In Their Own Hands

Citizen Security and the Police-Community Relationship in Sololá, Guatemala

Toon Dirkx

Bachelor Thesis

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Bachelor Thesis – Cultural Anthropology

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[1] The names of these two police officers are fictitious for privacy reasons.

Content

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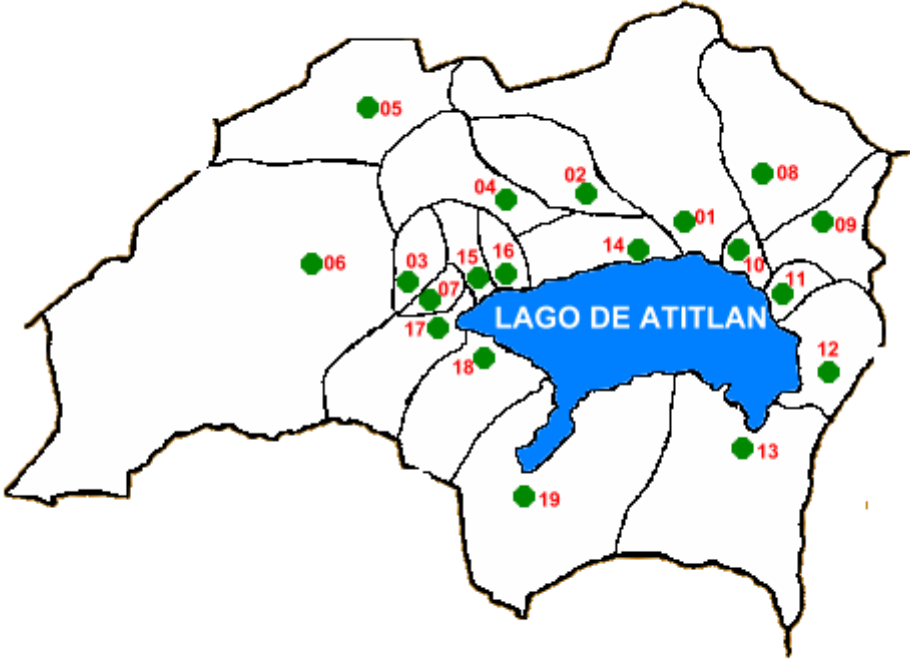
The municipality of Sololá is located in the north of the department of Sololá

1. **Sololá**

2. San José Chacayá

3. Santa María Visitación

4. Santa Lucía Utatlán

5. Nahualá

6. Santa Catarina Ixtahuacan

7. Santa Clara La Laguna

8. Concepción

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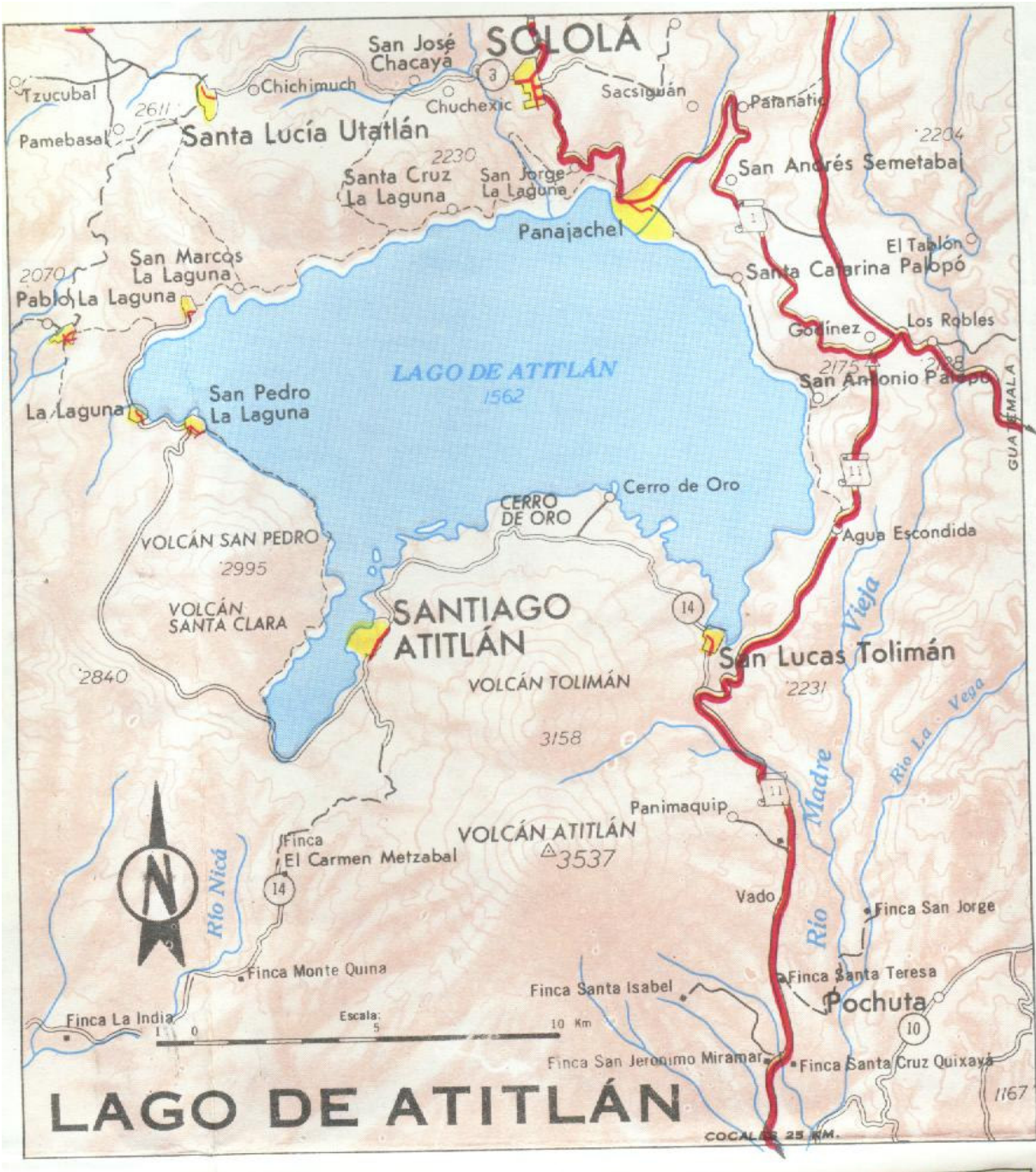
The town of Sololá is located to the north of Panajachel and to the west of San José Chacaya.

Introduction

The reform of the Guatemalan police force (*Policía Nacional Civil*) as a result of the 1996 peace agreements in Guatemala was in the beginning received with great enthusiasm by many Guatemalan citizens. The expectations, about a democratic police force that would ensure citizens' security, were high after thirty-six years of internal conflict and the estimated death and disappearance of 200,000 people (CEH 1999). The repressive years of intimidation had to make way for a new way of policing and the police therefore had to establish a totally new relationship with the Guatemalan citizens (Glebbeek 2003: 265).

The early cheer for the PNC was, however, step by step replaced with feelings of frustration. Increasing crime rates and the failure of the police to provide security for their communities led to distorted police-community relationships in many municipalities throughout Guatemala. Fifteen years after the 1996 peace agreements Guatemala has one of the highest crime rates of the Americas, and the world (Human Rights Watch 2011: 1). Secretary-General of the United Nations Ban Ki-Moon voiced deep concerns about the increasing crime rates, insecurity and human rights violations in Guatemala. He said: 'I am sure the people of Guatemala agree they did not end thirty-six years of armed conflict only to see violence take other forms. Now it is time to end all violence'[2]. An estimated ninety-five percent of all murders go unresolved, implying an extreme high level of impunity (Martínez 2008: 1, WOLA 2009: 32). The most important factors that contribute to this impunity are a failing judicial system, a malfunctioning police force and bad governance.

A common response, in recent years, to the high level of insecurity in Guatemala is a call for: *mano dura*, or in other words "though on crime" measures. These measures are mostly preached by political parties. Yet, insecurity has also pushed citizens to seek for responses, from hiring private security companies to acquiring weapons and even taking justice into their own hands (WOLA 2009: 37). The latter is a notorious response to crime in the setting of my research, which is the municipality of Sololá, Guatemala. There are various cases where citizens stood up for themselves and their community to bring suspected criminals to justice with their own laws that, mostly, had very little to do with the protection of basic human rights. An example of this is a lynching that took place in November 2009. Two men and one woman, who had killed a bus driver and a bus passenger, were publicly burned in the center of town.

One of the reasons for people to take justice into their own hands is according to Godoy (2004: 642) a cry for justice. As mentioned, justice is desperately lacking in Guatemala. The

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[2] BBC News 2011: UN 'supports Central America's fight against violence'. March 17.

phenomenon of people who take justice into their own hands reflects, as such, resentment towards authorities, including the police, who fail to provide security. Therefore, the police-community relationship is far from ideal in many places in Guatemala. The findings of my own research in Sololá confirm this image, even though there are initiatives to improve this relationship.

The aim of this thesis is to find an answer to the question: How can we describe and analyze the police-community relationship in Sololá, Guatemala, and what can be done to improve this relationship? The relevance of this question is threefold. Firstly, on a theoretical level this thesis gives an insight into what the police-community relationship in Sololá is like and how citizen security is established. Local perceptions and findings are analyzed and interpreted in a framework of academic literature about the subject. Secondly it provides ethnographic in-depth information about a Mayan village, which suffered a lot during the civil war and at the moment is a victim of the failing judicial system. Finally, this thesis shows what local perceptions on the improvement of citizen security and the improvement of the police-community relationship are and *how* that improvement can be established. In that sense, this thesis is not only relevant on a theoretical level, but also on the practical level of improving citizen security and the police-community relationship in Sololá. Therefore this thesis may be a useful contribution for both academics with an interest in the subject and policymakers in Sololá.

The fieldwork for this research project took place from February to April 2011 in the village of Sololá. During my fieldwork I lived with a *Kak'chiquel*[3] family in Sololá, who were very helpful and eager to reflect on the findings of my research. The two main research populations of this project are on the one side: citizens of Sololá, and on the other side: police officers of Sololá. With both groups I have tried to include people with various backgrounds, age and gender. The talks with citizens of Sololá took place in many different places in Sololá. The talks with police officers, in most cases, took place in one of the three police offices in Sololá and sometimes at meetings or while they were patrolling the streets. During my stay in Sololá I have decided to not only use the perceptions of the police and the community to analyze the police-community relationship, but also the perceptions of what I call 'the others'. The others are third parties that are not directly involved as a police officer or as a citizen, but who do know a lot about the relationship between the police and the community. The context of the question how to describe and analyze the police-community relationship is bigger than a dualistic police-versus-community answer. To fully grasp what that relationship entails it is necessary to pay attention to third parties, or 'others'. Several third parties agreed to participate in the research such as the municipality of Sololá, the indigenous municipality of Sololá, the local government of the department of Sololá, the security commission of Sololá, a local court, the human

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[3] Ninety-five percent of the population of Sololá consists of Kak'chiquel Mayas.

rights ombudsman, a *cocode*[4], members of the *comude*[5] and a couple of Non-Governmental Organizations. The research techniques that have been used are mainly informal conversations, interviews and participant observation. During the research project I went to a large number of meetings, I interviewed people from all the groups and institutions that are mentioned above and I spent extensive time with informants during their daily activities. The research technique that was used on the latter was mainly informal conversations. I got into contact with my informants through different ways. Before I went to Sololá I already had the permission of the PNC to conduct research on their institution. They kept their promise and I can only say that most police officers in Sololá were very willing to help me with my research. The data I collected from inhabitants of Sololá took place through the participation in the routines of daily life in Sololá. A result of that was the establishment of rapport, which enabled me to ask the things I wanted to know – even if they were considered to be delicate. The first contact I had with third parties took place on the first day of my fieldwork. An employee of the municipality of Sololá gave me a list of people who are part of the security commission of Sololá. This was an ideal starting point and from there I got into contact with members of the commission.

The first chapter of this thesis provides a theoretical framework that is the basis of the research. The concepts that are dealt with in this chapter are definitions of citizenship and the state, human security and citizen security, policing and the police-community relationship, different forms of justice and post-conflict state dilemmas. The final paragraph of this chapter will put these concepts in a Latin American perspective. The second chapter describes the context in which the research took place. Here I will link the concepts of the theoretical framework to the Guatemalan context and finally also to the context of Sololá. This is followed by four empirical chapters of my own research in Sololá. The focus of the third chapter is the perceptions of citizens of Sololá on the police-community relationship. I will point out what these perceptions are and how they are constructed, or in other words: which factors influence citizens' perceptions on the police-community relationship. It will become clear that citizens are far from happy with the police-community relationship in Sololá. The fourth chapter aims to show the other side of the coin. The perceptions of police officers on the police-community relationship will be addressed. Again, I will explain what these perceptions are and which factors contribute to the construction of these perceptions. It will become clear that even though police officers understand citizens' frustrations about the police-community relationship, they do not necessarily agree with the way of reasoning of the community. The fifth chapter will pay attention to a very important result of the tension between the community and the police, which is that people take justice into their own hands. Different forms of justice will be explained and it will

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[4] The word: 'cocode' (*Consejo Comunitarios de Desarrollo*) stands for community development council.
[5] The word: 'comude' (*Consejo Municipal de Desarrollo*) stands for municipal development council.

become clear that the divide between these different forms of justice can be very blurry. Moreover, I will show why this phenomenon plays such a central part in the construction of citizen security and the state of the police-community relationship in Sololá. A comment that has to be made is that the title of this thesis: 'In Their Own Hands' does not only reflect on the community in Sololá, who at times take justice into their own hands (*en sus propios manos*), but also on the responsibility of citizens, police officers and third parties to work on a peaceful Sololá and a good police-community relationship. That obligation ultimately lies *in their own hands.* The sixth and final chapter will dig deeper into this matter. An insight into ways to improve citizen security and the police-community relationship in Sololá will be provided. Even though there are serious problems regarding citizen security and the police-community relationship, there are also initiatives to make improvements on these terrains. In the conclusion I will argue, with the knowledge of all the different chapters of this thesis, how we can describe and analyze the police-community relationship in Sololá and in what ways this relationship can be improved. Thus, I will summarize the findings of this research that gives an insight into the complex processes that influence the police-community relationship in Sololá, Guatemala.

