it can generate new resistances.

In the end, peace depended on the political will of the internal players. Structurally, though,

extensive UN involvement (and that of the international community as a whole) made a decisive difference, by taking the process out of the circumscribed world of Guatemala and opening the door for the country to enter the world of the twenty-first century. International pressure and presence was required to overcome the convoluted, ideologically overdetermined logic of Guatemalan politics, the legacy of a 36-year Cold War civil war. As one URNG leader acknowledged, "We couldn't have kept it alive among Guatemalans. Without the persistence of the UN, the peace process would have been impossible" (*New York Times*, March 27, 1996). At another level, UN involvement was the best guarantee against a peace that changed nothing, which would be an unstable peace that could not last. The Guatemalan accords between the government and the insurgents were designed to be internationally binding as well as internationally verified. To put it another way, UN involvement was the best guarantee that Guatemala would not end up 15 to 20 years later like Chile, where General Pinochet retained important veto powers.

Yet, the centrality of the UN in the Guatemalan peace process was never a given; it was always a struggle to establish and preserve and came under constant challenge from high quarters in Guatemala and, at times, in Washington as well. We have seen the resistances to UN involvement by the Guatemalan elites — often disguised forms of resistance to the peace process as a whole. These dynamics emerged once again from the Arzú government, even in the afterglow of the signing of the final accords in January 1997.²¹

At various points during the peace process and increasingly as it moved toward its conclusion, opinions began circulating in Washington (doubtless, with some official U.S. support) that perhaps the Organization of American States (OAS) should play a more equal role with the UN in the tasks of verification. This scenario did not materialize immediately, but it bears watching in these years of verification. Perhaps this should come as no surprise, if we remember that central UN involvement in the historic backyard of the United States poses a challenge to U.S. domination in the Western Hemisphere. Recall that in 1954, when laying the diplomatic groundwork for the overthrow of Jacobo Arbenz, Washington went to great lengths to steer the resolutions condemning Guatemala as pro-communist out of the UN and into the far more compliant OAS. Of course, the

Cold War has ended, but old habits and biases die hard.

Preliminary Lessons and Mines in the Road Ahead

The Salvadoran accords of 1992 revealed how much could be gained by an insurgent force that, although unable to win state power outright, remained militarily strong enough to be invincible. Hence, after pouring \$6 billion into the war against the FMLN during the 1980s, even the United States was eventually forced to admit the need to negotiate with the FMLN. But the correlation of forces was quite different in Guatemala, that is, the lesser military strength of the URNG vis-à-vis the Guatemalan Army. This led to great skepticism all along as to whether the URNG could negotiate a good settlement. That it was able to do so was clearly a result more of the political than the military correlation of forces. The Guatemala experience serves as a reminder of the particularity of each case; despite the lessons to be learned from other experiences, namely, El Salvador, these lessons should not be turned into formulas.

What, then, made possible the relative success in Guatemala, if the military situation in itself was not precisely a stalemate/impasse and the intensity of the war was low enough to permit many sectors of society, especially in the capital, to deny its centrality?

First, although weaker than the FMLN in El Salvador, the URNG was by no means a defeated force, as the army liked to boast. What the war lacked in military intensity, it more than made up for in political weight of a sui generis nature. For example, the URNG gained a certain moral stature by refusing to submit to Latin America's most brutal and despised counterinsurgency army.

Second, even though many of the organizations within the ASC were quite critical of the URNG, in the end, the URNG's agenda coincided with the agenda of most of the organized forces in Guatemala's civil society (other than CACIF), as became clear when the ASC became a player. The URNG recognized this as strengthening its hand at the negotiating table, because this agreement on key issues was shared by many sectors and organizations that did not openly support the URNG per se.

Third, the URNG showed considerable intelligence at the negotiating table, with the notable exception of the Truth Commission accord in June 1994. In addition, despite tactical differences among its organizations, and even in the face of the severe strains during the Novella kidnapping, the URNG maintained its unity, which increased its credibility as a negotiating partner.

