

**7905 words**

**Full Article:** *The Role of Civil Society Actors in Peacemaking: the case of Guatemala.*

**Roddy Brett, Faculty of Political Science, Government and International Relations, Universidad del Rosario.**

### **Abstract**

This article builds upon recent scholarship in critical peace studies that focuses on the role of civil society actors in formal peacemaking processes, in short, peace talks, and post-conflict peacebuilding. The article specifically explores the role of civil society actors in the Guatemalan peace process. The research addresses the possible tensions and potential complementarities in processes where civil society enjoys a mandated role in centralised, formal peace negotiations carried out between the state and armed actors in talks levied within the liberal peace framework. In the case of Guatemala, non-state actors participated to an unprecedented extent in the peace negotiations, and Guatemala has not relapsed into armed conflict. However, post-conflict Guatemala is a violent and unstable country. Consequently, the study challenges the assumption that peacemaking is necessarily more successful in those instances where provisions have been established to guarantee the participation of civil society.

**Key words:** peacemaking; peacebuilding; civil society actors; inclusive settlement; Guatemala; political violence; armed conflict.

**Biography:** Roddy Brett is Professor of International Relations with the Faculty of Political Science, Government and International Relations, at the Universidad del Rosario in Bogota, Colombia, and directs the Doctoral Programme in Political and International Studies. He has published four monographs and co-edited three books in the fields of conflict and peace studies, genocide studies, political and other forms of violence, social movements, indigenous rights, democratisation and transitions.

### **Introduction**

Over the last decades, and in particular in the aftermath of the 1992 United Nations Agenda for Peace, the participation of civil society actors in peacemaking (negotiations) and peacebuilding processes has increased considerably (Paffenholz 2014; Vogel 2016), in parallel with the consolidation of the liberal peace paradigm.<sup>i</sup> During this time, there has been an accompanying increase in scholarship addressing the role of civil society in peacebuilding (Wanis-St. John and Kew 2008; Paffenholz 2014; Vogel 2016). The current article builds upon this research, exploring the role of civil society in peacemaking in the context of Guatemala, and addressing the complex

factors shaping processes where civil society enjoys a mandated role in centralised, formal peace negotiations. The term civil society used in this research refers to the space of interaction between individual and collective subjects and the state. In particular, civil society is defined as the non-state arena which is inhabited by voluntarily organised bodies, interest groups and organisations. Said sphere is often subject to regulation by the market and is privately controlled. Civil society is distinct from the security forces (military and police) and juridical and administrative state institutions (Bobbio 1989: 22; Ehrenberg 1999: 144; Keane 1988a: 1). Moreover, in this research, a focus is placed upon progressive civil society actors, usually victims or social movement actors that emerge out of the sphere of civil society in support of peace negotiations. In certain cases, such as that of Guatemala, these actors have participated in formal mechanisms linked to peace negotiations.

Whilst acknowledging the central premise of much of the scholarship that civil society participation in negotiations is central to sustainable peace, the research presented here adopts a critical perspective in this regard. Ending in 1996, Guatemala's peace process, which brought an end to thirty-six years of armed conflict (1960-1996), was characterised by the formal participation of eighty-two civil society organisations, mandated to send non-binding proposals to the negotiating parties through the so-called Civil Society Assembly (ASC), established in 1994. **Through the ASC, civil society actors participated to an unprecedented extent in the peace negotiations, ultimately shaping the content of key specific peace accords.**

The peace process was successful, and, since 1996, Guatemala has not relapsed into armed conflict, unlike other countries elsewhere in the aftermath of negotiations (Call 2012). However, despite the focused input from the ASC, negotiations failed to address the embedded causes of the armed conflict. The weakness of the peace accords in this regard has been a central factor shaping the country's fragile post-conflict peace (Briscoe and Rodríguez Pellecer 2010). Since 1996, levels of homicide and violence in Guatemala have, in fact, escalated, and the country remains acutely unstable, experiencing growing indices of exclusion and poverty in rural areas. At the same time, with certain exceptions such as the Public Prosecutor's Office, state institutions, including the judiciary, have been held hostage by elite interests and illegal apparatus, neutering their functioning (Brett 2016).

Within this context, the question framing this research is that, if indeed effective civil society participation represents a factor central to sustainable peace, what explains Guatemala's profoundly violent and unstable post-conflict peace?

The Guatemala case illustrates the degree to which the participation of civil society actors in peace negotiations may, in fact, be neither decisive nor adequate as a mechanism through which to establish the parameters to guarantee a more sustainable post-conflict peace. Above and beyond civil society participation, what is required is the establishment of effective mechanisms through which to assure meaningful

engagement with the causes of armed conflict and political violence. **If peace is to endure, peace accords must provide means through which to engage effectively with the causes of armed conflict.**

However, this research argues that the inclusion of civil society within peace negotiations represents the most likely mechanism through which to achieve a broader and more inclusive peace settlement. If negotiations are left to armed actors alone – the state and illegal armed groups – the content of the peace accord will ultimately be restricted, excluding broader issues such as the causes of the violence, and focusing on a more limited set of provisions such as DDR and limited transitional justice mechanisms, such as amnesties and truth commissions. The participation of progressive civil society actors in peace negotiations is then a necessary condition through which to strengthen the possibility for an inclusive peace settlement that addresses those issues necessary for a stable post-conflict scenario.