1. Citizen Security and Policing

Introduction

The aim of this chapter is to explain the most important theoretical concepts used in this thesis and eventually provide a theoretical framework to analyze the police-community relationship in Sololá, Guatemala. First of all attention will be paid to definitions of citizenship and the state. In the second paragraph different forms of security are being explained, with a special focus on citizen security. The third paragraph focuses on policing in general and the police-community relationship. Some of the problems and challenges that police forces have come to face in recent years are addressed and emphasis is laid upon the importance of a good police-community relationship. In the fourth paragraph I will focus on different forms of justice, because as we will see in the upcoming chapters the conception of what legitimate justice is plays a central part in Sololá. The fifth paragraph addresses post-conflict states dilemmas regarding security, because Guatemala can definitely be considered a post-conflict state after almost four decades of violence during the civil war. Finally, the first five paragraphs will be linked to a Latin American context. The focal point will be to find out what concepts like citizen security and policing mean in post-conflict states in Latin America.

1.1 Citizenship and the State

The relation between the state and citizens goes historically a long way back, but the meanings and definitions of citizenship and the state have changed considerably over time. Max Weber (1918) emphasized in his famous 'Politics as a Vocation' lectures that the most essential component of a modern state is its monopoly on the legitimate use of physical force within a given territory. This monopoly on violence is still an important part of states today, but what this statement of Weber does not show is the explicit relationship between the state and its citizens. According to Leary (2000: 247) the concept of 'citizenship' has long acquired the connotation of a bundle of rights. These rights are primarily political participation in society, the right to vote, and the right to receive certain protection from the state. On the other hand there are also some obligations. Leary (2000) like many other academics sees a relation between the state, the monopoly on violence (or protection) and its citizens. Similar ideas were already present centuries ago, when one of the most influential books on this subject was written by Thomas Hobbes in 1651. In 'The Leviathan', Thomas Hobbes identified the

provision of security as a fundamental function of the state. To guard against the various threats facing human kind in the state of nature, Hobbes claimed, people gathered together in groups and gave up certain freedoms in exchange for the safety and protection that the collective provided under the authority of a single, powerful sovereign. The process of creating a state where these things are all covered is a process that differs per country, but there are some things that every state should try to include in some way according to Ayoob (2007: 96). He argues that States need to protect the community from outside threats with the military and that internal threats must be dealt with by the police (Ayoob, 2007: 96).

The conceptions about what a state is and what responsibilities it has, has been broadened over time. Several scholars still believe that one of the most basic obligations of any democratic state is to guarantee the security of its population and preserve public order (Ayoob 2007; Bayley 1996; Neild 1999; WOLA 2009), but this has to happen within a framework of respect for due process and universally recognized human rights (WOLA 2009).

1.2 Security, Human Security and Citizen Security

As underlined the duty of a state is to protect its citizens and to actually create security, but it might be no surprise that in many cases there is a gap between ideals and reality. The debate about what security is and in what ways it should be studied has been present for a long time, but since 9/11 there seems to be more emphasis in the public debate about the importance of security (Goldstein 2010; Godoy 2006). According to Goldstein (2010) there has been too little attention for security matters among anthropologists. 'While other disciplines have dedicated journals, programs of study, and entire school of thought to the security "problem", anthropology has largely refrained from joining the conversation (…)' (Goldstein 2010: 488).

A very important question Goldstein raises is: what do we actually mean with 'security'? According to his views any understanding of security must consider on the one hand the role of the state as a security-making entity and on the other hand the importance of 'security' for legitimizing the state (Goldstein 2010: 489). What he thinks is even more important is to reject 'traditionalist' ideas about security. He emphasizes that security is not solely the defending of the state by the military, but that it has a much wider variety of arenas worth studying. Goldstein can be considered a 'widener' in the security debate, because he understands '(…) security to be a response to anything that can be persuasively identified as posing a threat to the very existence of the state or society' (Goldstein 2010: 490). Security is thus a phenomenon which is inter-subjective and socially constructed (Goldstein 2010: 492). This is an important insight, especially for anthropologists,

because it is almost bound up in the nature of anthropology to also pay attention to bottom up processes. It does not mean that a more traditional state focused perspective is not worth studying, but it *does* mean that attention should be paid to both 'traditionalist' and 'wideners' perspectives, which will eventually lead to a more holistic study of security matters.

A clear example of the 'wideners' view and a relatively new concept in the studies of security is 'human security'. The concept was first mentioned in the 1994 Human Development Report by the United Nations Development Programme (UNDP). In their view the concept of security needed to be broadened, because security has for too long been studied too narrowly according to the UNDP and therefore they addressed a people-centered term: *human security*. Human security basically consists of two components. The first covers safety from threats as hunger, repression and diseases and the latter covers protection from abrupt disorder in the patterns of daily life. The concept contains seven different elements that comprise human security, namely: economic security, food security, health security, environmental security, personal security, community security and political security (UNDP 1994)[6]. It seems reasonable to broaden security conceptualizations, but on the other hand it also makes it even more difficult to say something about security. The definitional elasticity of most formulations of human security makes it a very problematic concept (Paris 2001: 92). Paris (2001: 88) emphasizes that 'human security is like "sustainable development" – everyone is for it, but few people have a clear idea of what it means'. It is true that all of the threats that are mentioned in the UNDP report are real security threats, but it becomes almost impossible for academics to study a concept which is that broad. Therefore it is necessary to use a concept that suits the Latin American and Guatemalan context better. Personal security, which is one of the elements that comprises the human security paradigm, is a more narrow concept and definitely less difficult to study. It can be defined by the protection from physical violence in all its forms. Yet, there is one conceptual step that has to be made, because the term 'personal security' is not commonly used in a Latin American context. There is a more common Latin American term that has virtually the same meaning as 'personal security' which is: *seguridad ciudadana*, or in other words: 'citizen security'.

Citizen security refers to a variety of issues that affect the well being of individuals and communities in diverse social contexts across Latin America. This might be a bit vague, so in a more practical sense the term refers to the protection from crime, which is seen as one of the biggest problems in the region (Goldstein 2010: 496). Neild (1999: 1) states that:

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[6] For the sake of a clear demarcation I will not go into detail about all the different elements of human security. The 1994 UNDP report itself is recommendable for further readings.

(...) this term encompasses a movement away from security debates whose primary concern was threats to the state or regime towards a concern with threats to public, social and political order posed by rising common crime and public fear of crime.

This fear of crime is widespread throughout Latin America and it is crossing boundaries of class and ideology. The failure of many states to protect their citizens from criminal practices leads to a so called 'low intensity democracy' or 'uncivil democracy' (Ottaway 2007).

One of the most important reasons for this 'lack of democracy' goes back to the Cold War, which lasted until the collapse of the Soviet Union by the end of the nineteen eighties (Hewitt; in Allen & Thomas 2000: 305). During these years there was an immense competition between the East and the West to get influence in the developing world. They supported regimes rather than the rights of ordinary citizens. Across the globe 'National Security' doctrines were present and provided a framework for regime policing. Regime policing distorted the skills and practices of the police and judicial system and it resulted in state institutions that were fighting crime in a way that had very little respect for basic human rights (Neild 1999; 2003). After the end of the cold war many countries went through a process of democratization on different levels and in different forms, including the police and the legal system. There is no reason to challenge at the theoretical level the idea that democracy is the superior political system to all others, however, democratization and democracy are not the same thing (Ottaway 2007: 604). The inability of democratizing states to protect their citizens from crime led to the 'citizen security' discourse, which is a useful tool in analyzing the current situation in Guatemala. But before that we must first explore more about the role of the police, because they are the representatives of the state in providing security for the citizens.

1.3 Policing and the Police-Community Relationship

The word 'policing' is by many associated with 'the police' institutionalized by the state. However, policing and the police are not exchangeable concepts. In the past decades the police and policing have become increasingly distinct (Bayley & Shearing 1996: 586). According to Marenin (1996: 305) '... state policing is just one form of policing; other forms are private policing and community policing'. In that sense policing nowadays is no longer monopolized by the public police (Bayley & Shearing 1996: 585). To make things even more complicated there are also considerable differences between state police forces worldwide. Some academics, however, have tried to grasp the essential elements of the police and tried to join them into a definition. Bayley (1985: 7) refers to state police as 'people authorized by a group to regulate interpersonal relations within the group through the

application of physical force'. In this definition we can find several aspects we have already seen in the previous two paragraphs. The application of physical force, within a given territory, with the authorization of the people has, at least in the Weberian sense, to a large extent similarity with the conception of a modern democratic state. The representative function of the police is also mentioned by the Washington Office on Latin America (2009: 1) report: '... the police are the main institution for law enforcement, and they are often the population's first point of contact with the state'.

The relation between policing and democracy can be in some ways considerably contradictive. The police are according to Smit & Botha (in Marais 1993: 113-116):

> (…) vested with a great deal of authority and the power to deprive ordinary citizens of their freedoms within a democratic society where these very freedoms are regarded as the basic pillars of society.

In other words it is the police that are accountable to serve the interests of the people and balance in a practical way between the freedom and order that people experience (Bayley & Shearing 1996: 596). The police can undermine democracy or reinforce it, but they cannot create it (Bayley 1985: 59). They do not have the explicit power to do so, but 'even though police forces cannot create political democracy, they can contribute to it by becoming more humane and democratic themselves' (Glebbeek 2003: 43). Therefore the excessive use of physical force by the police, as happened and still happens in many countries, should be rejected (Neild 2003). Foucault (1975: 10) states that 'it is ugly to be punishable, but there is no glory in punishing'. Moreover, punishment should strike the soul rather than the body (Mably 1789: 326; in Foucault 1975: 16).

In the ideal situation, the police-community relationship is one of reciprocity. The public assist the police and the police offer their services to the public. Often, however, this relationship is off-balance. This is especially the case in countries where recently established democracy has created new police forces (Glebbeek 2003: 55). Therefore there are increasing doubts about the effectiveness of the traditional strategies of the police in safeguarding the public from crime (Bayley & Shearing 1996: 588). In a response to that there were numerous of initiatives worldwide that included private and community initiatives to improve safety. Albeit, citizens can do a great deal, the police are clearly the key to order maintenance according to Wilson & Kelling (2005: 470).

1.4 Whose Justice? State Justice, Popular Justice and Customary Law

What if the state and its police are not able to maintain order and provide security for its citizens? What if the gap between the ideal police-community relationship and reality is perceived to become bigger and bigger? Worldwide people have responded in different contexts and different ways to what they perceived to be a failing state, police force or judicial system. One of these responses is what Merry (1992: 162) identified as 'popular justice'. It is an informal process 'for making decisions and compelling compliance to a set of rules' (Merry: 1992: 162). In a more practical sense it means that a community takes care of their own problems without interference of a state institution. The involvement and support of the community is of key importance in order to make popular justice work. Museveni (1997: 30) characterizes popular justice as a form of justice with a language that is open and accessible. The proceedings involve community participation, and judges are directly drawn from the people and represent the interests of the people. Exactly because of these characteristics this form of justice is termed *popular* justice.

Taslitz (2002: 564) argues that two rather violent ways to achieve popular justice are vigilantism and mob violence. Both mobs and vigilante groups take justice into their own hands in situations where the judicial system is seen to be failing. The difference is that mobs are often formed spontaneous, whereas vigilante groups last longer. These vigilante groups are not a mere establishment of violence however (Johnston 1996: 220). Vigilantism involves planning and premeditation by those who participate in it and the participants are private citizens who engage on a voluntary basis. Vigilantism is a form of 'autonomous citizenship' and, as such, constitutes a social movement. It uses or threatens the use of physical force and it arises when an established order is under threat from the transgression, the potential transgression, or the imputed transgression of institutionalized norms. It seeks to control crime or other social infractions by guaranteeing security to both participants and others (Johnston 1996: 220).

The emergence of popular justice broke away from the Weberian idea that the state is the only entity to maintain order in a given territory. In countries where people have little faith in the state or where the judicial system seems to be far away from what people perceive as relevant justice, popular forms of justice tend to arise. It is not only popular justice that needs clarification here. The term popular justice is closely related to what is called in a colonial context: customary law. Customary law is what is seen as a rather 'traditional' and local form of justice. Handy (2004: 553) emphasizes that the essence of customary law is that it differs radically from locale to locale. Nevertheless there are some generalizations possible. Moore (1985: 91) defines customary law as:

(…) a framework of organizations, relationships and cultural ideas, a mix of principles, guidelines, rules of preference, and rules of prescription, together with conceptions of morality and causality, all of them completely intertwined in a web of ordinary activities.

It makes no sense to think of customary law as an 'ancient' practice (Moore, 1985: 277-278; Handy 2004: 554). According to Moore (1985: 277-278) 'custom also means current local practice.' Customary law changes nonstop, but at the same time maintains a relation with its local tradition. Customary law exists when a group of people perceive their *local* common practice to be just, whereas the law of a nation-state is a set of rules that is imposed by a *national* authority.

In principle there is nothing wrong with popular justice or customary law, but as we will see in Latin-America and especially in Guatemala popular justice and customary law can possibly pave the way for violent punishments, lynchings and what Godoy (2006) understands to be popular *injustice*.

1.5 Citizen Security and Policing in Post-Conflict States

In the previous paragraphs attention has been paid to concepts like the state, citizen security, policing and popular justice. As we have seen these concepts are sometimes quite difficult to define, because they have different meanings and connotations in different parts of the world. In this paragraph I will focus on post-conflict states, because Guatemala is one of these post-conflict states and therefore I will try to provide a better understanding of post-conflict states dilemmas and especially the insecurity dilemmas that these states face.

The overwhelming majority of wars and political violence after World War II took place in the developing world and the causes of conflict were mainly internal (Ayoob 2007: 95; Jackson 2007: 148). These internal threats are rooted in the fundamental conditions of statehood and governance, which create an enduring 'insecurity dilemma' (Job 1992; in Jackson 2007: 148). If a state is not able to provide peace and security, an environment of preservation and protection of the own well-being is being created. This will be the case in all components of society and in the in the end it is created by a lack of 'stateness' (Jackson 2007: 152). The failure of the state here implies, as might be clear by now, also the failure of the police. Ayoob (2007: 105) argues that '… state failure, like state making, must be viewed as a process, not an event'. This process, or transition towards democracy, is exactly what gave rise to a broad range of security issues in many post-conflict states.

Since the end of the cold war, it has become self-evident that democracy is the only political system able to heal the wounds of a divided society and helps countries settle down after a civil war

(Ottaway 2007: 603). Although democracy should remain as the long-term goal, it is impossible in most post-conflict countries in the short and even medium term (Ottaway 2007: 615). The challenges that post-conflict societies face consist of economic recovery and reduction of the risk of a recurring conflict (Collier et al. 2008). To make improvements on the personal security of citizens in these states:

> It is necessary to demilitarize internal security, to de-link internal and external security, and to make clear distinctions between police and military tasks in order for elected civilian officials to exercise effective control over internal security policy (Call 1999; Mani 2000; Williams and Walter 1997; Bayley 2001; in Glebbeek 2003: 53).

