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Guatemala and the Face of the New Sustainable Narco-State

I.

If Job were a country, it would have to be Guatemala. Sure, there are other countries in worse shape—Haiti comes to mind, and Somalia and Rwanda and Afghanistan and all the rest—but rarely do we see the convergence of so many different sorts of disasters. This little land (the size of Tennessee) suffers plagues of biblical proportions so frequently as to become mundane if not banal, and they threaten the stability of an already fragile state.

Geography plays an important role in Guatemala's tumult; it is, literally, a turbulent country. Stretching over breathtaking topographic diversity, its terrain ranges from expanses of lowland rainforest in the north (once home to Classic Maya civilization, now the base for drug smugglers) to the dramatic peaks and valleys of the fertile highlands (the most densely populated part of the country and home to most of the country's majority Maya population). The highland landscape is beautiful, the stuff of postcards and calendar photos, but it is a fragile beauty. Seismic instability gives rise to the picturesque landscape, and the lush valleys are shadowed by active volcanoes and lay on top of major fault lines. And, looking a bit beyond the verdant fields and colorful dress of the natives, we find crushing poverty.

The latest round of natural disasters struck with the May 27th eruption of the Pacaya volcano. Long a popular tourist destination with a seemingly predictably lava flow, Pacaya erupted with force this time, destroying nearby villages, spreading ash inches deep over Guatemala City, and closing the country's international airport for several days. Two days after the eruption, tropical storm Agatha pummeled the country and led to flooding and catastrophic landslides, killing at least 160 and leaving thousands homeless. An especially heavy rainy season has since resulted in even more landslides and lives lost.

And yet, the worst news coming out of Guatemala concerns not natural disasters but political ones. The murder rate in Guatemala City is 108 per 100,000; this is twice the rate for Baghdad; the comparable figures for New York and Berlin are 6.5 and 1.5. Over 1 in every thousand people in Guatemala City is killed every year—and virtually no one is prosecuted. A rate this high ripples quickly through the population, touching everyone in some way. It is a whole new category of non-war violence, the level of terror we see in places like Ciudad Juárez in northern Mexico (with not dissimilar causes).

In March, the national police chief, Baltazar González, was arrested along with the head of the anti-narcotics agency, on charges of helping drug traffickers. Six months earlier González's predecessor had been arrested on similar charges. And in January of this year, the immediate past president of Guatemala, Alfonso Portillo, was taken into custody for extradition to the U.S. on money laundering charges.

Such high profile cases have been pursued by the International Commission Against Impunity in Guatemala (CICIG). Recognizing Guatemala's real danger of becoming a narco-

state, the country, which usually guards its sovereignty jealously, legally empowered this U.N.-sponsored commission of international jurists to initiate and carry out investigations and to help prepare cases to be presented through the national courts. The overarching goal is to root out criminal networks that pervade parts of the justice system and to reestablish the rule of law.

CICIG, despite the taint of international meddling, has proven to be hugely popular in Guatemala and one of the country's most trusted institutions, having pushed forward a number of high-profile cases. It is seen as being above not only political infighting but also insulated from the effects of narco-money and organized crime influence. CICIG was initially given a two year mandate, but this has been extended to 2011.

Yet, Guatemala still teeters on the brink of becoming a failed state. Even more frightening and likely is that the country represents a new sort of narco-state, one which is nominally democratic, shows moderately improving indicators of income and development, and yet which virtually abdicates its role in enforcing the rule of law.

II.

As the rainy season marched forward, the news from Guatemala became more gruesome. On June 10th, four severed heads were found in plastic bags in prominent spots around Guatemala City, from the National Congress to an upscale shopping center. A note attached to one incongruously called for an end to impunity for corrupt government officials. A note on another attacked prison officials for new strict rules governing prisoners' visits and communication, threatening to hold the entire Ministry of Justice responsible for such perceived abuses of authority.

The severed heads seem to send a forceful, no-uncertain-terms message. Yet, notes are usually not attached to body parts; and when translated into such blunt violence, messages are often hard to read. Indeed, their real insidious terror is in their uncertain terms, open to a level of ambiguity of attribution and intent that fuels the uncertainty necessary for effective terror.