Research presented here draws on archival work carried out in the United Kingdom (1996-1997; 1999-2002) and interviews with civil society, government and international actors in Guatemala between 1997 and 2002, some of which represented data for a Ph.D. in Political Science (University of London, 2002). The research also draws upon the author's own experience working with Guatemalan civil society and international organisations within the context of post-conflict reconstruction. Between 2002 and 2008, the author worked with the Centre for Human Rights Legal Action in Guatemala, on legal cases relating to human rights violations committed during the armed conflict, and with the United Nations Development Programme and Office of the United Nations High Commissioner for Human Rights, as well as with the Norwegian Embassy.

The article is divided into three sections. First, a brief section explores the contextual parameters for the research. Second, the discussion turns to the Guatemala case study, analysing the peace process, and focusing upon one of its driving dynamics – the tensions and complementarities between the peace negotiations and the role and impact of civil society actors therein. Finally, the article closes with a series of conclusions.

### **Framing the Research: Theoretical Considerations**

Recent peace studies scholarship has sought to move beyond the state-centric vision of liberal peace politics in order to focus on the role of unarmed non-state actors in transforming violence and building peace (Chandler 2000; Richmond 2005; Mac Ginty 2010, 2011; Ramsbotham et al. 2011; Vogel 2016). From this perspective, power does not reside exclusively within the state, its actors and its institutions, nor should we defer to the state as the hegemonic force in the construction and exercise of the social relations of power and peacebuilding. Scholars such as Richmond (2005), have further argued that legitimacy is not the sole preserve or privilege of the state, to

be imposed from the top down, as is the undergirding premise of the liberal peace paradigm. On the contrary, if civil society actors, particularly victims of conflict-related violence, are excluded from the design and subsequent implementation of peacemaking and post-conflict reconstruction initiatives, these are unlikely to be perceived of as legitimate and sustainable in conflict-affected countries (Mac Ginty 2010, 2012; Brett 2013). Meaningful participation, the argument goes, is more likely to foster ownership of effective peacemaking and peacebuilding processes and generate a durable post-conflict peace. However, an inclusive peace settlement *on its own* is unlikely to lead to a sustainable post-conflict scenario.

Instead, two interrelated factors in particular play a key role in establishing the conditions for a more sustainable peace: a peace settlement that deals effectively with the structural causes of conflict, and the participation of civil society, in particular victims, in negotiations. Without the latter, the former is unlikely to take place, given that negotiations will lack ownership and be unlikely to address broad issues, including the causal factors of armed conflict (Lederach 1997; Van Tongeren 2013). As Odendaal (2010) has argued, the involvement of civil society actors in peacemaking and peacebuilding may enhance the legitimacy of said processes, potentially redressing the ‘legitimacy vacuum’ of orthodox liberal peace interventions (Roberts 2011).<sup>ii</sup> For Odendaal (2010), non-state actors possess the potential to propose alternative perspectives and agendas that will tend to be broader and more representative than the peace agenda adopted by the parties to negotiation. While civil society inclusion is unlikely to reduce polarisation in conflict scenarios, the inclusion of a wide spectrum of religious, gender, cultural, business and political representatives and labour movements will likely broaden the debate over which aspects of the peace agenda should be prioritised. This is the case, Odendaal argues, because non-state actors hold ‘a stake in securing a meaningful and just peace’ (2010: 20).

Negotiations between armed actors alone tend to exclude meaningful engagement with the causes of conflict, given that civil society actors have tended to push for engagement with a broader set of issues. Significantly, in the absence of engagement with the causes of conflict, sustainable peace is unlikely, even if civil society participates in the negotiations. Thus, even in those cases where non-state actors participate actively in peacemaking, such as Guatemala, what will ultimately be determinant are the provisions of the peace accords as regards engagement with the fundamental structural causes of armed conflict. However, civil society actors are important because, without their participation and the pressure they wield upon the negotiating parties, peace accords are likely to exclude broader issues.

### **Civil Resistance and Critical Peace Studies**

The research presented here builds upon peace studies scholarship, whilst at the same time acknowledging the insight of recent innovative literature emerging out of the

discipline of civil resistance studies, two disciplines that rarely enter into dialogue with each other. For example, in their important book *Why Civil Resistance Works*, Chenoweth and Stephan (2011) make a significant contribution toward understanding the broader implications and impact of the role of non-violent non-state actors relative to the impact of armed resistance. The authors argue that transitions precipitated by successful non-violent civil resistance campaigns ‘create much more durable and internally peaceful democracies than transitions provoked by violent insurgencies... nonviolent resistance campaigns are... more likely to establish democratic regimes with a lower probability of relapse into civil war’ (2011: 10). In this regard, the authors argue that the role of civil society actors in shaping successful transitions is decisive. Non-violent civil resistance from this perspective stands more chance of imbuing the subsequent political regime with legitimacy and resilience in the face of challenge and contestation than does the action of violent actors.

The distinctiveness in the focus of these two sets of scholarship is significant. Critical peace studies scholarship engages with, amongst other themes, the role of non-violent non-state actors, social movements, including victims, in making and building peace – including particularly at the local level – and the nature of the peace that may emerge as a consequence of such inclusionary dynamics (Mac Ginty 2011; Roberts 2011). Scholars juxtapose and contrast bottom-up dynamics to the state-led dynamics imposed through the liberal peace, a fragile, top-heavy peace allegedly imposed from above by elite actors, often with the determinant support of external international actors (Mac Ginty 2010, 2011). In contrast, civil resistance scholars investigate the impact of political mobilisations wielded by non-violent actors upon political transition, and the nature of the political regime that accordingly ensues. What is significant for the framework of this article is that, in part, both sets of scholarship seek to revise how power is contemplated and articulated. Critical peace studies and civil resistance scholarship share the perspective that the constitution and exercise of power and the generation of legitimacy emanate from non-violent non-state actors, and are thus not contingent upon or exclusively determined by the state. Power is understood from a non-state centric perspective, as situated within and emerging from non-state actors, their behaviour, the norms they generate and their strategies. However, the state is never entirely removed from the equation.

