

**GUATEMALA PEACE SCHOLARSHIP PROJECT**

**EXPANDED FINAL REPORT**

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## TABLE OF CONTENTS

	PAGE
<b>Foreword</b> .....	iii
<b>I. Introduction</b> .....	<b>1</b>
Purpose .....	1
Social and Cultural Background .....	1
<b>II. The GPSP Design of Human Capacity Development</b> .....	<b>3</b>
Evolution (1991-94) .....	3
1994 and Beyond (1994-97) .....	4
A Retrospective of the Planning Process .....	4
The Justice Sector Support and Citizen Participation .....	5
<b>III. Elements of the Refocused GPSP</b> .....	<b>6</b>
Selecting the Right Candidates .....	6
Building Quality into U.S. Training Design .....	6
In-Country Follow-on Training .....	7
<b>IV. GPSP Programmatic Successes</b> .....	<b>9</b>
Some Specific Impacts .....	10
Democracy Sector .....	10
Growing Gender Equity .....	13
Multiplier Effects .....	14
Development Shortcomings .....	15
<b>V. The Future — GPSP Scholars in Guatemala</b> .....	<b>16</b>
Replicating the GPSP Model .....	16

## **TABLE OF CONTENTS *(Continued)***

	<b>PAGE</b>
<b>VI. Conclusions — Where do we go from here? .....</b>	<b>18</b>
<b>Appendix — Institutions Visited .....</b>	<b>A-1</b>
<b>— Scholars Interviewed .....</b>	<b>A-2</b>

90-1001

## FOREWORD

The Guatemala Peace Scholarship Program (GPSP) which took place between October, 1990 and September, 1997 was designed to provide diverse groups within the Guatemalan population with training, technical assistance, and exposure to American culture and values. The aim of the various programs was to inculcate technical knowledge as well as beliefs in promoting a democratic society.

This article proposes to capture and highlight some of the more significant accomplishments in human capacity development achieved through the GPSP experience. It is a narrative account of events that occurred during training, both in the United States and in follow-on training sessions in-country. The results described, which include the professional growth of participants and increased activism within the society, are based on personal observations and interviews, as well as reviews of progress reports developed during the period of the project. GPSP scholars interviewed included community leaders, home economists, women artisans, judges, magistrates, prosecutors and public defense lawyers, private attorneys, and delegates of the Supreme Electoral Tribunal.

The social and cultural background is described briefly, primarily to set the stage and conditions for the design and operation of the Program. This is followed by snapshots of the design and evolution of the project, a description of the various elements of the project and how they contributed to GPSP accomplishments. The multiplier effect of the program and its impact on advancing the concept of gender equity are brought out in some detail.

Finally, to put the GPSP in perspective, some of the program shortcomings are addressed. Nonetheless, the elements of program design and management can serve as a model for other training project designs. In particular, this program may well serve as a model for other Democracy initiatives within USAID. At the very least, it should be a topic for discussion.

## I. INTRODUCTION

### PURPOSE

This narrative is about people, social change and a vision. It is a story of how a soundly designed training program can contribute to building democracy. It describes the Guatemalan Peace Scholarship Program (GPSP), and the people who are contributing to the promotion of democracy in Guatemala. The process of building democracy in Guatemala is turning into a major movement to set the foundations of a just and pluralistic society based on respect for human rights and rule of law.

This is also about the long-term effects of human capacity development that are far-reaching and significant because of individual initiative and actions that go beyond the formal requirements of jobs or positions. The results of this training are seen here as first steps in the process of building democracy from the bottom up. Above all, this is a story about how human capacity development produces results.

### SOCIAL AND CULTURAL BACKGROUND

One of the most significant foreign policy objectives of the USAID has been to foster democracy by transforming relevant government institutions and enhancing citizen participation through civil society. In Guatemala, the focus of this article, United States support for democracy has taken several forms: from education and training of justice sector personnel to the provision of technical assistance to strengthen the legislature and local court system.

These development assistance activities have come at an opportune time; with minor exceptions, the number of democratic governments in Latin America and the Caribbean are on the increase. The power and influence of the military and the power monopoly of the elite is being reduced throughout the hemisphere. Yet many problems remain which limit the development of more just and equitable societies.

