

## Contents

Foreword, by Yves Dezalay.....	i
Preface and Acknowledgements .....	1
1. Introduction .....	3
1.1 The Research Question .....	3
1.2 The Usage of Special Terminology.....	3
1.3 Epistemological Considerations and Outlines of Main Concepts.....	4
1.4 Methodology: The usage of empirical data and the methods for collection.....	9
2. Introduction to the Historical Roots of Exclusions of Mayans.....	13
2.1 Conquest and Colonisation of Guatemala .....	14
2.2 Independence, Unionification Movements and the Nation-state.....	19
2.3 Coffee, Capitalism and the Emergence of el Señor Presidente.....	21
2.4 Conclusion and Mapping of the Field.....	26
3. Guatemala 1954-1982: Towards Civil War .....	29
3.1 The first Guerrilla Movements .....	29
3.2 The Church and Liberation Theology.....	31
3.3 The Guatemalan Military: “Think tank” and Executive Power .....	33
3.3.1 Recruitment.....	33
3.3.2 Officers’ Career Patterns and Mutual Relations .....	34
3.3.3 Ideology .....	36
3.3.4 Political Role.....	36
3.3.5 Extra-military Power and Para-military Groups .....	37
3.4 North American Influence: From Lex Americana to Human Rights .....	38
3.5 Regional and international influences .....	41
3.6 The Popular Movement.....	43
3.7 Conclusion and Outline of the Field.....	47
4. Guatemala 1982-1996: Counterinsurgency, Peace, Democracy and Human Rights .....	49
4.1 Towards a Theory of a Field of Human Rights and Human Rights Law.....	50
4.1.1 The Field of Human Rights as seen from Latin America .....	56
4.2 An Overview of the Peace Process in Guatemala.....	58
4.3 Palace wars: The Reconstruction of the Role of the Military.....	62
4.3.1 President, General and Preacher. A Closer Look at the New President.....	64

4.3.2 The New Military Strategy and its Chief-architect. A Focus on General Gramajo.....	66
4.3.3 The Military Strategy from 1982 to 1990.....	69
4.3.4 The Military's Discourse on Human Rights and Democracy.....	72
4.4 From <i>El Señor Presidente</i> to Rigoberta Menchú: The Humanitarian Opposition .....	75
4.4.1 The history of the Guatemalan Human Rights Organisations.....	75
4.4.1.1 GAM - the Mutual Support Group for the Appearance Alive of Our Relatives .....	77
4.4.1.2 Council of Ethnic Communities - Runujel Junam (CERJ).....	78
4.4.2 Rigoberta Menchú: A Mayan Woman's Rise to Power .....	80
4.4.3 "The Good <i>Gringos</i> ": Foreigners in the Humanitarian Opposition .....	82
4.4.4 Students and Professors: Voices from a Part of Society from Apart of it....	84
4.4.5 The Mayan and Indigenous Movements.....	86
4.4.6 Conclusion on the Guatemalan Field of Human Rights.....	90
4.4.7 The Field of Human Rights and its Relations to Guatemala.....	91
4.5 The Peace Negotiations on the Most Important Issues.....	95
4.5.1 Part One 1987-1993: Defining the Goals .....	96
4.5.2 Part Two 1994-1996: Towards Statutory Peace and Democracy .....	97
4.5.2.1 International Influences: A Farewell to the Generals in Latin America..	98
4.5.2.2 The American Connection: US Policies on Guatemala in the 1990s.....	99
4.5.2.3 An Echo from Chiapas.....	101
4.5.2.4 MINUGUA and Jean Arnault: From Peace-keeping to Peace-building	102
4.5.2.5 URNG: Rebels Transforming their Cause.....	105
4.5.2.6 The Military and the Government as Peace Negotiators.....	107
4.5.2.7 ASC: Visions for a New Guatemala.....	111
4.6 Conclusion on the Process Towards Peace.....	115
5. Intermezzo: Towards Democracy?.....	119
Appendix 1	
Comprehensive agreement on Human Rights.....	131
Appendix 2	
*Agreement on identity and rights of indigenous peoples.....	141