Later that same month, Carlos Castresana, the Spanish jurist who headed CICIG, resigned, citing an inability to work with Guatemalan institutions, especially the Attorney General's office, through which CICIG operates to pursue cases within the national court system. The between-the-lines message was that the Attorney General's office was so fundamentally corrupt as to make CICG's work untenable, and that the newly appointed Attorney's General's close ties to narco-traffickers was a mockery of the process. Indeed, Attorney General Conrado Reyes was subsequently sacked by the Constitutional Court, which issued a vague statement citing threats to constitutional stability from illegal forces.

III.

When people fear for their security, little else matters. And such is the state of insecurity in Guatemala now. A 2008 survey by the Latin American Public Opinion Project found that 63% of Guatemalans see security as the country's primary problem, and this figure has likely risen with the exponential growth in violence over the last two years.

This is nothing new for Guatemala; the country has long suffered endemic violence. The period in the 1970s and 1980s know as "*la violencia*" was especially brutal, marked by massacres, kidnapping, torture, and pervasive everyday terror. The U.N. commission charged

with documenting the effects of the civil war concluded that it constituted a case of genocide, with the military intentionally targeting the Maya population for extermination.

After Peace Accords were signed in 1996, the military retreated from its historically heavy-handed role in national politics. This created a power vacuum that was filled in small part by ex-revolutionaries and others of the Old Left and an emergent, NGO-friendly social democratic New Left.

The real new power, however, rests with what Hal Brands calls an "unholy trinity" of organized criminal organizations: the narco-traffickers (the most powerful group being the Zetas, based in Mexico), international street gangs (the largest and strongest in Guatemala being MS-13, based out of El Salvador), and the ominously named "Hidden Powers" (*Los Poderes Ocultos*), mafia-like groups formed from corrupt military officer fraternities.

The DEA estimates that over 80% of Colombian cocaine bound for the U.S. is transshipped through Guatemala. U.S. air and sea defenses have made direct importation too risky, and Mexico's aggressive air surveillance in recent years has pushed illicit air traffic south to Guatemala. It turns out that Guatemala was a good choice: a weak state, corrupt institutions, and huge expanses of lowland forest that are largely uninhabited and lightly governed.

Guatemala had a corrupt system to begin with, but adding drug money has made the problem fester to almost terminal proportions in the judicial system. The Zetas (the violent break-off group from the Gulf Cartel made up largely of former elite Mexican soldiers) and other trafficking gangs are exceptionally well-organized. The Zetas have recruited former Kaibles, Guatemala's elite troops, who orchestrated terror campaigns during the civil war, to provide on-the-ground expertise. The narcos—the big players at least--are better funded, better organized, and better armed than the state. They effectively control large swaths of Guatemalan territory.

The minor drug lords who live in the little jungle towns near airstrips stand in for the government. They pave roads, buy uniforms for the soccer team, and are widely respected, if also feared. Their justice is much more swift and efficient than that of the state, but one doesn't want to get on their bad side. It is a sort of Pablo Escobar phenomenon—the benevolent but vicious patron backed up by untold cocaine riches.

With the Zetas has come Mexican style violence. A sense of impunity is so widespread, especially among the police and military, that the stories that do make the news seem almost beyond belief. For example, on February 19th, 2007, three El Salvadoran representatives to the Central American Parliament (PARLACEN) were murdered along with their driver en route to PARLACEN meetings in Guatemala City. Their charred bodies were found on a remote farm after their car had disappeared from a police motorcade. To soothe international tensions and assure an impartial investigation, the next day President Berger asked to FBI to help investigate. As it turns out, the head of the national police's organized crime unit had a GPS device in his official car, and that car was at the scene of the murders at the time of the murders. And so, in a rare display of prosecutorial speed, on February 22nd, just three days after the murder, he and three of his officers were arrested.

Then four days after the arrests, on Feb. 25th, the police officers, who reportedly had confessed (claiming they thought the representatives were drug dealers), were killed inside the maximum security prison that housed them. A group of armed men in ski masks walked into the prison (through at least seven locked gates) and executed them. The other prisoners then rioted, demanding access to the press to proclaim their innocence after prison officials initially blamed the murders on other inmates.