Since independence from Spain in 1821, Guatemala has had a series of authoritarian governments. Short lived attempts at democracy until recently have been stifled by military coups. Military governments have traditionally reinforced centralization of power in the national capital and repressed citizen awareness and participation. Efforts to promote democracy in Guatemala have been frustrated by successive governments that refused to adopt democratic processes. Since the mid 1950's Guatemala has been, essentially, in a state of civil war with a near break down in civil society and rule of law. This has been exemplified in the many human rights abuses that have been the subject of worldwide interest. (See Edelberto Torres-Rivas, "Guatemala: Democratic Governability," in Jorge I. Dominguez and Abraham F. Lowenthal, *CONSTRUCTING DEMOCRATIC GOVERNANCE*, Baltimore: Johns Hopkins University Press, 1996.)

The election in 1996 of President Alvaro Arzu Irigoyen represents an opening on which to build the possibilities of a more democratic participatory political system, a possibility reinforced by the initiation of a set of peace accords that have ended decades of civil strife.

Ethnic divisions persist in Guatemala. The Ladino (mixed Amerindian-European) population (56%) dominates political and economic life. The indigenous groups that constitute 44% of the population have been traditionally excluded from equal access to democratic practice and have been subjected to years of neglect and persecution. The bulk of the indigenous populations is located in rural areas where the government has made very little social investment. Basic services are practically non-existent. This further complicates the democratization process because for many Guatemalans the government just does not matter. It is imprecise to even speak of political apathy in the rural areas because that implies a certain awareness of government potential for service and support; many of the indigenous peoples are unaware of government except for past experiences with persecution. The comprehensive Peace Accords of December 1996 are intended to create changes in national policies, and there is optimism throughout the country about the peace process.

Economically, Guatemala is one of the poorest nations in the hemisphere, somewhat above Haiti and Bolivia and other Central American Countries in terms of Gross Domestic Product (GDP) per capita but lagging in educational levels. Primarily an agricultural nation, key Guatemalan exports of sugar, coffee and tropical fruits and other non-traditional exports strive to compete in the highly competitive international markets. In recent years the incidence of open terrorism has been reduced. The Peace Accords have generated a great deal of attention to the improvement of the human rights situation. Tourism has rebounded and is now a major source of national income, second only to agriculture.

## II. THE GPSP DESIGN OF HUMAN CAPACITY DEVELOPMENT

### EVOLUTION (1991-1994)

USAID has been a pioneer in using human capacity development as a means to promote sustainability of their development assistance programs. The Agency's involvement in Guatemala in the 1991-1994 period was broad-based. The focus of the pre-1994 training was to encourage and strengthen free enterprise within a system of democratic pluralism. The program selected groups from a wide variety of areas: natural resources, education, agriculture, small business, and local government.

Overall, training programs between 1991 and 1994 were linked to USAID's broad objectives: promoting democracy, environmental protection, broad-based economic growth, and health. But the effort was at times diffused; and impact varied depending on the relative strength or weakness of local counterparts.

During those years, USAID/Guatemala dedicated substantial resources through the GPSP to community and municipal leadership strengthening, but the broad and diffused nature of the program made results difficult to measure.

The early GPSP scholars included community leaders as well as those in positions of political leadership, such as municipal mayors and members of town councils. These scholars returned from their training with a heightened political awareness and sense of activism, prepared to help their communities. Linkages established between the community and its leaders in 52 communities resulted in the establishment of a base for grassroots political development. These early efforts, coupled with the stabilization of the national political situation, served to set the stage for the second phase of the GPSP in which scholars were trained more specifically in a range of democratic processes and structural transformation.

## **1994 AND BEYOND (1994-97)**

During this period, the major political issues in Guatemala facing USAID included a lethargic justice system and low levels of citizen participation. By 1994, the USAID/Office of Democratic Initiatives (ODI) redirected the GPSP training strategy from one emphasizing broad-based economic growth to "... more effective and participatory democracy," under Strategic Objective 1. Training was no longer to be an end in itself, but rather tied more clearly to improved democratic institutional performance. The Mission put into practice the principles of strategic planning and results-oriented management in the GPSP.

