argueta@giga-hamburg.de

Juntas Locales de Seguridad in Guatemala: Continuity and Change of Community Self-Defense

Abstract

The participation of community policing organizations in public security increased during the last twenty years in Latin America. However, it is not clear whether those programmes contribute to decrease crime or they contribute to legitimate vigilante actions such as lynching, and social cleansing, among others. This situation varies from one context to another. What explains the proliferation and the outcomes of community policing organizations in postwar societies? Based on the analysis of the Local Security Boards in Guatemala this paper argues that the outcomes of community policing in postwar societies are highly determined by the reproduction of social control mechanisms and by the existence of institutional patterns of public security displacement to the private sphere. Based on a private policing approach this paper seeks to identify the reproductive sequence that allows the continuity of social control mechanisms beyond state transformations and concludes that the context and past trajectories are strong explanatory factores of the proliferation and outcomes of community policing organizations.

Juntas Locales de Seguridad in Guatemala: Continuity and Change of Community Self-Defense

Otto Argueta[1]

1. Introduction

The participation of community policing organizations in public security increased during the last twenty years in Latin America. Support to programmes that strengthen the links between public security institutions and communities comes from different sources such as states, international donors and the community itself. The inclusion of community oriented policing perspectives in public security institutions was part of the large state transformations in the 90s that pursued to overcome the legacy of a militaristic national security doctrine. Community oriented policing as a successful or at least promising crime prevention strategy has been widely accepted both, in most of the security institutions and in the academic field. Some models implemented in Latin America have been even imported to other countries in the region. However, it is not clear whether the implementation of those programmes contributes to decrease crime or they contribute to vigilante actions such as lynching and social cleansing, among others. This situation varies from one context to another. What explains the proliferation and the outcomes of community policing organizations in postwar societies?

Based on the analysis of the JLSs (Juntas Locales de Seguridad) in Guatemala this paper argues that the outcomes of community oriented programmes in postwar societies are highly determined by, on the one hand, the reproduction of social control mechanisms and on the other hand, the existence of institutional patterns of public security displacement to the private sphere. The paper addresses community policing organization from a private policing approach and seeks to identify the reproductive sequence that allows the continuity of social control mechanisms beyond postwar state transformations.

First, this paper clarifies the conceptual use of private policing to analyze the JLSs in Guatemala. Second, describes the current situation of JLSs in two levels, namely the institutional level and the reproductive cycle of JLSs. The paper analyzes in third place different crime rates and other variables such as state density. Fourth, the paper brings a historical explanation of JLSs through the analysis of political violence during the internal conflict and the different forms of self-defense organizations.

1 Is a historian, Ph.D. Candidate at the GIGA Institute of Latin American Studies. Contact: argueta@giga-hamburg.de

2. Juntas Locales de Seguridad: conceptual clarification

The *Juntas Locales de Seguridad* are neighborhood and communal groups organized to protect their living area. Their activities vary from one JLS to another. They can hire PSCs (Private Security Companies) or they can guard themselves in possession of illegal weapons, while their faces are covered. The range of activities implemented by such organizations is very wide. There are different names for security civil organizations in Guatemala. I will use the acronym JLSs (Juntas Locales de Seguridad*)* to refer community policing organizations as a general concept. The term "boards" refers to a decision-making group into a community in some cases elected and in other cases self-appointed. There is for example Consejos Vecinales o Comunitarios de Seguridad (neighborhood or communal security councils), Comités Únicos de Barrio (Single Neighborhood Committees), among others. The differences are related to the institutions these organizations are supposedly linked to. This presents a wide range of possibilities, for example there are some organizations linked with the Police, others with the Ministry of Interior through the Vice Ministry of Communal Affairs; in some urban areas private policing organizations are linked to the Municipality and others located in rural areas are linked with communal leaders or churches. How they were created or the public institution to which they are linked cannot define the formality or informality of these private policing organizations. There are organizations created through state institutions, others were already created when the state institution made contact with them, and there are cases of totally autonomous organizations. For this reasons in this paper JLSs are a generic denomination of the social function implemented by private policing organizations.

3. Private Policing, Private Security and the Legacies of History

Most studies addressing community oriented programmes in Latin America are focused on crime prevention in democratic societies in contexts of police reform processes (Frühling 2003; Neild 2002). Those studies identify the institutional constrains that community oriented policing programmes face in the continent but at the same time they assume that the context in which police reform processes occurred was a critical juncture of public security institutions.[2] Other studies observe the impact of those programmes in postwar societies from the perspective of the police institution responsible for them and also the influence of local contexts in the implementation of foreign community policing programmes (Savenije 2010).

2 For a critical debate about peace building processes in Central America see Kurtenbach, Sabine (2010).

Mostly formal institutional approaches of community oriented policing are based on those cases in which the organization was found by the police with strong international support (Benavides 2010). However, there is little literature that places community policing in a time perspective, in other words, that inquire about the social and political roots of the current community policing. This paper seeks to contribute to fill this gap. First, it is essential to expand the definition of community policing in order to include in the concept more than an institutional perspective and look at the functional aspects of policing and its trajectories. Second, it is important to provide empirical data about this topic to contribute to future research.

Private policing includes all nonstate agencies that consciously participate in the process of bringing about and guaranteeing security (Shearing and Kempa 2000; Shearing 1992). It allows incorporating the collective protection practices into the concept of private security going beyond its formal and commercial dimension. Policing implies a self-conscious process whereby societies designate and authorize people to create public safety (Johnston 1999: 178). It includes the noncommercial forms or private policing, such as civil policing initiatives, informal private policing motivated or not by state institutions, "community policing programmes", informal systems of criminal justice, and even private policing in global spaces (Kempa 1999). Private policing becomes a social control mechanism when its actions are oriented to define, investigate, judge, and punish deviant behaviors that threaten an established social order. It is one among multiple social control mechanisms existing in the society characterized by its public security actions. The non-commercial forms of private policing are associated to particular forms of active citizenship that vary depending on time and context. There is interplay between commercial and noncommercial private policing. Observing the evolution of social control mechanisms, it is possible to identify that commercial private policing is the formalization of a variety of informal private policing organizations existent in the social system. In a particular moment it was a bifurcation that created two main levels of private policing, namely the commercial and the noncommercial private policing initiatives. It is also observed that noncommercial private policing organizations do not exclude the fact that they are paid activities and that its private dimension include the payment of self-defense actions. The empirical data shows that in some contexts the populations pay mostly community policing organizations for its actions. This payment can vary from monetary contributions, food, vehicles and gasoline to patrol the community, among others. In some cases the payment is obligatory under the threat to be

sanctioned or unprotected.[3] There are cases in which the payment is made through work within the economical activities of the patrollers. Political benefits, clientelism and patronage are forms of payment in exchange of protection. At the end, the difference between commercial and noncommercial policing is heuristic but it helps to identify different dynamics inside a functional and relational security network. In this sense, private policing refers to a social function that produces particular benefits either as a commercial activity or as a voluntary action with secondary benefits. In other words, private policing in some particular contexts could easily become a protection racket (Tilly 1985).

Placing private policing in a time perspective requires an analytical framework that allows to observe the interaction of social mechanisms and processes that affect each other in time and space (Tilly 2002). Different mechanisms interplay in the process through which private security organizations have transcended changes in political contexts. Private policing seems to be a dynamic social function with adaptive characteristics. The existence of reproductive sequences explains the transformative dynamic of institutional patterns and its adaptive properties (Mahoney 2008). It also explains, how to expect the emergence of democratic relations between police and communities on the basis of a historical context characterized by the use of state violence in a collaborative and repressive power relation (Holden 1996).

4. Juntas Locales de Seguridad and the contextual based explanation

Based on the above, the argument of this paper is that JLSs in Guatemala are a postwar reproduction of former social control mechanisms, that it is possible through the existence of an institutional pattern of public security displacement. A pattern that once in motion makes it difficult to prevent its reinforced trajectory. The JLS, as an organization of civil self-defense, is one among many from the wide spectrum of civil organizations that have existed to support the state on its social and political control role. Legitimate self-defense or self-help private armies have their roots in the liberal governance that seeks to create collaborative links between state and citizenry in order to protect a specific social order (Shearing 1992: 407). Social control through the incorporation of civilians in security structures is a historical constant which, in the case of Guatemala has accompanied the state since its liberal restructuring during the second half of the 19th century.

3 “Se unen para protegerse”, *Prensa Libre*, Guatemala, November 23, 2005 (Retrieved on February 28, 2001).

However, the current situation of JLSs shows that transition to democracy created a new context to the reproduction of these mechanisms. Police reform included the implementation of community oriented policing in order to give the institution an image aligned to the concept of citizen security. The process rapidly derived in a separation of the state after the creation of JLSs. It does not mean that those organized communities stopped their activities; on the contrary, they continued operating in many different ways. Thus, it is possible to observe that what Garland (1996 and 2005) calls "responsibilization strategies of control" ultimately produced the continuity of social control mechanisms in a new context. Rather than strengthen the image and the role of the police, the creation of JLSs reinforced the common idea that the police is unable to protect the citizenry and that the only option is to implement vigilantism through community policing organizations.

5. The Institutional Ambiguity of Community Policing in the Post-War Guatemala

Since its formal creation in 1999 the JLSs were reproduced in many different ways. Three main sources of state-motivated communal organizations are identified: one created by the National Civil Police (Policía Nacional Civil, PNC), other created by the Vice Ministry of Communal Affairs (Vice Ministerio de Apoyo Comunitario, VAC), and a third group created by the Municipality of Guatemala City. Those are three different levels of top-down community policing organizations that coexist in a confused institutional frame.

It is important to mention that the context in which this process happened was the security sector reform particularly the police reform, the dissolution of former security institutions and the downsizing of the army and intelligence structures. A new police institution was created and it was incorporated with new institutional requirements such as democratic rules, community oriented perspective, among other aspects that placed the institution in a context of an accelerated transformation without clear orientation. On the other side there was a strong international pressure to impulse those reforms and to use adequate international financial support.