Fourth, at a certain point (beginning with the 1993 Serranazo), modernizing elements within the private sector recognized their own interests in and reasons for supporting the peace process: 1) to end the war, which was affecting them; 2) to gain access to NAFTA, to foreign investment, and to international funding promised to Guatemala after the signing of the peace accord; and 3) to increase their advantage over the more reactionary anti-negotiation oligarchical forces, without sacrificing their essential privileges.

Finally, even in the army, there were a very few high-level officials who gradually came around to a more modern and pragmatic view of the future. This small group acknowledged that the army had not won the war after all and that it would have to be drastically altered for a peacetime future. The Arzú government put members of this small group into key positions, such as the Minister of Defense and an army representative to COPAZ, in order to bring the negotiations to a successful conclusion, although the struggle among tendencies in the army has continued into the postwar period.

Looking toward the postwar future, the same factors that made the peace negotiations so difficult and protracted could be expected to affect the second round of negotiations for the implementation of the accords. Even as the final peace accords were signed, the contours of fierce upcoming battles over government compliance were already visible. The Guatemalan Congress, including a strong but not decisive contingent from Ríos Montt's FRG, would have to pass legislation implementing the accords; and a two-thirds majority would be needed to make the crucial constitutional reforms. Furthermore, there remained a very high level of resistance from far-right forces, especially in the army and CACIF — those who believed that too much was given away to the URNG — and a high potential for them to engage in destabilizing activities. From the side of the URNG, compounding the predictable difficulties of transforming a guerrilla movement into an effective political force, the

October Surprise and its ongoing repercussions in the postwar period left some previously unrecognized questions (see Note 20). Overall, then, Guatemala remained the “anything-can-happen” country, where nothing could be taken for granted, least of all, smooth sailing through mined waters.

Hence, although the organized forces in Guatemalan civil society prepared to monitor compliance with agreements reached, it was clear that they would need continual support from the international community, including citizens' movements and international non-governmental organizations (NGOs) as well as governments and the UN. In part, it remained a question of financial support for UN peacekeeping and for implementation of the peace accords. But even more important would be the role of the international community (the major donor countries and the international financial institutions) in conditioning support upon total compliance with the accords.

Epilogue

As of mid-1999, two and one-half years after the signing of the final peace accords, it remains evident that the implementation phase of Guatemala's peace process is just as difficult and as dangerous as the negotiations. Particularly after the beginning of 1998, the battles for implementation became more intense, as Guatemala's veteran peace resisters challenged the substance and the continuity of the process itself. The Arzú government, which had taken such bold initiatives to finalize the peace negotiations, was much more timid and on many occasions resistant in regard to compliance with the accords. This became particularly evident in early 1998, when it pulled back from its commitment (in the accord on socio-economic issues) to carry out a reasonable tax reform that was to have been a long-range mechanism for internal financing of the peace accords.

The most difficult moment for the entire peace process came in May 1999, in regard to the constitutional reforms required to put into effect the most significant provisions of the accords on indigenous rights and on strengthening civilian power (limiting the functions of the army). It had taken one and one-half years to gain congressional approval of those accords (which was finally accomplished in October 1998, largely as a result of international pressures). But in the package of reforms submitted for approval by a public refer-

endum, as required by the Constitution, the reforms stemming from the peace accords were swamped by dozens of others that were unrelated to the accords. And, while polls had shown ahead of time that the reforms were likely to be approved, a well-financed, last-month blitzkrieg campaign by peace resisters (who urged a “No” vote) succeeded in defeating the reforms – that is, in getting a 55 percent majority for the “No” among the bare 18.5 percent of the electorate that voted. Clearly, the main winner of this vote was abstention, and the main loser was the peace process itself.