Furthermore, it is necessary for the police force to be reformed democratically with respect to the rule of law and with the participation of the public. Finally, accountability, legitimacy, and transparency are key factors to democratic policing, which will eventually contribute to citizen security (Glebbeek 2003). Many of the issues mentioned in this paragraph play a part in Latin America. I will focus on this region in the next paragraph to get a better insight in the specifics of the post-conflict Latin American context.

1.6 Citizen Security and Policing in Post-Conflict States in Latin America

The authoritarian regimes in Latin America of the 1960s through the 1980s based their authority on a 'National Security Doctrine' that recognized the military as the institution charged with defending the state and, moreover, Western civilization against world communism (Leal Buitrago 2003; in Goldstein 2010: 491; Sanabria 2007: 357-361). Transitions from authoritarianism to democracy and from war to peace have removed the region's militaries from most of the government and internal security duties. At the same time, the police came to the fore as the most important coercive actors in society (Neild 2003: 277).

The region now faces great income inequality, expanding poverty, a diminution of social services, rising unemployment, and mounting crime and violence (Goldstein 2010: 491). The rapidly increasing rates of crime and social violence have become a concern for all social sectors in Latin America over the last decade (Neild 2003: 277). In recent years the area of the "northern triangle" (El Salvador, Guatemala, and Honduras) has experienced increases in homicides and other crimes, which makes it one of the most violent sub regions in Latin America and even the world. Factors contributing to the rising crime rates include the high levels of poverty and exclusion, which were

already mentioned, but also the lack of opportunities for youth, the disintegration of family units compounded by growing gang activity, and easy access to small arms (WOLA 2009: 1). Eastman (2002: 37) agrees on this, but also names factors like the loss of values, corruption, the failure of state institutions, weak democracies and the systematic violation of human rights.

In the majority of Latin American countries the judicial system is weak and incapable of supporting its constitutional responsibilities (Handy 2004: 533). Neild (2003: 277) emphasizes that 'the evident failure of the criminal justice system to address or control these trends has created pressure for reform, and particularly for reform of the police, the preeminent crime fighters'. José Miguel Insulza, who is the Secretary General of the Organization of American States, claimed that 'security-related issues have become one of the principal threats to stability, the strengthening of democracy, and the development potential of our region' (in WOLA 2009: 1). With this statement he underscored the importance that citizen security plays in the consolidation of Latin American democracies (WOLA 2009: 1). Neild (2003: 277) warns however, that *mano dura*, or in other words "though on crime" measures are politically appealing to governments, but there is little evidence that expanding the powers of an operationally weak police force will help to control crime. It is even more likely that it will increase police malpractice and reinforce public perceptions that nothing has changed (WOLA 2009: 1). The fear of crime is immense in the entire region, but '... whatever happens to crime objectively, the public's fear of crime will certainly not decline. Because crime is fascinating, the media can be counted on to continue to exploit and exaggerate it' (Bayley & Shearing 1996: 598).

2. Context

Introduction

In this chapter I will link the concepts of the theoretical framework to the Guatemalan context. The first paragraph elaborates on citizen security and policing in Guatemala. Here I will pay special attention to the violent history of Guatemala. The second paragraph focuses on the police-community relationship and customary law in Guatemala. As we will see there are some aspects that are important in order to understand what these concepts mean in Guatemala. The third paragraph pays some attention to the situation of Sololá regarding citizen security and the police-community relationship in the past couple of years.

2.1 Citizen Security and Policing in Guatemala

The starting point for this paragraph, where I will explore citizen security, policing and the relationship between citizens and the police in Guatemala, will be the *Epoca Negra*. It refers to the darkest period in the history of policing in Guatemala. It is the period between 1966 and 1986, but especially the 1970s and the 1980s can be considered as a period with a broad context of authoritarianism, conflict and repression. During this time of armed conflict the Policía Nacional (PN) and the Guardia Hacienda (GH) lost most of their autonomy and continued to perform under army command. Many Guatemalans had very traumatic experiences because of the immensely violent atrocities committed by the military (Glebbeek 2003: 79-80). The data of the *Comisión para el Esclarecimiento Histórico*[7] (CEH), which was installed as a truth and reconciliation commission, combined with other studies about the political violence in Guatemala result in estimations of 200,000 persons who were either killed or disappeared during the civil war. About ninety percent of the human rights violations were committed by the army, which the police was a part of. The police, as such, are partly responsible for the horrific human rights violations during the civil war (CEH 1999).

In 1996 the Guatemalan peace agreement was signed after years of negotiating talks between the government, the military and the guerilla movement. The agreement contained a wide variety of subjects, but there were some serious deficiencies, especially in the agreement about the police reform. In contrast to El Salvador's highly specific peace agreement, the 1996 Guatemalan

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[7] Translation: Commission for Historical Clarification.

peace deal is long on principle and short on detail, lacking both restrictions on the number of former police personnel who could be 'rolled' into the new *Policía Nacional Civil* (PNC) and agreements about a vetting process (Neild 2001: 25). The result of this was that about ninety percent of the former police officials were enrolled in the new police force.

Although it is true that some things have changed for the better after the end of the armed conflict, 'It is an understatement to say that Guatemala is still a country wracked by violence' (Benson et al. 2008: 38). The homicide rate almost doubled from 2001 to 2006, making Guatemala the second-most-dangerous country in Latin America, after El Salvador (OCAVI, 2006a; 2006b; in Benson et al 2008: 39). Guatemala is still a dangerous place, where violence is sensationalized by the media, and the question 'who is to blame' is ever present.

Economic inequality, health and education disparities together with the lowest life expectancy and highest infant mortality rates in Central America are just some of the factors that contribute to the poor state of the country (Benson et al. 2008: 50). In Guatemala avoidance was and still is the most common strategy adopted to cope with the violence. More than half of the people use this strategy, which is in other words: 'keep your mouth shut about everything that you see' (Moser & McIlwaine 2004: 179).

2.2 The Police-Community Relationship and Customary Law in Guatemala

After the 1996 peace agreement a new way of policing had to be developed in the newly established democracy. The years of repression and intimidation had to make way for policing that guaranteed citizens' rights to be protected. Because of this '… the police had to establish a completely new relationship with the community' (Glebbeek 2003: 265). The interaction between citizens and the police increased when, in 1999, almost every municipality had a local police office. The local population received the PNC in the beginning with great enthusiasm and high expectations, but 'initial sympathy for the PNC was gradually replaced by feelings of anger and disappointment' (Glebbeek 2003: 303). The service they expected, which was to get *at least* protection from personal security threats, was not provided.

Goldstein (2010: 495) emphasizes that the Maya citizens of the village Todos Santos Cuchumatán are well informed of their rights and responsibilities as democratic citizens as knowledge of such concepts and their attendant discourses circulate widely in postwar Guatemala. However, the structural and systematic violence that continues to characterize rural life makes it extremely difficult for Mayas to realize these rights. Although the Guatemalan law prescribes equality for all citizens, this is far from everyday reality. According to Godoy (2006: 8) '…the law

sometimes appear to be little more than a series of dead-letter promises and elegant proclamations bearing only scant resemblance to real life'

In response to the failure of the state in general, and the police more specifically, to provide for security, many people support forms of popular justice or what can be labeled as a form of customary law. In the case of Guatemala customary law implies an indigenous law and in the context of Sololá a *Mayan* law. There are various differences between the official Guatemalan law and customary law in Guatemala. Leonardo Cabrera (in Handy 2004: 557-578) who is a member of the Confederation of Maya People of Guatemala explained the difference as followed:

> State law is written, onerous, it is not consensual, it focuses on punishment rather than reparation, it is rigid, disintegrative, and requires endless paperwork; while indigenous law is oral, is not onerous, is consensual preventative, flexible, and seeks to maintain family and communal unity; moreover it is quick.

Customary law as portrayed by Cabrera seems a beautiful phenomenon, but his idealized vision about customary law in Guatemala is difficult to relate to the *wave* of lynchings, as Handy (2004) called it. In chapter five I will point out that lynchings are a form of a communal punishment that has got nothing to do with customary law.

Whereas Foucault (1975: 10) elaborated on how the punishment as a spectacle disappeared in Europe by the end of the eighteenth century, we see the exact opposite in present-day-Guatemala. One aspect of the lynchings is the *reappearance* of the 'punishment as a spectacle' (Handy, 2004: 545; Foucault, 1975: 10-11). The exact causes of lynchings are complex and difficult to determine, but in most cases it is related to '…some fundamental concerns about security, and disgust with the ineffectiveness and corruption of judicial agents' (Handy 2004: 534). It can be seen as a dispute over judicial systems and order in Guatemala.

2.3 The Police-Community Relationship and Customary Law in Sololá

There are many examples of the tension between the police and the people in Sololá. In the past ten years lynchings and mob violence took place on a reasonably regular basis. The police were on several occasions not able to control the community when things ran out of hand. Therefore the relation between the police and the community in Sololá over the past few years has been characterized by tension. In the upcoming four chapters I will point out how the police-community

relationship can be analyzed, which forms of justice are present in Sololá and which improvements are possible with regards to the relationship between the police and the community.

3. Citizens' Perceptions on the Police-Community Relationship

Introduction

In this chapter attention will be paid to citizens' perceptions on the police-community relationship in Sololá, Guatemala. The information I collected during the entire period of my research in Sololá will be my compass in answering the following question: what are the perceptions of citizens about their relationship with the police in Sololá, Guatemala? The findings about Sololá will be compared with the insights provided in the previous two chapters. In that sense it will possible to analyze and review the local context of Sololá within a broader theoretical framework. In succession I will address underlying factors and more direct factors that influence citizens' perceptions on the police-community relationship.

3.1 Underlying Factors that Influence Citizens' Perceptions on the Police-Community Relationship

Citizens of Sololá in general have very little trust in the police. In fact it is more common that they mistrust the police, than that they trust them. This is very problematic; because the police can do very little either to prevent or fight crime without public trust (Bruce 1997, Neild 2000; in Neild 2003: 293). There are various reasons for the lack of trust in the police. The reason that is mentioned the most among inhabitants of Sololá is that the police are corrupt. Besides that many people mention that the police do not show up when they need them. According to inhabitants of Sololá these two reasons are by far the most important for the bad relationship between the police and the community.

There are various factors that influence the perceptions of inhabitants of Sololá about the police-community relationship. I make a distinction between underlying factors and direct factors that influence these types of perceptions. This distinction should not be viewed as a dichotomy, but rather as a continuum. In the end some factors contribute more than others to citizens' perceptions and I want to underline that the factors that influence citizens' perceptions about the police-community relationship in Sololá are highly personal. Nevertheless, it is possible to mention some general societal problems. The most important underlying problems that influence citizens' perceptions about the police-community relationship in Sololá are a weak economy, a poor educational system, language barriers, high crime rates and the news media. The state of the

Guatemalan economy in itself does not make or break the relationship between the police and the community; neither does the state of the educational system. The same goes for language and the news media. None of these factors influence citizens' perceptions about the police in a direct way, but in an indirect way they can be, and in most cases are, part of *the construction of perceptions* about the police-community relationship in Sololá.

A large underlying problem in Sololá and in the entire country is the state of the Guatemalan economy. Only five percent of the Guatemalans believe that the current state of the economy is "good" (Latinobarómetro 2010: 8). Guatemalans identify the Guatemalan economy, after security, as the second biggest problem of the country. A 2008 LAPOP (2008: 98) report shows that 62,8 percent of the respondents see insecurity as the main problem, whereas 27,2 percent of the respondents believe it is the weak economy. The relation between the weak Guatemalan economy and insecurity is a bit ambiguous, because there are also countries, such as Nicaragua, with worse economies that do experience a higher level of security. Nevertheless, the fact that the majority of the citizens of Sololá perceive the poor economy and poverty as causes of insecurity is noteworthy and makes it at least a social fact. One of my informants, who is an inhabitant of Sololá, stated the following: 'Work matters a lot. If people do not have a job, it is more likely they start to steal.'[8] He saw a direct link between unemployment and an increased chance of criminal behaviour. An employee of the municipality of Sololá disagreed heavily with this way of thinking. He said the following:

> Some people say they cannot get a job, but that is nonsense. Work is not a factor that influences security. The people who do not work here just do not want to work. They are lazy and some of them look for ways to get easy money you know. The reason that some people steal is because of a wrong mentality, not because of something else. There are always ways to earn money the legal way. Most of all it is a problem of wrong morals.[9]

Wrong morals may play a part in criminal behaviour and unemployment does not necessarily mean that people start to steal, but there is no discussion about the state of the Guatemalan economy in itself: it is *bad*. Pamela Cox (in World Bank 2009), who is the World Bank's Vice-President for Latin America and the Caribbean, stated the following about Guatemala:

> Mostly due to the country's poor historical legacy, poverty rates and inequality are high and social indicators in health, education and nutrition are low compared to other countries with similar income levels.

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[8] Interview conducted on 02-03-2011
[9] Interview conducted on 18-03-2011

The gap between the "haves" and "have-nots" is extremely big in Guatemala and a reasonable amount of people in Sololá perceive the government elite to be held most accountable for this. The 2010 UNDP Regional Development Report for Latin America and the Caribbean shows that the wealthiest four percent of the Guatemalan population reports a Human Development Index (HDI) of 0,899, whereas the poorest fifteen percent only have an HDI of 0,523. Apart from that the report also reveals that the indigenous population[10] faces higher levels of poverty and worse human development indicators than the non-indigenous population (UNDP 2010: 30-31). Just one example is that 11,4 percent of the Guatemalans with European descent have less than one dollar a day, whereas 31,5 percent of the indigenous Guatemalans have less than one dollar a day (UNDP 2010: 36). The majority of the indigenous people in Guatemala live in rural areas and the UNDP 2010 report shows that it are exactly these rural areas that are the poorest (UNDP 2010: 34). Thus, the perceptions of citizens that Sololá experiences a high level of poverty and inequality are affirmed by the UNDP 2010 report.

A second underlying problem that is partly related to this according to many citizens of Sololá is the state of the educational system. Illiteracy is a large problem in the region. At a meeting of the cocode: '*El Calevario*' the following conversation between two cocode members took place.

- I am fed up with the people who throw their rubbish out of the buses onto the streets. That has to stop. We must make signs in the buses that say: "do not throw your rubbish outside the window."
- Hahaha, there are many people here who do not even know how to read or write, so that is not going to help. The only thing that could possibly help is TV's in buses that depict this message.

Illiteracy is not the only problem. Many people have not finished their education and as a result they have little knowledge about how the police, the judicial system and the Guatemalan law work. Employees of non-governmental organizations and local authorities confirm this. Most of this blurred image about the functioning of the state in general, and the police more specifically, has got to do with a very poor educational system. The 2010 UNDP report emphasizes that the development is slowed down in Guatemala due to a poor educational system (UNDP 2010: 50). During an informal conversation I had with one of my key informants he told me the following about the educational system:

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[10] As mentioned earlier, ninety-five percent of the population of Sololá are indigenous Guatemalans.