5.1 Juntas Locales de Seguridad and the National Civil Police: The Beginning of the Continuity

The National Civil Police issued a General Order to address public security from a citizen security perspective through the JLSs. The antecedent of this initiative was the Neighborhood

Committees for Reconstruction created by the Ministry of Interior in 1998 to support the new Police through the recollection of monetary donations to equip police stations in the neighborhoods. After considering those Committees as a success, the Ministry decided to create the JLSs (Neild 2002: 18). This Order defined the JLSs as key part of the Public Security Policy to strengthen the links between the police and the community. The Order defines JLSs as "group of neighbors of those populations where there are National Civil Police, with the aim to collaborate in the improvement of citizen security.[4] According to the General Order each JLS have to be integrated by the Mayor or their representative and an "honorable" neighbor and all neighbors that voluntarily wish to join the JLSs. At the same time the General Order stipulates that the JLSs have to be integrated also by representatives of the different sectors and public institutions active in the community like commercial associations, firefighters, entrepreneurs, representatives of the Judiciary and Prosecutor Office, professional guilds, among others. Contradictorily, the General Order also stipulates "the composition of the JLSs can vary according to the reality and needs of the locality".[5] Finally, the Police recognize JLSs as an informative and collaborative group, but it does not stipulate any institutional mechanisms to keep them in contact with the Police. There are no control mechanisms over the JLSs stipulated in the General Order as well as any indication about records of persons and activities implemented by the JLSs.[6]

At the beginning, the Ministry of Interior founded in the creation of JLSs a mechanism to promote the new PNC but according to the police there were no public mechanisms to promote the JLSs outside the Police. However, in 2002 there were JLSs in 231 municipalities from a total of 331 municipalities in the country (Neild 2002: 18). The Police created rapidly JLSs anywhere expanding the idea that the active participation of the community would be important to fight crime. The JLSs were integrated by communal leaders and in some areas became means to achieve local power due to the establishing of clientelistic relations with the PNC (Neild 2002: 18). The Police used all traditional and existent organizations to create the JLSs. Former paramilitary organizations such as Patrullas de Autodefensa Civil (PAC)[7] and Military Commissioners[8] as well as structures of the insurgent groups, such as Fuerzas

4 Orden General Nr. 11.99, Guatemala July 14, 1999.
5 Article 3, Orden General Nr. 11.99, Guatemala July 14, 1999.
6 Article 5, Orden General Nr. 11.99, Guatemala July 14, 1999.
7 The PACs were paramilitary structures created by the army and the police during the internal armed conflict to control the communities and participate in counterinsurgency military actions. The activities implemented by the PACs vary in each region in the country but the constant is social control.
8 The military commissioners were civil population linked with the army to generate information of the community and neighborhood and to organize security in the living area. This was one of the main human intelligence source of the army. At the end of the war there were approximately 32.000 military commissioners in the country.

Irregulares Locales (FIL),[9] were the basis to the creation of most JLSs. Those paramilitary organizations implemented different actions in the context of the counterinsurgency strategy which involves Human Rights violations such as killing, kidnapping and genocide but also repressive actions against drunks, prostitutes, young people and foreign. Those organizations were part of the local authorities and remained active despite its formal dissolution in 1996. Human Rights activist denounced the same violations but this time perpetrated by the JLSs.[10] The police focused mostly on the organization of the JLSs but not on the parallel process of strengthening collaborative bonds. After few years the organization of JLSs became spontaneous as a response to the inefficiency of the police.

The first period of the JLSs shows that there were high levels of ambiguity in the process of its creation. In the population prevailed the idea that JLSs were only a mechanism to generate information for the police.[11] The police used the existing organizations in the communities to delegate them the responsibility of their own security. This process legitimized those organizations to implement any action in the name of its own protection.[12] The result was the reestructuration of traditional organizations with a new name and with the delegated authority of the state.[13] In a context of institutional transformation that created a vacuum of security, high levels of insecurity perception and strong legacies of the internal armed conflict, the JLSs reactivated the meaning of self-defense based on a concept of survival and protection of persons and goods that justified the use of violence as a response to the inefficiency of the legitimated authority to prevent criminal acts and to deliver justice. Self -defense is a result of the functional inefficiency of the security and justice chain.[14]

When the police received information but did not implement efficient preventive actions the population preferred acting without the participation of the police.[15] Additionally, there were high levels of public distrust to the police and other armed forces. One state intelligence officer argued that JLSs degenerated with regard to their original objectives, because they were used only as an informative resource for the Police.[16] Since the police historically planted informants in the communities and neighborhoods, the population quickly rejected the work of the JLSs and the desired collaboration with the Police was impossible.

9 Those were the self-defense organizations created by insurgent groups to generate information about the actions of the army and to protect the community from repressive actions.
10 Interview with Axel Romero, Jefe de Organización Comunitaria del Vice Ministerio de Apoyo Comunitario (Chief of Communal Organization of the Ministry of Communal Affairs) Guatemala, March 12, 2009.
11 Interview with intelligence analyst of the State Intelligence Agency, Guatemala March 5, 2009.
12 Interview with intelligence analyst of the State Intelligence Agency, Guatemala March 5, 2009.
13 Interview with Axel Romero, Jefe de Organización Comunitaria del Vice Ministerio de Apoyo Comunitario (Chief of Communal Organization of the Ministry of Communal Affairs) Guatemala, March 12, 2009.
14 Interview with Mario Mérida, former Vice Ministry of Interior and former Colonel of the Guatemalan Army, Guatemala May 5, 2009.
15 "Piden a PNC que no los dejen solos", *Prensa Libre*, Guatemala September 27, 2005 (Retrieved on December 4, 2010).
16 Interview with an officer of the State Intelligence Office, Guatemala March 5, 2009.

Nevertheless, the JLSs were organized and are still working without association to the Police.[17]

There were different efforts to strengthen the preventive actions of the Police. In 2002, the Coordination Office of Community Policing of the National Civil Police (Oficina de Coordinación Comunitaria de la PNC) was created. It was part of the operative unites of the Police so its function was merely reactive. The Office received the information generated by the JLSs to implement security actions.[18] The Office had no institutional support, therefore it was necessary to seek them through international organizations. After a short training course about community policing 500 police agents were introduced in the philosophy of community policing.[19] The problem was that the trained agents were scattered across the country under the hierarchy of a police official that rejected the new policing model. It was not until 2005 when the Subdirección General de Prevención del Delito (General Crime-Prevention Directorate) was created to coordinate and supervise the activities of the JLSs. In the first report of this Division in 2008 a preventive perspective of the work implemented by the JLSs was incorporated.[20] At that moment there were 677 JLSs identified in the whole country but even then, the police had no contact with them.[21] In 2009 the same institution was transformed from Division to Section named Sección de Intervención en Relaciones Comunitarias. This change means a lower category in the institutional hierarchy which represents less personnel and financial resources.

To the year 2009 the PNC was able to report the existence of 1,037 active JLSs in the country.[22] This information showed the improving institutional capabilities to register existing JLSs. The data was only based on information from the police stations in the country but it did not mean in any way that the police had any control over the increasing number of JLSs or that the police worked together with them.[23] Nevertheless, until 2010 the PNC have registered data, such as the name of coordinators and registered addresses on the foundation document of only 469 JLSs.[24] This means that there are 568 active JLSs without control of the PNC.

17 Idem.
18 Informe Anual de Actividades, Sección de Intervención en Relaciones Comunitarias de la Policía Nacional Civil, Guatemala 2009.
19 Idem.
20 Interview with a police officer of the Sección de Intervención en Relaciones Comunitarias de la Policía Nacional Civil, Guatemala October 22, 2010.
21 Informe Anual de Actividades Realizadas, División de Relaciones Comunitarias de la Policía Nacional Civil de Guatemala, 2008.
22 Informe Anual de Actividades, Sección de Intervención en Relaciones Comunitarias de la Policía Nacional Civil, Guatemala 2009.
23 Interview with a police officer of the Sección de Intervención en Relaciones Comunitarias de la Policía Nacional Civil, Guatemala October 22, 2010.
24 Data provided by the Sección de Intervención en Relaciones Comunitarias de la Policía Nacional Civil, Guatemala October 22, 2010.

Although there has been international financial support, the records of the PNC show that any JLS has received training on preventive security.[25]

This first stage of the postwar community private policing generated two effects. On the one hand, the reproduction of vigilante actions as well as authoritarian and informal social control mechanisms that are part of a historical continuity of private policing functions; on the other hand, the creation of JLSs generated a set of contingent events counterproductive to the democratic process such as lynching of alleged criminals, vigilantism, delegitimation of the police, the relegitimation of military, enclosure of the public space, stigmatization and criminalization of young people, among others.

5.2 Security Commissions and the Vice Ministry of Communal Affairs: The Beginning of the Formal Institutional Ambiguity.

The Vice Ministerio de Apoyo Comunitario, VAC (Vice Ministry of Communal Affairs) was created in 2004 as part of the Ministry of Interior with the aim to strengthen links between public security institutions and community organizations. The new institution sought to gain control over the large number of JLSs. The idea of the VAC was to convert all kinds of neighborhood organizations into security committees linked to each level of communal organization.[26] The new Vice Ministry received support from international financial institutions but no too much support from the state.[27] The first year of the Vice Ministry was ineffective due to the political instability of the Ministry of Interior and the lack of clear policies and programmes. The institutional instability continued, from 2005 to the date. During this period, there were approximately seven different Vice Ministers as well as a large time without a Vice Minister.

The VAC comes as a result of the importance that the concept of democratic security and citizen security gained in Guatemala in the postwar. Through the Project Hacia una Política de Seguridad Ciudadana, Polsec (Towards a Citizen Security Policy) it was possible to establish the basis of a preventive security perspective with emphasis on community oriented policing programmes (Flacso 2002; Arévalo 2002). Three institutional processes

