

## COMMUNITY POLICING IN GUATEMALA: CONTINUITY IN SELF-DEFENCE?

*Policía comunitaria en Guatemala:  
¿Continuidad de la autodefensa?*

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### ABSTRACT

In Latin America, community policing programmes have increased during the last twenty years. The programmes were expected to reduce crime and strengthen collaborative relations between police and population, among others. However, an excessive focus on technical aspects has neglected counterproductive effects on democracy and the rule of law. Based on a historical institutionalism approach, this paper critically analyses the concept of community policing and argues that wider socio-political contexts and institutional patterns of self-defence policing determine the outcomes of community policing programmes. By examining the case of Guatemala, this paper concludes that community policing has contributed to reinforce antidemocratic patterns through the reproduction of self-defence mechanisms created during the years of internal conflict.

**Key words:** Community policing, Guatemala, history, historical institutionalism.

### RESUMEN

*Los programas de participación comunitaria en seguridad (community policing programmes) aumentaron durante los últimos veinte años en América Latina. Las expectativas de estos modelos fueron, entre otras, la reducción de la criminalidad y el fortalecimiento de relaciones colaborativas entre la población y la policía. Sin embargo, la excesiva atención a aspectos técnicos ha descuidado los efectos contraproducentes de dichos modelos en la democracia y el Estado de Derecho. Basado en el institucionalismo histórico, el artículo analiza críticamente el concepto de participación comunitaria en seguridad y argumenta que contextos sociopolíticos más amplios y trayectorias institucionales de autodefensa civil son determinantes en los resultados de dichos programas. Basado en caso de Guatemala, el artículo concluye que la participación comunitaria en seguridad ha contribuido a reforzar patrones antidemocráticos mediante la reproducción de mecanismos de autodefensa creados durante el conflicto armado.*

**Palabras clave:** Policía comunitaria, Guatemala, historia, institucionalismo histórico.

## I. INTRODUCTION

Community policing was introduced in Latin America as part of security sector reforms implemented during the transitions to democracy. The role of these organizations in public security became a paradigm of police reform programmes, especially in post-conflict countries where the redefinition of the role of the police and the army, its approach to security issues, and its relations with the population have been fundamental to overcome militaristic and authoritarian legacies. In general terms, community policing programmes rest on the assumption that the end of armed internal conflicts and military dictatorships were sufficient conditions for the emergence of collaborative links between the population and the police. After two decades of supporting a plethora of community policing programmes, the expected results remain limited and ambivalent regarding crime prevention, social relations, and the political system.

This paper focuses on the lack of historical contextualization of such programmes as one of the most important issues regarding police reforms. The paper argues that path dependent processes and institutional patterns of self-defence deeply rooted in the society are key factors that explain the ambivalent and sometimes counterproductive effects of community policing programmes.<sup>1</sup> Using a historical institutional approach, this paper analyses the case of community policing programmes in Guatemala and points out that the top-down and decontextualized implementation of such programmes produced that both public security institutions and communities readapted the concept in order to reinforce and reproduce previous self-defence patterns created during the internal armed conflict. Long-term political processes and the nature of institutional change strongly determine the outcomes of community policing programmes. This paper aims to bring a historical explanation of current phenomena and proposes an analytical model to trace back the process of institutional change that allowed the ambivalent effects of new practices such as the community policing process.

The first section of the paper focuses on how historical institutionalism helps to explain current phenomena by placing them in a wider institutional and temporal perspective. The second section focuses on the decontextualized nature of community policing programmes. The following sections contain the historical explanation of the process of institutional change in three parts: the origins of self-defence, the layering process of institutional change and, finally, the reinforcing sequence of self-defence.

<sup>1</sup> Self-defence refers here to a specific form of private policing conducted by civil population organized to protect their living area and an established social order against real or constructed threats (Johnston, 1992). This function becomes formal or informally institutionalized, either motivated by the state or spontaneously by the population. Depending on contextual factors, the scope of activities conducted by these organizations range from counterinsurgent actions, vigilantism, private security or community policing.

## II. HISTORICAL EXPLANATIONS OF CURRENT PHENOMENA

One of the most important research shortcomings on current crime, violence and public security in Latin America is the lack of systematic historical explanations.<sup>2</sup> Despite variations among countries, most of the main issues regarding crime, violence, and the institutional reforms conducted to address them are hardly new. The challenge is, then, how to link past events with current outcomes in an explanatory framework? This is not only a matter of tying together individual phenomena that occurred in the past along a time line. The objective is to trace back current phenomena in order to find the set of causal mechanisms that have triggered –and are currently triggering– them as social processes (Tilly, 2008).

The traditional literature on historical institutionalism addresses these and other questions from the perspective of regime and institutional change (Pierson, 2004; Thelen, 1999; Mahoney and Rueschemeyer, 2003).<sup>3</sup> By analysing long term and big social processes, historical institutionalism has developed analytical tools to observe how institutions change (Mahoney, 2009; Pierson, 2004). One important assumption of this theoretical perspective is that change occurs in highly dynamic institutional environments (Mahoney and Thelen, 2009). Once a particular arrangement is in motion it produces increasing returns that reinforces its continuity beyond exogenous shocks and even critical junctures (Pierson, 2004). Thus, institutional dynamism allows for changes without altering substantially the institutional pattern that generates the necessary positive feedback for its reproduction. One option to observe institutional change is defined as layering, which is the introduction of new rules on top of or alongside existing ones (Mahoney and Thelen, 2009: 15).<sup>4</sup>

However, the introduction of new rules does not necessarily trigger institutional change.<sup>5</sup> At a micro level, this paper postulates that new rules, on the contrary, could reinforce existing institutional patterns. A process of layering can lead to the accumulation of small changes that tend to readapt an institutional pattern to changes in the context. More specifically, security sector reforms, framed in the paradigm of liberal peace building in post-war societies, are based on the assumption that the end of the war, international cooperation, political opening, and economic liberalization were necessary conditions to change previous institutional patterns (Call, 2007; Kurtenbach, 2010). Community

<sup>2</sup> Important contributions that attempt to bridge this gap are Holden, 2004; Argueta, 2013; Huhn, 2011; Andreas 2013; Levenson 2013.