> To be honest I think the educational system is very far from what it should be. The people here on many occasions do not even know how to properly read and write, let alone how the state, the law and the police work.[11]

The lack of education makes a dialogue between the police and the citizens of Sololá problematic in the first place because most citizens have little knowledge about official institutions. The responsibility for this lies with the state. They have the responsibility to educate their citizens. A second obstacle for a dialogue is a problem that is part of the educational problem: language. Approximately ninety-five percent of the people in Sololá are indigenous, or in other words *Maya*. The local language is *Kak'chiquel* and it is still spoken among many villagers. The majority of the police officers do not understand a word of Kak'chiquel however. The reason for this is that most police officers come from other parts of the country – where other local languages or only Spanish is spoken. While in 2001 fourteen percent of the PNC were indigenous police officers, the PNC does not have a policy that police officers with a certain ethnic background work in the region of origin, where they can speak the language and understand local customs (Glebbeek 2003: 161-162). Therefore, the police communicate in most cases with the community using the national language, which is Spanish. When a police officer and a citizen of Sololá both know how to properly speak Spanish it is not a problem, but it *is* a problem when a citizen is not able to fully understand what a police officer tells him. That has a negative effect on the police-community relationship.

When looking at factors that influence the perceptions of citizens on the police-community relationship it is interesting to look at the amount of crime and violence. As mentioned earlier Guatemala has one of the highest crime rates of the Americas, and the world (Human Rights Watch 2011: 1) This rise in crime and the perception of involvement of authorities, together with a rise in expectations of the public and a failure to deliver on those expectations are likely to be the cause of conflict between the people and the state (UNDP 2006: 10). Many inhabitants of Sololá state that the amount of crime and violence in Guatemala is very high and that it is partly an outcome of the disabilities of the police and the government to protect its citizens. As may be clear this has a negative effect on citizens' perceptions about the police-community relationship. The strange thing is however, that inhabitants of Sololá do say that Sololá is quite secure and that the situation improved in the past few years. In other words: citizens of Sololá perceive a gap between the level of security on a national level and the local level. Especially Guatemala City is in the minds of the people of Sololá a very dangerous place.

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[11] Informal conversation on 13-04-2011

The news plays a big part in the construction of these types of perceptions. The news media in Guatemala and especially the newspaper '*Nuestro Diario*' tend to have a very specific focus on crime and violence. Often they seem to exaggerate it and one could state that they exploit it just because it sells. I do not mean to say that the amount of crime is not high in Guatemala, it is high, but what I do want to underline is that many people base their opinions on what the media tells them. Above all it influences the *fear* of crime. It is not merely the objective phenomenon of crime per se that is driving fear of crime (Dammert 2006: 32) This is in line with the findings of Neild (1999: 1) and Bayley & Shearing (1996: 598), who have addressed the increasing fear of crime in various Latin American countries due to a sensationalist media. The perception of people in Guatemala that their own village or city is more secure than the rest of the country is something I found in many different parts of the country. I noticed for example that when I was in Xela many people told me that Sololá is a very dangerous village, whereas in Sololá many people told me the exact opposite. According to them Xela was way more dangerous than a quiet village like Sololá. My observation is that there is a conflict of visions of reality, or more specifically a conflict of visions on security. These visions are highly influenced by the media that indirectly influence perceptions of citizens' about the police-community relationship.

So far we have examined various factors that influence the perceptions of citizens about the police-community relationship in Sololá in an indirect way. A weak economy, a bad educational system, a language barrier, high crime rates and the news media are all factors that make bad perceptions of citizens of Sololá about the functioning of the police more predisposed. We have not yet examined the more direct factors that influence citizens' perceptions. This will be the focal point of the second paragraph.

3.2 Direct factors that Influence Citizens' Perceptions on the Police-Community Relationship

As stated before most citizens of Sololá have very little trust in the police. Mistrust in itself is not a causal factor that contributes to perceptions about the police-community relationship; it is an outcome. In this paragraph I will try to show that criminality, violence, injustice, corruption and traumas are directly linked to perceptions of mistrust towards the police.

To get a better understanding of the perceptions of citizens of Sololá I will show some examples that in a way represent a widespread feeling among inhabitants of Sololá. A woman who works in a local shop in Sololá told me the following about the police:

> I have hardly any confidence in them. Sometimes the police are part of the crime here. Of course there are police officers who are normal and do their job, but there are also police officers who are very bad. We have a bad image about them. When somebody has a bad experience with a police officer for example, they will tell it to their family and then the family will get a bad image of the police in general, even though it was only one bad experience.[12]

When we try to analyze this statement a few things clearly come to the fore. The image of the police as a whole is untrustworthy, because she perceives that some officers are the exact opposite of what they are supposed to be. She was not the only one with these beliefs. Partly because of real experiences with bad police officers, but also, as stated above, because people who have had a bad experience with a police officer will tell their family, friends and so on about what has happened to them. All together this leads to perceptions – whether they are true or false does not matter that much – of widespread corruption. One of my key informants said this: 'If you look at the amount of corruption in our country you can only conclude that there is something wrong with the morals of the people here in Guatemala.'[13]

Besides corruption there are other important factors that must not be overlooked. Some of these factors surface in the following statement of a man who works in an internet café in Sololá:

> Official institutions are almost always too late. If something happens the police often arrive one hour late and if they arrest a criminal he is often out on the street within a week. That is why the people here sort it out themselves and take justice into their own hands.

The first interesting thing we see here is that this man, and together with him many others, explains that the police show up late in many cases. I will explain what the reasons for this are according to the police in the next chapter. Here, I want to focus on citizens' perceptions. For many citizens it is very difficult to sympathize with a police that shows up late or in some cases does not show up at all when they are needed. Again, these experiences lower the trust people have in the police as a whole. The second important point that is made in the statement above is that the people in Sololá rather deal with (suspected) criminals themselves than that they let the police deal with it. The majority of the inhabitants of Sololá perceive the police to provide more *injustice* than justice. This can be partly seen as an outcome of the mistrust in the police as well and explains why some people take justice into their own hands.

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[12] Interview conducted on 15-03-2011
[13] Informal conversation on 13-03-2011

A final point that has to be made is that the civil war has various influences on the perceptions of citizens about their security, the police and the state. An employee of the human rights ombudsman, which is an official state institution, in Sololá gave me his view on citizen security during an interview I conducted at his office:

> After thirty-six years of violence peace agreements were signed in 1996, but the people in Guatemala still had a military way of thinking. This way of thinking is now, fifteen years after the signing of the peace agreements, still a big problem. You could say that although peace agreements were signed the war still plays a part in the minds of the people. A lot of people have traumas and more importantly they still have that military mentality.[14]

During the civil war about ninety percent of the human rights violations were committed by state security forces (CEH 1999). The victims of these atrocities were mainly indigenous people. Keep in mind that ninety-five of the population of Sololá are indigenous people and that a large part of the current population of Sololá grew up during the armed conflict. For some people violence became a normal instrument to obtain goals, others got highly traumatized and almost everybody has a relative that was either killed or disappeared during the war. Resentments against the state, the military and the police do not come from nowhere. They are also part of a violent history.

Conclusion

In this chapter I have addressed several factors that influence the perceptions of citizens about the police-community relationship. I have made a distinction between underlying factors, which are: a weak economy, a poor educational system, language barriers, high crime rates and the news media. Besides that I have illustrated what more direct factors are that influence citizens' perceptions. In succession corruption, a late or absent police force and the civil war were addressed. By examining all these different underlying and direct factors it became clear that according to citizens of Sololá the police-community relationship is far from ideal.

In the following chapter attention will be paid to the other side of the coin. There I will address what the perceptions are of police officers on the police-community relationship.

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[14] Interview conducted on 28-03-2011

4. Police Officers' Perceptions on the Police-Community Relationship

Introduction

In order to develop a clear picture of perceptions on the police-community relationship in Sololá it is of vital importance to pay attention to both citizens *and* police officers. With the perceptions of citizens of Sololá on the police-community relationship in the back of our mind it is now time to move on to the perceptions of police officers. Therefore the focus of this chapter will be to find out what the perceptions of police officers are about their relationship with the community in Sololá, Guatemala. The most obvious source to investigate this is of course the data I gathered from police officers in Sololá. Besides that other sources of information will be used to compare, interpret and analyze the perceptions of police officers on the police-community relationship. I will demonstrate how a lack of resources and staff influences police officers' perceptions about the police as a whole, citizens of Sololá and eventually also their perceptions on the police-community relationship. Besides that I will argue that both police officers and the community perceive problems with the police mentality in Sololá. It will become clear that the police mentality is important to analyze police officers' perceptions on the police-community relationship. Finally, attention will be paid to the importance of contact between the police and the community to establish a good police-community relationship.

4.1 A Lack of Staff and Resources

The majority of police officers in Sololá are very much aware of the fact that most inhabitants of Sololá do not trust them. The concern about these sentiments among police officers in Sololá is high. Without a single exception all police officers emphasized that they want *a good relationship* between them and the community. What this 'good' relationship means is a bit vague, but in most cases it meant that police officers want to do their job well, with the support and respect of the people. If it is possible to portray a shared vision of the police as a whole in Sololá on the police-community relationship it would be that even though security has improved over the past couple of years, there are some problems between the police and the community. In most cases they were aware of the sentiments of citizens that were mentioned in the previous chapter. Whenever I confronted police officers in Sololá with citizens' perceptions of mistrust towards the police, or perceptions of a

malfunctioning police they addressed several issues. In their eyes some of the frustrations of the population are real problems, whereas some other points made by citizens seemed to receive little understanding by police officers.

As mentioned in the previous chapter citizens of Sololá have very little respect for a police that shows up late or in some cases not at all. One of the most common frustrations among *police officers* in Sololá is a lack of resources and staff, which – as I will demonstrate – eventually has a negative effect on the police-community relationship in Sololá. According to most police officers there are simply not enough police officers to do the job. Most of the time there are around ten police officers patrolling the streets, which is definitely not enough regarding the amount of people that are living in the municipality of Sololá. The municipality of Sololá does not only consist of Sololá itself, where about 13.000 people live, but also of other neighbouring villages. In the entire municipality of Sololá there are living more than 100.000 people. It may be obvious that whenever there are a few problems at the same time it is impossible for the police to solve all of them. According to the WOLA (2009: 7) report a lack of staff is a large problem in Guatemala, but the report also addresses that it is not just the quantity that matters, but also the quality of the police force. According to them there are huge shortcomings in educating and training police officers in Guatemala. The report stated the following about the police academy in Guatemala City:

> Problems included the lack of resources and coordination to support broader recruitment publicity; staff shortages; outdated psychological and vocational tests; limitations in the system of verifying candidates' personal information; tardy, or nearly inexistent, verification of submitted documentation; and nepotism and partiality in enrollment decisions (WOLA 2009: 13).

Most of the problems that are brought up in the statement of WOLA did not receive much attention by the police and third parties in Sololá. An employee of a local Non-Governmental Organization, who works on citizen security, only referred to rather quantitative measures to improve the police force in Sololá. He said: 'what we need to do is enforce the capacity of the police...'[15], which is probably true, but as mentioned in chapter one there is little evidence that expanding the powers of an operationally weak police force will help to control crime (Neild 2003: 277). The head of the police of the department of Sololá agreed with this way of thinking and said:

> A lack of police officers is a serious problem here in Guatemala, but I truly believe that we also need to look at the quality of the police officers. Take Julio for example. He is one of the best

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[15] Interview conducted on 29-03-2011

police officers here in Sololá and I know that he is able to control a larger part of the population than others who work here.[16]

Besides personnel problems – quantitative and qualitative in nature – there is also a lack of other resources like cars or fuel for example. There is simply not enough money to buy enough cars and fuel. A police officer in Sololá said the following:

(...) a lot of times we do not have enough petrol to drive to the scene. It may sound stupid, but it is the truth. Because of all this, the people will say things like 'there is no justice here in Guatemala' and that we let every criminal go after they paid some money, but the majority of the people neither understand anything about our situation, nor about the judicial system.[17]

In the statement above it is interesting to look at the part where this police officer says that the people do not understand anything about *their* situation. The frustration about the lack of understanding of citizens of Sololá about the difficulty of a job as a police officer was high among police officers in Sololá. The statement reflects a perception of a strict separation between police officers and citizens, whereas this is absolutely not a desirable relationship according to many police officers, citizens and third parties in Sololá. Many police officers emphasized the importance to work together with the community against crime and violence in order to create a better future. Moreover, the police in Sololá should be a preventive police with the support of the community according to several of my informants within the police of Sololá. Most police officers I spoke to perceive a gap between themselves and citizens (citizens who lack understanding for their situation), and between the desirable police-community relationship and the current state of that relationship. When we take another look at the 'they do not show up, when we need them' argument by citizens of Sololá, we have seen that police officers explain themselves mostly with the 'a lack of resources and staff' argument. Another reason police officers gave, that has not been mentioned yet, for their absence is that when the community takes justice into their own hands they fear the community. This will be further explained in chapter five. Both citizens and police officers have frustrations, that are real to them, and which in turn influence their perceptions on the police-community relationship.

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[16] Interview conducted on 14-04-2011
[17] Interview conducted on 22-03-2011

Police Mentality in Sololá

In the previous paragraph some attention has been paid to the importance of good quality police officers together with improving the police capacity. A large amount of improving the quality of police officers has got to do with working with right attitudes, or in other words: with a good mentality. Both citizens and police officers emphasize that with this 'good' mentality the police should carry out the law as it is supposed to be carried out. According to many citizens a good mentality is exactly what the police are lacking. As stated many times before, citizens often refer to corruption as a form of this perceived bad mentality. The majority of the police officers I have spoken to also point out corruption within the PNC as one of the biggest problems. A police officer in Sololá stated the following:

> Well, sometimes the PNC becomes part of the crime. It happens quite a lot that police officers get involved in drug trafficking. That is why a lot of people do not trust the police. It happens in this area as well. In Panajachel I know they bribed the police. It is a big problem in the entire country.[18]

Many police officers emphasize that one experience with a corrupt police officer can ruin the image of the entire police force. Most of the police officers believe that the majority of the police officers are doing everything in their abilities to serve the people and that there is a minority that is corrupt. This minority is according to them causing the bad image about the police. The LAPOP report (2006: XiX) confirms this and shows that on a national level around eighteen percent of the population said they had been the victim of an act of corruption, whereas on a scale of 0-to-100 the average perception of corruption was 81. In conclusion the report states that: 'a large number of Guatemalans perceive corruption among public officials to be somewhat or very widespread, which does not coincide with the data on actual levels of victimization' (LAPOP 2006: XiX). Yet we need to be aware that a large number of crime goes unreported in Guatemala and that this is likely to be the case with corruption as well. Some police officers in Sololá point out that a possible reason for the corruption is the low salaries within the PNC. The WOLA (2009: 7) report underlines this and emphasizes that: 'drastic cuts in the police budget produced a considerable reduction in salaries, which led in turn to a marked increase in acts of bribery and corruption.' Corruption did not only lead to lowering levels of confidence in the PNC by citizens of Sololá, but it lowered the confidence of police officers in their own institution as well. A police officer in Sololá was very open about her low level of confidence in the PNC. She said the following:

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[18] Interview conducted on 07-03-2011

(…) I do not have confidence in the PNC. There is a lot infiltration of drug trafficking within the police. There are bad ones and there are good ones you know. There are kidnappings, there is extortion and corruption. Sometimes there is even corruption within the higher ranks within the police. That is why I do not have a lot confidence in the PNC.[19]

Again, the WOLA report confirms this way of thinking. The nominations and promotions of the high ranks in the PNC have been affected by corruption, political interference, and nepotism (WOLA 2009: 18). Several reports have shown that police officers from all ranks have been involved in human rights abuses, corruption and organized criminal activities (WOLA 2009: 22). While some police officers share these views, others point out different ways of thinking. A police officer said to me: 'I am part of the PNC. I have confidence in myself and the other people who work here. We may have some problems, but I do have confidence in the people that work here [Sololá].'[20] Furthermore he said that they are not the only ones to blame for these problems. He said: 'the mentality of the people must change and we need more help from the government. Security is the responsibility of me, you, everybody!'