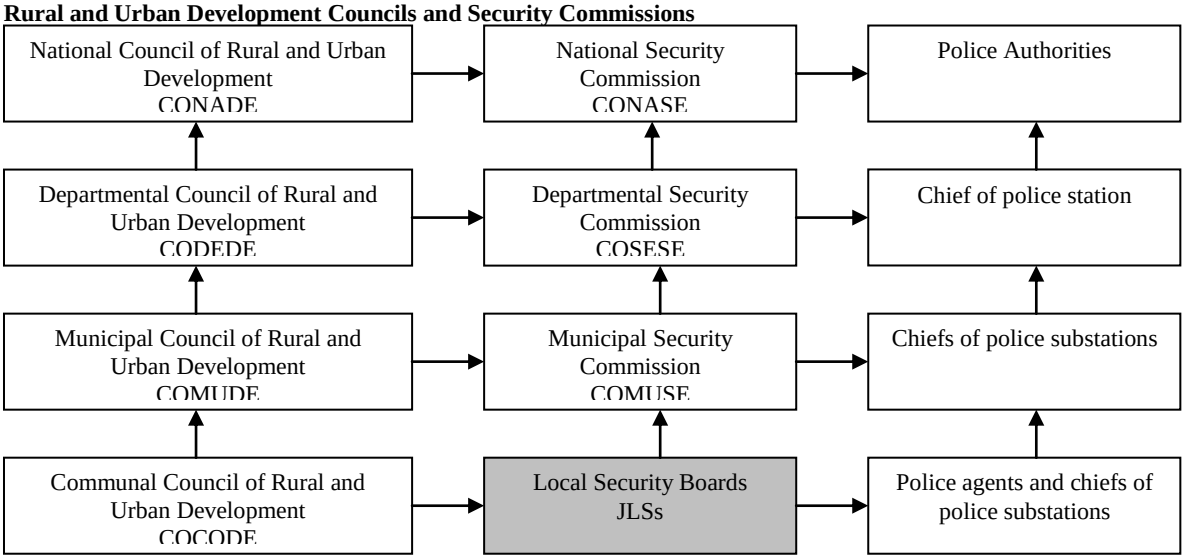
25 Data provided by the Sección de Intervención en Relaciones Comunitarias de la Policía Nacional Civil, Guatemala October 22, 2010.
26 Interview with Axel Romero, Chef of Communal Organization of the Vice Ministry of Communal Affairs. Guatemala, March 12, 2009.
27 In May 2006 the Inter-American Development Bank approved a loan of US$ 29 millions to be conducted through the Vice Ministry of Communal Affairs. Document of the Inter-American Bank, Programa de Prevención de la Violencia (GU-0163) Availableat:http://search.iadb.org/search/cgi-bin/query-meta.exe?v%3afile=viv_X6J17X&v%3astate=root%7croot&url=http%3a%2f%2fidbdocs.iadb.org%2fwsdocs%2fgetdocument.aspx%3fdocnum%3d728723&rid=Ndoc0&v%3aframe=redirect&v%3aredirect-hash=e001d34473626300ebb4103a5d69b37e&

constitute the basis of the reform proposed by the VAC, which are: the new Municipal Code, the Development Councils Law and the Decentralization General Law.[28]

These institutional reforms allowed the municipalities the creation of Municipal Police operating under the authority of the Mayor and other prerogatives linked with security matters.[29] The structure of the municipalities in Guatemala allows conserving the traditional local power structures. The Municipal Council has the support of the Auxiliary Mayor or the Communal, both of which are traditional figures originated during the colonial period. The community designates the Auxiliary Mayor, which is legitimized by the communal leaders, or the Elderly Council of the community in those indigenous municipalities.[30] This system includes particularly three levels, Departmental Councils of Development, Municipal Councils of Development and Communal Councils of Development.

Thus, the idea of the VAC was to use this organizational structure to create in each level a security commission, and in those areas where there were already JLSs to transform them or to integrate them into the structure of the VAC. Political instability made it impossible for this Vice Ministry to achieve its goals and on the contrary it represented an institutional competition with the police. As a Vice Ministry the VAC had a higher institutional hierarchy opposed to the Police. It produced conflicts between both institutions and a competition for having resources from community oriented programmes. At the same time it incited confusion in the communities about to which institution the JLSs belonged to.[31]

Rural and Urban Development Councils and Security Commissions

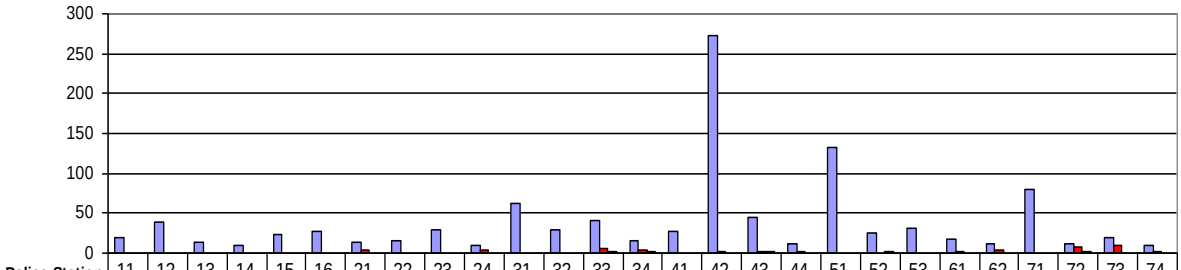


Source: *Organización Comunitaria para la Seguridad Ciudadana*, Fondo de Naciones Unidas para la Democracia, 2008.

28 Código Municipal, Decreto Ley 12.2002; Ley de los Consejos de Desarrollo Urbano y Rural, Decreto 11-2002; Ley de Descentralización Decreto Ley 14-2002.
29 Article 259, Constitution of the Republic of Guatemala.
30 Article 55 and 58 of the Código Municipal, Decreto Ley 12.2002
31 Interview with Ivan García and Arturo Matute, Citizen Security Programme, PNUD, Guatemala March 24, 2009.

Analyzing this institutional structure it is clear that the only existent and mostly proliferated level was the JLSs. At the same time, the JLSs are the only organization integrated by the population. The other levels do not have presence in the country. In the 2010 the PNC identified only 43 municipal security commissions and five departmental security commissions.[32] The lack of departmental commissions is explained through the fear of accountability that mayors have. On the contrary, the municipal commissions are controlled by them and have no accountability mechanisms.[33] Figure 1 shows the JLSs and the Security Commissions created by the VAC. The difference between JLSs and the security commissions means that there is no formal integration of JLSs in the local power network. The autonomy of the JLSs remains an accountability problem. The figure also shows the territorial distribution of communal security organizations. The national territory is organized here based on the jurisdiction of each police station. Thus, the main concentration of JLSs registered by the police is in the jurisdiction of the Police Station No. 42 that covers the department of San Marcos. From the 272 JLSs registered by the Police in San Marcos there are only 86 JLSs that have some documentation. In the second place is the Police Station No. 51 that covers the department of Alta Verapáz with 132 JLSs from which only 38 have some documents. There are even Police Stations such as the No. 43 in Huehuetenango that have registered 44 JLSs and no documentation.

Figure No. 1: Number of communitarian security organizations in Guatemala in 2010



Police Station	11	12	13	14	15	16	21	22	23	24	31	32	33	34	41	42	43	44	51	52	53	61	62	71	72	73	74
JLS	19	39	14	10	24	28	13	15	30	10	63	29	41	15	28	272	44	12	132	25	31	17	12	80	11	19	10
Comuse	0	0	0	0	0	0	4	0	0	3	0	0	5	3	0	2	2	1	0	0	0	1	3	0	8	10	1
Codese	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	1	0	0	1	0	0	0	0	1	0	0

Source: Informe de avances, Sección de Intervención en Relaciones Comunitarias, PNC Guatemala, 2010

The police officers that have direct contact with the population and consequently with the JLSs are constantly moved from one police station to another. The effect is the citizens'

32 Data provided by the Sección de Intervención en Relaciones Comunitarias de la Policía Nacional Civil, Guatemala, October 22, 2010.
33 Interview with a police officer of the Sección de Intervención en Relaciones Comunitarias de la Policía Nacional Civil, Guatemala October 22, 2010.

distrust to the new agents. At the same time, the trainings on preventive security made by international donors are mostly oriented to agents posted in urban areas and not to those posted in rural areas where most of the JLSs are organized.[34] The system of police personnel distribution is not based on the cultural and linguistic features of the agents respect to the area where they are assigned. The VAC became the receiver of citizens demands for more police agents and solutions to the problem of insecurity.

The JLSs argued that they would do anything in order to protect their communities or neighborhoods because the police were either not enough or were corrupted.[35] The participation of the citizenry was conditioned by the participation of the Police and the actions of the JLSs became a threat in the sense that "if the police do not reduce crime, we (the JLS) will do it no matter how".[36] The proliferation of JLSs, whether created by the police or created by the community rather than strengthen the ties between police and community, produced a conflictive relationship in which not only the police delegated its functions on the population without controls, but also due to the institutional instability the police rapidly lost its citizens' acceptance created after its foundation in 1996.

Officials of the VAC argue that the JLSs detracted the original meaning of citizen participation implementing repressive and vigilant actions. Parallel to this, the police founded in the Security Commissions of the VAC a control mechanism over its activities.[37] In this context the challenge of the VAC was to recover the original sense of community oriented policing.[38] The first measure of the VAC was to announce that they did not authorize the citizenry to patrol communities and neighborhoods and that on the contrary, the function of the JLSs was to generate and transmit information to the Police.[39] Institutional changes in the VAC made evident that through the JLSs the population has been working alone due to the excessive distrust and fear to the police institution.[40] In 2009, the VAC started the identification of violent and problematic JLSs. For example, they identified 117 JLSs acting without controls in San Pedro Sacatepéquez in the department of San Marcos and other eight violent neighborhood groups in Guatemala City. [41]

34 Interview with a police officer of the Sección de Intervención en Relaciones Comunitarias de la Policía Nacional Civil, Guatemala, October 22, 2010.
35 "Municipios sin protección", *Prensa Libre*, Guatemala, July 7, 2005(Retrieved January 10, 2010).
36 "Piden a PNC que no los dejen solos", *Prensa Libre*, Guatemala, July 27, 2005 (Retrieved January 10, 2010).
37 Interview with Axel Romero, Chef of Communal Organization of the Vice Ministry of Communal Affairs. Guatemala, March 12, 2009.
38 Interview with Axel Romero, Chef of Communal Organization of the Vice Ministry of Communal Affairs. Guatemala, March 12, 2009.
39 "Rechaza Patrullaje", *Prensa Libre*, Guatemala, September 27, 2005. (Retrieved January 10, 2010)
40 "No creen en PNC", *Prensa Libre*, Guatemala January 19, 2006 (Retrieved December 4, 2010).
41 "Investigan a ocho grupos de vecinos que brindan seguridad", *Prensa Libre*, Guatemala April 29, 2009 (Retrieved December 4, 2010).

Despite all institutional changes and more or less political support to the preventive actions implemented by the VAC, the conceptual and administrative confusion persisted until 2010. Public documents of the Ministry of Interior to which the VAC belongs, continue to present the security commissions the VAC create as organized groups that seek the recuperation of their environments through pacification and governability processes and the definition of local security agendas. The idea of the Ministry is not to support JLSs any longer because they have become "parallel groups"; instead of this, the Ministry seeks to transform neighborhood organizations into security commissions.[42]

A double institutional framework was created. On the one side the JLSs created by the police from 1999 onwards and, on the other side, Security Commissions under the Vice Ministry of Communal Affairs. The first one organized the population without other institutional link than the police. The other one, pursued to organize the population through the local institutional framework. Both institutional levels had no control whatsoever over the JLSs that already operates in the country.