<sup>3</sup> Core studies regarding these topics are Moore, 1966; Skocpol, 1979; Thelen, 2004; Mahoney and Thelen 2009; Mahoney 2001, among others.

<sup>4</sup> The authors also identify three other modes of institutional change: displacement, drift, and conversion (Mahoney and Thelen, 2009). I propose layering to analyze the topic of this paper because it refers to the introduction of amendments, revisions or additions to existing rules. According to the authors, substantial changes (or at least those changes that compromise the stable reproduction of the original “core” of rules) depend on the nature and scope of the amendments. The cumulative effect of small changes can lead to a big change over the long run (Mahoney and Thelen, 2009).

<sup>5</sup> Critical junctures refer to the way in which change can be initiated. However, Capoccia and Kelemen (2007) observe that non-critical junctures are present in cases in which change was possible and plausible, considered and ultimately rejected in a situation of high uncertainty.

policing programmes were part of the security sector reforms implemented under this paradigm and involved, as one core element, the active participation of civilians in the production of security. It is exactly here that history and context matters: the participation of civilians in the production of security is one of the most pervasive legacies of post conflict contexts (paramilitarism, vigilantism, self-defence) which democratization sought to overcome and, paradoxically, community policing programmes exploited under new definitions and expectations. How do historical institutional patterns of civil participation influence community policing programmes? How do institutions reinforce these patterns?

To place community policing in a time perspective requires analysing the concept beyond policy frameworks and to trace the process of institutional layering. The analytical model proposed here is structured in three dimensions. The first dimension is the outcome, namely, community policing as a current phenomena embedded in multiple processes of institutional reform. The second dimension encompasses the origins and reproduction of an institutional pattern of community self-defence reinforced by dynamic public security institutions. The third dimension is the process of layering and reproduction in the context of security sector reforms during the democratic transition.

This analytical model shows how community policing, as a new norm introduced in uncertain processes of institutional change, reinforces deeply rooted societal patterns of self-defence. The legacies of this process become path dependent and still reduce the scope of further changes. Community policing is an expression of a long term causal mechanism constituted by the introduction and implementation of international norms and paradigms without contextualization which has produced cycles of institutional layering.

### III. CONTEXTUALIZING COMMUNITY POLICING PROGRAMMES

During the 1990s, community policing was introduced in different forms and levels in most police institutions in Latin America. The concept was imported from community policing programmes in the United States and some European countries. It includes, among other elements, the planning of police actions focused on small geographical areas, strong relationships between the police and citizens to improve crime information, and preventive police work instead of reactive actions (Frühling, 2012). These programmes have been presented as the panacea to crime reduction (Neild, 2002; Ungar, 2012). They promise the improvement of the urban security environment, seek to make the governance of security more democratic, participatory and accountable, and aim to increase citizens' confidence in the police and interest on security concerns (Müller, 2010; Savenije, 2010).

After two decades of the implementation of different programmes and strong international support, results remain unclear. Among other factors the lack of information and the short-term implementation of the programmes contribute to this situation (Frühling, 2012). At the same time, community policing is strongly supported by international

organizations while governments lack the political will and the necessary strength to implement institutional reforms (Huhn, 2011; Savenije, 2010).<sup>6</sup>

Currently, community policing models continue to be put in place. New programmes are presented as the solution and correction to the lack of results of previous programmes and are sold, once more, as the “magic bullet” of crime fighting. Political exploitation of the programmes and abundant financial resources have led, instead, to an uncritical evaluation of the concept and its effects. Although a broader context of patrimonialism and clientelism exists in many Latin American police institutions, most studies addressing community oriented programmes are focused on rather technical aspects such as the design and implementation of the programmes (Frühling, 2003 and 2004; Neild, 2002; Ungar, 2012). Thus, the main shortcoming of community policing research has been the lack of a more contextualized and theoretically-based approach.

However, some scholars have pointed out the consequences generated by the interplay of those programmes with the political and social context. Huhn (2011) shows that community policing programmes are, on the one hand, highly stimulated by political discourses in the fight against crime instead of responding to an objective crime situation. On the other hand, these programmes contribute to an increase in the perception of insecurity among the population. Thus, the concept of community policing falls into a discursive vicious circle (Huhn, 2011). When analysing community policing programmes in Mexico City, Müller (2010) points out that pre-existing clientelistic practices at the local level overwhelm community policing initiatives that end up being controlled by private interests (Müller, 2010). Based on an in-depth study of community policing programmes in high crime impacted areas in Central America, Savenije (2010) suggests that the organizational culture and institutional designs of the police forces limit the effectiveness of such programmes. Likewise, the exogenous nature of community policing programmes and contextual factors such as high crime, inequality, and exclusion contribute to reduce the expected outcomes of community policing programmes (Savenije, 2010).

The critical point is that the participation of civilians in the production of security is a social function that involves a wide range of historical institutional mechanisms. Either self- or state-motivated, the population has engaged in the process of bringing about and guaranteeing security (Shearing and Kempa, 2000; Shearing, 1992). Consequently, policing implies a self-conscious process whereby societies designate and authorize people to create public safety (Johnston, 1999: 178). The problem emerges when community policing programmes assume that the designation of those responsible for maintaining contact with state authorities represent the community’s interests.