Recent Critical Peace Studies scholarship has sought to develop a more nuanced focus upon the relationship between civil society and the state. Literature on ‘hybridity’ focuses upon the forms through which civil society actors at the local level engage and negotiate with, or seek to appropriate and shape state and internationally-led peacebuilding initiatives (Mac Ginty 2011). Social movement and civil resistance scholarship, on the other hand, has also retained a focus on the state. For example, key scholarship by Keck and Sikkink (1999), on the so called ‘boomerang effect’, addressed how, through transnational advocacy networks, non-state actors, including human rights organisations, ultimately rely upon third party states to exert pressure on their own states. Other social movement scholarship (Brysk 1994) has emphasised

how the state continues to represent one of the central targets of social movement strategies. In this respect, whilst exploring alternative sites of power, both sets of scholarship recognise the complex relationship between the state and civil society actors.

At the same time, both literatures posit that the durability and sustainability of post-conflict institutions and, in general, peace, and the depth and scope of the security experienced within the polity will be contingent, in part, upon the prior active participation of civil society actors in shaping transition, sculpting peacemaking efforts, and defining the terms of the peace agenda/post-conflict settlement. This latter insight is of crucial significance given that, as many scholars such Call (2012) have demonstrated, post-conflict scenarios have often been systematically fragile, violent and unstable, due, amongst other factors, to the weakened and severely compromised capacity of the post-conflict state. Winning the peace then has tended to be more arduous than winning the war, and post-conflict violence often situates societies in a limbo between war and peace (Mac Ginty 2008a),<sup>iii</sup> an unending transition characterised, in the case of Latin America, by the consolidation of the illiberal state, as Smith (2005) has termed it. From the perspective of these distinct literatures, the embedded participation of non-violent non-state actors in conflict transformation processes (be this peacemaking, peacebuilding or political transition), may increase the likelihood of a more stable post-conflict scenario and provide important insight into the often acute levels of insecurity and violence that characterise post-conflict scenarios. However, as this –paper illustrates, such participation is not, in itself, enough.

### **Non-State Actors and Peacebuilding**

Peace negotiations framed within the paradigm of the liberal peace have conventionally followed the logic of Track One Diplomacy, where the parties to the conflict have defined the agenda of the peace talks, sidelining civil society actors from decisive, direct participation. Over the last two decades, nevertheless, broader changes have taken place within the international system, precipitating the emergence of non-state actors within key spheres of power, including within peacemaking and peacebuilding, as the Guatemala case evidences (Keck and Sikkink 1999; Vogel 2016). Specifically, the implementation of the provisions relative to peacemaking and peacebuilding contemplated within the UN Agenda for Peace, launched in 1992 during the Guatemalan peace process, brought changes in UN practices, as international institutions and liberal peace heavyweights began to identify civil society actors as central to peacemaking and peacebuilding (Vogel 2016). Said changes, reinforced by pressure from civil society organisations in conflict-affected countries, led to shifts in the dynamics determining peace negotiations on the ground. Specifically, in the aftermath of the Agenda for Peace, and, in the case of Latin America during and in the wake of the transition from authoritarian rule, civil society and victims' organisations began to emerge as key political actors, demanding

inclusion in peacemaking mechanisms, where appropriate, and a role in post-conflict / post-authoritarian reconstruction. As a consequence, civil society actors have gradually assumed an increasingly visible, yet albeit secondary, role in formal peace processes, thus precipitating important changes in the historically exclusionary paradigm of Track One Diplomacy. **The formal inclusion of civil society actors in peacemaking logically challenges the state-centric dynamic of Track One Diplomacy, a dynamic determined by the explicit assumption that power is located in the state and derived from the barrel of a gun.**

In Track One Diplomacy, the legitimacy of the state and of its negotiating partner has been imposed from above, won through and enforced by the implicit threat of a hail of bullets. However, over the past decade, the evolution of increasingly complex multi-level peacemaking and peacebuilding practices (Ramsbotham et al. 2011) has increasingly opened up the field to civil society actors, thus, in part, challenging the predominance of Track One initiatives. Whilst Brinkerhoff (2007) maintains a state-centric focus, he is correct in his assertion that peace must be constructed through a differentiated process that articulates diverse levels and actors, including both state and civil society, and thus has the potential to construct a network of roots that binds central state initiatives to conflict-affected regions. For Brinkerhoff, only in this way will peace be legitimate and sustainable and lead to ‘viable governance’ (2007: 17). Nevertheless, despite such changes, Track One Diplomacy continues to define negotiation models; the state and illegal armed groups are unlikely to relinquish power easily to those whom they see as illegitimate actors lacking political experience, power and economic resources.

Given that the state remains the key provider of goods and, arguably, the central actor within the international system with the legitimate power to negotiate with an armed opposition threatening its integrity, the exclusion of civil society actors from negotiations is somewhat justifiable. Non-violent non-state actors are not, of course, in a position to grant the demands that illegal armed groups make to the state. In the Westphalian system, their power deficiency leaves civil society actors bereft of such capacity and leverage; it is, rather, the state that is deemed to possess the power and capacity to acquiesce to and enforce the commitments levied by peace negotiations. Moreover, as if it were not already sufficiently complicated to broker an agreement between armed adversaries whose agendas and demands are likely to be contradictory, the participation of non-state actors with broader agendas may defer the termination of armed conflict yet further.