5.3 Comités Únicos de Barrio and the Municipality of Guatemala City

The Municipality Guatemala City created its particular form of community policing organization. In 2001 it was created a large network of Comités Únicos de Barrio, CUB (Single Neighborhoods Committees). The original project planed the foundation of 600 CUBs, currently there are more than 783 CUBs.[43] These organizations pursued to create their own system to centralize the administration of resources. The participative structure of the Municipality of Guatemala City is a simile of the above mentioned Urban and Rural Development Councils and create the image of a "mini state" into the state of Guatemala.

The Municipality integrated the JLSs but at the same time it created other institutional level beyond the existing one. However the organizational structure is the same, the main difference to the rest of JLSs is the roll played by military officials in its activities as an extension of the Joint Patrols Program (Army and National Civil Police). These patrols have been widely criticized because they are mechanisms where military personnel continue to participate in national security tasks.

42 Ministry of Interior, Guatemala February 11, 2011. Available at: http://www.mingob.gob.gt/index.php?Option=com_content&view=article&id=591:vecinos-recibiran-apoyo-para-formar-comites-de-seguridad&catid=71:eventos&Itemid=54

43 http://mu.muniguate.com/index.php/component/content/article/43-desasocial/331-estructuradesa

Each CUB is said to have a military representative collecting information for the Army, not all for the Police.[44] The metropolitan districts 9 and 1 consist of approximately one million inhabitants and with 200 Neighborhood Committees, prefer having military than police support because they have more trust in the Army and expect them to solve the criminality problem with an "iron fist".[45]

The CUBs are organized in urban metropolitan areas where most population is non-indigenous. The areas where these neighborhood committees are organized have a medium income and can hire Private Security Companies (PSCs). There are cases where a security neighborhood organization is promoted by a PSC or on the contrary, the CUB promotes the hiring of PSCs as advisors or as protection deliverers. In other cases, PSCs promotes neighborhood organization through the CUBs located in commercial urban areas of Guatemala City. For instance, the Hotel Security Council of Guatemala promotes informal organization of neighborhoods around tourist areas and has representatives in each security committee to collect information about criminal activities.[46]

In 2008 the CUBs of the zones 10 and 14 (high income residential areas) organized 45 JLSs and hired an Israeli security company to implement a security plan named "Plan Petate" with the aim of creating hundreds of JLSs in those zones and generate a system of information to be collected by the security company and then transmitted to the police or the army.[47]

Due to the particular socioeconomic level of some participants of the CUBs, the kind of demands and interests are linked to private and individual protection and the closing of public spaces, among others. In 2005, there were approximately 500 CUBs in the metropolitan area of Guatemala City and most of those organized into JLSs to close public streets and build checkpoints.[48] One of the main security projects supported by the Guatemala City Municipality is the plan Vecino Vigilante (Vigilante Neighbor) which consists in a list of citizen security recommendations, such as making list of neighbors, organizing a neighborhood commission, creating alert systems between neighbors, surveillance of service personnel in the house or office, among others.[49] Through more than 200 security measures the document insists in the importance of surveillance of the "other" and the enclosure of the public space.

44 Interview with Priscila de Narciso, Auxiliary Mayor of District 9 of the metropolitan area, Guatemala City, March 18,, 2009
45 Interview with Rubén Darío Martinez, Auxiliary Mayor of District 1 of the metropolitan area, Guatemala City, March 23, 2009.
46 Interview with security system director the Guatemalan Hotel Security Council. Guatemala, February 24, 2009.
47 "Vecinos contra la violencia", *Prensa Libre*, Guatemala October 22, 2010 (Retrieved January 10, 2011).
48 "Capitalinos se unen contra la delincuencia", *Prensa Libre*, Guatemala June 28, 2005 (Retrieved August 13, 2008).
49 Plan Vecino Vigilante, Seguridad Ciudadana 2000-2004, Municipalidad de Guatemala, Ciudad de Guatemala.

The CUBs are more than community policing. They represent the urban rejection to civil institutions and the army reinforcement in public security. This military presence in public security has more explanatory factors (Dammert and Bailey 2005). In the case of Guatemala the request for militaries made by the CUBs is only one dimension of the problem. In fact, militaries never left public security in Guatemala which explains to some extent the blocked process of capacity building of democratic security institutions.

6. The Reproductive Cycle

It is possible to observe the different reactions JLSs have generated in the communities and neighborhoods. Based on empirical data and as an exercise of sequencing the reproductive cycle of social control it is possible to distinguish the following sequence: First, prevailed a sense of distrust because JLSs remembered the recent PACs; second, the functional benefit of the self-defense started to generate acceptance; third, JLSs proliferated; fourth, they implemented violent actions such as lynching, vigilantism and different aggressions; fifth, they deepened public institutional distrust and sixth, the empowerment of JLSs as a repressive and uncontrolled organization generating fear in the population. Although this is a heuristic resource it is important to mention that the stages are not independent, this paper pursues to summarize through empirical examples, its interplay of processes and its wide range of effects.

In Quiché, the department with more Human Rights violations during the internal conflict, the reaction the JLSs produced in 2000 was negative because the population was reminded of the Patrullas de Autodefensa Civil (PAC) created by the army and the police to control communities. Different groups in this department denounced that the JLSs used firearms, committed abuse, and acted as judges. The population that integrated JLSs argued that they had the support of the community to prosecute criminals and apply customary punishments.[50] Five years latter, in 2005 it was reported that the population organized in JLSs implemented patrols and controls in the communities.[51] In the same year communities of Baja Verapáz, Quiché and Totonicapán denounced that through the JLS a system of patrolling was being implemented to fight against crime produced by youth gangs, problems in the families and the lack of actions by the PNC.[52]

50 "Comités de seguridad crean temor entre indígenas", *Prensa Libre*, Guatemala May 16, 2000(Retrieved February 25, 2011); "Juntas de seguridad en Quiché", *Prensa Libre*, Guatemala May 29, 2000 (Retrieved February 25, 2011).
51 "Pobladores patrullarán", *Prensa Libre*, Guatemala May 4, 2005 (Retrieved July 8, 2008).
52 Interview with intelligence analyst of the State Intelligence Agency, Guatemala March 5, 2009.

The JLSs were rapidly incorporated into the community social control dynamics because of its ambiguous definition and functions and because JLSs were organized based on the existing communal organizations. At the same time, the concept of community participation created a mechanism of impunity through the violent collective action for instance, to avoid investigations of crimes committed during the internal war. This is the case of the Pocohil community in the department of El Quiché in which the Auxiliary Mayor who created the security commission was also the former chief of the PAC and the current pastor of the church. In May 2009 there was an exhumation conducted to find victims of the internal conflict. The population was alerted through traditional security mechanisms that foreign persons accused of being "guerrilleros" were threatening the Auxiliary Mayor. The population directed by the Auxiliary Mayor punished the people that provided support to the exhumation threatening them to be lynched.[53]

In 2006 different communities of Chimaltenango and Sacatepéquez argued that the JLS together with communitarian leaders and the evangelical pastor patrolled the community and charged for each time they patrolled. When a suspect was detected they activated their security mechanisms, such as ringing the bells of the church in order to alert the community and catch the suspected criminal. After a popular trial, the suspect can be sentenced to dead through lynching. The community justifies the lynching based on the distortion of the social order produced by bad attitudes of the youth and the corrupted police.[54] One of the punishments implemented by the JLS was the deterrence of suspected criminals and their families.[55]

In 2007 was reported the existence of a JLS created by former PACs and Military Commissioners in the village Los Cimientos in the department of El Quiché. The leaders were active since 1982, and they renamed themselves as "communitarian leaders", they were heavily armed, never changed their former activities and structures, and never stopped killing suspects and intimidating the community. They took control of the Communal Development Council and forced the population to make patrols and pay for the protection service. The people who were unable to pay were forced to work on the properties of the communitarian leaders. The violent activities of the Civil Patrol's former members forced more than 50

53 El Acompañante No1. January 2010, Unidad de Protección a Defensores de Derechos Humanos de Guatemala– UDEFEGUA-.
54 "A los pueblos regresa la calma", *Prensa Libre*, Guatemala, May 6, 2006 (Retrieved August 13, 2009).
55 "Amenazan con desterrar a presuntos delincuentes", *Prensa Libre*, Guatemala, September 27, 2006 (Retrieved August 13, 2009).

families to leave the community and prevented the investigations made by the police and prosecutor office to find weapons.[56]

Violent actions against suspected youth gangs were implemented in San Juan Sacatepéquez (only 40km from Guatemala City) by the JLSs. After the lynching of two gang members in 2007 the population hardened the patrols and controls, as well as the accountability over the PNC. They forced youth whether to accept the rules of the community, leave, or take the risk to be lynched. They planed to uniform the youth and impose forced work on the streets. One of the measures imposed by the JLS was a curfew beginning daily at seven p.m. (Escobar: 2008). After the imposition of the curfew there were five lynching in the municipality and other person was killed for violating the imposed curfew.[57] The violent situation obligated the President of the Republic to declare a state of exception in the region in order to recover the control.[58]

The first JLS in Sololá was reported in 2000, when different communities protested against abuses committed by ex PAC and former militaries integrating the new security organization. In 2008 the population together with communitarian leaders announced the hardening of patrols and the publication of lists with new control regulations.[59] A few days later, members of the security commission blew whistles to alert the community in order to catch two suspected criminals. There was a "communal judge" directed by the security committees and the sentence was for the suspected criminals to be burnt alive. One of them was rescued by the PNC and the other was killed.[60]

Santiago Atitlán in Sololá was one of the municipalities strongly affected by violence during the internal conflict. There were PACs as well as Military Commissioners and a strong presence of military units. In 1990 military forces on this population committed one of the cruelest massacres of the country. Afterwards, a security and development committee that required expelling military personnel from the community was created. The security committee worked as a community policing organization making patrols and protecting the church and other communal institutions (Murga 1997). The postwar transformations required the state to recover presence on communities affected during the war. Thus, traditional organizations were confronted with formal institutions, especially the police and judges. The new democratic institutions were enabled to reconcile the differences between traditional and