As part of this process USAID made a conscious decision to use the GPSP as a vehicle to support democratic change at the grassroots level. In designing the training process the U.S. training contractor, Development Associates, Inc., endeavored to avoid proselytizing, but rather strove to expose the participants to the democratic processes as practiced by

individuals, groups, and communities in the U.S. In that manner, participants were able to see and decide what would work in Guatemala based on their experience in their own country and what might work based on their observations and experience in the U.S. The GPSP intervention was not a shotgun approach that hoped to promote democracy through a vague notion of training or through mere exposure to the U.S. The focus on strategic objectives and results started in the selection process, continued through the in-country processing, was further articulated in the training experience in the U.S. and reinforced in the follow-on training sessions in Guatemala. Throughout, the focus was placed on developing transparency and accessibility in the justice sector, on civic education/voter registration, and promotion of citizen participation.

## **A RETROSPECTIVE OF THE PLANNING PROCESS**

During the transition to the new training strategy, the USAID program officers had to first identify the institutional performance gaps that could potentially be remedied through human capacity development. This new results-oriented mode of training required that training outcomes be linked to desired institutional performance.

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*One of the most impressive GPSP scholars from the early groups (1992) is an indigenous woman who is now a major figure in promoting women's rights and the general improvement in the lives of indigenous peoples. She attributes her activities and achievements to the GPSP. Today, she and other colleagues work in the NGO she was instrumental in forming: ADEG MAYA (Asociación de Desarrollo Guatemalteco Maya). They reach out to indigenous communities to talk about the recent Peace Accords and discuss how their voice and vote matter. She is working with a number of mayors on the plight of the indigenous peoples. She is also a human rights activist, and a key figure in a scholarship program for the indigenous, IHATZ.*

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This meant that all training programs should yield tangible intermediate results that would have an impact on the institution. The hypothesis was that if human capacity was improved throughout the targeted populations then the specific intermediate results would contribute to achieving the Mission's strategic objective.

## **THE JUSTICE SECTOR SUPPORT AND CITIZEN PARTICIPATION**

In 1994, the Guatemalan justice system was thrust into a process of change moving overnight from a written inquisitorial system of jurisprudence to an oral, prosecutorial model. The Office of Democratic Initiatives (ODI) used the Guatemala Peace Scholarship Program to train selected personnel from key justice sector institutions to support Judicial Sector Reform. Justices of the Peace, trial court judges, appellate court judges, judges of courts of first instance, and members of the national judicial college court system training unit were all represented in GPSP selection to strengthen key personnel and to form a cadre of reform minded judicial system activists. This broad representation was reinforced by follow-on GPSP groups which included prosecutors, public defenders, and private lawyers. All in all, this conscious selection and combination of professional justice sector profiles produced a result in which key representatives from the working judicial sector would be in the in vanguard of justice system reform.

A coherent and carefully planned selection process was also applied to the training of personnel from the Supreme Electoral Tribunal. (*Tribunal Supremo Electoral*). As the national entity charged with administering elections, the Electoral Tribunal enjoyed a positive perception in the eyes of the general population. To develop human capacity within the Supreme Electoral Tribunal, the GPSP focused on skill deficiencies affecting institutional performance. For example, most Electoral Tribunal employees lacked the knowledge and planning skills needed to increase citizen awareness and participation in the electoral process particularly in rural areas. Training which included outreach techniques as well as leadership development prepared the participant to get out of the office and work with people in the community.

Assisting with justice reform and citizen participation became central to the Mission's training effort. The GPSP was charged with helping to change the formal and informal systems by training institutional reformers within the system. The justice sector and Electoral Tribunal representatives interviewed noted that prior to the GPSP experience, there had been too much concern with what could NOT be done to improve the justice sector, citizen participation, electoral debates, and civic education. After training the Electoral Tribunal representatives saw an expanded role for themselves as civic educators and advocates of citizen participation. Similarly the justice sector participants saw themselves as agents of change and advocates of judicial reform.