In the wake of this political disaster, the peace agenda was placed on hold until after the November 1999 election. Once again, even in the post-war era, Guatemala had proved itself to be the “anything-can-happen” country. Two and one-half years after the signing of the peace accords, it remains to be seen whether the combination of domestic pro-peace forces and their supporters in the international community can consolidate the incipient gains from the previous decade’s peace process.

(For details on all of the major compliance wars, see Susanne Jonas, *Of Centaurs and Doves: Guatemala’s Peace Process*. Westview Press, forthcoming 2000.)

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In addition to my extensive interviews and to the publications specifically listed in the References, this paper also draws on MINUGUA and other UN reports, as well as Guatemalan newspapers and periodicals. Excellent on-the-ground analyses have been presented at forums organized by Guatemalan research institutions, universities, and a variety of popular, indigenous, women’s, and religious organizations (many of them connected with the ASC), as well as private sector institutions. In short, virtually every sector of Guatemalan society has engaged the issues addressed here. Consequently, the interpretations presented in this paper are largely a result of their efforts.

NOTES

1. In addition to the Catholic Church, other domestic religious players also played an important role in the Guatemalan process — among them, a coalition of progressive Protestant denominations. Internationally, since the beginning of the peace process and throughout the negotiation years, the Lutheran World Federation in Norway (which had close ties to Jorge Serrano as well as to leading actors in the Norwegian government) was active at various levels of the process. In particular, at many crucial moments, it organized a series of “Consultas Ecu­ménicas” for informal multisector talks among the Guatemalans in other venues, talks that would have been impossible within Guatemala.

2. Earlier in August 1992, during negotiations on the future of the civilian self-defense patrols (Patrullas de Autodefensa Civil — PAC), a non-voluntary para-military network controlled by the army, the URNG had made significant concessions, accepting a temporary situation that fell far short of abolishing the PACs, as all international institutions and human rights organizations were demanding. The URNG’s compromise on this issue was interpreted by the government to mean that the URNG would continue to make concessions on all issues. This assumption was abruptly dispelled only weeks later, in late August, when the URNG dug in its heels; the talks ended with no agreement and remained at a virtual impasse for months. For those of us present, it felt like being on the edge of an abyss, because an outright rupture in the peace talks would have meant a return to no-holds-barred total warfare.

3. Some of the top URNG leaders acknowledged later that at the beginning (1986-1987) they had seen the peace process “tactically,” in the sense of viewing it primarily as a way to open up space for the popular movement within a context dominated by counterinsurgency structures; at that time, they did not fully see how Guatemala could be transformed through a peace process. Very early on, as they found great receptivity to a peace process in Guatemalan society, their view began to change. As the process unfolded — certainly by 1993 — “the process itself” convinced them to believe in it, as one of them put it. Others had taken it more seriously from the beginning.

4. Underlying Quezada Toruño’s protagonism and outstanding contribution, dating back to when he was president of the CNR, was that of the Catholic Bishops’ Conference as a whole. From the very beginning of the Guatemalan peace process, in fact, the Catholic Church played a central role. It was the only institution as omnipresent throughout the country as the army (and the latter’s arch rival since the mid-1980s). As the organizer of the 1989-1990 dialogue process, the Church had

the moral authority to pull together a broad national consensus in support of peace talks. Even after the UN began moderating formal negotiations, the Church remained central, involving early 1996 informal diplomacy in Rome, and pro-peace emphases in connection with the Pope’s 1996 visit to Guatemala.

5. The Group of Friends was somewhat different in its origins and functioning in the Guatemalan case than in the Salvadoran process. For one thing, in the Guatemalan case, the Friend governments, some of which had been actively engaged with the process in its earlier stages, were substantially more autonomous vis-à-vis the UN Secretariat than in El Salvador. As one high-level UN functionary put it, “. . . in El Salvador, the UN Secretary-General convened the Friends; in Guatemala, by contrast, they came together at the request of the negotiating parties.”