56 "Huyen de las exPAC" *Prensa Libre*, Guatemala, May 21st, 2007 (Retrieved July 8, 2008).
57 "Linchan a cinco en dos meses", *Prensa Libre*, Guatemala, November 7 2007 (Retrieved August 13, 2009); "Muere por violar toque de queda", *Prensa Libre*, Guatemala, December 12, 2007 (Retrieved February 28, 2011).
58 "Colom pide que se retome el control en San Juan Sacatepéquez", *El Periódico*, Guatemala February 14, 2008 (Retrieved February 14, 2008).
59 "Vecinos se unen contra la violencia", *Prensa Libre*, Guatemala May 13, 2008 (Retrieved August 13, 2009)
60 "Queman a presuntos ladrones en Sololá", *Prensa Libre*, Guatemala, May 16, 2008 (Retrieved May 20 2008).

formal security and justice systems as well as to meet communal demands. The result was the existence of two parallel systems of policing. More than ten years later, the situation seems to have worsened. Since 2006 there were more than 20 people killed by social cleansing groups that previously published the names of the victims. The people killed were previously accused of involvement in corruption, drug trafficking, infidelity to the partner and violation or even witchcraft. The members of those groups were dressed with military uniforms and armed with military weapons.[61] In 2009 the municipality called the community to take part of the surveillance neighborhood which was formalized by state institutions. At the same time, the security commission required justice institutions and the police to start catching criminals. The security commission announced also that they would prevent for the criminals to have the support of lawyers and any judicial defense. After all these measures the population declared public support to the neighborhood rounds and were considered positive to the community.[62]

Other example of the role of JLSs as protection of certain established social order against suspected foreign influences is the community of San Pedro La Laguna in Sololá. This community was characterized by its strong social organization before and during the internal armed conflict. In the postwar, it became an attractive tourist destination; there were hotels and restaurants founded by foreign who decided to live in the country. The community became known as "the little Amsterdam". The differences between the commercial activities of foreign and locals were rapidly visible. Parallel, the extension of drugs consume to local youth who participated in parties and activities organized by foreigners increased concerns in local leaders. The strong leadership of an evangelical Mayor led to the organization of surveillance patrols and the Ministry of Interior authorized them. The JLS started the persecution of drug consumers, alcohol drinkers, noisy people and other "criminals". The JLS and justice authorities started drug raids in hotels owned by foreigners where they found drugs and a clandestine drug production laboratory. An alcohol ban was imposed beginning daily at 11pm and there were raids implemented to find illegal tourists. Among the consequences, more than 50 tourists were captured and many local youth ended up identifying with the occidental way of life.[63]

Other example is the department of Escuintla which has currently high crime rates and presence of drug trafficking (PNUD 2007). In 2006 in the municipality of Palín, a JLS was created and two years later some of the members became social cleansing groups named

61 "Limpieza social en Santiago Atitlán", *El Periódico*, Guatemala, September 24, 2007 (Retrieved January 15, 2011).
62 "Vecinos patrullarán las calles", *Prensa Libre*, Guatemala, October 16, 2008 (Retrieved October 17, 2008); "Vecinos de Santiago Atitlán exigent justicia", *Prensa Libre*, Guatemala, March 27, 2009 (Retrieved February 28, 2011); "Rondas ciudadanas reducen crímenes" *Prensa Libre*, Guatemala, June 10, 2009 (Retrieved July 10, 2009).
63 "En la pequeña Amsterdam", *El Periódico*, Guatemala, August 22, 2010 (Retrieved January 10, 2011.

"Comando de la Muerte" (Death Command) and "Ejército Secreto de Ejecución (Secret Execution Army). These groups published the names of the suspects and then they were killed. At the beginning, people of the community thought these actions to be positive, but later the actions of those groups were directed to make extortions and threats in exchange of their protection service. They had the control of some roads and it is possible that their actions were related to drug trafficking.[64] The situation continued in 2009 and it was concluded by the Human Rights Office that the JLSs in the region were totally out of control.[65]

Another example of the reproductive process is San Juan Cotzal in Quiché. This is one of the three communities of the so-called "triángulo Ixil" (Ixil Triangle) that was a strongly affected area during the internal armed conflict. The strong legacy of the PACs organization created by insurgent groups marked the organizative structure of local authorities in the region. After the Peace Agreements there was a strong presence of state institutions and international organizations to reconstruct social networks and to strengthen peace processes. The municipality is characterized by its high poverty rates and in 2001 there were different complaints of corruption in the municipality.[66] The first organized actions were informed in 2003 when the population whacked a suspected criminal. In 2005 it was denounced that the JLSs patrolled the community with firearms and threatened youth, it also informed that young people with long hair, tattoos or other suspects with criminal appearance were going to be captured.[67] In 2008 took place the formalization of existing social control groups under the model of JLSs in San Juan Cotzal and other communities in Quiché. The Municipality provided them with firearms and support to continue patrolling. It was determined that the main security problem of the community was youth gangs. That year, the Municipality and communal leaders accused 20 youth to be part of criminal gangs they were captured and judged. The sentence was to apply Maya punishment consisting on doing forced works in the municipality and assisting in the church. The sentence was based on supposed criminal actions characteristic of youth, such as alcohol drinking, dressing occidental style or being part of gangs.[68] In April 2009 there were claims of abuse committed by patrollers having firearms. For this reason an investigation was initiated by the PNC over the activities of these

64 "A los pobladores de Palín les salió el tiro por la culata", *El Periódico*, Guatemala, November 14, 2008 (Retrieved November 14, 2008).
65 "Juntas de seguridad actúan al margen de la ley", *Prensa Libre*, Guatemala August 11, 2009 (Retrieved February 28, 2011).
66 "Intimidan a contralores in Occidente", *Prensa Libre*, Guatemala, September 20, 2001 (Retrieved March 5, 2011).
67 "Municipios sin Protección", *Prensa Libre*, Guatemala, September 7, 2005 (Retrieved February 25, 2011).
68 "Imponen trabajos forzados a mareros" *Prensa Libre*, Guatemala, December 12, 2008 (Retrieved February 28, 2011); "Justicia Indígena; crimen y castigo", *Prensa Libre*, Guatemala, January 4, 2009 (Retrieved February 28, 2011).

JLSs.[69] In November 2009 a young man was captured by the JLS accused of being "roquero" (rocker). He was whacked and imprisoned in the Municipality. His father was a police agent in a neighborhood community and tried to release his son. The JLS captured his father too and whacked him in the park. The community was called to the park and after an alleged Mayan trial was conducted to the scene the police officer was sentenced to be burned. A human rights defender tried to avoid the lynching but he was whacked as well by the JLS. The police implemented an investigation of the facts and the Auxiliary Mayor was accused of responsible of the death of the police officer; he remains fugitive.[70]

As it was mentioned above, one of the effects of the reproductive cycle that the organization of JLSs generates is the reintroduction of the Army in public security. Because the request for militaries comes from the population and other actors (including the USA and the state) it is created a transformation of the military image from perpetrators of Human Rights violations to the only solution to the problem of criminality. However the PAC and Military Commissioners were organized by the army and they became the organizational basis of the JLSs, after more than fifteen years of reproducing social control mechanisms in the postwar society those structures became a legitimation mechanism of the postwar role of the army. In the same way as the CUBs in the metropolitan area of Guatemala City promotes the hiring of Private Security Companies and the participation of militaries in public security, in those areas where it is not possible to hire a PSC the remaining option is to demand the presence of militaries. However, the militaries have legal restrictions to implement security operatives and captures, the acceptance of the militaries lies on its image of a disciplinary and incorruptible institution.

In 2005 the JLSs of El Petén requested the installation of a military base because they considered that the police was no longer able to protect the area from drug trafficking and other criminal activities.[71] The same situation occurred in both marginalized areas and also high economic level areas of Guatemala City where the JLSs requested permanent presence of militaries to protect the neighborhood.[72] In 2008 JLSs, Auxiliary Mayors and Community Councils presented at the Ministry of Defense more than 45 requests of military patrols in different departments and in Guatemala City.[73] In May 2010 the JLSs requested military

69 "Investigan a patrulleros ciudadanos por denuncias de agresiones", *Prensa Libre*, Guatemala, April 28, 2009 (Retrieved February 28, 2011).
70 El Acompañante No 2. July 2010, Unidad de Protección a Defensores de Derechos Humanos de Guatemala– UDEFEGUA-
71 "Frente contra la violencia", *Prensa Libre*, Guatemala, September 1st 2005 (Retrieved February 2, 2011).
72 "Vecinos se cuidan por su cuenta", *Prensa Libre*, Guatemala, August 20, 2006 (Retrieved February 2, 2011); "Vecinos de Muxbal con seguridad de soldados", *El Periódico*, Guatemala, October, 26, 2008 (Retrieved October 27, 2008).
73 "Más de 45 solicitudes piden seguridad al Ejército", *El Periódico*, Guatemala, December 12, 2008 (Retrieved December 12, 2008).

personnel to implement joined patrols in Huehuetenango. There were assigned 200 soldiers to patrol the city and its villages.[74]

No matter how the institutional efforts were made to create and then control the community policing organizations in the postwar society, it is still possible to argue that their existence as social control mechanisms comes from past trajectories. One intelligence officer mentioned that JLSs are not a product of the call for organization made by the Police. The JLSs were produced by their own structure, community and neighborhood history, especially in those areas with strong violence during the internal conflict.[75] That explains why regions with low crime rates present high communal organization for security and even violent actions such as lynching. The risk of organizing JLSs where there exists no necessity is to create an opportunity to reactivate previous authoritarian structures. The homogeneous design of JLSs does not take into account the cultural traditions and historical conflicts of each community because it is an organization that is created by the central administration of the security institutions.[76]

The existence of violence, organized crime, youth gangs, drugs and human trafficking, among others, generates a perception of insecurity that leads the civil population to justify its organization as a response to the absence of state security institutions. However, it cannot be a general explanation about the causes of this proliferation. Usually, the population organizes itself before having contact with state institutions or high crime rates. As it was mentioned before, the proliferation of such organizations produces negative effects on the rule of law reduces confidence in the judicial system and "private justice" is applied, normally, in the form of lynching or social cleansing. Nevertheless, the positive or negative actions of the JLSs depend largely on the historical organizational culture of the region.