The question what all of this has got to do with the perceptions of police officers on the police-community relationship still needs a bit more clarification. Most police officers in Sololá understand the aggravation of the community towards corrupt or criminal police officers. Yet, they all clearly emphasize that they, the police, are in fact not 'all the same' – something which also comes to the fore in the 2006 LAPOP report. Apart from that they argue that they are not the one single entity who is responsible for friction between the police and the community. They also point to the state, the judicial system and the community. The community is responsible for the police-community relationship as well and their mentality also needs to change according to many police officers. Again we see that although police officers understand certain sentiments, they distance themselves from the rhetoric of the community. What this means for the police-community relationship is that police officers understand the – in their eyes uneducated and imprecise – way of thinking of the community about the police, yet they do not agree with them. My observation in Sololá is that because of this, some police officers even strive harder to improve the relationship with the community. On the other hand there are also police officers who have become despondent working, in what they perceive to be, a malfunctioning police institution that, in their eyes, has to take care of an extremely difficult population.

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[19] Interview conducted on 07-03-2011 and 08-03-2011
[20] Interview conducted on 22-03-2011

Contact between the Police and the Community

As mentioned in chapter one, the police are often the population's first point of contact with the state (WOLA 2009: 1). Aside from that, a common characteristic of a relationship is some form of contact. Without any form of contact – in the broadest sense of the term – a police-community relationship is impossible. Therefore an interesting question to ask is how police officers and citizens have contact? We have already seen in previous chapters that the media shapes perceptions about the police, and that gossiping and storytelling do that as well. We have not seen yet in what ways police officers and citizens have personal contact. By answering this question we will see that contact, or the absence of contact, has the ability to shape perceptions on the police-community relationship as well.

The importance of communication and contact for a good relationship with the community was emphasized by many police officers in Sololá. A police officer reflected on this matter stating:

> We need a dialogue and we need to know each other. The leaders of the community must know us and we must know them. Like I said before, education is very important. Some people here are not able to speak proper Spanish. Luckily there are some police officers here who are able to speak Kak'chiquel, but there are some departments where there are no police officers at all who are able to speak the local indigenous language. That is a big problem.[21]

What clearly comes to the fore in the statement above is that according to this police officer knowing the leaders of the community and being able to communicate with them in a language they can understand is very important. Another police officer sais the following when I asked him in what way he had contact with the people in Sololá:

> There are basically three ways I have contact with them. Number one; the meetings I attend. I always tell the people they can call me whenever they have a problem. Number two; on the phone. I help them when they call me and that makes them trust me. Thirdly, I see people on the street and wish them a good day.[22]

Similar statements were made by other police officers. According to the majority contact between the police and the community was of key importance to establish a good police-community relationship. It is interesting to see however, that there are still a lot of people in Sololá who try to avoid contact with the police in any form. A woman who lives in Sololá said this about her contact

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[21] Interview conducted on 22-03-2011
[22] Interview conducted on 11-03-2011

with the police: 'No, never. I never talk with them either. The only ones I talk to are the ones who work for the traffic police. I say hello to them, but not more than that.'[23]

Conclusion

In this chapter I have shown what the perceptions of police officers on the police-community relationship are and how these perceptions have been constructed. As stated in chapter two, Glebbeek (2003: 303) argued that after the 1996 peace agreements 'initial sympathy for the PNC was gradually replaced by feelings of anger and disappointment'. This is definitely the case in Sololá. Police officers in Sololá in general understand citizens' feelings of anger and disappointment, but they certainly do not agree with the way of reasoning of the community. Many police officers point the finger to other institutions, the government and the community to be at least partly responsible for the state of the police-community relationship.

What might have become clear in this chapter is that there is a difference between the police as a physical entity (police officers, cars, offices etc.) and the police as a way of thinking. My personal opinion is that if the police really want to improve the police-community relationship, they do not only need to work on the physical "stuff", but also on their mentality. Good communication with the community, in a language that both parties can understand, is an essential part of that.

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[23] Interview conducted on 10-03-2011

5. Why People Take Justice into Their Own Hands: Communal Punishments and Mayan Justice

Introduction

In previous chapters attention has been paid to both citizens' and police officers' perceptions on the police-community relationship. We have seen that this relationship is according to both parties far from what it could and should be like. Mutual distrust plays a huge part in that. In this chapter I want to address a question that over the course of my stay in Sololá became a large part of my research: why do people take justice into their own hands? As said before, many people told me that the community of Sololá rather deals with suspected criminals themselves, than that they let the police handle them. Many people said that because of this citizen security improved, but that the police-community relationship got worse.

In the first paragraph I will pay attention to the phenomenon of people who take justice into their own hands. The forms of justice and the motives to do so will be discussed. The focus of the second paragraph will be to identify the difference between Mayan justice and communal punishments. Here I will demonstrate that there is a difference between the two and why the difference between them can be very vague at times. Furthermore the concept of customary law will be linked to Mayan justice and the concept of popular justice will be linked to communal punishments. In the third paragraph lynchings will be discussed. Lynchings are a form of communal punishments and the label "Mayan justice" is certainly not appropriate in that case. Furthermore attention will be paid to the perpetrators of lynchings and their motives.

5.1 Justice Into their Own Hands

The vast majority of people in Sololá emphasized that a common way to provide security in Sololá is that the people take justice into their own hands. In most cases they emphasized that the community does that because the police, the government and the judicial system all utterly fail to do so. In this paragraph attention will be paid to some examples people gave about the phenomenon, because I believe that it is important to take a close look at what people say, before analysis is possible. A woman who works in a shop in Sololá said this about people who take justice into their own hands:

> The people here form a group whenever there is someone who steals. They unite and punish the criminal. The people here provide their own security. Actually, there is an alarm here in the neighbourhood of 'San Antonio'. Whenever the people here catch a criminal the entire neighbourhood knows it because of the alarm and they will all gather to punish the criminal.[24]

That does not mean however, that everybody agrees on this way of punishing. A woman who lives in the same part of Sololá said the following about people who take justice into their own hands:

> It is bad. It is not good, because it does not do justice to a person. The people scream: fire, fire! (*La gente gritte: fuego, fuego!*) To set someone on fire you know. Here, around the corner in the same block they set a house on fire of a woman who stole a lot of stuff. That was only two months ago at the second of January. She and her family had to run and they can never return and walk the streets of Sololá again. People would set her and her family on fire if they would see her.[25]

The in some cases violent way of punishing was condemned by many, but the effectiveness of this way of punishing was definitely not unnoticed by citizens, police officers, employees of the municipality, local leaders and employees of local non-governmental organizations. Another example that has been mentioned earlier is that the police office was set on fire in November 2009 after the community took justice into their own hands. One man who works at the municipality of Sololá said this the phenomenon:

> The people here know the consequences. They all know what happens whenever a thief gets caught in Sololá. The community will apply a Mayan punishment (*castigo Maya*). These are very physical punishments. They let people walk with very heavy stones on their back, they cut women's hair or they will hit somebody on his bare back for example. The people here know about these types of punishments and they know it will be used against them when they get involved into criminal practices. Therefore there are not that many criminals here in Sololá.[26]

What the statements above, and especially the last one, illustrate is that there is an assumption that the use of physical punishments on perpetrators of crime by the people leads to a higher level of security. Moreover many people said that where the government, police and judicial system altogether failed to provide security the people themselves were able to that. Their, in some cases, violent way of punishing was seen by many people as a way to *prevent* violence. Moreover many

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[24] Interview conducted on 15-03-2011
[25] Interview conducted on 10-03-2011
[26] Interview conducted on 18-03-2011

people emphasize this is an explanation for the lowering crime rates in Sololá. They do take the law into their own hands, because many people view the judicial system as a whole as weak. The International Development Bank América (IDB) already reported in 1999 that: 'In most Latin American and Caribbean countries, the judicial pillar is fractured weak and incapable of supporting the weight of its constitutional responsibilities.'

A second important part of the statement of the employee of the municipality is the word: *Mayan* punishment. This employee of the municipality saw Mayan punishments as very physical. In chapter two Leonardo Cabrera (in Handy 2004: 557-578) emphasized however, that the Mayan law is consensual, preventative, flexible, and seeks to maintain family and communal unity. These two opposed ways of thinking about Mayan punishments and Mayan justice will be addressed in the following paragraph.

5.2 Mayan Justice or Communal Punishment?

If there is one conclusion that can be drawn from the research that I conducted in Sololá it is that there are almost as much opinions about what Mayan justice is and how to apply it, as there are people living in Sololá. The difference in views about what should be defined as a Mayan punishment or Mayan justice is extremely large in Sololá and affirms the complexity of the construction of citizen security in Sololá.

While in the previous paragraph the collective aspect of the punishments was underlined, the indigenous alcalde said something different. He underscored that the indigenous municipality of Sololá, of which he is the head, is the only entity who may legally apply a *Mayan* punishment. Furthermore he rejected the idea that Mayan punishments are physical. He said:

> There is something I have to explain I think. First of all a Mayan punishment is not a physical punishment. It is a repairing punishment. Whenever somebody stole something for example, a Mayan punishment would be to disconnect that person from running water or from electricity. It has got nothing to do with a physical punishment. I think that disconnecting someone from water or electricity is a reasonable way of punishing. (…) Basically it all comes down to mediation when there are problems. Whenever there is a problem and people ask for our help we go to them and try to find a peaceful solution. The indigenous municipality was founded to solve problems. In general we do more than the police. The problem here is that the law is

corrupt. The people do not trust the judicial system. They trust us. There is a high amount of corruption. Also in Sololá. Thieves walk out of the police office within a day.[27]

Although he stated that Mayan punishments are not physical, he did not deny that people do apply physical punishments.

That happens at times, but it is not a Mayan punishment. A physical punishment, like letting someone walk with stones on their back, is always a spontaneous decision. It is not a very bad thing I think if it equals the severity of the crime.[28]

When I asked him whether these physical types of punishments are legal he said:

With us it is legal. According to the Guatemalan law it is illegal, but the law does not function so what are we supposed to do?[29]

When we look at the statements made by the indigenous alcalde we see he makes a distinction between Mayan punishments, which can only legally be applied by the indigenous municipality, and physical punishments, which are applied by the community. Furthermore he addresses that what the Guatemalan law prescribes as illegal is seen as legal in local practice. In the same interview he said that: 'the law does not do anything!', reflecting on the judicial system in Sololá. The community in Sololá lacks access to justice provided by the state, which is in line with the findings of Godoy (2004: 627). Communal physical punishments do not reflect indigenous barbarism, but state failure (Godoy 2004: 627). It is interesting to see that in the case of Sololá most people had more faith in Mayan punishments, than in state justice. An employee of the human rights ombudsman (PDH) in Sololá agreed upon the alcalde's statements about Mayan justice. He also underlined that the only entity who may apply a "true" Mayan punishment is the indigenous alcalde. Furthermore, he said the following about the term "Mayan punishments":

As you know it does happen that the community here punishes people that are suspected of a crime, but that is not legal. They let people walk with stones on their back, they cut people's hair and sometimes they even lynch people. Some people label these punishments as 'Mayan punishments', but (…) a Mayan punishment is something totally different. You live in the neighbourhood of 'San Antonio' right? The population there consists almost entirely of

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[27] Interview conducted on 22-03-2011
[28] Interview conducted on 22-03-2011
[29] Interview conducted on 22-03-2011

indigenous, or in other words: 'Mayan' people. Whenever they take justice into their own hands it is often wrongly labelled as a Mayan punishment by the media and even by the people themselves. The terminology gets mixed up. That is what the problem is and why it may seem so vague what a Mayan punishment is.[30]

What becomes clear in the statement above is that the term "Mayan punishment" is a verry foggy term. There a lot of disagreement about the correct use of the term. The head of the police department of Sololá said: 'The Mayan punishments of the community only exist in the minds of the people. There is no physical law like the one of the state. That is why there is so much ignorance about the use of it.'[31] This is not entirely true because there maybe no physical Mayan law specifically for Sololá, but there are articles in the Guatemalan constitution that provide a basis for the recognition of indigenous rights. Article 58 states that: 'the right of people and communities to their cultural identity in accordance with their values, language and customs shall be recognized' (Sieder 2007: 220). Article 66 states that:

Guatemala is formed by diverse ethnic groups amongst whom are indigenous groups of Mayan descent. The state recognizes, respects and promotes their ways of life, customs, traditions, forms of social organization, use of indigenous dress by men and women, languages and dialects (Sieder 2007: 220).

Activists of Mayan justice see these two articles as the basis for their right to exert customary law. The International Labour Convention 169, which was implemented in Guatemala in 1997, brings in three other articles that are more explicit about the right of the indigenous population to use a form of customary law. The articles 8, 9, and 10 give indigenous people the right to manage their own forms of justice, as long as these forms of justice respect fundamental and internationally recognized human rights. It also obligates states parties to respect the decisions reached by indigenous peoples and their specific forms of justice (in all fields of justice — civil, criminal, family, labor, and so on). Apart from that it specifically mandates states to give preference to noncustodial forms of sanction for indigenous people (Sieder 2007: 220-221). What these articles show is that the Guatemalan law provides indigenous communities like Sololá the right to apply "true" Mayan justice, which is a form of customary law as mentioned in the chapter one. Yet, the problem is – as emphasized by Sieder (2007: 223) – not so much the law itself, but the implementation of these articles in practice.