### III. ELEMENTS OF THE REFOCUSED GPSP

#### SELECTING THE RIGHT CANDIDATES

In the refocused Guatemala Peace Scholarship Program, attention was shifted from the various sectors (education, health, economic growth, etc.) targeted earlier to the more specific area of justice and democracy. Additionally, in order to increase the probability of achieving improved institutional performance and sustainable results, the participant selection process required the U.S. training contractor to work only with those counterpart organizations committed to the task at hand. This meant that the top leadership agreed to providing returned GPSP graduates with the support and time to implement lessons learned during training. Candidates for participant training were nominated by their parent organization. USAID and the GPSP staff then selected the top candidates in accordance with established criteria. Since the slots available were limited, competition tended to be keen, both among participants and their nominating institutions as well. This selection process as practiced modeled how to prioritize candidates based on specific objectives from given sectors. Initial resistance to the process by some counterpart institutions eventually gave way when they recognized that improvements in candidate selection benefitted their institution.

In the case of one counterpart organization, the Supreme Electoral Tribunal, the institution was receptive to this open selection process. Most Electoral Tribunal employees had been named to positions based on the tradition of *compadrazgo* in which the custom was to match individuals to staff positions on the basis of friendship or cronyism. USAID/GPSP required, and the Electoral Tribunal agreed to an open transparent process that targeted candidates who were likely to effect change. This opened the opportunity to employees all over the country. Similarly, in the justice sector GPSP staff and sector counterparts set up criteria to select participants committed to working for judicial reform.

#### BUILDING QUALITY INTO U.S. TRAINING DESIGN

As has been experienced in other Central and South American countries through USAID programs, U.S. based training using adult learning principles offers a reliable methodology to promote skill development and behavioral change. Examples abound in the positive results from the Central American Peace Scholarships (CAPS) in El Salvador, Honduras and Nicaragua. Based upon this, from the start of the GPSP, training institutions selected to implement programs used a variety of adult learning methodologies. Thus, the traditional lecture style training that scholars were accustomed to in Latin America, gave way to group work, simulations and other techniques emphasizing practical application. Site visits during which participants directly observed operations were incorporated regularly into training design. In the justice programs participants observed the interrelationships among the prosecution, the defense, and the judge. Seeing how judges quickly dispensed with misdemeanor cases during indictment hearings opened their eyes to the possibilities of promoting efficiency within their system. Other programs dealt

with training of participants in criminal investigative procedures, and still others in alternative dispute resolution procedures, all within the framework of criminal law.

All Peace Scholarship training included a practicum, an experience which made learning come alive for participants. For example, one of the justice sector training designs called for a variety of workshops taking trainees from a mock crime scene and preparation for trial, to mediation and settlement facilitation as an alternative to the trial process. Participants had to follow the proper crime scene procedures, establish what witnesses were available, how to interrogate them, how to draw conclusions from that interrogation process and prepare a brief for trial. Finally, they had to actually go before a judge and present the case against another participant acting as adversary in the process.

Participatory methods proved effective. Said one participant: "It is one thing to study and understand the theory, but it is quite another to apply the theory and be corrected as you go. We never had anything like that!"

Experience America, part of the U.S. training program, was designed to help the participants form perceptions of the rights and responsibilities of citizens in a democracy. Participants observed Americans in their daily lives: families interacting during meals, at outside activities, and as the general public in courtrooms or town hall meetings. Participants learned about the work ethic and how Americans strive to pursue their goals, how they speak out for their community's welfare, how they work together as volunteers, seeking nothing in return but the common good. Their image of Americans usually changed, and in some instances bonds of friendship with Americans formed.

## **IN-COUNTRY FOLLOW-ON TRAINING**

Follow-on training in country was one of the key reasons for the success of the Guatemala Peace Scholarship Program. Recognizing that 5-6 weeks of U.S. training was not sufficient to accomplish all the training objectives, the in-country follow-on programs were explicitly designed to sustain the learning objectives and to motivate participants to become true change agents. It took the concept of the basis reinforcement training seminar several steps further to include the involvement of local counterparts, emphasis on local networking resources, support of the implementation of small projects and the ongoing support of participants' role as community leaders and change agents.

### **GPSP Follow-on Program Foundations**

The design for each follow-on activity included the integration of four strategic elements.

- Active participation of local (project) counterparts;
- The organization of training activities around technical topics;
- Adult learning methodologies;
- Networking as a mechanism for sustaining behavioral changes.