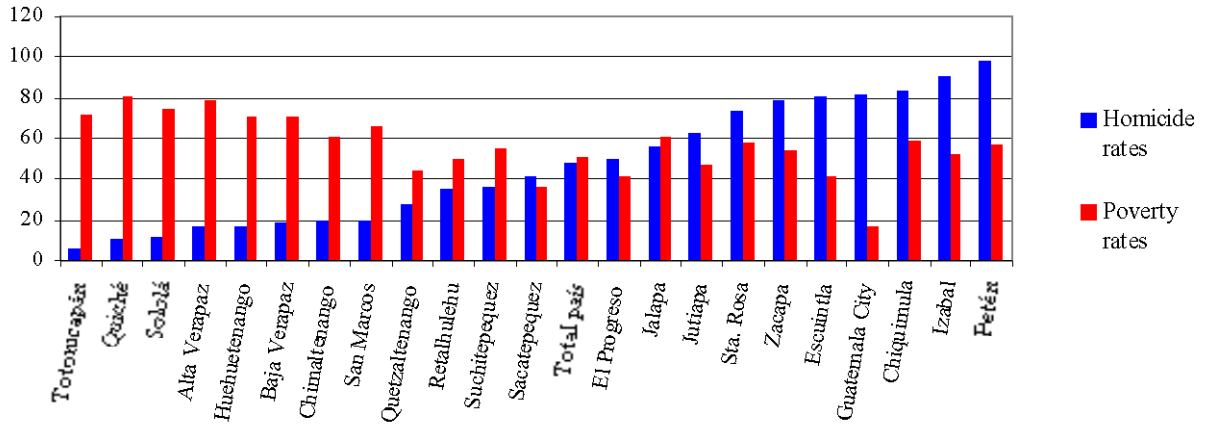
7. Crime rates, state density and Community Policing organizations

As mentioned before the proliferation of security neighborhoods committees whether created by the state or by the community is commonly associated with the increase in crime and the weakness of public institutions. Simultaneously, it is also argued that crime rates in poor regions lead to collective violence in the form of private justice through communal organization. Empirical data shows that in the case of Guatemala, the continuity of control mechanisms is a stronger explanation for the proliferation of such security organizations.

74 "Policía y Ejército redoblan vigilancia", *Prensa Libre*, Guatemala, May 11, 2010 (Retrieved February 28, 2011).
75 Interview with intelligence analyst of the State Intelligence Agency, Guatemala March 5, 2009.
76 Interview with an officer of the State Intelligence Office, Guatemala March 5, 2009.

However, the analysis of homicide rates and JLSs shows two important aspects. First, the low homicide rates in indigenous communities and second, the lack of a clear correlation between poverty rates and homicide rates. Figure 2 shows the distribution of homicide and poverty rates per department. The more the poverty rate grows, the lower the homicide rate is, especially in those areas ranging from 76 to 100% of indigenous population (Totonicapán, Quiché, Sololá, Alta Verapáz, Huehuetenango, Chimaltenango, San Marcos) (PNUD 2007). There are also departments with high poverty rates, low indigenous population and high homicide rates (Jalapa, Santa Rosa and Chiquimula). The extreme case is the metropolitan area of Guatemala City, with lower poverty rates and high homicide rates. While Guatemala City is the only department in the country located between 0.828 and 0.660 according to the Human Development Index, Alta Verapáz and Quiché are located between 0.516 and 0.306 and Totonicapán and Huehuetenango are located between 0.571 and 0.517.[77] The extreme social inequality produces a serious situation of social tension.[78] One implication of this situation is the high level of perception of insecurity. Insecurity is the principal social problem identified in Guatemala City and it is not related with the real situation of criminality.[79] Numerous studies have attempted to explain that the perception of insecurity and the reactions that it provokes are based on different social discourses that are related with political and social phenomena not directly linked with the causes of violence (Huhn, Oetler and Peetz 2006a and 2006b).

Figure No. 2: Homicide and Poverty Rates in Guatemala 2008

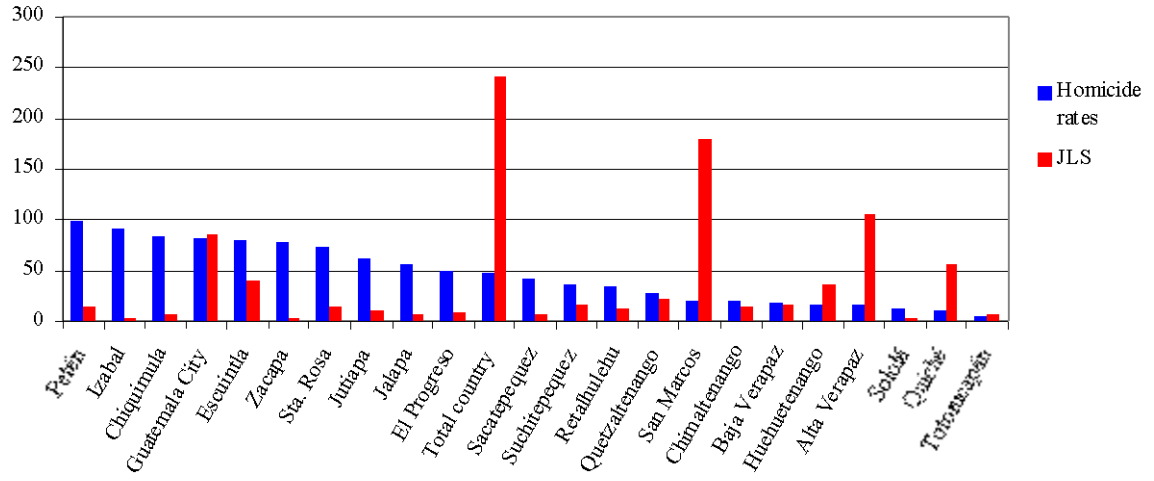


Source: Own elaboration with data from National Civil Police of Guatemala (2008), and ENCOVI (2008)

77 http://www.undp.org.gt/frmMapa.aspx
78 According to UNDP, Guatemala is one of the most unequal countries in Latin America. Informe Estadístico de la Violencia en Guatemala, UNDP, 2007, p. 10
79 Informe Estadístico de la Violencia en Guatemala, UNDP, 2007

Figure 3 shows that there is no reliability relation between homicide rate and registered JLSs. There are departments with high homicide rates and a majority of non-indigenous population that report only few JLSs (Petén, Izabal and Chiquimula). On the contrary, departments like San Marcos, Alta Verapáz and Quiché present low homicide rates, mostly indigenous population and high number of JLSs. The rest of departments with majority of indigenous population and high poverty rates (Totonicapán, Sololá, Huehuetenango, Baja Verapáz and Chimaltenango) show a regular number of JLSs.

Figure No. 3 Homicide Rates and JLSs in Guatemala 2008



Source: Annual Report 2008, Community Relations Division, National Civil Police.

Guatemala shows a decreasing trend from 45.5% (2004) to 40% (2010) in relation to insecurity perception (Azpurú 2010: 76). However, this data contrasts with the increasing crime. Taking only the concentration of victims of the metropolitan area of Guatemala City (40.7%) the country could be placed on the top of the list of more victimized countries in Latin America, while as a whole the country is located in a lower place. Whereas 30.3% of the people in urban areas were victimized, in the rural areas were only the 17%. The victims reported that 59.2% of the incidents occurred in residential areas, in both rural and urban territories (Azpurú 2010: 81). In 2009 58.21% of the victims of criminal acts were located in non indigenous municipalities while 15.78% were located in indigenous municipalities (PNUD 2010a: 25). The victimization for criminal acts shows that crime in Guatemala is mainly an urban phenomenon that occurs in the own living area, while the perception of insecurity impacts the whole country.

Table No. 1 shows that there is no specific trend related to those departments with mostly indigenous population and non homicide crime rates (such as assault, robbery and domestic violence). The National Human Development Report (INDH) uses data provided by accusations made by the population to the PNC (PNUD 2010a). However, there are intervening factors such as language, access to police stations, institutional trust, and literacy, among others that change the citizen intention to denounce criminal acts. In comparison with the number of robberies and assaults in Guatemala City (8,274) the departments with mostly indigenous population do not present high intensity of these crimes. Sololá and Totonicapán in fact present the lower quantity of these crimes. The same situation is seen in data of injured people, with number of 54 in Sololá and 39 in Totonicapán while the higher numbers are located in Guatemala City and Chiquimula with 3,511 and 385, respectively. On the contrary, two departments with higher levels of indigenous population present the higher numbers of denounced domestic violence, San Marcos and Huehuetenango with 230 and 203 cases. Domestic violence is even more difficult to estimate because it is a violent action that is hardly denounced due cultural and social constraints (PNUD 2007).

While criminal rates have low relation with the ethnic composition of the populations, the same situation seems to be present to the existence of JLSs. The higher numbers of JLSs are located in San Marcos where the number of robberies and assaults is lower in comparison with Guatemala City and Escuintla which present, on the contrary, a low number of JLSs. Another case is Totonicapán where the number of robberies, assaults, injured and domestic violence cases are the lowest of the country, but the number of JLSs is significantly high (134 JLSs). It is possible to conclude from this description that crime rates and the composition of the population do not show a clear relation with the existence of community policing organizations.

The presence or absence of state institutions is used as an explicative argument about the proliferation of community policing organizations. It supposes that policing organizations are the result of the institutional weakness. The INDH includes an index of state density that examines the territorial action and distribution of the state based on three dimensions namely physical presence, bureaucracy (number of public employees) and financial resources. It measures how state institutions, bureaucracy and financial resources are distributed across the national territory (PNUD 2010b: 122). The data was collected from the period 2008 to 2010. This is a quantitative description that do not reflects the quality of public services.

The index measures the state density in a range from 0 to 1 in which 1 represents high relative density and 0 represents low relative density (PNUD 2010b). The value of each

department is the average of all its municipalities. Inside each department the differences between the main city and municipalities could be important. For this reason it is presented as well as the higher value of the main city and the municipality's lower value. The use of an index of state density allows to observe those areas where the state is concentrated and those where there are serious deficiencies of public institution's coverage. The INDH observes that the main cities of each department have a high average density and from these, Guatemala City has the highest state density. This high states centralization supposes that a large part of the national territory has to find alternatives to supply core state functions such as health, education and security. There is no sufficient information to explore at a national level the different strategies the population implement to supply the lack of state services.

Table No. 1 shows that state institutions, services and resources are concentrated in the main cities of each department. The five departments with higher levels of indigenous population are ranked at the national average or sometimes a few points higher. Only San Marcos and Huehuetenango are ranked under the national average however their main cities are highly ranked. Observing the relation between crime numbers (robberies, assaults, injuries and domestic violence) and state density it is possible to argue that there is no observable link between them. Guatemala City with the highest average of state density presents the highest number of the mentioned crimes. The departments with a departmental average only one point under the national average are located in the average of such crimes. A remarkable difference can be observed in the situation of Totonicapán, ranked two points above the national average of the index, but with a very low number of denounced crimes.