The aforementioned studies (Huhn, 2011; Müller, 2010; Savenije, 2010) showed that community policing programmes could become a mechanism of social control when

<sup>6</sup> Even in those countries in which community policing programmes served as models for Latin America, critics point out the excessive rhetoric around the concept and the lower results in crime reduction. On the contrary, community policing programmes identified with “zero-tolerance” and “quality-of-life” policing in New York serve as strategy for mobilizing conservative citizens in support of providing the police with more resources and empowering officers to patrol more aggressively and with less accountability (Lyons, 2007: 201).

their its actions aim to define, investigate, judge, and punish deviant behaviours that threaten an established social order. Although these actions are not supposed to be part of community policing programmes, civilian participation and institutions do not function independently from historical trajectories and socio-political contexts. Thus, in contexts of high crime areas, radical anti-crime political discourses and civilian participation led by private interests, community policing runs the risk of becoming vigilantism and becoming involved in broader patterns of political benefits, clientelism, and patronage.

In sum, community policing programmes did not grow out of an ahistorical context. On the contrary, past trajectories have been decisive drivers for its outcomes, especially in contexts characterized by the use of state violence through collaborative and repressive power relations with private actors.

#### IV. THE HISTORICAL PATTERN OF SELF-DEFENCE

For some Central American countries, including Guatemala, Holden (2004) argues that the process of state making required the state to absorb the protective function of the caudillos of the 19th century. The limits of official violence were amplified in order to protect elite and political interests. This process was not a pure division of authority between state and subaltern actors. On the contrary, bargaining between them was a common practice that reinforced the continuity of violence and collaboration as mechanisms of state power relations. Thus, military and non-military agents of the state have never acted independently of civil society (Holden, 2004). The basis of this argumentation is that the use of violence in politics is not necessarily concentrated in the actions of one particular institution (armies or police) but in the social relationships the state institutional framework reproduces (Holden, 1996: 452).

Private policing is a field where different social and political relations interplay, from state sponsored community organizations to traditional and historical forms of self defence (Argueta, 2013). Historically, the state transferred some public security functions to the private sphere through a set of social control mechanisms created in order to guarantee social and political order against threats from those people identified as undesirable. The kind of protection or the alleged threat changed according to the political context (Argueta, 2013).

For 36 years, Guatemala was immersed in a strong political and social crisis with periods of high levels of state violence. Parallel, private policing was reinforced as a social function of self-defence among people affected by political violence. The areas with highest indigenous populations are the areas where there was more violence during the internal war and where there was a strong tradition of communal organization. Approximately 83.3% of all victims of human rights violations during the internal conflict belonged to one or another Mayan ethnic group (CEH, 1999). These populations represented a threat for the military due to the historical culture of communal resistance and organization and the possibility that they might constitute the social basis of the insurgency (Schirmer, 2001). Consequently, the counterinsurgency strategy created and

reactivated stronger social control mechanisms within the communities. In this context the figure of the “alien”, whether it meant persons, symbols, activities, institutions, or ideologies, became a risk factor to be minimized through a combination of social organization and community policing (Schirmer, 2001).

One of the main self-defence mechanisms were the Self-Defence Civil Patrols (PAC). The organizational structure and activities of the PACs were different in each region of the country. They were created and controlled by the army and the police. Figure N° 1 shows that 54% of the population that belonged to a PAC was concentrated in the seven departments with the highest indigenous population.<sup>7</sup> In some regions, they voluntarily collaborated to protect the community; in others, they were forced to participate. Yet in other regions they generated information and were part of the human intelligence sources of the army. Participation in the PACs was formally obligatory for all men between 18 and 60 years of age and most PACs were armed and trained by the military. The training aimed to create a sense of military discipline and loyalty to the army (Remijnse, 2002; CEH, 1999). As a subordinate organization of the army, PAC members were subject to military punishments that in some cases went as far as the execution of PACs members who refused to take part in military actions against their own communities (ODHAG, 1998: 169).

One of the main functions assigned to the PACs was watching and denouncing people and reporting on daily events and situations that were perceived as suspicious (Sáenz de Tejada, 2004: 50; CEH, 1999). Civil patrols laid the basis of an authoritarian communal organization and reinforced the idea of self-defence as a platform for policing activities.<sup>8</sup>

Another vigilante organization was the network of military commissioners. This is a very old social control mechanism created in 1938 by the dictator Jorge Ubico and restructured during the 1960s in the context of anti-communism (Argueta, 2013). The military commissioners were civilians with military authority and had responsibility for organizing PACs and participating in military operations in their own region. They also were responsible for the control and security of the community and the investigation and arrest of alleged criminals and insurgents. They were under the control of the police and the army and executed all orders issued by the local commandant. Nevertheless, they acted with impunity and committed criminal actions. There were approximately 35,000 military commissioners linked to the military in 1996. Their dissolution was only formal and many of them were retained as a human intelligence sources for the military after the Peace Agreements (Argueta, 2013). The percentage of human rights violations committed by military commissioners was especially high in areas with a majority of indigenous populations (Quiché 42 per cent; Alta Verapaz 17; Baja Verapaz 15; San Marcos 4, and Huehuetenango 3) (CEH, 1999).

<sup>7</sup> This percentage was calculated based on the number of people that in 2005 required payment for its services as PAC (Sáenz de Tejada, 2004).

<sup>8</sup> The PACs played a violent role in the counterinsurgency strategy and were involve in human rights violations and the cultural transformation of the collective life in the communities (CEH, 1999; Brett, 2007; Remijnse, 2002). The CEH estimated that PACs committed 18 per cent of human rights violations during the internal conflict (CEH, 1999: 109).

However, not only PACs and military commissioners were organized in the communities. There were also self-defence organizations created by the guerrillas. These organizations were the Local Irregular Forces (FIL) and the Clandestine Committees (CCL) that operated in strategic areas of the country. The capacity of the insurgents to organize the communities was no match for the institutional coverage of the army. These organizations were organized and functioned inside the community as self-defence organizations against the repressive actions of the army (Brett, 2007: 51). The main functions of these organizations were information-gathering and the defence of the community.