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[30] Interview conducted on 28-03-2011
[31] Interview conducted on 14-04-2011

There is still one essential analytical cut that needs to be made. Mayan traditional justice, as it was practiced for more than 500 years, is as we have seen a form of customary law. This still leaves the question open what the physical communal punishments in Sololá are? Physical punishments have not regularly occurred since the beginning of the 1990s (Godoy 2004: 630). These types of punishments are seen by many in Sololá as an answer to the failing judicial system of the state. The mob violence that is used at times to punish suspected criminals is, as Taslitz (2002:564) argues, not a form of customary law, but a form of popular justice. Communal punishments – from minor punishments to lynchings – are not only a conflict between community members and criminals, but also between communities and the state (Godoy 2004: 637). There is a conflict between differing concepts of what judicial systems should do and who should control them (Handy 2004: 534). The police in Sololá, as part of that system, therefore are having a very hard time with a community that views their own ways of punishing as more legitimate than the Guatemalan law. This, in the eyes of the community nonfunctional Guatemalan law, is exactly what guides police officers in their daily activities. What comes to the fore in Sololá are not one, not two, but three forms of justice; firstly the Guatemalan law (which is seen by many citizens as illegitimate and nonfunctional), secondly Mayan justice (which is a form of customary law that goes back for hundreds of years) and thirdly communal punishments (which are a form of popular justice that is relatively new).

5.3 Lynchings: Criminal Justice

In this paragraph I will pay attention to a rather new phenomenon in Guatemala. Whereas Mayan traditional justice goes back for centuries, *lynchings* occurred on a frequent basis only since the beginning of the 1990s (Godoy 2004: 630).

A notorious example[32] of a lynching in Sololá is the lynching of two men and one woman on the 27th of November of 2009. The three of them were gang members from Guatemala City. The so called *Maras*[33] went to Sololá to kill a bus driver, because the bus company they were extorting had refused to pay them. They went out that day to set an example and so they did. After they shot the bus driver and a passenger they tried to flee with a taxi. Nevertheless, the police arrested them, and they were brought to the local police office of Sololá. That was not a safe place however. A large group of people gathered in the center of town and set fire onto the getaway taxi and three police

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[32] The information about this lynching is based on numerous talks with people in Sololá.
[33] "Maras" are members of gangs that are present in several Central American countries such as El Salvador, Guatemala and Honduras. The two most well-known gangs in Guatemala are 'Mara Salvatrucha' (also known as MS-13) and 'Calle 18'.

cars. They also set fire onto the police office and the building of the government of the department of Sololá. When the mob managed to get hold of the suspects they beat them unconscious. After that the three were doused with gasoline and set on fire nearby the central park (LAHT 2009). A woman who lives in Sololá described that day as followed:

> (…) I saw extreme violence that day. The memory will always stay with me. It is a trauma for me, for all the people here. The children, everyone! I went to the market in the centre and then it happened. A lot of nervousness, people were running everywhere and screaming for fire. I was standing at a distance when they lynched the people. The ones who participated in the lynching were mostly young people. Neither the alcaldes, nor the police did anything or could do anything about it. The police fear the community, because the community are with many you know.[34]

During my time in Sololá many people referred to this example when I asked them questions about lynchings. I believe that the reason that people refer to this particular example is not only because of its severity, but probably also because the police office and the building of the government of Sololá in the centre of town are still severely damaged. The effects of the lynching on the assets of the local government and the police are still seen *everyday* by people who live in Sololá. Even after one and a half year the damage was not repaired. A police officer said to me: 'you saw what happened to the police station in the centre didn't you? Last year it was raining in our office there, because of what happened during the lynching in November 2009.'[35]

According to Handy (2004: 534) lynchings are the result of a complex set of circumstances, differing in each community, but nearly always related to the increasing precariousness of peasant livelihood, some vital concerns about security, and disgust with the ineffectiveness and corruption of the judicial system. More seriously, lynchings are also provoked by a conflict between differing concepts of what judicial systems should do and who should control them. In this way, lynchings and the attempts to control them are part of a more generalized struggle over the maintenance of a type of 'order' in rural Guatemala. A lot of the circumstances that are addressed by Handy (2004: 534) also come to the fore in Sololá. Godoy (2004: 642) has a valuable contribution by arguing that lynchings are not a call for more law, but a cry for *justice*. The law is not only malfunctioning, but is also seen as illegitimate. The indigenous alcalde of Sololá adds that it is extremely difficult for authorities to stop lynchings. He stated: 'lynchings are illegal, but we cannot do anything about it. Neither do the police.

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[34] Interview conducted on 10-03-2011
[35] Interview conducted on 22-03-2011

It is very difficult to do business with a crowd of over a thousand people you know.'[36] The fear of stopping a crowd who are about to lynch someone is very high among police officers in Sololá. A police officer summarized what happens in most cases:

> We do not want a conflict with the people, because there are only a few police officers and there are a lot of people. Therefore we can not do anything about it. It is an obligation of us to do something when they go too far, but we just can not do anything about it. It is a very big problem. The police are afraid of the community.[37]

Another police officer reflected on the lynching in November 2009in Sololá and said: 'We were powerless.' With these statements we are arriving at the crux of the problem in Sololá. That is: in the end the community is in charge of what happens to suspected criminals, not the police. In chapter two Bayley (1985: 7) referred to state police as 'people authorized by a group to regulate interpersonal relations within the group through the application of physical force.' All of the characteristics mentioned by Bayley are under pressure in Sololá and in the case of a lynching they are absent. Thus, the legitimacy of the police is under attack.

In the final part of this paragraph I want to pay attention to a question that puzzled me for a long time: who do these kinds of things? The simple answer to the question is that it can be anybody, because of the large groups of people that are usually involved in lynchings. That is true, but this is an unsatisfactory answer however. The police in Sololá are still left uncertain who can be held accountable for what happened in November 2009. The reasons therefore were explained to me by a police officer:

> We can investigate who delivered the fuel, machetes and stuff like that, but nobody helps, nobody talks. (…) Lynchings almost always have several perpetrators and therefore it is even more difficult to determine who did what. (…) It is almost impossible for us to do something about this, because no one helps with the investigations. They all say things like 'I have not seen anything' (*Yo no he visto nada*). That is why it is so difficult.

Moser & McIlwaine (2004: 179) found similar statements. A common phrase they heard was: 'keep your mouth shut about everything that you see.' There is a strict code of not helping the police to find the perpetrators of lynchings and other forms of communal punishments. When I asked a woman in Sololá the question: who do these kinds of things, she answered:

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[36] Interview conducted on 22-03-2011
[37] Interview conducted on 07-03-2011 and 08-03-2011

Everybody does it. It is a group. The majority of the people in Sololá will help to punish a person if they know about someone who committed a crime. If you do not want to help, you do not have to. There is no pressure or anything like that, but you may never talk about the ones who do. Then you would be just the same as a criminal. That everybody keeps their mouth silent makes it very difficult for the police to know who carried out the punishments. They will never find out.

Glebbeek (2003: 55) argues that the ideal police-community relationship is one of reciprocity. The public assist the police and the police offer their services to the public. It would be an understatement to say that this is not exactly the case in Sololá. Glebbeek (2003: 55) also points out however, that this relationship often is off-balance, especially in democratizing states. Statements like the one above confirm this more than anything. Another important point that comes to the fore in the statement above is the *collective* aspect of lynchings. They are performed by a group, who attach meaning to the violence that is perpetrated (Schröder & Schmidt 2001: 3).

This may answer who participates in collective punishments and lynchings, but it does not answer: who provokes these lynchings? Or the question: who benefit from lynchings? This may seem a weird question to ask, but Godoy (2004: 639) states that her research uncovered substantiate claims that ex-paramilitary groups are often involved in instigating lynchings. Furthermore, the targets are sometimes political enemies of these groups rather than purported criminals. Some people in Sololá made similar claims. One of my key informants told me this:

It is anarchy here when the community acts against criminals. It is like an eye for an eye or even more than that. That is a draconic type of law and it has got nothing to do with justice. We talked about totalitarian regimes before remember? Sometimes people prefer to have a strong government that tells them what to do instead of liberty. That happens in societies, like ours, where democracy, freedom of speech and that kind of things are sometimes close to anarchy. The anarchy we have here is for some reason bound up in our culture. A lot of people are fed up with a failing judicial system and most of all they want a government that acts very strong against criminality. Like I told you before things are very political here. What I really want to tell you with all this is that some political parties benefit from violence and criminality. I will give you an example to clarify this way of thought.

Let's take the '*Partido Patriotta'*. That is a very right-wing political party and most of all they preach that they want a *mano dura* policy against criminals in our society. At the moment they are not the ones who are in power, so it is in their interest to say that the current government of Alvaro Colom, who is part of the UNE, is way too soft and that he lost all control of the situation. In other words, they benefit from bad news like lynchings and they can use it to make their point, which is that the other political parties are way too soft. Of

course they will never show in public that they approve lynchings, but there is definitely a relation between political parties and lynchings. There must be some people, who are close to political parties that provoke crowds to act against criminals. Probably the leaders (*lideres*). It is very easy to become emotional about violence and therefore it is very easy to manipulate the emotions of the people you know. If the people here lynch someone it will fit perfectly in the image that the government is too soft and that we need a totalitarian *mano dura* regime. Just take a look at a news paper or watch the news on TV and you will see the parallels with the interests of some political parties. It is a scary mechanism.[38]

A police officer had a similar way of thinking about lyncings. He said that: 'often the lynchings have a relation with political problems.'[39] During the conversation he decided to draw a model of how he saw the relationship between lynchings and politics. The fragment underneath shows the model he made and the explanation he gave.

(…) A reasonable amount of the violence here is purely political. It is about power you know. Some political parties preach that when they will be in charge things will change, because of a *mano dura* policy. The strange thing is however, that those parties often have some sort of interest in more violence as you can see in the drawing. These parties can use violence that is shown in the media, to underline that the current political party in charge has lost all control of the situation.[40]
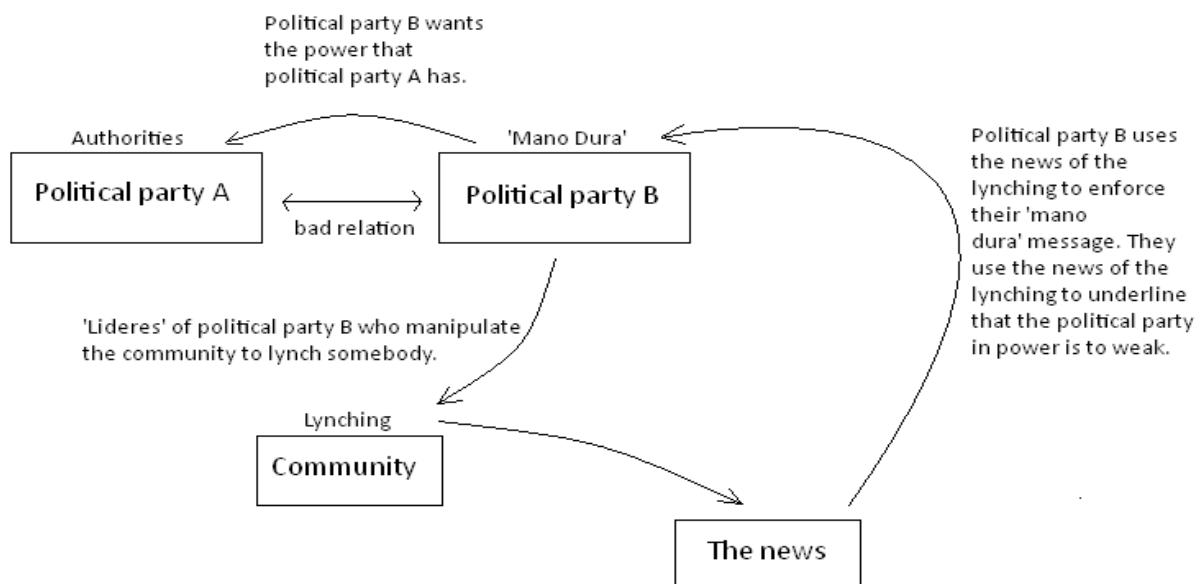
5.1 Model made by the police officer during the interview 22-03-2011.

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[38] Informal conversation on 20-03-2011
[39] Interview conducted on 22-03-2011
[40] Interview conducted on 22-03-2011

Several people in Sololá stated that this way of thinking probably has got some truth to it, but that it is very difficult to prove these claims. An employee of the PDH agreed on that and added:

> The political landscape in Guatemala is dominated by political parties who lie, who throw mud at each other and who want to dominate each other. This is what happens always. They all say that the other parties do not do anything for the people and that when they get into charge everything will change. All lies.

It is very difficult to prove the involvement of political parties in lynchings. However, when a noteworthy amount of people have these views it can be considered as a social fact. Furthermore I want to emphasize that this is a possible way in which lynchings are provoked, but certainly not the only one.

Conclusion

In this chapter several issues concerning people who take justice into their own hands were addressed. Much attention has been paid to statements of people who live in Sololá to give an insight in local problems. A distinction has been made between Mayan justice and communal punishments. Whereas Mayan justice (a form of customary law) has a reparative nature, communal punishments (a form of popular justice) have a physical nature and tend to address the incapacity and illegitimacy of the state. This is what some scholars perceive to be: (…) the *reappearance* of the 'punishment as a spectacle' (Handy, 2004: 545; Foucault, 1975: 10-11). An extreme form of these communal punishments are lynchings. They are an effect of multiple causes, but always perpetrated by a group. In the final part of this chapter attention has been paid to the relation between lynchings and politics. Although, it is hard to prove there is a relationship, there is a common view among many people that political parties are involved in one way or the other. I hope that all the issues that were addressed implicitly have shown there relation with the nature of the police-community relationship. As stated in this chapter the community in Sololá often has more power than the police. The police fear the community, not the other way around.

6. What about the future? Perceptions on the Improvement of Citizen Security and the Police-Community Relationship

Introduction

This chapter will pay attention to the future of citizen security and the police-community relationship in Sololá. I will show what the perceptions of citizens, police officers and third parties in Sololá are on the improvement of citizen security and the police-community relationship. It will become clear that even though there are serious problems in Sololá with citizen security and the police-community relationship, there are also several initiatives that try to change citizen security and the police-community relationship for the better. The parties that particiapte in such initiatives are: the security commission of Sololá, cocodes, the comude, the municipality of Sololá, the indigenous municipality of Sololá, non-governmental organizations, the local government of Sololá and a special unit of the police of Sololá called 'SIRC'.

The first paragraph gives an insight in the perceptions of citizens of Sololá, police officers and third parties on the improvement of citizen security. It will become clear that the improvement of citizen security will have to go hand in hand with the improvement of other forms of security. The second paragraph pays attention to the improvement of the police-community relationship. Better communication between the police and the community is seen by many people in Sololá as a key factor to make improvements on this terrain. The third paragraph shows the efforts of two police officers who make an effort to improve the relation between the police and the community under the name of a police unit called 'SIRC'.