Nevertheless, **from the perspective of critical peace studies scholarship, and increasingly of international actors, those affected by conflict and violence should have a central voice in conflict transformation.** Given the intractability of the Westphalian system and the recalcitrance of states to relinquish their entitlement to power, the challenge, however, has become *how* to design effective mechanisms through which to warrant the meaningful inclusion of non-state actors, including at

national and local levels. It is to this issue within the case study of Guatemala to which the article now turns.

## **Guatemala: the Limits to Formal Civil Society Participation?**

### *The Violence*

Guatemala's brutal internal armed conflict between state forces and the guerrilla the Guatemalan National Revolutionary Unity (URNG) commenced in 1960 and was brought to a formal close in 1996, when peace talks monitored by the United Nations Verification Mission in Guatemala (MINUGUA) ended. During the 1970s and 1980s, security forces had orchestrated a systematic assault on civil society organisations as part of the counterinsurgency strategy implemented within the framework of the National Security Doctrine. Civil society organisations, including unions and peasant movements, campaigning against historical levels of exclusion, some, although by no means all, of which were directly linked to the guerrilla movement, were systematically targeted as the political wing of the insurgency, regardless of their links to the rebels. Urban trade unions, teachers' organisations and human rights organisations were ferociously attacked by the military, resulting in systematic egregious human rights violations (CEH 1999; Sanford 2003). The rural counterinsurgency, which, according to the UN sponsored truth commission, culminated in genocide against the Maya in 1983 (CEH 1999; Brett 2016), represented a pivotal aspect of military strategy. The state targeted community-based, peasant, religious and indigenous organisations, as the military sought to wipe out the guerrilla's social base. According to the country's truth commission, 83% of the victims of the armed conflict were non-combatants (CEH 1999).

During the first half of the 1980s, Guatemalan non-state actors were driven underground; in the midst of the violence, organisations either ceased to operate, or did so clandestinely (Green 1998). However, in the wake of the military's strategic victory over the guerrillas in 1984, state-sponsored political violence decreased. Consequently, a political space emerged in which civil society began to mobilise. Unlike in Argentina and Chile, civil society played no role in the political transition, given it was orchestrated by the military and pacted with the economic and political elite (O'Donnell and Schmitter 2013). In this respect, Guatemala falls out of the remit of the framework proposed by Chenoweth and Stephan, given that the transition was orchestrated by the most powerful armed actor (the state). However, with the election of civilian president Vinicio Arévalo Cerezo in 1986, the 'resurrection of civil society', as O'Donnell (1993) has termed it, began.

### *Precedents to Participation.*

The first organisations that emerged organically after 1984 articulated demands based on universal and individual human rights, particularly civil and political

rights. Demands focused on the right to life and freedom of association – specifically an end to ongoing human rights violations, including forced recruitment into paramilitary groups – and the restoration of the rule of law. The organisations that emerged were constituted principally by indigenous victims of the conflict, given that over 80% of victims had been indigenous (CEH 1999). During this stage, organisations did not define their actions as explicitly oriented toward peacemaking or peacebuilding, nor focus directly upon economic exclusion. The master frame shaping demands was linked directly to fundamental human rights guarantees. A direct link between civil society platforms and the peace agenda only emerged once the peace process began after 1987 and international involvement was secured (Brett 2008). Moreover, with the commencement of the peace process, organisations began to broaden their demands, linking them to land reform and the economic causes of the conflict. At the same time, movements increasingly engaged with the international rights regime, employing the ‘boomerang’ strategy (Keck and Sikkink 1998), linking successfully to international organisations such as Human Rights Watch and Amnesty International. Significantly, these civil society organisations were not ‘internationally-induced’ as scholars have identified in cases elsewhere (Richmond 2005; Pouligny 2005; Vogel 2016); on the contrary, they emerged organically as victims established movements through which to articulate their demands once massive violations had subsided.

### **Non-State Actors and Peacemaking in Guatemala**

With the onset of the regional peace process *Esquipulas II*, and the first formal meeting between the URNG and the government in 1987, non-state actors began to frame themselves as part of an incipient peace process. Organisations increasingly sought to shape and participate in the emerging peace agenda. As part of the commitments enshrined in *Esquipulas II*, the National Reconciliation Commission was established, under whose auspices, two years later, the Grand National Dialogue (GND) was called. The GND, which included forty-seven organisations and eighty-four delegates, set the precedent for civil society participation in the peace process. Moreover, the principal themes discussed would subsequently be integral to the peace process: DDR, socio-economic issues, human rights and indigenous issues (Jonas 2000).

Building upon the GND, as a consequence of the demands of civil society actors and recommendations of the UN, the Civil Society Assembly (ASC) was established in 1994 as a consultative body to the negotiations, immediately formalising the role of non-violent non-state actors in the peace process. The ASC embodied the reformed thinking and shifting norms at the international level, reflecting the recent shift towards inclusive mechanisms as contemplated within the UN Agenda for Peace. **The ASC was constituted by organisations of peasants, women, widows, indigenous and human rights activists that had emerged organically in the mid-1980s.** The Assembly was mandated to send *non-binding* proposals for the peace accords to the

negotiating table, at once providing organisations with an institutional framework through which to channel their demands and at once legitimising their claims (Krznaric 1999). A broad range of progressive pro-peace organisations participated in the ASC, with the exception of ultra-conservative the Agricultural, Commercial, Industrial and Financial Coordinating Committee (CACIF). Human rights and indigenous organisations eventually came to play a decisive role in the ASC, contributing effectively to the formulation of a series of accords, including the Comprehensive Agreement on Human Rights (1994) and the Agreement on Identity and Rights of Indigenous Peoples (AIDPI) (1995). The proposals for the accords sent to the negotiating parties by the ASC represented, in general, broad issues linked to the causes and consequences of conflict. For example, the content of the final AIDPI, which reflected the initial proposal from the ASC, represented a complex and sophisticated approach to indigenous affairs that emerged directly out of discussion by the indigenous movement and built upon the International Labour Organisation Convention 169 concerning Indigenous and Tribal Peoples in Independent Countries, ratified by the Guatemalan government in 1995.