Table 1. Number of community policing organizations in Guatemala (2010)

Number of Police Station and Department	JLS	COMUSE	CODESE
11 Guatemala	19	0	0
12 Guatemala	39	0	0
13 Guatemala	14	0	0
14 Guatemala	10	0	0
15 Guatemala	24	0	0
16 Guatemala	28	0	0
21 Jutiapa	13	4	0
22 Jalapa	15	0	0
23 Chiquimula	30	0	0
24 Zacapa	10	3	0
31 Escuintla	63	0	0
32 Santa Rosa	29	0	0
33 Suchitepéquez	41	5	1
34 Retalhuleu	15	3	1
41 Quetzaltenango	28	0	0
42 San Marcos	272	2	0
43 Huehuetenango	44	2	1
44 Totonicapán	12	1	0
51 Cobán	132	0	0
52 Salamá	25	0	1
53 El Progreso	31	0	0
61 Izabal	17	1	0
62 Petén	12	3	0
71 Quiché	80	0	0
72 Sololá	11	8	1
73 Chimaltenango	19	10	0
74 Sacatepéquez	10	1	0
Total	1,043	43	5

Source: PNC, 2010.

Whether these organizations operated against the military or the insurgents, the important point here is the reinforcing of a self-defence pattern within the population and inside the institutions. This pattern continued while its justification or the alleged threat they were supposed to fight changed. In sum, the historical trajectory of self-defence shows how this pattern was reinforced through different institutional mechanisms. The next section will show how the introduction of community policing programmes contributed to reinforce this pattern.

## V. LAYERING INSTITUTIONAL CHANGE: COMMUNITY POLICING IN GUATEMALA

International donors and civil society organizations supported the introduction of community policing programmes in the new National Civilian Police in 1999. This occurred in the context of a security sector reform which included the downsizing of the army, the restructuring of the police and intelligence units, and the dissolution of paramilitary organizations. Each international donor financed different models and programmes through different public institutions. Thus, community policing began in an ambiguous institutional environment in which three main sources of top-down community policing are identified: the National Civilian Police (Policía Nacional Civil, PNC), the Vice Ministry of Communal Affairs (Vice Ministerio de Apoyo Comunitario, VAC), and the Municipality of Guatemala City. In addition, community policing organizations are informally supported by churches, entrepreneurs, and local leaders, among others.

There are different names for civilian security organizations in Guatemala: Juntas Locales de Seguridad (local security boards), Consejos Vecinales or Comunitarios de Seguridad (neighbourhood or communal security councils), and Comités Únicos de Barrio (Single Neighbourhood Committees), among others. These are neighbourhood and communal groups organized to protect their living area and implement different activities including patrolling streets with weapons and covered faces, controlling communal check points, catching and punishing alleged criminals, and detaining boisterous youth, drunks, and prostitutes. They are organized as a decision-making group within a community, elected in some cases and self-appointed in others.

### **Juntas Locales de Seguridad and the Police**

In 1999 the National Civil Police issued a General Order to create Juntas Locales de Seguridad, (JLS) in the country. The precedent for this initiative was the programme of Neighbourhood Committees for Reconstruction created by the Ministry of Interior in 1998 to support the new police through the collection of monetary donations to equip police stations in the neighbourhoods. After deeming those Committees a success, the Ministry decided to expand the programme by adding the policing component (Neild, 2002). JLSs were defined as part of the public security policy to strengthen the links

between the police and the community and to improve citizen security.<sup>9</sup> Each JLS was supposed to be made up by the mayor or representative, an “honourable” neighbour, and all neighbours that voluntarily wished to join the JLS. In somewhat contradictory terms, the General Order also stipulated that “the composition of the JLSs can vary according to the reality and needs of the locality”.<sup>10</sup> Finally, the police recognized the JLSs as an informative and collaborative group, but it did not specify any institutional mechanism to keep them linked with the police. There were no control mechanisms or any indication about records of persons and activities implemented by the JLSs.<sup>11</sup>

In 2002 there were JLSs in existence in 231 of the 331 municipalities in the country (Neild, 2002). The police broadcast the idea that active citizen participation would be important to fight crime and used all traditional and pre-existent organizations to create the JLSs. They were rapidly formed by communal leaders and in some areas by former paramilitary and self-defence organizations created during the internal conflict. Human rights organizations denounced that many JLSs committed violent actions just as their paramilitary predecessor had done (Interview with Axel Romero, VAC). They served also to acquire local power due to the established clientelistic relations with the police and local authorities (Neild, 2002). The police focused mostly on the organization of the JLSs, but not on the parallel process of strengthening collaborative bonds. After a few years, the organization of JLSs became spontaneous and beyond state control.

The first period of the JLSs indicates that the idea that the JLSs were only a mechanism to generate information for the police prevailed among the population. The use of pre-existing security organizations legitimized any action they might take to supposedly assure their own protection. The result was the restructuring of traditional organizations with a new name and renewed recognition from state authorities. Since the police historically planted informants in the communities and neighbourhoods, the population quickly rejected the work of the JLSs and the desired collaboration with the police was never achieved. The police received information but did not implement effective preventive actions (Interview with Axel Romero, VAC).

There were different efforts to strengthen controls over JLSs. In 2002, the Coordination Office of Community Policing of the National Civilian Police was created. The Office received the information generated by the JLSs to implement security actions. However, the Office had no institutional support. Therefore it was necessary to seek international financial support, mainly for training courses. After a short training course on community policing, 500 police agents were introduced to the philosophy of community policing (PNC, 2009). The problem was that the young trained agents were scattered across the country under the hierarchy of older police officials who rejected the new police model.