6.1 The Future of Citizen Security

In previous chapters we have seen that the current situation regarding citizen security in recent years has improved a bit in Sololá, but that the police, the government and the judicial system are not working as they are supposed to do. Furthermore, we have seen that the perceptions of citizens, police officers and third parties in Sololá about citizen security in Guatemala in general are that the situation is very bad. It was not uncommon in Sololá that people responded with cynicism when questions were asked about citizen security. One man in Sololá told me: 'hahaha, there is no

security! The people here live in fear. There is a lot of crime and violence, especially in the capitol.'[41] The interesting thing is however, that even though there is tension between the police and the community, the vast majority of both citizens and police officers in Sololá have similar wishes for the future of citizen security in Sololá and Guatemala in general.

A common hope for the future of citizen security is refelected in the statement of a man who works in Sololá in a local music store: 'I hope Sololá will be a calm, nice and beautiful village in the future. I just hope for a change in Guatemala in general and that there will be complete peace in the future.'[42] A police officer shared this view and added the importance of a preventive police in Sololá. He said: 'I would like a police that above all tries to prevent crime instead of fighting it. Besides that I would like a police that has a good relationship with everybody and naturally I want peace.'[43] The prevention of violence has a high priority in the security agenda in Sololá. Various organizations and commissions have reasonably similar visions on citizen security. A clear example is the vision of the local government of the department of Sololá. A part of their activities is a unit that works on the prevention of violence (*Unidad para la prevención comunitaria de la violencia*). Their vision, which is shown on a poster in their office, shows that they seek to promote and guide the public safety with a focus on violence prevention, through interaction with the local authorities and civil society to contribute to building a culture of prevention.[44] The importance of the prevention of violence was emphasized many times in several meetings of cocodes and the security commission of Sololá. The importance of interaction with local authorities and civil society was also emphasized by an employee of the municipality of Sololá, who organizes the meetings of the security commission. He said: 'we must act together, because crime is the worst terror here.'[45]

The will to work together on the improvement of citizen security is important, but the will alone is not enough. *How* to arrive with concrete measures at a society that provides citizens the security they need is more difficult. In Sololá there is a debate about this issue and the views on how to arrive at an improvement of citizen security vary considerably. The most common response in Central America according to Neild (2001: 32) is to maintain or to reintroduce a military role in policing. This is a bit contradictory given the fact that one of the most important parts of the 1996 peace agreement in Guatemala was to *demilitarise* internal security. Therefore these types of responses undermine the commitment to demilitarise internal security. A man who lives in Sololá felt that especially the government should get tougher with criminals and said: 'we need a goverment

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[41] Interview conducted on 03-03-2011
[42] Interview conducted on 03-03-2011
[43] Interview conducted on 11-03-2011
[44] Original text: 'Viceministerio que promueve y orienta la seguridad ciudadana con enfoque de prevencion de la violencia a través de la interrelación con el poder local y la sociedad civil contribuyendo a la construcción de una cultura prevención.'
[45] Interview conducted on 18-03-2011

that acts against violence with a lot more force. That is the only thing that will help.'[46] The responsibility of the government to improve security in Guatemala was emphasized by many people in Sololá. As Leary (2000: 247) has underlined citizens have the *right* to receive protection from the state.

The use of *mano dura* meassures was not the only approach that was suggested in Sololá. I would almost say that 'luckily' there were a lot of people who put emphasis on other meassures like: the improvement of the educational system, better economic policies, better communication between the state and the people, and innitiatives to bring the police and citizens together in their struggle to fight crime. Some of these things are mentioned in the following statement of a man who lives and works in Sololá: 'I can only hope that they will do something for the poor people and that it will be possible for everybody to get an education.'[47] The views about citizen security in Sololá, like in the previous statement, were in many cases closely related to views on other types of security. During the period of my fieldwork every aspect of human security has been mentioned by people who gave their views on the improvement of citizen security. What this shows is that economic security, food security, health security, environmental security, personal security, community security and political security (UNDP 1994) – the elements of human security – are not only on an academic level related, but also on the local level of Sololá. Common ways of reasoning that were heard in Sololá were things like: If people do not have food (food security), because they cannot get a job (economic security), it is more likely they start to steal (personal or citizen security). Another example is: if we want to improve citizen security we need to have a more stable government (political security). Many people emphasized that if the goal is an improvement of citizen security, other forms of security need improvement as well. An interesting example of this was given by a woman who lives in Sololá and works for the ministry of health. She said:

> A substantial problem here is that the majority of the families are very big. Because of that parents cannot always give their children enough attention and there is often not enough money to give all of their children a proper education. A result of this is that the chance to become involved in crime gets bigger, which in turn leads to a lower level of citizen security in our community.[48]

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[46] Interview conducted on 02-03-2011
[47] Interview conducted on 03-03-2011
[48] Informal conversation on 14-04-2011

She refers to a lack of attention of parents to their children and limited economic resources as catalysts for criminal behavior. A police officer made a similar claim by stating that: 'a lot of young criminals have parents that are divorced. They lack love.'[49]

What we can conclude out of the statements that were presented in this paragraph is that the improvement of citizen security in Sololá is closely related to other forms of security and that the improvement of it is very complex given the endless amount of factors that contribute to it. A comment needs to be made however. Some elements of human security came to the fore more than others, implying that some forms of human security are more closely related to citizen security than others. Improvement of the economy, a better functioning government, improvement of the judicial system and an improvement of the educational system were mentioned the most.

6.2 The Future of the Police-Community Relationship

The police-community relationship in Sololá is, as might be clear after previous chapters, not what it is supposed to be like. Citizens and police officers in Sololá both have their frustrations with regards to the police-community relationship. Yet again, we see that the goals and hopes for the future – like with citizen security – are reasonably similar among citizens and police officers.

Better communication between the police and the community is seen as a key factor to improve the police-community relationship in Sololá. This was mentioned by citizens, police officers and third parties; basically by everyone I interviewed. A man who works in an internet café in Sololá replied on the question what can be done to improve the police-community relationship, as followed: 'Good communication. There is no communication now and that is why the people do not know them. I think that could help a lot.' This argument was made by several citizens of Sololá. The majority of the police officers agreed with this way of thinking and also emphasized that communication is of key importance to improve the relationship between the police and the community. A police officer told me this:

> We need a dialogue and we need to know each other. We need to know the local leaders and
> they must know us. Therefore education is very important, because some people here do not
> speak proper Spanish. Luckily there are some police officers here who come from here and are
> able to speak Kak'chiquel. There are other departments where that is not the case.

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[49] Interview conducted on 12-04-2011

A second aspect that was mentioned a lot by various people was that both citizens and police officers should have more respect for each other. A man who works in a music store in Sololá told me: 'respect is the key. If there is no respect it is not possible to have a good relation.' Besides that he emphasized that: 'we are all human'[50] and that it is important to keep that in mind. A police officer had a similar way of thinking and said: 'I hope that we will respect each other. If you do good to others, others will be good to you as well (…).'[51] In conclusion, we could say that even though there is no ideal police-community relationship of reciprocity (Glebbeek 2003: 55) in Sololá, it is a shared hope of both citizens and police officers.

How this relationship can be achieved, and how donors can best support the goal of citizen co-operation with police in establishing public order and security, is a subject that has only recently become the focus of study and analysis according to Neild (2001: 23). This question is also important on a more practical level in Sololá. Factors that can contribute to a good relationship in the eyes of the people I interviewed are things such as: a police that works as it is supposed to do (which is still a bit vague), a preventive police, an enforcement of the capacity of the police, higher quality police officers, a good balance between the Guatemalan law and Mayan law, the help of the community, education of the people and socio cultural activities. Respectfulness, responsiveness and effectiveness lie at the core of democratic policing and it implies a radical shift from the traditional concepts of law and order and social order that have long been dominant in Latin America (Neild 2001: 23). An interesting view on this new way of policing was given to me by a police officer. He said the following:

> Each year we organise activities for the children in Sololá. Things like 'the day of the children' or 'police officer for a day' and of course we organise something with eastern. We should organise these kinds of activities more often, but unfortunately there is no money to do that. It is interesting from a psychological perspective. If we for example would give some candy to the kids in school, that would help enormously to create a more positive image about the police. We must work with the children. If I was able to decide I would teach the kids about morals, philosophy in a practical sense and about human rights in school. That is incredibly important. That would help them to become good citizens. We need to teach our children about healthcare, ant conception, alcohol, drugs, smoking etc. If I could decide it I would give them a diploma after they completed these classes. Imagine how motivating it would be to show your parents that you know about these things. A diploma is a good thing to get from a psychological perspective.[52]

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[50] Interview conducted on 03-03-2011
[51] Interview conducted on 07-03-2011 and 08-03-2011
[52] Interview conducted on 11-03-2011

Another police officer expressed in fewer words the essence of the 'new' police. He said: 'we need to change the image of the police. The police should not be seen as repressive, but as a friend.'[53] On a national level the 'general sub directorate for crime prevention' was created in 2005. It has a community relations division which aims 'to create awareness within the police, encourage citizen participation, and promote the involvement of public and private institutions in addressing local public security needs' (WOLA 2009: 37). In recent years the Guatemalan police force has implemented various programs that include day and night visits to homes, police-neighborhood meetings, the organization of community activities, the distribution of flyers detailing crime prevention and self-defense methods, and targeted patrols in vulnerable areas. Besides that it has set up a preventive alert system to establish better channels of communication between the police and the community (WOLA 2009: 37). These types of programs are also being implemented in Sololá, with varying levels of success. One of these programs in Sololá is a special police unit called 'SIRC'. I will elaborate on that in the following paragraph.

Before that, one extra comment needs to be made. Although some improvements are made on a national level and on a local level, there is still a lot of work to do. At a national level only two percent of cases result in conviction, which implies a troubling level of impunity (WOLA 2009: 32). What this also implies is that police reform requires parallel judicial reform. Neild (2001: 31) underlines that 'judicial corruption has a strong 'trickle-down effect' and leads to police corruption – from the police perspective, why let the judge get the bribe if you can get it first at the time of arrest?' It is important to understand this, because it shows that just like the improvement of citizen security, the improvement of the police-community relationship is connected to a large and complex set of other processes. Therefore it is very important to situate the improvement of the police-community relationship in Sololá in a larger context.

6.3 SIRC: Two Police Officers on a Mission

As stated in the previous paragraph there are several initiatives in Sololá to improve the relationship between the community and the police. Within the PNC in Sololá there are some programs to educate children about the work of the police. One police officer, who goes to local schools at times to talk about the prevention of crime and drug use, said the following about his job: 'our range of activities as a police is very wide. The word: '*poly*', as part of the word police (*la policía*), implies

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[53] Interview conducted on 12-04-2011

multiple or *many* and that is exactly what our work is like.'[54] He emphasized furthermore that the children are the future and the police needs invest time in them.

Since 2008 there is a special police unit within the PNC in Sololá which is called 'SIRC' (*la Sección de Intervención de Relacionamiento Comunitario*). Two police officers called Julio and Rafael[55] are part of this intervention section of the PNC that works on community relations. Their main objective is to communicate in both Spanish and Kak'chiquel, what the work of the PNC entails to the people. Furthermore they are determined to help to built-up confidence of the community in the police apparatus. The biggest activity of SIRC is to visit a large range of meetings of security commissions, cocodes, schools and non-governmental organizations. Julio, the oldest one of the two police officers, told me this:

> We are not a repressive police like the police during the civil war, but rather a police that wants to prevent crime and serve the people. Me, and my colleague try to spread this message within the different communities here in Sololá. We mediate and try to help out when people need it.[56]

The new way of policing that is discussed in previous paragraphs clearly comes to the fore in the statement above. Yet, Julio also understands that there is still a lot of work to do. When I asked him about the trust of the people in the police he said the following:

> Thank God we have a good contact here with the indigenous alcalde and right now there is not that much crime in Sololá. It is calm. However, we still need to work on the trust in the PNC with some people. There are some people who distrust the police; probably because the police used to be really different during the civil war. Besides that there is a small amount of police officers who do not do their work very well and these things together help to create a bad image about the police with some people. I want to change that image and I tell the people we want to work together with them against crime, because we need their approval and help to do our job well.[57]

It is interesting in the statement above that Julio tells that the police want to work *together* with the community against crime. The core of community policing work in Guatemala probably has been the establishment of Local Security Boards. The boards seek to facilitate citizen participation as a means

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[54] Interview conducted on 12-04-2011
[55] The names are fictitious for privacy reasons.
[56] Informal conversation on 07-03-2011
[57] Informal conversation on 07-03-2011

to engender greater confidence and establish a relationship between the police and the people. In some regions in Guatemala they have created a useful space where community members can meet to identify and prioritize community problems and discuss possible solutions, improving police-community relations in the process (WOLA 2009: 37). This also seems to be the case in Sololá, where there is a civil society that is engaged in the process of addressing and solving community problems.

Conclusion

In this chapter several issues with regards to the improvement of citizen security and the police-community relationship in Sololá were addressed. The hopes for the future of citizen security and the police-community relationship are reasonably similar among citizens and police officers. Both parties have expressed their hope for peace. The way to arrive at this is as we have seen, not always easy. Some movements are made in the right direction, with initiatives like SIRC, but there is still a lot of work to do. The improvement of citizen security and the police-community relationship in Sololá are a process that will take time. The solutions may seem simple at first sight, but I believe that solutions are only easy after you have arrived at them. Improvement is simple only when you know already *how* to establish improvement.

Conclusion

In this thesis I have looked for an answer to the question: how can we describe and analyze the police-community relationship in Sololá, Guatemala, and what can be done to improve this relationship? To answer this question I have paid attention to perceptions of citizens, police officers and third parties in Sololá. Their views on citizen security, the community, the police, the judicial system, the state and eventually the police-community-relationship were leading in the search for an answer.

This search was primarily guided by a theoretical compass, which is framed in the first chapter of this thesis. I have shown that one of the essential characteristics of a state is its monopoly on the legitimate use of physical force within a given territory (Weber 1918) and that a fundamental responsibility of a state is to provide security for its citizens (Hobbes 1651). It is the police who are the main institution to protect the state's monopoly on physical force, law enforcement and the protection of citizenship rights (Glebbeek 2003: 17). They are part of the state as a whole, and even though they cannot create democracy on their own, they can contribute to it by being humane and democratic themselves. The excessive use of physical force is in that sense condemnable. Moreover a punishment should strike the soul; not the body (Mably 1789: 326, in Foucault 1975: 16).