However, as previously discussed, **the causes of the armed conflict – land distribution and control, fiscal inequality, rural development, horizontal inequalities – were not addressed adequately in the peace accords.** Elite economic and political actors were intransigent, rejecting any engagement with issues such as land reform. Given this intransigence, within this context, pressure from civil society around said issues possessed little leverage and was unlikely to have precipitated a shift in the perspective of the government or elite actors. Moreover, and significantly, the majority of civil society actors assumed a strategic decision not to push for such policies through the ASC. When the discussion over the socio-economic accord began in 1995, the majority of organisations active in the ASC sent proposals to the negotiating parties that focused upon civil, political and cultural rights. Such watered down proposals sought to avoid jeopardising the gains organisations had previously achieved across the other peace accords, including in the AIDPI. ASC members then lowered their profile: demands for land reform (the key cause of the conflict) were all but absent from the scenario. Only the National Indigenous and Peasant Coordinator (CONIC) maintained its demands for land reform and, when said demands clearly achieved neither institutional response nor sympathy from other civil society organisations, CONIC intensified its strategy of land occupations. As it did so, all other members of the ASC publicly rejected this strategy, defining it as radical, and fracturing the previous consensus amongst ASC participants (Brett 2008).

**The participation of non-state actors through the ASC achieved important gains, shaping individual agreements, broadening their content and assuring that the accords represented civil society demands more closely.** At the same time, in an albeit secondary capacity, civil society actors became a sparring partner to the state and URNG, maintaining the visibility and impetus of the negotiations and pressuring the armed actors to adhere, within reason, to their timetabled commitments, reflecting

the insight of scholars such as Odendaal (2010) and Van Tongeren (2013). In this regard, non-state actors partially sustained the peace process and, with the decisive support of the international community, made its permanent derailment more difficult. For example in 1993, when then President Jorge Serrano attempted a self-coup, both civil society and the international community placed effective pressure upon Serrano, causing him to back down.

Nevertheless, the ASC was incapable of effectively challenging and pushing back the imperatives of the negotiating parties – in particular of the government – as regards engagement with the causes of the armed conflict. Civil society participation was thus an insufficient condition for establishing meaningful parameters for a sustainable post-conflict scenario. This was the case not only because civil society demands were subordinated to the more powerful prerogatives of the negotiating parties, but also because, within this context, the majority of civil society actors themselves refrained from pushing actively for such programmes. Division within civil society actors then weakened any possibility of effective collective bargaining.

### **The Limits to the Impact of Non-State Actors**

Despite their elevation to the status of legitimate political actors and formal consultants to the negotiations in Guatemala, the weakness of non-state actors in its aftermath was immediate and acute. During the peace process, and with the support of liberal peace heavyweights, such as the UN and bilateral donors such as Norway, the USA and Sweden, civil society actors had assumed an unprecedented visibility and asserted a key influence upon national politics, decisively shaping a series of key peace accords, no small achievement in the post-conflict context. However, in the aftermath of the peace process, military, economic and political elites remained firmly at the helm of the ship of state (Kruijt and Koonings 1999). With the end of the armed conflict, and in particular during the second half of the government of Alvaro Arzú (1996-2000), the capacity of civil society actors to wield leverage over formal policy making processes waned as it became increasingly subject to and limited by the formal democratic framework. In general, a series of interrelated factors explain this process.

The signing of the peace accords evidenced that the political space afforded to non-state actors during peacemaking and in its immediate aftermath had represented a temporary conjuncture, a *politics of exception*. The framework of the peace process and the sustained pressure of liberal peace actors afforded civil society actors with a key, although limited space. The peace process had imposed a condition of flexible sovereignty upon the Guatemalan state that was immediately derogated once the final peace deal had been signed. As the country shifted away from armed conflict, congress, political parties and state institutions were restored as the principal arbiters of power through which to resolve political conflict and formulate and execute national policy; principles central, of course, to the liberal peace paradigm.

Whilst political democracy had been restored nominally, it remained schizophrenic, hybrid, low-intensity (O'Donnell 1993; Karl 2005). In this respect, formal democratic norms and practices (the right to vote, for example), coexisted alongside authoritarian enclaves, norms and practices, as formal political channels were dominated by unrepresentative, weak and corrupt political parties with little organic relationship to the majority population (Torres-Rivas 2007). In this context, non-state actors carried out effective forays into party politics – including through the formation of the New Guatemalan Democratic Front (FDNG), which won six seats in congress in the 1996 elections. However, such parties lacked the political experience, popular support and clout to operate effectively within the formal political sphere, and were thus unable to influence national politics successfully.

A further factor limiting the impact of non-state actors was their unrepresentative nature. **Civil society organisations in Guatemala were isolated from, and, in many cases contradicted the perspectives and demands of broader society.** The Guatemalan public, in general, eschewed discussion of the conflict and tended toward silence and indifference as the predominant strategic response to past violence. In this respect, the ASC, in general, and civil society organisations in particular, reflected the interests and values of a limited section of the population. Trans-sectoral, class, and ethnic networks then were not consolidated during Guatemala's peace process, a phenomenon that consequently weakened the capacity of non-state actors to wield longer-term impact, impeded ownership over the process and restricted the possibility for a more sustainable peace. Furthermore, perpetrators and political and economic elites had been little convinced by the peace process and had, in reality, undertaken it due eminently to international pressure, assuming the language of peace and rights in order to guarantee pacification and access to international markets.