It was not until 2005 when the General Crime-Prevention Directorate was created to coordinate and supervise the activities of the JLSs and to develop a preventive approach

<sup>9</sup> Orden General Nr. 11.99, Guatemala, July 14, 1999.

<sup>10</sup> Article 3, Orden General Nr. 11.99, Guatemala, July 14, 1999.

<sup>11</sup> Article 5, Orden General Nr. 11.99, Guatemala, July 14, 1999.

(Interview with a police officer of the SIRC). At that moment there were 677 JLSs identified in the whole country but even then, the police had no contact with them. Although in 2009 the institution experienced a reduction in personnel and financial resources, record-keeping techniques were improved and by 2009 the PNC was able to report the existence of 1,037 active JLSs in the country (PNC, 2009).<sup>12</sup>

Another related problem was the lack of police officers. In 2006 there was one police officer for each thousand inhabitants in the country. Nor does the system that distributes police personnel take into account the cultural and linguistic features of the officers with regards to the area where they are assigned. Police officers that have direct contact with the population, and consequently with the JLSs, are constantly moved from one police station to another. At the same time, the training in preventive security provided by international donors has been mostly oriented towards officers posted in urban areas and not to those posted in rural areas where most of the JLSs are organized. The prevention model was only part of some particular police programmes, but it was not part of the whole institution and its doctrine (Interview with a police officer of the SIRC).

This first stage of community policing marked its further development. Increasing institutional ambiguity and the pre-existent pattern of self-defence are the main features of the reproductive sequence of community policing in the post-conflict period.

### **The Context of Institutional Ambiguity**

Political struggles between the police and the Ministry of Interior and international pressures for strengthening police reform led to the creation of a new institutional mechanism to promote community policing programmes.

In 2004 the Vice Ministry of Communal Affairs (VAC) of the Ministry of the Interior was created to strengthen links between the police and community organizations. The new institution sought also to control the large number of already existing JLSs. The idea was to convert all kinds of neighbourhood organizations into security committees linked to the communal organization system (Interview with Axel Romero, VAC). The VAC would not support JLSs any longer because they had become “parallel groupings” (Ministry of Interior 2011). The new VAC received support from international financial institutions but not enough support from the state.<sup>13</sup>

The creation of the VAC also demonstrates the importance of civil society organizations involved in citizen security issues. The so-called Project for a Citizen Security Policy (POLSEC) established the basis of a preventive security perspective with emphasis

<sup>12</sup> This data was based on information from the police stations in the country but did not mean that the police had any control over that number of JLSs or that the police worked together with them (Interview with a police officer of the SIRC). More precise data, such as the names of coordinators and registered addresses, existed only on 469 JLSs (PNC 2009). This means that there were 568 active JLSs outside of the control of the PNC. Records also show that no JLS has received training on preventive security.

<sup>13</sup> In May 2006 the Inter-American Development Bank approved a loan of US\$ 29 million to be channelled through the Vice Ministry of Communal Affairs. Document of the Inter-American Bank, Programa de Prevención de la Violencia (GU-0163-1734/OC-GU).

on community-oriented policing programmes (FLACSO, 2002; Arévalo, 2002).<sup>14</sup> The VAC proposed a reform of community policing programmes based on the new Municipal Code, the Development Councils Law, and the General Decentralization Law.<sup>15</sup> Municipal organization in Guatemala allows for the participation of traditional communal authorities, some of them created as far back as the colonial period, for example communal leaders and “council of elders” in indigenous municipalities.<sup>16</sup> The system includes Departmental Councils of Development (CODEDE), Municipal Councils of Development (COMUDE), and Communal Councils of Development (CODEDE). These councils, made up of representatives of civil society, were created after the Peace Agreement and they work together with local authorities to improve infrastructure and services. Thus, the idea of the VAC was to use this organizational structure to create a security commission at each level.

Nevertheless, political instability made it impossible for this Ministry to achieve its goals; on the contrary, it provoked confusion in the communities about the institutional assignment of JLSs. As a Vice Ministry, the VAC had a higher institutional hierarchy as opposed to the police. It produced conflicts between both institutions and a competition for resources for community-oriented programmes (Interview with Ivan García, UNDP).

Table 1 shows the number of JLSs and Security Commissions created by the VAC. The big difference between JLSs and the security commissions –both municipal security commissions (COMUSE) and departmental security commissions (CODESE)– means that there was no formal integration of JLSs in the local power network. The JLSs have been the main organizations with participation of the population. The other levels of this institutional structure do not have a direct presence in the country. In 2010, the PNC identified only 43 municipal security commissions and five departmental security commissions (PNC, 2010). The lack of departmental commissions is explained by the mayors’ fear of accountability. On the contrary, the municipal commissions are controlled by them and have no accountability mechanisms (Interview with a police officer of the SIRC).