The ideal characteristics of a state, citizenship and the police that are outlined above are in many Latin American countries and especially in Guatemala under pressure. After thirty-six years of internal conflict, which resulted in the death and disappearance of 200,000 people in Guatemala, the violence took other forms. Guatemala is now, fifteen years after the peace agreements, a country with one of the highest crime rates in the world. The level of impunity is extremely high and partly because of that the trust in the government, the judicial system and the police are low among Guatemalans. Only 44.9 percent of the Guatemalans have confidence in the judicial system (LAPOP 2008: 120). A result of the high level of insecurity and the inability of the police to fight crime effectively is that in many municipalities the police-community relationship is off-balance. There are even some villages where the police are banned, due to a lack of public trust. A response to the lack of justice throughout the country is that communities take justice into their own hands.

My own findings in Sololá confirm the image that citizens have very little trust in the police apparatus. The majority of the citizens in Sololá said that the reason for their mistrust in the police is that the police are corrupt and that they show up too late, or in some cases not at all, when they are needed. There are five main underlying problems in Sololá that contribute to bad perceptions of citizens about the police-community relationship. These problems are a very weak economy, a bad

educational system, a language barrier due to the same bad educational system, high crime rates and the news media that fuel the fear of crime. None of these factors influence citizens' perceptions about the police-community relationship in a direct way. Yet, in an indirect way they can be a *possible* catalyst that enforces frustrations about the police who fail to fight crime and eventually this leads to a low level of citizen security. At times the community acts against crime, because the police are not able or willing to do that. Moreover, the law the police are working with is seen as illegitimate and that altogether leads to perceptions of a bad police-community relationship among citizens of Sololá.

Police officers in Sololá in general also perceive the police-community relationship to be off-balance. They understand that the community is frustrated with police corruption and they also understand people who are fed-up with a police that shows up late on the scene. The factors that contribute to these malfunctions however, are in the eyes of police officers mostly related to sources outside the PNC. The majority of the police officers emphasize that they want a good relationship with the community and that they want to work hard to serve the people, but that they are not able to do that. Police officers in Sololá claim that due to a lack of staff and resources the police institution is ineffective. They hold the government responsible for that and they perceive the weak Guatemalan economy as an important cause of the shortcomings. In other words it is the context of the police institution that makes it impossible to be one hundred percent effective. On the other side there are also internal problems. A bad police mentality among some police officers, of which corruption is only one form, is what threatens the image of the police as a whole. This has not only lowered the level of confidence of citizens in the police, but also of police officers in their own institution. In short, police officers understand the aggravation among citizens, but they do not agree with their way of reasoning. The community also has the obligation to contribute to a good police-community relationship.

The contribution of the community is often absent in Sololá. The community gives very little cooperation when the police are trying to investigate a case. The moral code is that if something has happened, for example a communal physical punishment, everybody keeps his mouth shut to the police. An increasing phenomenon in the last twenty years is people who take justice into their own hands. Unfortunately this is often wrongly labeled as a Mayan punishment. People who take justice into their own hands use communal physical punishments that have nothing to do with Mayan justice. They tend to address the incapacity and illegitimacy of the state. In a way it is the reappearance of the 'punishment as a spectacle' (Handy 2004: 545, Foucault 1975: 10-11). An extreme form of these punishments are lynchings. Lynchings are the result of a complex set of circumstances, that are almost always related to the increasing precariousness of peasant livelihood, some vital concerns about security and disgust with the ineffectiveness and corruption of the judicial

system (Handy 2004: 534). The people who provoke lynchings are according to a substantial group of people bad local leaders. Some people believe that lynchings are provoked by people who have an interest to do so. Political parties with a *mano dura* agenda are the main suspect. It is difficult to prove the relationship between politics and lynchings, but the fact that there is a substantial group of people in Sololá who have a strong belief that this is true makes it definitely noteworthy.

The future of citizen security and the police-community relationship are because of the problems outlined above an important topic among citizens, police officers and third parties in Sololá. It is interesting to see that both citizens and police officers have reasonably similar hopes for the future. Both groups emphasize that they want complete peace in Guatemala; not just the peace agreement that was signed in 1996. There is more debate however, about the way to make improvements on both citizen security and the police-community relationship. While some people put a lot of emphasis on the use of *mano dura* measures, others refer to things such as better communication and more respect between the community and the police. Things that can contribute to that are a preventive police, an enforcement of the capacity of the police, higher quality police officers, a good balance between the Guatemalan law and Mayan law, the help of the community, education of the people and socio cultural activities. A police unit called SIRC is trying to put these things into practice. SIRC can be seen as a bridge between the police and the community. They try to change the existing image of the police and establish new confidence in the PNC, by working solely on community relations. Some essential steps are made, but there is still a lot of work to do on the improvement of citizen security and the police-community relationship in Sololá.

The general conclusion that can be drawn from my research in Sololá is that perceptions about the police-community relationship in Sololá are influenced by various factors and complex processes on different levels of society. The outcome of these processes in Sololá is that many people perceive the police-community relationship to be bad. The challenge for Sololá and Guatemala is to find a balance between indigenous rights and the Guatemalan law. As long as there is no clear vision and leadership on how to implement the Guatemalan law by the government, judges and police officers, citizens will seek other ways to provide their security. Good communication between the state and the police on one side, and the community on the other side is essential to successfully carry out the law. What has become clear in this study is that perceptions on the police-community relationship are highly dependent on the functioning of the police, the judicial system, and the state in general. There are several ways to improve these institutions, but they will require will, courage and leadership of citizens, police officers and third parties on a local and national level. The future of citizen security and the police-community relationship ultimately lies *in their own hands*.

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Maps

Map 1 – Guatemala:

Online access at: http://geology.com/world/guatemala-satellite-image.shtml

Map 2 – The Municipalities of the Department of Sololá

Online access at: http://www.zonu.com/mapas_guatemala/Mapa_Solola_Guatemala.htm

Map 3 – Lake Atitlan

Online access at:

http://www.zonu.com/mapas_guatemala/Map_Region_Panajachel_Atitlan_Lake_Guatemala_2.htm

Annexes

Annex 1: Reflection

After a long preparation process in the Netherlands I arrived in Sololá to conduct my first fieldwork ever. The day I arrived I had a weird feeling. One of the first things I saw was the police station in the center of town that was still heavily damaged after the lynching that took place in November 2009. Even though I had seen photos of that police station before, it really hit me when I saw it with my own eyes. At that moment I had some serious concerns about how on earth I would blend into the community in such a way that both citizens and police officers would tell me their stories about what is in the end a rather delicate subject. Moreover, I have to admit that initially it was difficult for me to determine how secure it *really* was to conduct research in this totally new environment. Even though I had read many books, articles and reports, it was nothing like the "real deal". I turned from a passive observer to an active observer and finally I was *in* the scene. That realization was scary and exciting at the same time.

When I met the family I was going to live with for the time of my research my mood settled down completely. Pedro, Angélica and their two children gave me a very warm welcome and really made me feel like I was a part of their family. I became an older brother for the children and I was treated as an extra son by Pedro and Angélica. Throughout the entire research they were a great support and left me no time to feel alone. After a day that I had spent with my new family I went out to start doing fieldwork. The first week went amazingly well. An employee of the municipality of Sololá told me about the security commission of Sololá and gave me a list of people who are part of that commission. From there, I started to approach members of the commission and one interview lead to another. In that first week I also talked to the police commissioner of Sololá who gave me full permission to talk to anyone I wanted to talk to within the PNC. I also conducted two interviews with citizens of Sololá. All in all the research went better than I could have ever expected in that first week. Luckily that trend continued in the weeks that followed and looking back I cannot conclude anything else than that the vast majority of people in Sololá were very helpful when I asked them for a favour.

It is difficult to determine why it went well exactly, because there is probably always a certain amount of luck involved. Yet, in retrospect, I think that the use of informal talks was of key importance. It became more easy along the way, because slowly but surely I managed to built up some rapport and initial barriers between me and informants seemed to disappear. I still think that

the use of informal talks is by far the best way to gain people's trust. Trust is according to my experience in Sololá of crucial importance. Luckily, as time progressed, I managed to get some more depth in the informal conversations (this was difficult in the first two weeks). Most of that had to do with my own knowledge about the subject and part of it had to do with the selection of informants. The quality of a conversation eventually depends on both the anthropologist and the informant.

Even though the depth in the informal talks I had improved along the way, interviews were my most important research method to get in-depth information. In some cases I conducted open interviews, which was a bit scary in the beginning, but paid off in the end because I felt that the flow of the interview was more natural. As far as language goes I think I did reasonably well. Whenever I did not understand something I asked for clarification and most of the times I managed to expand the notes of an interview within a day after the actual interview. Yet, I am aware that even though I tried my absolute best to not lose data, some data must have disappeared while translating and expanding the notes of the interview into a readable document. The responsibility for any errors or misinterpretations resides solely with me. It is not a pretty thing, but I think it is inherent to anthropological fieldwork. Hence, I became very much aware that it is extremely important to document everything that is important to the research. Finding the right balance between gathering information and transcribing my field notes was difficult at times, because occasionally I needed to work on my notes, while there were also interesting meetings to attend. That balance will be something I will put even more emphasis on in research projects in the future.

In addition to informal talks and interviews I used participant observation during my time in Sololá. I went to various meetings, which were boring at times, but eventually every meeting had something that was interesting for my research. The insiders' perspective was very intriguing to me and gave me a more complete picture of how the community functions.

Looking back I am very glad that the research in itself went well. Everyday there were numerous possibilities to gather data. The entire experience was even better than I thought before hand. Yet, I also had some difficulties. The hardest thing for me was the difference in opportunities between me and the people I spoke to. The realization that I was able to travel to the other side of the world to interview people that in most cases would never be able to leave their own country was hard. Especially when informants expressed their own will to travel and study like I did it made me really feel what inequality entails. A citizen of Sololá said: 'I just hope you do not forget about us when you are back in Holland.' With this thesis I wanted to give people like him a voice and give them a platform to be heard. Hopefully one day I can return to the place where so many people helped me without asking anything in return. The willingness of people to help me is my dearest memory and for that I am greatly indebted to everybody who contributed to the formation of this thesis.

Fieldwork photo 1: *the two police officers of the police unit SIRC and me after an interview in a police office in Sololá.*

Fieldwork photo 2: *a few inhabitants of a neighboring village of Sololá and me during an informal conversation.*

Annex 2: Resumen en Español

El objetivo de esta tesis es encontrar una respuesta a la siguiente pregunta: ¿Cómo podemos describir y analizar la relación entre la policía y la comunidad en Sololá, Guatemala, y lo que se puede hacer para mejorar esta relación? El primer capítulo de esta tesis ofrece un marco teórico que es la base de este estudio. Los conceptos que se desarrollan en este capítulo son las definiciones de la ciudadanía y el Estado, la seguridad humana, la seguridad ciudadana, cuerpo policiales, la relación entre la policía y la comunidad, diferentes formas de justicia y los dilemas del post-conflicto de Estado. El párrafo final del capítulo uno habla de estos conceptos en una perspectiva latinoamericana. El segundo capítulo describe el como se desarrollo en la que la investigación se llevó a cabo; aquí se ven vinculados los conceptos del marco teórico en el contexto de Guatemala y, finalmente, en el contexto de Sololá.

Este estudio es seguido por cuatro capítulos empíricos de la investigación realizada por mi persona sobre la relación entre la policía y la comunidad en Sololá. El tercer capítulo es la percepción de los ciudadanos de Sololá sobre la relación entre la policía y la comunidad; aquí se señalada cuales son las percepciones y cómo desarrollan. Es claro que la mayoría de los ciudadanos no son felices con la relación entre la policía y la comunidad en Sololá. En el cuarto capítulo se define las distintas percepciones sobre la relación policía-comunidad desde del punto de vista de los cuerpo policiales. Los policías entienden las frustraciones de los ciudadanos, sin embargo muchas de ellos no están de acuerdo con la forma de pensar de la comunidad. El quinto capítulo se presta atención a un resultado muy importante que es al comportamiento de la comunidad ya que a no confían en los cuerpos policiales y hacen justicia bajo sus propias reglas sin seguir la mayoría de las veces con los parámetros légale Guatemaltecos. Por otra parte, se muestra qué este fenómeno juega un papel central en la construcción de la seguridad ciudadana y la relación de la policía y la comunidad en Sololá. El título de esta tesis: *"In Their Own Hands"* (En Sus Propios Manos) no es sólo un reflejo de la comunidad de Sololá, sino también la responsabilidad de los ciudadanos, la policía oficiales y de terceros para trabajar en un Sololá pacífica. El sexto y último capítulo profundiza este asunto; habla sobre las formas de mejorar la seguridad ciudadana y la relación policía-comunidad. A pesar de que existen serios problemas en materia de seguridad y la relación entre la policía y la comunidad, también hay iniciativas para mejorar la problematica; un ejemplo es la unidad de la policía llamada 'SIRC' que consiste un puente entre la policía y la comunidad. Ellos tratan de cambiar la imagen existente de la policía y establecer una nueva confianza en la Policía Nacional Civil, mediante el refuerzo de las relaciones con la comunidad. Existen cambios que se han logrado por medio de esto, sin embargo quedo mucho por mejorar.

Se concluye que por medio de esta investigación Sololá se ve influido por varios factores y procesos complejos en los diferentes niveles de la sociedad. El resultado de estos procesos es que muchas personas perciben la relación policía-comunidad con visión negativa. El reto para Sololá y Guatemala es encontrar un equilibrio entre los derechos indígenas y la legislación guatemalteca; ya que si no hay una visión clara y un liderazgo en la forma de aplicar la ley guatemalteca por el Gobierno, jueces o policías, los ciudadanos buscan otras maneras de garantizar su propia seguridad. Es necesaria la comunicación entre el Estado, la policía y la comunidad. Queda claro que en este estudio las percepciones sobre la relación policía-comunidad dependen en gran medida sobre el funcionamiento de la policía, el sistema judicial, y el Estado en general; hay varias maneras para mejorar estas instituciones, pero se requiere voluntad, coraje y liderazgo en los ciudadanos, los agentes de policía y de los terceros a nivel local y nacional para un mejor futuro en Sololá, Guatemala.

Annex 3: Photos of the Research

Photo 1 *shows one of the three police offices in Sololá.*

Photo 2 *shows a police officer in front of a police office.*

Photo 3 *shows the police office in Sololá that was damaged after a lynching that took place in November 2009. Citizens of Sololá set the police office on fire to get a hold on three people that were suspected of killing a bus driver and a passenger in a bus in Sololá. The police office is still not repaired.*

Photo 4 *shows five cocode members and a police officer during a meeting of the cocode 'El Calvario'.*

Photo 5 *shows what is left of a house that was set on fire in the neighbourhood 'San Antonio'. The family who lived here were forced to leave Sololá, because they were guilty of stealing and extortion according to the community.*

Photo 6 *shows citizens of Sololá in the center of town.*