## **Follow-on Trainers**

The GPSP follow-on training model stressed the use of local Guatemalan trainers to conduct specific training sessions or even entire follow-on workshops. A core group of multidisciplinary trainers was hired to provide in-country training. They implemented numerous training sessions in follow-on programs across all GPSP groups at that time.

During the two years of the GPSP extension, (1995-97) follow-on training was concentrated in the areas of Civic Education and Justice. In this period the GPSP was directly responsible for improving the in-house training capability of the TSE and the Justice sector counterparts UNICAP (Ministerio Publico) and the Judicial Studies School (Supreme Court). The GPSP strategy during this period relied on the local counterparts as trainers in the follow-on training program. For example, UNICAP became the principal source of trainers for GPSP follow-on programs conducted for the Justice Sector.

This follow-on effort involved providing continuous technical support via a program of 3 to 4 in-country training seminars that were offered between 12 and 24 months after participants returned.

The follow-on training program was developed to enhance the technical and leadership skills participants gained in the U.S. in order to help them carry out development activities utilizing democratic principles. The in-country program supported participants as change agents and helped them address obstacles they met while implementing their development activities in their communities. It also sought to reinforce linkages with the U.S. contacts which had been initiated during the training phase.

These objectives were met through a series of training seminars, regional and national conventions, as well as community site visits which enabled GPSP staff to assist participants with networking and the application of their newly gained skills. A newsletter (El Multiplicador) was distributed on a quarterly basis until June, 1995 to all returned participants.

## **IV. GPSP PROGRAMMATIC SUCCESSES**

In the best of circumstances, international donor attempts to promote change in legal systems involve a long-term and most difficult task. Efforts to install common-law practices such as oral argument and the use of public defenders go against years of ingrained culture and traditions throughout Latin America. In Guatemala, however, in spite of a political system that has been far from ideal, oral argument has been successfully introduced into the courts. Training for U.S. lawyers, prosecutors, and judges in oral procedures and criminal justice proceedings complemented the institution of the oral system. In addition, citizen participation in the electoral process is being facilitated by civic education and voter registration drives mounted by the Supreme Electoral Tribunal. This on-going effort is being spearheaded by officials also trained in the United States, under the GPSP.

Testimony for the success of the Guatemala Peace Scholarship Program (GPSP) resides in the enthusiasm of the participants, in their actions, in their more active roles in Guatemalan society, both in the criminal justice system and in a reinvigorated voter registration/electoral system.

Even by conservative measures, the GPSP has contributed to the process of transformation of the criminal justice system and electoral process in Guatemala. The individual actions of returned participants in the program have produced circumstances where changed behavior is not only seen as possible, but desirable. In Quetzaltenango, the second largest city in the country, prosecutors, public defenders, private attorneys and judges are setting an example for their fellow professionals in the conduct of criminal trials. In one trial three former GPSP scholars were principals: prosecutor, defense attorney and a member of the three judge panel. In other areas of the nation, a GPSP scholar is one of the lead attorneys in the prosecution of military officials accused of gross human rights violations to justice through civilian judicial process. Though not yet in trial, at this writing the prosecution had made significant strides in bringing military defendants to justice. This is a very significant legal event in modern Guatemalan jurisprudence.

GPSP scholars serve as senior staff of the Supreme Electoral Tribunal and are the leaders, nationally and locally, in promoting civic education and voter registration. In the capital region around Guatemala City, the coordinator of delegates and subdelegates, a GPSP scholar and outspoken advocate of the training he received under the program, applies his new-found knowledge every day in his supervision of the activities of regional Electoral Tribunal delegates. Under his supervision the emphasis in voter registration activity has shifted from a passive "wait and they will come" attitude to a pro-active position that includes community events on citizen responsibilities and rights, civic education in high schools, and registration campaigns in urban and remote rural areas. Such activities have become institutionalized within the Electoral Tribunal regions. The departmental press reporting on these activities in all regions emphasizes that the efforts to extend the franchise and expand understanding of the political process are an institutional mission. Such a commitment is a significant institutional change.

In Totonicapan, the departmental delegate, a woman, has regular sessions with community leaders to provide civic education and to increase voter registration. Her activities are regularly reported in the local and national press. She has become well known as a result of her tireless efforts to increase the registration of women. In Chiquimula, the departmental delegate and four municipal sub-delegates are women who now spend more time out of their offices conducting community based civic education activities than sitting behind their desks. Their change in behavior can be attributed, at least partially, to the GPSP training and the impact of observing community activism in the United States.