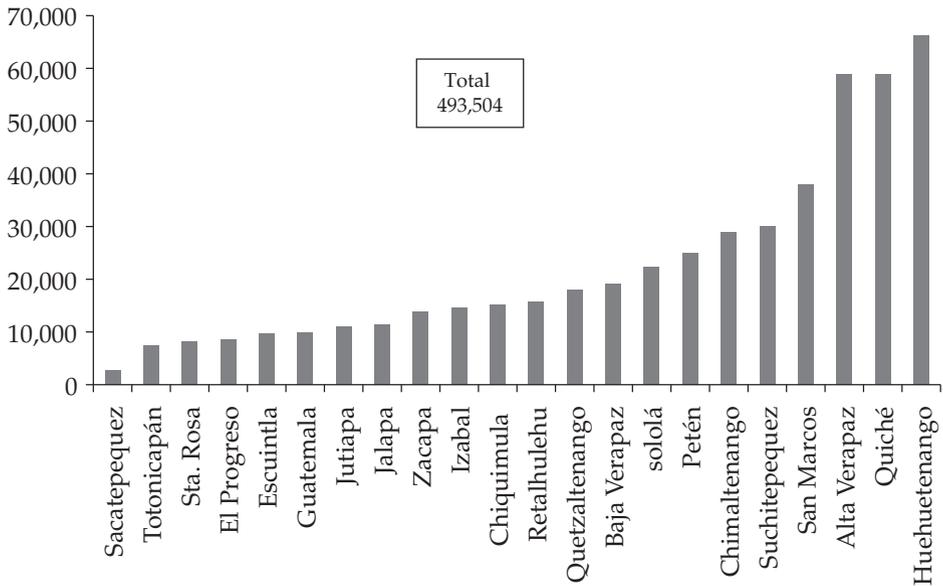
The figure also shows the territorial distribution of communal security organizations. The national territory is organized around the jurisdiction of each police station. Thus, the main concentration of JLSs registered by the police is in the jurisdiction of the department of San Marcos. Of the 272 JLSs registered by this branch of the Police, only 86 JLSs have some form of documentation. In second place, the department of Alta Verapaz has 132 JLSs, of which only 38 have some supporting documents. There are police stations –such as N° 43 in Huehuetenango– that have registered 44 JLSs without the corresponding documentation. In 2009 the VAC also started to identify violent and problem-ridden JLSs. For example, they identified 117 JLSs acting without controls in San

<sup>14</sup> This initiative was mainly supported by the War-torn Societies Project, a collaborative project of the United Nations Research Institute for Social Development and the Programme for Strategic and International Security Studies of the Geneva Graduate Institute of International Studies launched in 1994.

<sup>15</sup> Código Municipal, Decreto Ley 12.2002; Ley de los Consejos de Desarrollo Urbano y Rural, Decreto 11-2002; Ley de Descentralización Decreto Ley 14-2002.

<sup>16</sup> Articles 55 and 58 of the Código Municipal, Decreto Ley 12.2002.

Figure 1. Number of former PACs who requested compensation (2003-2004)



Source: From data in Sáenz de Tejada, 2004.

Pedro Sacatepéquez in the department of San Marcos and another eight neighbourhood groups in Guatemala City (*Prensa Libre*, 01/19/06).

Contrary to the aims of the VAC, the introduction of JLSs in the local institutional structure reproduced the problems this institutional framework had suffered for decades.<sup>17</sup> With this background, the integration of the JLSs into the system of development councils resulted, on the one hand, in the legitimation of the activities implemented by JLSs (whether violent or not), and on the other, the delegation by the police of security functions on the local organizations.

In addition, as the solution to the problem of insecurity, the VAC became the receiver of citizen demands for more police officers. The JLSs argued that they would do anything in order to protect their communities or neighbourhoods because the police were either insufficient or corrupt. JLSs began to argue: “if the police do not reduce crime, we (the JLS) will do it no matter how” (*Prensa Libre*, 07/27/05). The proliferation of JLSs, whether created by the police or by communities, produced a conflictive relationship in which the police delegated its functions to the populations without any controls instead of

<sup>17</sup> The model of institutional decentralization was a reproduction of a previous inter-institutional structure created during the internal armed conflict under the name of “Coordinadoras Interinstitucionales para el Desarrollo”. This institutional structure was created in order to gain control over local power holders through a centralized structure directed by the army. One of the effects of this structure was the reinforcement of local caudillos, most of them former military commissioners or chiefs of PACs (Schirmer, 2001).

strengthening the ties between police and community. Due to institutional instability it rapidly lost citizen acceptance after its foundation in 1996.

The creation of the VAC made it clear that the population had been working alone through the JLSs and that it had high levels of distrust and fear towards the police institution. In this context, the challenge of the VAC was to recover the original sense of community-oriented policing (Interview with Axel Romero, VAC). However, the result was the creation of a double institutional framework: on the one hand, the JLSs created by the police from 1999 onwards and, on the other, the Security Commissions under the Vice Ministry of Communal Affairs. The first one organized the population without any other institutional link than the police; the other pursued the organization of the population through the institutional framework of local power holders. Neither institutional level had any control over the organized population operating in the country.

### **Comités Únicos de Barrio**

However complicated the institutional overlap created by the Ministry of Interior and the police, other institutional actors were still created. This time, the Municipality of the City of Guatemala created its particular form of community policing organization in 2001: a large network of “Comités Únicos de Barrio” (Single Neighbourhood Committees or CUBs). The original project pursued the creation of 600 CUBs; currently there are more than 783 CUBs (MUNIGUATE, n.d.). These organizations sought to create their own procedures to centralize the administration of resources. The participatory structure of the Municipality of Guatemala City is a copy of the above mentioned Urban and Rural Development Councils and projects an image of a “mini state” within the state of Guatemala.

Even though the organizational structure is the same, the main difference with the rest of community policing programmes is the role played by military officers in its activities as an extension of the combined patrols program (Army and Civil National Police). Each Neighbourhood Committee is said to have a military representative collecting information for the Army, not for the Police (Interview with Priscila de Narciso, Auxiliary Mayor). The metropolitan districts 9 and 1 of Guatemala City total approximately one million inhabitants and have 200 Neighbourhood Committees. These organizations prefer having military rather than police support because they place more trust in the Army and expect the Army to solve the crime problem with an “iron fist” (Interview with Rubén Darío Martínez, Auxiliary Mayor).