At the same time, liberal peace actors, such as the UN, the Organisation of American States and bilateral donors, whilst supporting those fundamental platforms articulated by civil society actors that coincided with the liberal peace agenda – such as universal human rights, rule of law, electoral participation – gave short shrift to other, locally-driven demands that represented more closely and spoke to the structural causes of the violence. This is not to suggest that Guatemala's social movements were exclusively internationally-induced – they were not. Rather, support was aligned with and sought to advance liberal peace objectives. In the aftermath of the peace process, non-state actors became increasingly subject to donor agendas, obliged to compete for international funds – for example through the UNDP's flagship Programme for Civil Society (PASOC) fund – and forced, albeit tacitly, to drop more radical agendas (such platforms supporting as land reform) in favour of alignment with liberal peace portfolios emphasising individual and universal civil and political rights over and above collective rights. Those that did not were ultimately marginalised from funding opportunities. Said processes led to the so-called NGO-isation of social movement organisations. As Vogel has evidenced for the case of Cyprus, 'international support steers civil society discourses and fosters the adoption of global agendas... The system

prioritises those actors willing to operate within the boundaries of liberal peace interventions over those that are not' (2016: 7).

Furthermore, in the case of Guatemala, peasant organisations demanding more radical solutions to poverty and underdevelopment framed through collective rights to land, for example CONIC, had been sidelined from the peace agenda, formulated over time by the negotiating parties and corroborated by the UN and other liberal peace actors (Brett 2013). Other organisations marginalised their own voices, silencing their demands in order to capitulate with the liberal peace agenda relative to poverty alleviation and development. For example, the peace accords adopted a neo-liberal economic agenda as the key mechanism through which to alleviate poverty, a fundamental tenet of the liberal peace paradigm. Land reform was eschewed in favour of a World Bank funded *land bank* through which poor landless peasants were encouraged to apply for loans and purchase land. The initiative only exacerbated rural poverty yet further: peasant farmers were offered title to land at excessive prices, land that was generally in poor conditions and not fertile. Peasant farmers that purchased land were subsequently unable to work it effectively. With no state initiative to develop rural markets to accompany the land sales, and with low levels of crop production, many peasants abandoned their newly bought land, leaving them both landless and in debt. In this context, many peasant farmers have been easily persuaded to collaborate with illicit actors, such as drug trafficking organisations (DTOs), who pay farmers handsome settlements to grow illegal crops and facilitate their trafficking.

The peace accords also emphasised a focus upon individual political rights – a central axis of the liberal peace agenda – to address the political exclusion that had been a core cause of the armed conflict. Political parties became a focus of the political reform programme at the centre of an international agenda emphasising political democracy. However, said initiatives only served to strengthen an already exclusionary and unrepresentative political system, whilst sidelining civil society actors and their broader demands.

In this respect, the Guatemala case evidences the limits to the impact of civil society participation in peacemaking. The participation of non-state actors in peacemaking opened the possibility for a more inclusive peace settlement. The ASC transmitted broader demands to the negotiating parties, shaping the accords to include content that would have been absent had civil society not participated in the negotiations. However, the provisions of the accords and the nature of international support undergirding them remained subject to liberal peace logic and eschewed engagement with the causes of conflict. Civil society actors were unable to overcome elite prerogatives and thus impose an agenda that addressed meaningfully the embedded structural causes of violence. Civil society participation then, despite having kept the negotiations on track and broadened the peace agenda, was unable to guarantee the inclusion of those conditions capable of generating a stable post-conflict scenario.

## Conclusions

This paper has argued that in Guatemala, civil society inclusion in peacemaking did not lead to sustainable peace and consolidated development. Rather, and as other scholars have argued for cases elsewhere, within Guatemala's liberal peace paradigm, civil society actors ultimately supported western and elite peace agendas framed through political liberalisation and economic neo-liberalism (Mac Ginty and Richmond 2013; Vogel 2016). In the aftermath of negotiations, Guatemala's post-conflict polity has become increasingly violent and unstable. The Guatemalan peace deal has not collapsed. However, whilst homicide has decreased marginally since 2011, social and economic violence has escalated since 1996. In this context, human rights defenders remain under daily threat, and poverty and economic exclusion in some quarters have escalated.<sup>iv</sup> The participation alone of civil society actors in peacemaking failed to establish the parameters for a sustainable post-conflict scenario, given the nature of that participation, the overriding prerogatives of elite actors and the limited implementation of the peace accords. What might be learned from the Guatemala case then?

First, the nature of civil society inclusion in the negotiations was in itself limited. The role assigned to the ASC was as a secondary actor: the proposals sent by the assembly to the negotiating parties were not binding, but rather of a consultory nature. In this context, civil society participation legitimised the negotiations to the international community and sections of Guatemalan society and evidenced the political will of the government and guerrilla to include the demands of victims. However, the impact of the ASC was ultimately decided by the negotiating parties – particularly the government – and those whom they represented, whose interests, to a certain degree, did not converge those of the organisations that participated in the ASC. The economic and political elite acquiesced to those demands that coincided with their own perspectives, but would not entertain demands that sought to engage meaningfully with the structural causes of conflict. Given such reticence, civil society organisations themselves eschewed radical demands that would transform conflict drivers.