In general, it appears that many of the changes in behavior and structure within the Public (Justice) Ministry and the Electoral Tribunal are a result of the GPSP training provided to selected members of the staff. The shift can be attributed at least in part to the GPSP experience because USAID/GPSP was the major human capacity development intervention during the three years since the reforms of the Criminal Procedures Code. (Several officials attended a judicial tour of Spanish courts in this period, but they reported no significant impact from the trip except for the opportunity to tour Spain. By contrast, the GPSP scholars commented repeatedly on how full their training schedules were, how hard they worked, and how impressed they were by the vision created in them for inducing change in Guatemalan institutions.)

Examples were found of similar impact in some of the community leaders who had attended the earlier GPSP program, before 1994. This was most notable in an indigenous community leader, Regina Yaat, who attended a 1992 program and has been working since then for gender equity and improved status for indigenous peoples. She is the national director of an NGO that receives support from the European Union, and is a national political figure. Having participated in an earlier unsuccessful campaign, she plans on again being a candidate for Congress in the next elections. Another woman, a public health nurse, trained through a long-term program in maternal child care has spread her influence to others through teaching, community activism, and professional outreach. Returned participants repeatedly acknowledged during interviews that none of this would have been possible without the growth opportunity the GPSP gave them. Some specific results are reported below.

## **SOME SPECIFIC IMPACTS**

### **DEMOCRACY SECTOR**

Building democracy in Guatemala is an extremely complex task given the multi-ethnic nature of society with a multiplicity of interests and an anti-democratic tradition. After 32 years of organized insurgency and human rights abuses the relationship between the government and citizens in all walks of life is still tenuous. Many people support the idea of democratic participation, but have little faith in the government's ability to deliver on that demand. But foreign assistance through the GPSP has played a significant role in helping to reshape and transform a fundamentally troubled government apparatus.

Evidence from surveys of individuals and institutions indicates that the direct assistance in the judicial sector has redefined and even motivated the transformation of the criminal

justice system. Quetzaltenango, Zacapa, and Totonacapan, are regions in which GPSP scholars are making a difference in the administration of criminal justice. For example, after U.S. training, several district attorney offices were restructured. In Quetzaltenango, almost all of the District Attorney's Office personnel (7 out of 8) have been to U.S. training.

After the last of the personnel returned to Guatemala, the District Attorney divided the office into specific units. One of the units is applying the Alternative Dispute Resolution (ADR) techniques learned in their U.S. training and is mediating cases that otherwise would have clogged the system and gone to court needlessly. It was remarkable to observe the working relationship among the prosecutors, defense attorneys and some of the judges. "The people are starting to believe in the Ministerio Público," they proudly proclaim. By the middle of 1997, cases coming to trial or being settled had tripled from 1995. "People in Quetzaltenango want change," and they are pleased with the results.

In Zacapa, the old timers returned with a broader vision of what they had to do, thus forming a coalition with the young. Specialized units were formed to improve the administration of the criminal justice process; the scene of the crime was better protected; case files moved as needed, no longer being the domain of one individual; alternative dispute resolutions were exercised in answer to lesser crimes; and better, more tolerant relationships now exist among all legal players: judge, defense, and prosecution.

In Totonacapan, both the district attorney and the prosecutor are GPSP scholars. One had studied procedures of criminal investigations and the other the techniques used in alternative dispute resolutions for lesser crimes. In discussions with them, they talked enthusiastically about how they were better organized and had taken cases to court and won their cases using oral adversarial techniques learned in their U.S. training. As with all District Attorney offices in the country, they received support from their institution through the acquisition of new equipment and were now actually coordinating crime scene investigations with the police. Only months earlier, the police and justice of the peace would not have allowed the prosecutor to be around the crime scene. Now they were working in tandem.

Lack of personnel remains a problem, but GPSP scholars have learned the benefits of working together and collaborating in areas of mutual interest. Working as teams where possible, they have managed to improve their efficiency and synergy of their work. A case in point was a joint venture between two special district attorneys from the city of Guatemala and their counterpart in Totonacapan. Together, they arrested a dozen or so suspects in a recent communal massacre over land disputes. The fact that all of the public officials were GPSP scholars was significant.