The CUBs are organized in urban metropolitan areas where the population is mostly non-indigenous. These areas have medium income levels and can hire private security companies (PSCs). There are cases where a security neighbourhood organization is sponsored by a PSC or, on the contrary, the CUB hires PSCs as advisors or as protection providers. In 2008 the CUBs of zones 10 and 14 (high income residential areas) organized 45 JLSs and hired an Israeli security company to implement a security plan named “Plan Petate” with the aim of creating hundreds of JLSs in those zones and generating

a system of information to be collected by the security company and then transmitted to the police or the army (*Prensa Libre*, 10/22/10). Security organizations of commercial associations also promote community policing. The Hotel Security Council of Guatemala sponsors informal organization of neighbourhoods in areas visited by tourists and has representatives in each security committee to collect information and control criminal activities (Interview with Byron Heredia, COSEHOGUA).

One of the main security projects supported by the Guatemala City Municipality is the plan “Vecino Vigilante” (Vigilant Neighbour) which consists of a list of citizen security recommendations such as putting together lists of neighbours, organizing a neighbourhood commission, creating alert systems between neighbours, and the surveillance of domestic help and service personnel in houses and offices, among others (MUNIGUATE, 2000). Through more than 200 security measures, the document insists on the importance of surveillance of the “other” and closing off public spaces (*Prensa Libre*, 06/28/05). Surveillance and closing off public spaces stimulated both the stigmatization of social groups and the privatization of public spaces. Both elements constitute clear antidemocratic effects of community policing programmes.

## VI. THE REINFORCING SEQUENCE OF SELF-DEFENCE

This section identifies how community policing programmes reinforced the pattern of self-defence during the democratic transition period. The sequence highlights the following: first, a prevalent sense of distrust because community policing had brought back memories of the recent PACs; second, the functional benefit of self defence started to generate acceptance; third, JLSs proliferated; fourth, they executed violent actions such as lynching, vigilantism, and a variety of aggressions; fifth, they deepened public institutional distrust; and sixth, the empowerment of JLSs as repressive and uncontrolled organizations generated fear in the population. Although this is a heuristic resource, it is important to mention that the stages are not independent. On the contrary, there is an interplay of processes and institutions and a wide range of effects that this section attempts to summarize with empirical examples.

In Quiché, the department with most human rights violations during the internal conflict, the reaction provoked in 2000 by the JLSs was negative because the population was reminded of the PAC, created by the army and the police during the internal conflict. Different groups in this department made it known that the JLSs used firearms, committed abuses, and acted as judges in some cases. The population that belonged to the JLSs argued that they had the support of the community to prosecute criminals and apply customary punishments (*Prensa Libre*, 05/16/00 and 05/29/00). Five years later, in 2005, it was reported that the population organized in JLSs in Baja Verapaz, Quiché, and Totonicapán conducted patrols and exercised controls in the communities to fight crime and to control problems produced by families and the weak presence of the PNC (Interview with intelligence analyst of the SIE).

However, more than the continuity of the actors, self-defence was rooted in collective life experiences. In 2007, reports spoke of the existence of a JLS created by former PACs and military commissioners in the village of Los Cimientos in the department of El Quiché. The leaders had been active since 1982 and they renamed themselves as “communal leaders”. They were heavily armed, kept their *modus operandi* and structures unchanged, and consistently killed suspects and intimidated the community. They took control of the Communal Development Council and forced the population to patrol and to pay for the protection service. The people who were unable to pay were forced to work on the properties of the communal leaders. These violent actions forced more than 50 families to leave the community (*Prensa Libre*, 05/21/07).

Santiago Atitlán in Sololá was one of the municipalities strongly affected by violence during the internal conflict. There were PACs as well as military commissioners and a strong presence of military units. In 1990, one of the cruellest massacres in the country was committed in Santiago Atitlán by military forces. Afterwards, a security and development committee was created that required that military personnel be expelled from the community. The security committee worked as a community policing organization by setting up patrols and protecting the church and other communal institutions. They created a traditional system of informal social control based on the knowledge of each member of the community (Murga, 1997). Formal democratic institutions, especially police and judges, confronted the actions of traditional organizations. Wherever the new institutions were present in the community, they were required to reconcile the differences between traditional and formal security and justice systems and to meet communal demands. The result was the existence of parallel systems of policing.

More than ten years later, the situation seems to be different. Since 2006, more than 20 people have been killed by social cleansing groups that previously published the names of their victims. The people killed were previously accused by those groups of involvement in corruption, drug trafficking, matrimonial infidelity, and rape as well as witchcraft. The members of the social cleansing groups were dressed in military uniforms and armed with military weapons (*El Periódico*, 09/24/07). In 2009, the municipality called on the community to take part in neighbourhood surveillance with official sanction. At the same time, the security commission demanded that the justice system and the police start to catch criminals. After all these measures, the population publicly declared its support for neighbourhood vigilance which was considered a plus for the community (*Prensa Libre*, 10/16/08; 03/27/09 and 06/10/09).

Community policing organizations were used to prevent investigations of crimes committed during the internal war. This is the case of the community of Pocohil in the department of El Quiché, in which the auxiliary mayor who created the security commission was also the former chief of the PAC and the current pastor of one of the evangelical churches. In May 2009, there was an exhumation conducted to find victims of the internal conflict. The population directed by the auxiliary mayor threatened to lynch the people who provided support for the exhumation (UDEFEQUA, 2010a).

JLSs have been used also for profit and have a planned system of trials and punishments. In 2006 various communities of Chimaltenango and Sacatepéquez complained that the JLS together with communal leaders and the evangelical pastor patrolled the community and charged dwellers for each time they patrolled. When a suspect was detected, they activated their security mechanisms such as ringing the bells of the church in order to alert the community and to catch the suspected criminal. After an improvised trial, the suspect could be sentenced to death by lynching. The community justifies the lynching based on a distortion of the social order produced by bad attitudes among youth and corruption in the police. One of the punishments implemented by the JLS was the expulsion of suspected criminals and their families (*Prensa Libre*, 09/27/06 and 05/06/06).