The question arises, whether these data composed by crime rates and an index of state density contributes to explain the proliferation of JLSs. Table 1 describes also that those departments with high average of state density do not present a high number of JLSs. The first case is Guatemala City with only 12 registered JLSs. Guatemala City is characterized by high levels of citizen distrust over public institutions which have an impact on low number of registered JLSs. There are other alternatives in urban areas to implement protection measures without relaying on community organizations, for example commercial private security. Other case of high state density is Zacapa which is ranked eight points over the national average, but presents only 31 reported JLSs. The contextual characteristics of this department can better explain this situation. Zacapa is an eastern department with mostly nonindigenous populations, high homicide rates, low robbery and assault numbers. In the last two decades there has been a proliferation of local drugs cartels and the existence of a large number of people linked to security structures of the organized crime. Traditionally, this department

supplied state security forces at the directing and commanding levels as well as intelligence structures and local authorities have traditionally accepted the use of firearms. In this context, communal organizations do not take part of the local and historical culture.

On the other side is San Marcos that has reported 272 JLSs and is ranked one point under the national average of state density. The other sources presented in this paper show the existence of a large number of JLSs as the ones presented by the police. San Marcos has mostly indigenous population and low crime rates (between 0.00 and 2.00 homicides per 10 thousand inhabitants) except in two border municipalities. Neither crime rates nor state density explain the proliferation of JLSs in this border department. The contextual aspects of the department show a strong tradition of communal organization and the legacy of a strong activity of organizational structures created during the internal armed conflict.

Table No. 1: Crime rates, JLSs and State Density Index in Guatemala

Department	Robbery and Assault	Injured	Domestic Violence	JLSs 2010	State Density Index			
					Average	Highest Value	Lowest Value	
Guatemala	8,274	3511	226	12	0.37	0.75	0.14	(San Miguel Petapa)
Escuintla	1305	280	130	80	0.26	0.23	0.17	(Palín)
Sacatepequez	702	170	72	11	0.23	0.57	0.14	(Sn. Bartolome Milpas Altas)
Quetzaltenango	672	228	136	132	0.26	0.52	0.14	(Almolonga)
Chimaltenango	512	170	91	44	0.22	0.36	0.13	(Parramos)
Suchitepéquez	436	183	144	25	0.23	0.44	0.11	(Sn. Juan Bautista)
Huehuetenango	428	143	203	19	0.21	0.45	0.15	(Sn. Juan Atitán)
San Marcos	281	161	230	272	0.21	0.56	0.12	(Ocós)
Petén	269	233	73	28	0.25	0.49	0.20	(Sn. Andrés)
Izabal	223	219	33	15	0.28	0.49	0.21	(Livingston)
Alta Verapáz	215	249	96	41	0.24	0.43	0.17	(Sn. Juan Chamelco)
Retalhuleu	198	110	57	10	0.29	0.45	0.17	(San Sebastian)
Zacapa	196	184	36	31	0.30	0.48	0.19	(La Unión)
Chiquimula	176	385	47	15	0.29	0.48	0.21	(Esquipulas)
Jutiapa	172	130	55	13	0.29	0.43	0.19	(Sn. José Acatempa)
Quiché	167	139	101	29	0.22	0.42	0.16	(Sto. Tomás Chichicastenango)
Santa Rosa	161	142	33	10	0.24	0.57	0.17	(Barberena)
El Progreso	123	53	35	63	0.27	0.55	0.21	(Sanarate)
Jalapa	83	163	49	30	0.30	0.41	0.18	(Sn. Pedro Pinula)
Baja Verapáz	77	55	35	17	0.27	0.46	0.20	(Cubulco)
Sololá	71	54	92	12	0.25	0.41	0.15	(Sta. Catarina Palopó)
Totonicapán	61	39	76	134	0.22	0.35	0.17	(Santa Lucía la Reforma)
Total Country	**14,802**	**6,938**	**2,050**	**1,043**	**0.22**	**0.47**	**0,17**	

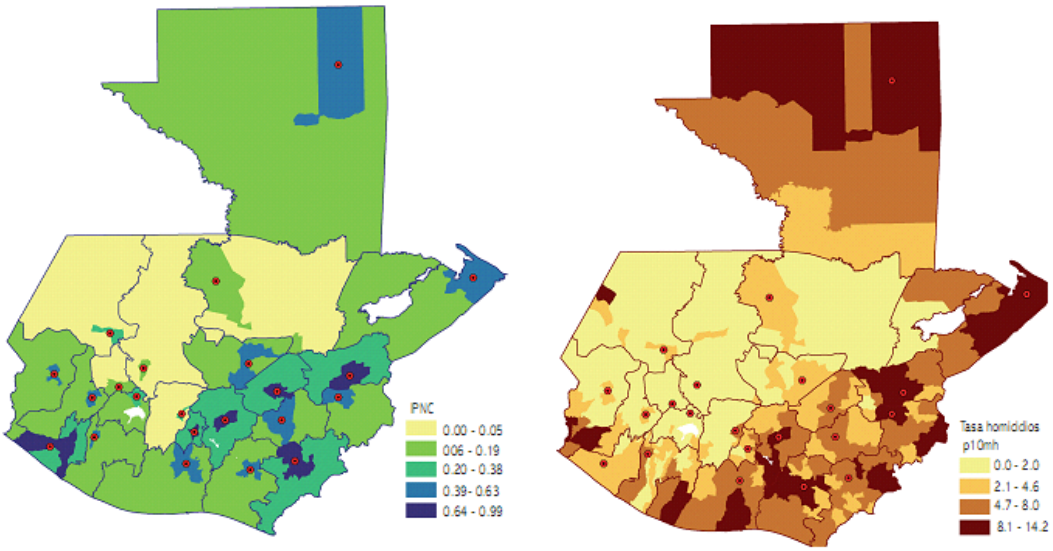
Source: Human Development National Report 2009-2010, PNUD, Guatemala, 2010; Informe de avances, Sección de Intervención en Relaciones Comunitarias, PNC Guatemala, 2010. Departments in gray have mostly indigenous population.

When the index of state density is related to the state public security presence in the country it measures the number of police agents and police stations (PNUD 2010b: 140). The

five observed departments with higher indigenous population (Alta Verapáz, Huehuetenango, San Marcos, Chimaltenango and Totonicapán) are ranked in the lowest level of the index between 0.00 and 0.05. On the other side are Guatemala City and other eastern cities in the country that were ranked between 0.64 and 0.99. From a state centered perspective it is argued that more police presence could mean more security conditions. However, as it was mentioned before, low state density does not mean higher criminal rates. On the contrary, it is possible to observe that those areas with low state density (between 0.00 and 0.05) present low crime rates as well. Guatemala City shows again that even though it has the highest state density related to security institutions it also has the highest crime rates. Other departments such as Escuintla, Izabal and Petén that show a relative low state density (between 0.06 and 0.19) have high homicide rates. There is some border municipalities with high homicide rates located in departments with low state density (San Antonio Huista and La Democracia in the department of Huehuetenango). The case of the department of El Petén shows that homicide rates increase in relation to the distance of the Mexican border. Border municipalities are regions of high commercial activity and drug trafficking as well as the departments located in the drug routes to the north. This is also the case of Escuintla and Izabal where two of the main ports are located. The police coverage in the country is not a strong indicator of the presence of JLSs because despite of it, there is no standard rule about the adequate number of police officers in a country. The police coverage in Guatemala is low in comparison to the population.[80] In 2006 there were 20,999 police officers in Guatemala, 1.56 police officers for 100,000 inhabitants which is equivalent to 0.19 police officers for every 2 Kms.[81] Most of them are concentrated in the metropolitan area of Guatemala City where there is a high number of JLSs and high homicide rates.

80 Informe de Desarrollo Humano para America Central 2009-2010, UNDP
81 Data provided by the National Civil Police of Guatemala. This data this data do not distinguish those agents dedicated to administrative work. Data available in www.encovi.com

State Density Index **Homicide Rates per 10thousand Inhabitants**



Source: National Human Development Report 2009-2010, PNUD, Guatemala 2010.

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As analyzed before, the fact that the main state density levels are located in the main cities of each department match with focalization of crime in urban areas. Rural areas, most of them with high percentages of indigenous population, high poverty rates, as well as low levels of state density are less victimized by crime. Therefore, the focalization of crime and state presence in urban areas does not explain why community policing organizations are present and active in the whole country and why the range of its activities varies in each context.

8. The historical explanation of JLSs proliferation

For some Central American countries, including Guatemala, Holden argues that the process of state making requires the state to absorb the protective function of the caudillos of the XIX century and the limits of the official violence were amplified in order to protect elite and political interests (1996: 441). The author also argues that this process was not a pure division between state and subaltern actors. On the contrary, bargaining between them was a common practice that reinforced the continuity of violence and collaboration as mechanisms of state power relations (Holden 1996: 441). Finally, the author stresses that "The militaries never acted independently of other, non military agents of the state, and none of those agents has ever acted independently of civil society" (Holden 1996: 452). The basis of this argumentation is that the use of violence in politics is not necessarily concentrated in the

actions of one particular institution (militaries or police) but in the social relations reproduced by the state institutional framework (Holden 1996: 452). Private policing is a field where different social and political processes interplay, from state sponsored community organizations to traditional and historical forms of self-defense.

As it has been argued, the historic continuity of security collaboration mechanisms – (formal and informal) promoted by the State vary with regard to its structures and forms of organization. Nevertheless, they reinforce the tendency to displace the state security function to the private sphere. This displacement could be in a substitutive or complementary form and it depends on different factors such as the organizational culture of the region and the presence of former members of social control mechanisms, among others.