And so it goes—they keep killing until the investigation stops. Mexican style.

The organized crime groups most connected to the government are what Susan Peacock and Adriana Beltrán call the "Hidden Powers." With names such as *La Cofradía* and *El Sindicato*, these groups evolved out of military fraternities, and include both active and former offers from intelligence and the notorious Estado Mayor Presidential. They have close ties to the state and a vested interest in thwarting any investigations into past human rights abuses. They are often the "*desconocidos*" ("unknowns") police refer to as the perpetrators of political violence. They specialize in more white collar or New York mafia sorts of crimes: kickbacks, extortion, tax evasion--cleaner sorts of crimes, although they do have ties to the narco groups and even to the street gangs.

Emblematic of the hidden powers reach is the 1998 murder of Bishop Juan Gerardi. Gerardi headed the Catholic Church's historical memory commission charged at investigating *la violencia* in Guatemala. Two days after he released the report (*Guatemala: Nunca Más*), he was brutally murdered in the sacristy, just down the street from the Estado Mayor Presidential headquarters. A none too subtle message for those who want to lay specific blame for war crimes.

And finally there are the international street gangs such as MS-13 and Barrio 18, most El Salvadoran in origin, who specialize in street drugs, robbery, and extortion. One of their prime targets for extortion in Guatemala has been bus drivers. It is estimated that gangs have 14,000 members in Guatemala, the largest by far being MS-13 (AKA the Salvatruchas). Like the large narco-traffickers, their organization charts could come from a Fortune 500 company. MS-13 is led by a team of international executive-level gang leaders; reporting to them are local leaders who are in charge of sections devoted to money laundering, smuggling, extortion, and intelligence/propaganda/enforcement. These gangs are highly organized, plan strategically, and brutally enforce compliance. At the highest levels, they have contact and occasional forge short-term tactical alliances with the narcos and the hidden powers.

And with all of this organized crime comes a lot of disorganized crime as well. This not only heightens the sense of pervasive violence and the terror it instills, it also provides a thin but useful cover for organized crimes and political assassinations, as there always exists the possibility that the murder of a drug case prosecutor or human rights advocate was just a robbery gone bad.

IV.

Getting around in Guatemala City is risky, and as a result the auto window tinting business is booming. The most sought after shades are so opaque they look like black polished metal and they cover all the windows, even the front windshield. At night, you can glimpse drivers leaning in over the steering wheel as they try to see out. The new thing is an anti-robbery version—an extra thick and strong layer of film that helps prevent windows from breaking; the ads show a guy with a crowbar coming at the window, and while it isn't foolproof, it can buy a few crucial seconds more to try to get away while the crook hammers on your windshield

It is not just the black Suburbans and the occasional BMWs and Mercedes, but Kias and Suzukis also favor the super dark tinting. Just having a car, any kind of car, or a cell phone for that matter, makes ones vulnerable. Most Guatemalans say that the feel relatively secure at home, but highly insecure out in public. Window tinting makes one's car a quasi-private space.

Outside the gates of Guatemala's prestigious American School, a line of dark Suburbans snakes up the street. Drivers and bodyguards, behind dark glasses, lean against their vehicles

and smoke cigarettes or mingle in small groups, chatting in that way particular to professions that require a lot of attentive waiting. Their ill-fit suits don't cover the aggressively angular bulges under their arms, and they really aren't meant to. A buddy of mine owns a bar and restaurant down the street and he does good business taking lunches down to these handlers of young, rich kids.

Private security guards now outnumber police in Guatemala by 5 to 1. It is a tragedy that even upper middle class families who can afford it feel the need for bodyguards. And that kids have to grow up in those bubbles. Still, they are the fortunate.

For most, having a car, much less a driver or bodyguard, is impossible, and so folks have to rely on buses for most if not all of their transportation. And buses are prime targets for extortion and violence.

Earlier this year bus drivers were being killed at a rate of about one a day. Being a bus driver in Guatemala City has long been the country's most deadly profession. If that is not bad enough, the gangs attacking buses for failure to pay the escalating extortion charges have lately turned to lobbing grenades at the offending vehicles. (A friend reports that grenades can be had for 25 Quetzales, just over $3, which seems unbelievable cheap, until I remember that this is Guatemala, so crazy you couldn't make this stuff up.)