Community policing programmes defined the threats faced by community participation. Contrary to its original goals, community policing led to the stigmatisation of some particular social groups, in this case, youths. In the department of San Marcos, the JLSs, with the support of the municipalities, implemented violent actions against youth gangs suspected to come from Guatemala City. The JLSs in this department created their own coordination mechanism named “Coordinadora de Seguridad Ciudadana Marquense” in 2002 and refused to have contact with public institutions (Interview with a police officer of the SIRC). Violent actions against suspected youth gangs were also organized in San Juan Sacatepéquez (only 40 kilometres from Guatemala City) by the JLSs. After the lynching of two alleged youth gang members in 2007, the population intensified patrols and controls as well as demanding more accountability over the PNC. They demanded that youth accept the rules of the community, leave, or risk being lynched. They even planned to uniform young people and make them work in the streets. One of the measures imposed by the JLS was a daily curfew beginning at seven p.m. After imposing the curfew, there were five lynchings in the municipality and some other people were killed for violating the curfew (Escobar, 2008). The situation became so violent that the President of the Republic declared a state of emergency in the region in order to impose state control (*El Periódico*, 02/14/08).

The community’s definition of local threats aimed at the defence of the established social order. San Pedro la Laguna in Sololá was characterized by its strong social organization before and during the internal armed conflict. After the war ended, it became an attractive tourist destination for drug consumers. There were hotels and restaurants set up by foreigners who decided to live in the country. The community became known as “the little Amsterdam”. The differences between the commercial activities of foreigners and locals were rapidly visible. In addition, the increase in drug consumption by local youth who participated in parties and activities organized by foreigners raised concerns among local leaders. The strong leadership of an evangelical mayor led to the organization of surveillance patrols and the Ministry of Interior authorized them. The JLS started to persecute drug consumers, alcohol drinkers, noisy people, and other “criminals”. The JLS and judicial authorities started drug raids on hotels owned by foreigners where they found a variety of drugs and a clandestine drug production laboratory. An alcohol ban was imposed beginning at 11 p.m. and raids were carried out to find illegal tourists.

More than 50 tourists were captured, as well as many local youth identified with the “western” way of life (Sandoval, 2008).

The public support to fight crime allowed some community policing organizations to conduct extra-judicial executions. The department of Escuintla currently has high crime rates and drug trafficking (UNDP, 2007) and in 2006 a JLS was created in the municipality of Palín. Two years later some of its members joined social cleansing groups such as “Comando de la Muerte” (Death Commando) and “Ejército Secreto de Ejecución” (Secret Execution Army). These groups published the names of suspects and then killed them. At the beginning, people of the community saw these actions in a positive light but later those groups turned to extortions and threats in exchange for their protection services. They controlled some roads and it was reported that they were involved in drug trafficking (*El Periódico*, 11/14/08).

Community policing programmes also contributed to an increase of abuses committed by public authorities which used JLSs as mechanisms to exercise violence. San Juan Cotzal in Quiché was strongly affected by violence during the internal armed conflict and has high poverty rates. The actions of the JLS began in 2003 in the form of patrols in the community with firearms provided by the municipality. They threatened to arrest young people with long hair, tattoos, or other suspect markings (*Prensa Libre*, 09/07/05). In 2005, the municipality and communal leaders accused 20 youths of being part of criminal gangs; they were subsequently arrested and sentenced under “Maya rules” to forced labour in the municipality and obligatory assistance at church. In November 2009 a young man was arrested by the JLS accused of being a “roquero” (rocker). He was beaten and imprisoned in the municipality. His father was a police officer in a neighbourhood community and tried to release his son. The JLS arrested the father and after a “Mayan” judge arrived at the scene, the police officer was sentenced to be burned. The police undertook an investigation of the facts and the auxiliary mayor was held responsible for the death of the police officer (UDEFEQUA, 2010b).

JLSs became a mechanism to implement violent solutions for any problem that supposedly threatens local authority. That includes the organization of collective violence against other state institutions such as police and judicial offices. In 2002 in the village of Chupol, Huehuetenango, one police officer was lynched and the whole police institution was expelled from the village. The municipality provided the JLSs with identification papers and also gave them the authorization to carry out their actions (*Prensa Libre*, 03/01/10).

These examples show that concepts such as prevention, identification of local threats, and citizen protection acquired a different meaning, as had been planned, in the rhetoric of community policing. On the contrary, they reproduced the actions committed during the internal conflict disguised in an anti-crime discourse. The homogeneous design of community policing programmes does not take into account institutional trajectories and historical conflicts of each community because they are organizations created by the central administration of the security institutions (Interview with intelligence analyst of the SIE).

The reinforcing sequence described above show that community policing was strongly influenced by previous forms of self-defence policing. This is a pattern historically embedded in the society and public security institutions, and overcomes the expectations of top-down policies.

## VII. FINAL REMARKS

Community policing programmes did not emerge in an ahistorical context. On the contrary, strong institutional patterns of self-defence were reinforced through a process of institutional change. The main characteristic of this process is the layering mode through which a new rule became a reinforcing mechanism of a pre-existing pattern. The top-down and exogenous characteristics of community policing programmes were adapted to self-defence patterns mainly through the dynamism and ambiguity of public security institutions.

How community policing started and how it was reproduced explain why community policing remains an ineffective programme in Guatemala from the perspective of both the police and the society. The efforts of policy makers lead to limited results if community policing is not placed within a larger socio-political context. As this paper shows, beyond what the police and policy makers define as community policing, the key factor is the appropriation, reinterpretation, and application of the concept by the population and local authorities.

Aside from the question about the contributions of these programmes to the reduction of crime, wider theoretical and empirical approaches to community policing show its effects on institutional legitimacy and the rule of law. As historical sociologists point out, once a path dependent process is in motion and is reinforced, a reversal of its effects becomes increasingly difficult.

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