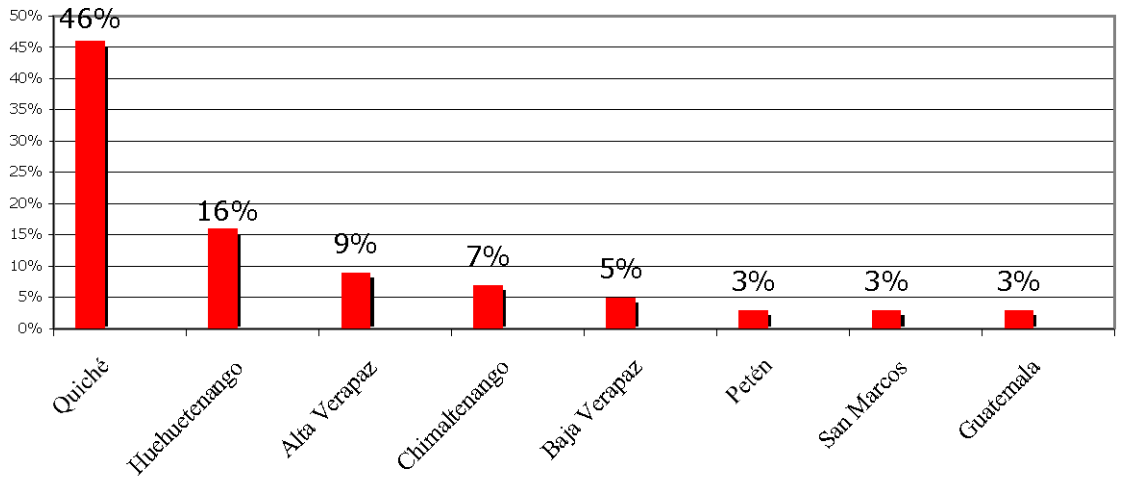
The social control mechanisms created with particular political interests in a particular moment in the past, reinforced the collaboration mechanisms required by the state in order to preserve its political power. The relations between state and citizens have been characterized by the creation of social organizations that can be violent and repressive against those identified as undesirable but that at the same time assumed a protective role to the same populations they control under the justification of the preservation of a particular established social order. The kind of protection or the alleged threat against this protection is offered change according to the political context, from international communism to the internal enemy to postwar crime. After analyzing that the relation of variables such as crime, ethnic background and state presence with JLSs does not explain satisfactorily its proliferation, this paper looks into the link between state violence during the internal conflict, the presence of Patrullas de Autodefensa Civil, Military Commissioners and the existence of community policing organizations.

8.1 State Violence and Community Policing Organizations

The areas with higher indigenous population are the areas where there was more violence during the internal war. These are also the areas where there was a strong tradition of communal organization. Approximately 83.3% of the victims of Human Rights violations during the internal conflict belonged to a Maya ethnic (CEH 1999). Due to the high levels of violence its characteristic and objectives, it is possible to argue that in those areas an ethnocide was committed, which was the combination of massive murder and the destruction of the cultural identity of the enemy (Oettler 2006: 22). Those populations represented a threat for the militaries due to the historical culture of communal resistance and organization and the

possibility that they became the social basis of the insurgency. The counterinsurgency strategy required the implementation and reactivation of stronger social control mechanisms inside the communities. Due to the belief that the indigenous population had a secret and dangerous side (Oettler 2006: 22), the social control mechanisms functioned from inside the community to control inwards the community. In this context the figure of the "alien" whether it meant persons, symbols, activities, institutions, ideologies, among others, became a risk factor to be reduced through the combination of social organization and community policing. During the internal conflict the strongest social control actions of PACs, Military Commissioners and insurgent organizations were located in the northwestern of the country. With the exception of Petén and Guatemala City, five of the eight most frequent departments with Human Rights violations during the internal war were areas with majority of indigenous population and structural poverty.

Figure No. 5: Percentage of Human Rights Violations Guatemala (1962-1996)



Source: Comisión de Esclarecimiento Histórico, Chapter. 2, Vol I, 1999.

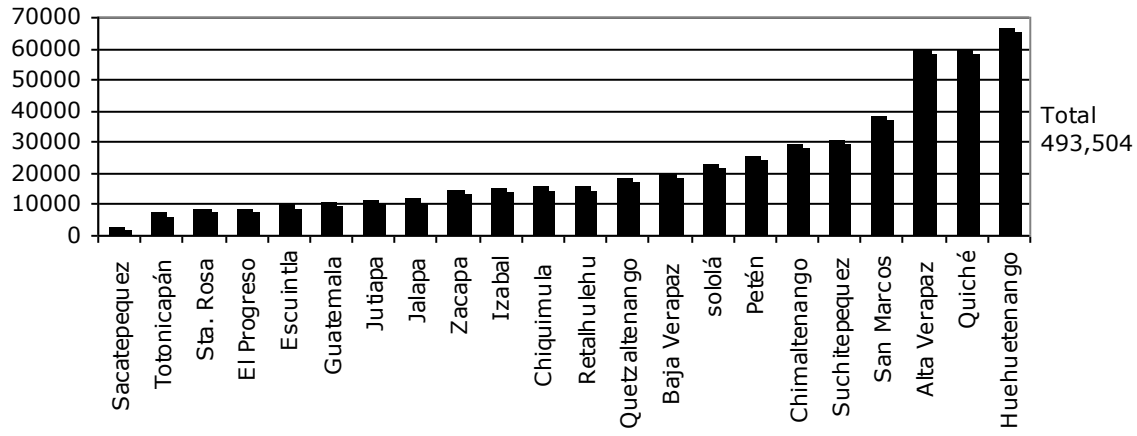
Figure No. 6 shows that 54% of the population organized into a PAC was concentrated in the seven departments with higher indigenous population.[82] It is important to mention that not only PACs where organized in the communities in the context of war. There were also organizations created by the insurgent to gain social support such as the Local Irregular Forces (FIL) and the Clandestine Committees (CCL) in strategic areas of the country. These organizations functioned inside the community as a self-defense organization (Brett 2007: 51). FIL and CCL did not use firearms but in many cases they supported the insurgent

82 This percentage was calculated based on the number of people that in 2005 required payment for its services as PAC Tejada (2004).

military activities (Bret 2007: 52). The main functions of these organizations were the production of information about the army and the defense of the community. The capacity of the insurgent to organize the communities was incomparable with the institutional coverage of the army. Moreover, the counterinsurgent project reinforced community policing through a "civic action" component of the military actions (Ball 1999).

The operations and organization of these social control mechanisms was different in each region. This meant that those mechanisms were adapted to the traditional and cultural forms of organization. The case of Totonicapán is an interesting exception because due to its historical and strong organizational culture, the community refused to participate either with the PACs or with the structures of control by the side of the insurgency. Nowadays there is only a small number of JLSs in the department. Nevertheless it is possible to identify some concentration in particular areas.

Figure No. 6: Number of former PACs who requested compensation (2003-2004)

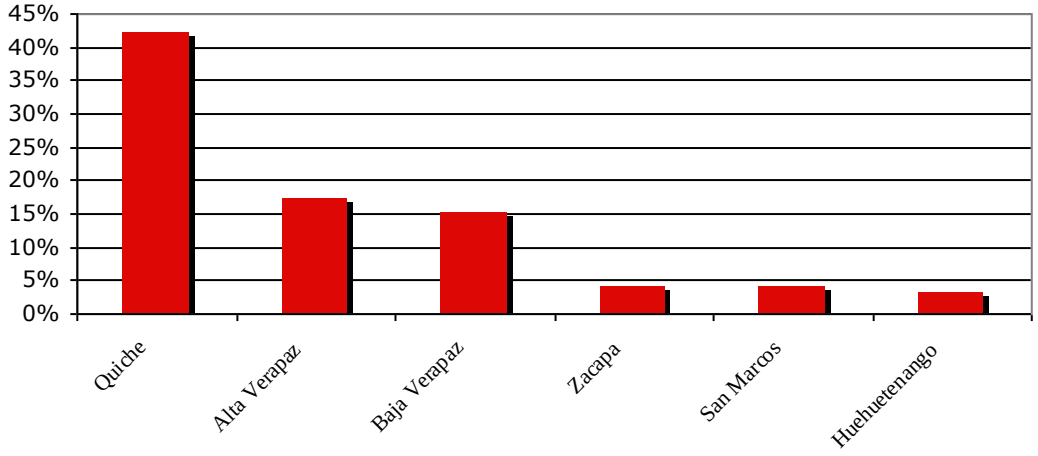


Source: Own elaboration with data from Saenz de Tejada (2004): ¿Víctimas o vencedores? Una aproximación al movimiento de los ex pac, Facultad Latinoamericana de Ciencias Sociales, FLACSO, Guatemala.

Likewise, the percentage of Human Rights violations committed by paramilitary structures like Military Commissioners was especially high in those areas with majority of indigenous population. The Military Commissioners had been activated due to different reasons in different moments in Guatemalan history. During the internal war, they were responsible of organizing PACs and controlling the activities of the community. They were considered responsible for the security of the community against threats such as insurgent groups or criminals. They were "the eyes and ears" of the army (Schirmer 2001). With the

exception of Zapaca, the remaining departments match with the departments with high rate of Human Rights violations and presence of PACs and are nowadays departments with high number of JLSs.

Figure No. 7: Percentage of Human Rights violations committed by Military Commissioners (1962-1996)



Source: Comisión de Esclarecimiento Histórico, Chapter 2, Vol I, 1999.

The explanatory factors of criminality in the postwar seem to be different to those factors that explain private policing proliferation. In other words the relation between crime and community organization seems to be weak. What appears to be strong is the social organization for self-defense, both in the context of the internal conflict but also during the rising of postwar crime. Noncommercial private security reinforces historical mechanisms of self-defense against new real or potential threats. Nowadays, the high perception of insecurity and the existence of historical citizen security mechanisms without state control lead to private responses that, in the case of JLSs, can result in violent and authoritarian practices.

9. Final Remarks

After analyzing the origin and institutional transformation of the postwar community policing organization, it is possible to underline the following aspects. First, the creation of the JLSs occurred in a context in which the former social control mechanisms created during the war were only formally dissolved, but remained functionally active. In fact, they became part of the formal and informal local institutions. This situation opened easily the risk to transfer the operations of those social control structures into the new postwar organization. Second, the new police institution founded with the creation of JLSs the possibility to delegate its security functions on to the neighborhood organizations. This occurred on the one hand because of the lack of agents, scarce training, and other institutional weaknesses and, on the other hand, due to the persistence of criminal organizations in the police and the failure of a postwar police reform. At the same time the creation of multiple and competitive institutional levels generated gradually the separation of the community policing organizations and the public security institutions. Community policing organizations became autonomous and out of state control. Parallel to this, the creation of JLSs reinforced the role of the army in public security matters as well as Private Security Companies in urban areas. In the first stage it happened because the JLSs reproduced the self-defense sense which was created largely by the militaries during the internal armed conflict, but in the second stage occurred because the JLSs founded in the army a substitute of the police. The army offers "iron fist" and an image of discipline and incorruptibility contrary to the police. This reinforced the social function of militaries in public security as well as violent and vigilante community actions, like lynching and public punishment implemented also during the war and legitimated by the army.

Crime rates such as homicide rates, robbery and assault rates as well as demographic and territorial state institutional presence do not explain satisfactorily community policing organization. In this context a historical explanation about the continuity and change of social control mechanisms seems to be more appropriate. Self-reproducing sequences, such as the explained in this paper, increase the difficulty to change its perverse trajectories.

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