In the city of Guatemala, several of the District Attorney's Offices were divided into specialized operational units. Before the training, one of the units conducted case management and staff felt that they were always bogged down with too much paperwork and procedures. After this unit director returned from U.S. training, she began streamlining the system and began referring cases that needed special attention to other units in the Public Ministry. In her U.S. training she had observed interdepartmental relations and was

beginning to establish closer working relationships with other operational units throughout the country.

The new criminal procedures code has given Guatemalans a legal structure promoting democratic, and transparent processes in order to strengthen their own blueprint for democracy. But, it is very difficult to make changes when courts block justice through vestiges of power that fuel inefficiency, corruption and neglect. Now however, there are magistrates and judges within the system, who gained insight into democratic institution-building through GPSP and are a significant force for change.

Institutional change has been initiated in the Supreme Electoral Tribunal as well. It has come about slowly, however, as the administrative processes have adjusted to the demands in the field. It is significant that in order to meet those demands, the institution has set aside funds in the annual budget to run the new training division in civic education. The training unit was created in 1996, a direct result of GPSP follow-on with the Electoral Tribunal.

This is an important change since government institutions are hard pressed for funds and budgets for activities other than operational activities are scarce. Moreover, the Electoral Tribunal has provided time within the working day framework to permit the voter registration staff to get out of the office to register more voters through participatory and community based civic education activities.

As a result the Electoral Tribunal delegates and sub-delegates, are now able to leave their offices during a work day to provide training to rural communities. This is something that had never been done before. In some departments (provinces) delegates and sub-delegates meet monthly now in order to inform everyone of the status of voter registration and community based training activities. The days of "waiting for the elections" where everyone sat in offices waiting for citizens to come to them for registration are over. The Electoral Tribunal has marshaled its forces to educate the populace and effectively promote voter registration drives. Their motto is a translation of one copied down from one of their site visits to the U.S.: "If you don't vote, don't complain. If you do vote, get even." Activity is thriving from the remote Peten region to larger cities.

The Electoral Tribunal, motivated by its trained field personnel, is restructuring its human and institutional capacities in order to provide the services the people demand. Above all,

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*In Zacapa, the District Attorney had a disturbing case of a child turned autistic because she had witnessed the decapitation of her mother. Unable to offer any form of therapy, the district attorney, a former GPSP scholar, called a colleague in Guatemala City who had created a new unit in the Public Ministry, patterned after one she had seen during U.S. training. It was a victim assistance unit that included a psychologist and 2 social workers. When she heard the little girl's story, she gladly accepted the case and between the two DA offices were able to transport the child to Guatemala city to receive treatment. Obviously pleased with the cooperation and assistance, the Zacapa D.A. eagerly wanted everyone to know what was going on, "I wish all the people in the country could see what we are doing in... Zacapa."*

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In the aftermath of the GPSP training, the Electoral Tribunal has discovered that it has a core of good employees. It confirmed that the success of the Electoral Tribunal was not only due to the work of the magistrates, but increasingly due to motivated civic education training carried out by the delegates and sub-delegates at the community level.

In sum, the specific observable results of GPSP scholar activism in the justice system and citizen participation area include on-going civic education classes for school children and citizens, the increasing use of Alternative Dispute Resolution (ADR) methods such as mediation to settle low level crimes, and a higher awareness of the possibility for change within the traditional political system. While the criminal procedures code reform provided the institutional framework for change, the GPSP participants have been among the leading activists who have actually made the changes happen. The successes in Guatemala City, Antigua, Quetzaltenango, Totonicapan, Chiquimula, and Zacapa point to the sustainability of the GPSP training efforts.

### **GROWING GENDER EQUITY**

Another significant result of the GPSP is the encouragement and development of women as a political force. Democracy has always meant widespread participation in the traditional arena: electoral politics, (running for office or campaigning), and legislative, judicial and local government processes. Traditionally, assistance to women is generated in areas of education, health and micro-enterprise development. Hardly anyone singles out the home as "a site where important citizen identities and practices are construed as ongoing and enduring." (Nelly P. Strongquist). In Latin America, the women for centuries have lived out authoritarian gender relations with "machismo" in the forefront. Historically, mothers were altruistic, devoted to their families and relied heavily on the male authority. They had few choices and little self-esteem, largely because their opinions and their worth as human beings was not considered important. Their place was in the home, taking care of the children and seeing to it that the man of the house was taken care of. This often led to isolation within the walls of their homes, "Before no one paid any attention to us."