Of the four main Friends, each had its own particular role, interests, and agenda: *Mexico* (the lead Friend, “voice” of the Latin Americans): Aside from its crucial functions as host country for most of the negotiations since 1991 and the home base of the URNG leadership, Mexico was generally the Group’s convener. Mexico also had the advantage of having close ties to both of the Guatemalan parties and, hence, mechanisms for pressuring both sides at key moments. Mexican officials, who have always had good reasons (business, immigration, national security) to be concerned about what happens on Mexico’s southern border, consistently recognized the need for lasting solutions in Guatemala, as opposed to a minimalist peace — all the more so after the beginning of the Chiapas uprising in January 1994.

Norway (the “honest broker”): Norway took many initiatives in the Guatemalan case (as in the Middle East), going back to the days of the dialogue (pre-1990), the 1990 Oslo agreement; it was identified with the awarding of the 1992 Nobel Peace Prize for Rigoberta Menchú. Oslo was the site of the troubled June 1994 accords. Norway remained deeply involved in the informal diplomacy of the Guatemalan peace process at difficult moments, including the last months’ (October through December) crises in late 1996.

Spain (the “voice of the European Community”): Spain served as the liaison to Western Europe in a variety of settings, as well as the site of some informal peace talks, including the first, fruitless encounter between the government and the URNG in 1987. Spain also took a leading role when the process was in serious trouble in late 1996.

The United States (the “500-pound gorilla,” or heavy-weight, as one diplomat put it): Although its role was

less direct than in El Salvador, the United States remained the only superpower involved and the principal external player influential with the Guatemalan elites. Particularly because of its long-standing ties to the Guatemalan Army, the United States was the only player that had the power to pressure the army to accept full civilian control and demilitarization in the peace accords, although it was never clear to what extent Washington used that power. The Guatemalan peace process was never as important a priority for Washington as for the other three major Friends.

6. Regarding the Truth Commission battle, the URNG had arrived in Oslo pushing for a Salvadoran-style commission; hard-line forces within the government/army delegation came determined to agree to no commission whatsoever. A two-week impasse was broken through heavy international pressure, particularly on the URNG. The agreement finally forged under these pressures established a commission to shed light on past human rights crimes but without naming the names of the individuals responsible or having any faculties to prosecute them. The reverberations of this agreement for a seemingly emasculated Truth Commission paralyzed the peace talks and raised the tension level during the summer of 1994. Within the Guatemalan right, the very idea of a Truth Commission was enough to provoke threats of a coup. On the side of the popular organizations, there was great discontent with a Truth Commission viewed as ineffective and morally inadequate; many people blamed the URNG for having agreed to it — or, alternatively, the international community for pressuring the URNG to accept an unacceptable arrangement, in essence imposing the agreement. Some have suggested that this was made a condition for deployment of MINUGUA and/or for postwar financial assistance. (This information is based on interviews; see also Baranyi, 9; and Padilla, 52-54.)

7. There are various explanations for these delays, most of them concerning the UN rather than the Guatemalan peace process. One was the question of whether MINUGUA (as a human rights verification mission rather than a full-fledged peacekeeping mission) would fall under the jurisdiction of the Security Council (as proposed by the UN Secretariat) or the General Assembly (as several members of the Group of Friends were insisting). The latter position prevailed. The Latin American Friends, led by Mexico, did not want to establish the precedent of Security Council monitoring of human rights within a country; the United States favored the General Assembly primarily for financial reasons.

8. The deeper tensions over the timeline for the negotiations came to a head in December 1994 and January-February 1995. The URNG was resisting extremely strong international pressures for a deadline; according to some observers, they were also undergoing internal reassessments of the peace process as a whole. While the government and the URNG traded pseudo-

proposals certain to be unacceptable to the other side in January 1995, the UN Secretariat tried to break the deadlock. An initial UN letter proposed a cease-fire during the remainder of the talks, simultaneous discussions of substantive and operative themes, and a fast-track schedule — all of which were rejected by the URNG. Following shuttle diplomacy by UN Undersecretary Marrack Goulding, a second UN proposal returned to the original negotiation format (employing substantive themes before operative ones) and extended the time frame; this proposal — in reality, an ultimatum from the UN — was accepted by both sides. By this time, the URNG was beginning to make clear its intention to participate in the 1995 electoral process. (This information is based on interviews; for different interpretations, see Baranyi, 20; and Padilla, 55-56.)