In this context, the Guatemala case suggests that civil society participation in peace negotiations should be afforded a distinct mandate. Civil society organisations, in particular victims of armed conflict, should be authorised with a binding mandate: demands that are agreed upon through consensual negotiation by civil society actors should be binding upon the negotiating parties. In this regard, civil society inclusion should move beyond a secondary role: civil society organisations should be given a collective voice in peace processes that possesses equal weight to that of conflict parties. The input of civil society actors into peace negotiations must bring with it fundamental obligations for negotiating parties, a process that would change the exclusionary dynamics of Track One Diplomacy and make real the transformative potential of Tracks Two and Three. Victims in particular, and civil society actors in

general, must assume a parity role in negotiations in order to transform ‘the inherent power imbalance between different actors and structural inequalities’ (Vogel 2016: 21).

A top-down, state-centric comprehension of power, its sources and its exercise is not only increasingly morally bereft in the context of peace negotiations, but also contributes to the perceived illegitimacy and fleeting durability of post-conflict settlements and raises the potential for post-accord violence. In this respect, participation should be extended from secondary mechanisms, to include a direct point of entry to the negotiating table for civil society actors, a modality that has been used in the case of victims of violence in the recent Colombian peace process with the FARC-EP guerrilla. In this regard, in the case of the current peace talks between the government of President Santos and the FARC-EP guerrilla, in 2014, sixty victims (in five delegations of twelve individuals) were given a direct seat at the negotiating table in order to present their testimonies and proposals for the victims’ accord. Whilst this participation remained at the level of consultation, the presence of victims at the negotiating table elevated the possibility that their albeit non-binding demands would ultimately wield a meaningful impact. The victims delegations imposed the human face of suffering upon the negotiating table, gradually transforming the perspectives of the parties to negotiation. Said inclusion also broke down the distance between armed actors and non-violent civil society actors, precipitating a gradual process of learning and opening a path towards mutual recognition (Brett 2016). Consequently, it is recommended that civil society actors be afforded a direct role in negotiations and their proposals be binding.

The mandated direct inclusion of non-state actors in formal peace processes that addresses structural causes of conflict meaningfully and provides binding proposals may mitigate some of the inherent problems of liberal peace politics and thus increase the possibilities of a secure, stable and sustainable post-conflict. Permitting civil society actors to design and edify the conditions of the peace and the parameters of the post-conflict social contract to which they will be subject will represent a key source of legitimacy and sustainability over the post-conflict peace, as local pro-peace agendas of progressive non-state actors assume parity with and are not overridden by elite liberal peace prerogatives.

---

## **Bibliography**

Bobbio, N. (1989) *Democracy and Dictatorship*, trans. by Peter Kennealy. Cambridge: Polity Press

Brett, R. (2016) *The Origins and Dynamics of Genocide: political violence in Guatemala*. London: Palgrave Mac Millan.

Brett, R. (2013) 'Peace stillborn? Guatemala's liberal peace and the indigenous movement', in *Peacebuilding*, 1:2, 222-238 (2013).

Brett, R. (2008) *Social Movements, Indigenous Politics and Democratisation in Guatemala, 1985–1996*. Boston: Brill.

Brinkerhoff, D. (2007) *Governance In Post-Conflict Societies: Rebuilding Fragile States*. New York: Routledge.

Briscoe, I and M. Rodríguez Pellecer (2010) *A State Under Siege: Elites, Criminal Networks and Institutional Reform in Guatemala*. Amsterdam: Netherlands Institute of International Relations.

Brysk, A. (1994) *The Politics of Human Rights in Argentina, Protest, Change and Democratisation*. Stanford, California: Stanford University Press.

Chandler, D. (2000) *Bosnia: Faking Democracy after Dayton*. London: Pluto Press.

Comisión de Esclarecimiento Histórico (CEH) (1999) *Guatemala: Nunca Mas*. Guatemala: UN.

Call, C. (2012) *Why Peace Fails: The Causes and Prevention of Civil War Recurrence*. Washington DC: Georgetown University Press.

Chenoweth E. and Maria J. Stephan (2011) *Why Civil Resistance Works: The Strategic Logic of Nonviolent Conflict*. New York: Columbia University Press.

Ehrenberg, J. (1999) *Civil Society: the Critical History of an Idea*. New York: New York University Press.

Green, L. (1998) *Fear as a Way of Life: Mayan Widows in Rural Guatemala*. New York: Columbia University Press.

Jonas, S. (2000) *Of Centaurs and Doves: Guatemala's Peace Process*. Boulder, Colorado: Westview Press.

- Karl, T. (2005) *From Democracy to Democratization and Back: Before Transitions from Authoritarian Rule*. CDDRL Working Papers. Stanford University.
- Keane, J. (1998) *Civil Society: Old Images, New Visions*. Cambridge, England: Polity Press.
- Keck, M. and K. Sikkink (1999) "Transnational Advocacy Networks in International and Regional Politics", *International Social Science Journal*, Vol. 51, Issue No. 159, 1999, pp.89-101.
- Kruijt, D. and K. Koonings (1999) *Societies of Fear: The Legacy of Civil War, Violence and Terror in Latin America*. London: Zed Press.
- Krznicar, R. (1999) "Civil and Uncivil Actors in the Guatemalan Peace Process", *Bulletin of Latin American Research* vol. 18, no. 1 (January) (1-16).
- Lederach, J. P. (1997) *Building Peace: Sustainable Reconciliation in Divided Societies*. Washington DC: USIP.
- Mac Ginty, R. and O. Richmond (2013) "The local turn in peace building: A critical agenda for peace", in *Third World Quarterly*, 34(5), 763-783.
- Mac Ginty, R. (2012) 'Routine peace: Technocracy and peacebuilding', *Cooperation and Conflict*, Vol. 47, No. 3 (2012): 287–308.
- Mac Ginty, R. (2011) *International Peacebuilding and Local Resistance: Hybrid Forms of Peace*. London: Palgrave MacMillan.
- Mac Ginty, R. (2010) 'Hybrid Peace: The Interaction between Top–Down and Bottom–Up Peace', *Security Dialogue*, Vol. 41, no. 4, 391–412.
- Mac Ginty, R. (2008) 'Indigenous Peace-Making versus the Liberal Peace', *Cooperation and Conflict*, Vol. 43, no. 2, 139–63.
- O'Donnell, G. (1993) "On the State, Democratisation and Some Conceptual Problems: A Latin American View with Glances at Some Postcommunist Countries", *World Development*, vol. 21, no. 8 (1355-1369).
- O'Donnell, G. and P. Schmitter (2013) *Transitions from Authoritarian Rule Tentative Conclusions about Uncertain Democracies*. Washington DC: Johns Hopkins University Press.