As a target of extortion, buses are ideal. The drivers and their assistants carry wads of cash, and it is widely suspected that lots of shady accounting goes on.

If they can afford it, folks avoid taking buses altogether. But for most this isn't an option. And virtually everyone I know who regularly takes buses (either in the capital or between cities) has been robbed. For some it is just cash and jewelry, for others it has been more traumatic. My friend Carlos tells of being terrified of clowns ever since he was on a bus and two men dressed as clowns got on, seeming at first to be putting on a routine to ask for money, but then they pulled out their guns and robbed the passengers.

Motorcycles used to be a relatively cheap alternative to the bus, but to combat drive-by robberies, passengers are not longer allowed to ride a motorcycle and the driver must wear their license number visibly displayed on both a reflective vest and on their helmet.

There is a palpable sense of fear in Guatemalan daily life. This is fueled, certainly, by the gruesome newspaper stories. But, even more, spread out virally by the many stories of robbery or kidnapping or murder—if not of one's self, then family members or neighbors.

It is tiring travelling in Guatemala. The conditions are a bit rough but bearable, but it is really the psychic burden that wears one down, the constant background noise of violence. My son doesn't much like when I take him there--he hears me talk about the violence and understandably gets nervous. I try to explain that with this sort of violence, one can stay relatively safe, that statistically the chances of getting robbed or killed are low. But, of course, cold, hard math isn't much comfort against the visceral fear that the graphic news of the graphic violence engenders.

V.

Guatemala is not a failed state. Yet. Economist Normal Bailey gives it 50/50 odds on surviving in the medium term. He argues that loosing control over the use of force and the breakdown of the rule of law would result in de facto state failure, and this is already the case in large parts of the country.

Still, Guatemala does amazingly well considering the conditions. Violence notwithstanding, a number of indicators are looking up. Economically, the country is pretty stable for the short term; it is propped up with drug money, but that shows no sign of stopping anytime soon. The schools function—more or less—and average years of education are on the rise. Life expectancy is increasing. Incomes are growing slightly. Indeed, by the indicators the United Nations Development Programme (UNDP) uses, Guatemala is making significant gains in terms of overall human development. But, as UNDP coordinator Linda Asturias points out, there is serious lingering inequality that is not improving.

The scary future for Guatemala probably does not involve a full failure of the state. What is more likely, and worse, is maintaining the quasi-narco-state status quo. But maintaining such a status quo actually puts the country's institutions on a downward spiral by further undermining the legitimacy of the government and of democratic representation and fostering a lack of trust that reverberates throughout society.

Some suggest that Guatemala needs a military coup. LAPOP's public opinion polls show a widespread distrust of democracy and the military is one of the country's most trusted institutions. (Among the least trusted institutions are Congress, the Constitutional Court, and the police.) Even a number of my left-leaning Guatemalan friends, still leery of past human rights abuses, say the situation is dire enough now that they might support a coup to restore oder.

Others suggest a "Colombian solution," an all-out war on traffickers and gangs. Given Mexico's experience, and Guatemala's limited resources, it is not at all clear if Guatemala could win such a war. And calling for Guatemala to mount a major internal military action is unconscionable given the brutality and human rights abuses of military action during the civil conflict.

A Colombian solution would also require more taxes. Guatemala currently has one of the lowest rates of tax collection (as a percentage of GNP) of any country in the hemisphere. This creates a vicious cycle in which many state services are underfunded and ineffective and gives rise to corruption. Ineffectiveness and corruption are then given as the primary reasons people of means in Guatemala avoid taxes so aggressively. Says one affluent businessman, "I'd happily pay my share if was going to be put to good use, but I don't want to feed the corruption."

And so goes Guatemala. The impressive improvements in social indicators will mean little if the country's corrosive violence continues apace. The greatest danger for Guatemala, and for the rest of the world, is a continuation of the current trajectory, with moderate improvements in health and education placating concerns over the failure to provide physical security or legal recourse that allows drug traffickers and organized criminals to flourish. This may well prove to be the model of a new, more sustainable form of narco-state.