9. During the second half of 1995, the most intransigent wing of the private sector launched a lawsuit against the head of the governmental peace commission COPAZ (Comisión de Paz) for engaging in allegedly illegal negotiations with the URNG. Throughout 1995 as well, there was the specter of an electoral victory by Ríos Montt's party, which had never given clear assurances of its commitment to continuing the peace process.

10. For an institutional analysis, see Baranyi.

11. Even within the limitations of its mandate, MINUGUA slowly expanded its functions in several directions. Despite government challenges of its right to do so, MINUGUA became involved in the Bámaca case — not in regard to the circumstances surrounding Efraín Bámaca's death, but in regard to the conduct of ongoing investigations. MINUGUA also began to work on implementing the human rights aspects of the indigenous accord, though it was limited by the absence of mechanisms and standards for verifying long-standing structural problems of injustice and discrimination against Guatemala's indigenous population.

12. MINUGUA was supposed to be an expression of the international community's commitment to Guatemala, and the Friend governments took the lead in mobilizing support for MINUGUA mandates and funding at the UN General Assembly. But in the context of the UN's financial crisis, the anti-UN (and generally budget-slashing) mood in the U.S. Congress, and the U.S. campaign to replace UN Secretary-General Boutros Boutros-Ghali, Washington was insisting that MINUGUA be funded out of existing resources or voluntary contributions, as opposed to additional budget allocations for the mission. The UN Secretary General responded that it was not possible to authorize new missions and at the same time deny them the necessary funding. The impasse was partially resolved by the MINUGUA mission being given "commitment authority" to spend funds through September 30, 1996, but this precedent cast a shadow for the postwar future, when MINUGUA would need to be expanded into a full-fledged peacekeeping mission.

This budget crisis shone the spotlight on larger issues. In the words of the UN Secretary-General, the struggle over funding for MINUGUA “goes to the heart of the purposes for which [the UN] was created”; it was this widely shared perception that led the UN and the international community to commit resources to Guatemala prior to a peace accord.

13. All of this has been chronicled in interviews and in the Guatemalan press; see also *Americas Watch*, 93-100.

14. After its first report, which was extremely critical of the government, for example, MINUGUA came under pressure to appear evenhanded, although the magnitude of human rights violations was by no means equal on both sides. Consequently, its second report had to establish its “objectivity and professionalism,” that is, a basis for acceptance by government and conservative sectors, by highlighting criticisms of the URNG. To take another example, many MINUGUA functionaries acknowledged the need to use diplomatic language in their criticisms.

15. The FRG made public statements about not feeling bound to honor the 1995 Contadora agreement and not viewing the previously negotiated accords as binding on any government. According to one very well-informed source, had the FRG won the presidency in 1995-1996, it might well have continued the peace negotiations formally but without any fundamental commitment to making concessions or reaching final agreements.

16. Face-to-face meetings by Arzú and his representatives with the URNG leadership, under the auspices of the Vatican-sponsored Community of San Egidio, had taken place beginning in December 1995 (before Arzú's runoff victory) in several different locations, including Italy, El Salvador, and Mexico. Symbolically, these secret meetings were made public in February 1996 in a joint government/URNG communiqué delivered in Rome.

17. This kind of “chemistry” has proved to be critically important for building confidence and turning negotiating antagonists into partners in other difficult peace processes, as well. The best-known example is the Mideast process prior to the entry of Israel's Benjamin Netanyahu, in which a number of parallels can be found with the Guatemalan process (see Bruck).