Odendaal, A. (2010) *An Architecture for Building Peace at Local Level: a Comparative Study of the Use of Local Peace Forums*. New York, UNDP-BCPR. ([http://www.undp.org/content/dam/undp/library/crisis%20prevention/UNDP\\_Local%20Peace%20Committees\\_2011.pdf](http://www.undp.org/content/dam/undp/library/crisis%20prevention/UNDP_Local%20Peace%20Committees_2011.pdf)). Accessed 31<sup>st</sup> March 2013.

Paffenholz, T. (2014) “[Civil society and Peace Negotiations: Beyond the inclusion-exclusion dichotomy](#)”, in *Negotiation Journal* (30) 1, January 2014, 69-91.

Poulin, B. (2005) “Civil Society and Post-Conflict Peacebuilding: Ambiguities of International Programmes Aimed at Building 'New' Societies”, in *Security Dialogue*. Vol. 36, No. 4, pp. 495-510.

Ramsbotham, O., T. Woodhouse and H. Miall (2011) *Contemporary Conflict Resolution*. London: Polity Press.

Richmond, O. (2005) *The Transformation of Peace*. London: Palgrave MacMillan.

Richmond, O. (2002) *Maintaining Order, Making Peace*. London: Palgrave MacMillan.

Roberts, D. (2011) ‘Post-Conflict Peacebuilding, Liberal Irrelevance and the Locus of Legitimacy’, *International Peacekeeping*, [Vol. 18, No. 4](#), 410-424.

Romero, M. (2008) “Democratización política y contrarreforma paramilitar en Colombia”, *Revista Política y Sociedad*, 39(1), 273-292.

Sanford, V. (2003) *Buried Secrets: Truth and Human Rights in Guatemala*. London: Palgrave MacMillan.

Smith, P. (2005) *The Rise of Illiberal Democracy in Latin America*, paper CLAS Berkeley: [http://www.clas.berkeley.edu/Events/fall2004/10-18-04-smith/Smith\\_Illiberal\\_Democracy\\_d2.pdf](http://www.clas.berkeley.edu/Events/fall2004/10-18-04-smith/Smith_Illiberal_Democracy_d2.pdf) (Accessed 07/11/2016)

Torres-Rivas, E. (2007) *La Piel de Centroamérica: una visión epidérmica de setenta y cinco años de su historia*. Costa Rica: FLACSO.

Van Tongeren, P. (2013): Potential cornerstone of infrastructures for peace? How local peace committees can make a difference, *Peacebuilding*, Vol 1, No 1, 39-60.

Vogel, B. (2016) “Civil Society Capture: Top-Down Interventions from Below?” *Journal of Intervention and Statebuilding*.

Wanis-St John, A. and D. Kew. 2008. “Civil Society and Peace Negotiations: confronting exclusion”, in *International Negotiation*, 13: 11-36.

---

<sup>i</sup> The research in this article is aligned with the distinction proposed in the UN Agenda for Peace between peacemaking and post-conflict peacebuilding. In this respect, *Peacemaking* is here understood as any action with the objective of bringing hostile parties to agreement (through those peaceful means foreseen in Chapter VI of the Charter of the United Nations). *Post-Conflict Peacebuilding* is contemplated as any 'action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict'. See <http://www.un-documents.net/a47-277.htm> (Accessed June 8 2016).

<sup>ii</sup> The United Nations has also increasingly argued that the participation of non-state actors in peacebuilding plays a critical role in legitimising and transforming said processes (UN 2011: 3).

<sup>iii</sup> Scholars differ as to their perspectives regarding the degree to which post-accord violence is, or is not, political. Kruijt and Koonings (1999) suggest violence is 'democratised' in post-conflict scenarios, and thus causes of violence remain diverse, whilst Steenkamp (2014) identifies a clear relationship between conflict and post-accord violence.

<sup>iv</sup> Between 2011 to 2012, the homicide rate decreased from 38.6 to 39 per 100,000 inhabitants (UNODC 2013), This further decreased in 2013 to 34.3 per 100,000 inhabitants. In 2015, there were 4,778 registered homicides in Guatemala (29.5 per 100,000 inhabitants), a minor decrease from the 4,998 homicides recorded in 2014.<sup>iv</sup> According to the US Department of State Bureau of Diplomatic Security, statistics from the Guatemalan government, reported episodes of sexual assault increased from 120 in 2009 to 614 in 2014. Motors of homicide and violence are diverse, and include gang presence, the sale and trafficking of illegal drugs, increasing levels of domestic abuse, the weak capacity of the security forces and law enforcement institutions, and increased corruption and state capture by criminal groups. See <http://www.insightcrime.org/news-analysis/insight-crime-homicide-round-up-2015-latin-america-caribbean> and <https://www.osac.gov/pages/ContentReportDetails.aspx?cid=17785>, accessed 7/11/2016.