In the Guatemalan case, some of the antecedents for Arzú personally and for members of his negotiating team dated back to contacts established in informal multisectoral encounters, conferences, and the like. One important conference of this kind took place in San Francisco, California, in September 1994. The three-day conference, “Imagining a Post-War Guatemala,” sponsored by the Arias Foundation, headed by Nobel Peace Prize winner Oscar Arias, and the Vesper Society, provided numerous opportunities for key players (ranging from CACIF to

trade union and indigenous leaders, from established political party leaders and top army commanders to top URNG commanders) to talk informally and truly begin to know each other. On that occasion, as was evident to me, Arzú's openness to dialogue with political/ideological opponents was striking.

18. Aside from information from interviews, the dynamics of the spring of 1996 are described in *Inforpress Centroamericana (IC)*, March 21 and 28, 1996.

19. Obviously, given the divisions in CACIF and the fact that its right-wing fringe was filing lawsuits against the government for negotiating with the URNG at all, the “embrace” was not unanimous. Interestingly, the final socioeconomic accord was more favorable to CACIF's interests than an accord with the previous government might have been, according to an interim working document that circulated informally during the winter of 1995-1996, “Documento Consolidado,” no. 2.

20. The entire affair, and its spring 1997 sequel, which threatened to disrupt the implementation process, put a severe strain on the unity among the URNG organizations and left questions with no answers. Why, for example, had ORPA — generally regarded as much more pro-negotiation than its harder-line partners, the Guerrilla Army of the Poor (Ejército Guerrillero de los Pobres — EGP) and the Rebel Armed Forces (Fuerzas Armadas Rebeldes — FAR) — been willing to risk everything to resolve its ostensible problem (lack of funds after the agreement to stop collecting war taxes)? Who within ORPA had authorized the action? And, on a different note, pointed out by a former COPAZ adviser, why did Arzú violate an unwritten cardinal rule of the peace talks, that outside events, no matter how terrible — even the October 1995 Xamán massacre — should not be allowed to contaminate the negotiation table?

21. During and immediately following the final accord signing, Guatemalan government officials, including President Arzú, went so far as to suggest that verification would be unnecessary or could be carried out by the Organization of American States.

REFERENCES

The following references include only those specifically mentioned in the text and are by no means intended as a comprehensive list of the published sources — which include numerous UN and MINUGUA reports and documents, as well as documents of the ASC, CACIF, and other organizations — that will appear in the bibliography of my forthcoming book, *Of Centaurs and Doves: Guatemala's Peace Process*. The principal sources for this paper, as previously indicated, have been interviews with participants in the process.

- Americas Watch. 1996. *World Report 1996: Events of 1995*. Washington, D.C.: Americas Watch, 93-100.
- Baranyi, Stephen. 1995. *The Challenge in Guatemala: Verifying Human Rights, Strengthening National Institutions and Enhancing an Integrated UN Approach to Peace*. London: Centre for the Study of Global Governance, London School of Economics.
- Bruck, Connie. 1996. "The Wounds of Peace." *The New Yorker* October 14.
- Inforpress Centroamericana (IC), published weekly in Guatemala.
- Jonas, Susanne. 1991. *The Battle for Guatemala: Rebels, Death Squads and U.S. Power*. Boulder, Colo.: Westview Press.
- Jonas, Susanne. 1994. "Text and Subtext of the Guatemalan Political Drama." *LASA Forum*. Latin American Studies Association. Vol XXIV, No. 4, 3-9.
- Jonas, Susanne. 1996. "Dangerous Liaisons: The U.S. in Guatemala." *Foreign Policy*. No. 3, 144-160.
- New York Times*, March 27, 1996, A-5.
- Padilla, Luis Alberto. 1995. "La negociación bajo el signo de las mediaciones interna y externa." *Estudios Internacionales*. Guatemala: Instituto de Relaciones Internacionales y de Investigación para la Paz. January-June, 30-60.