An important characteristic of the Guatemala Peace Scholarship Project was the inclusion of women. Over 40 percent of the participants were women and their societal role was a major topic of

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***A key mover and shaker in the movement towards gender equity is a GPSP scholar home economist who attended early GPSP training. Her immediate multiplier effect was in the homemaker extension courses conducted in public schools. From there she moved on into development projects for communities, working with natural resources and appropriate technology. This led her into more projects and into her present position as education advisor for drug prevention, working in the offices of the Vice Presidency. Acknowledging how the U.S. training opened her own potential, she is devoted to raising the self-esteem of women. As she put it: "To educate a woman is to educate a family".***

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training. For example, with the Electoral Tribunal's efforts to teach civic education in local communities, women of all cultural backgrounds are becoming more autonomous and establishing a public role within society. "Now, we are seeing how women are taking a stand politically, and that has made us think of our rights and our responsibilities because the future of Guatemala is also in our hands."

Women are discovering their own capacity to act in public and often mobilize in favor of human rights and other political issues. Their actions have challenged gender norms by attending community meetings and rallies, "Even our husbands are helping." Rural indigenous women in Guatemala are now increasingly participating in what had previously been alien to them. They have participated in community groups and are questioning what they are able to do and not do. Slowly, they are breaking down structures that had once denied them equality, dignity and the right of self-determination.

### **MULTIPLIER EFFECTS**

The direct result of this process of human resource development is a rather large group (approximately 400) of trained lawyers, judges, prosecutors, public defenders, and voter education and registration officers whose behavior has been positively influenced. This change in attitude is producing equally specific institutional changes that are altering not only how Guatemalans think about democracy, but also how democracy is practiced. Criminal courts are more open and accessible than they were before 1994; public defenders are in place and practicing, prosecutors are trying to install a chain of custody for evidence gathering beginning with the need to have an uncontaminated crime scene and the need to work more effectively with the national police force. In addition, plea bargaining and mediation are now being used to keep minor offenses from being bogged down in what has always been a ponderous criminal justice system.

What USAID and the GPSP program have done in Guatemala is to give Guatemalans a real opportunity to learn "how to do democracy." That is, through the human capacity development process, the GPSP scholars have not only learned the potential for individual change, they have also learned how to influence others to accept and promote change. The GPSP scholars are living examples for their compatriots on how to consider legal, social, and political issues as a part of everyday life and not the exclusive province of the military, an elite, or a well-informed minority population. By encouraging indigenous peoples to register and vote, by institutionalizing a court interpreter system for non-Spanish speakers, by teaching young people about the rights and responsibilities of citizenship, by using oral argument in open court, by mediating minor criminal offenses, by plea bargaining, by advocating and acting on associational citizenship, the GPSP scholars are changing, in a small but constantly multiplying way, the social fabric of Guatemala.

Indeed USAID/Guatemala now has an extensive network of change agents who support democracy objectives.

## **DEVELOPMENT SHORTCOMINGS**

Notwithstanding the testimony of success documented in participants interviews, not all segments of the GPSP program have been successful. Most notable has been the apparent inability to influence higher court judges. The major obstacle to momentum throughout the justice system seems to be the attitude of senior judges. Justices of the Peace (JPs) were most active in using ADR techniques such as mediation to settle cases out of court. This was especially true of the few indigenous JPs. As one moves up the judicial hierarchy through lower court judges to the supreme court, the system becomes slower, more ponderous, and more remote from the foment which is common in local jurisdictions. We were able to observe the changed attitudes and behavior among Justices of the Peace and lower court judges (Primer Instancia) who had attended the GPSP program. But among the more senior jurists little has changed. Senior judges tend to see their role as protectors of custom and tradition.

This is unavoidable, perhaps, and may well be a characteristic of all legal systems, but given the fact that justice in Guatemala has traditionally supported the elite, further change is required. It is doubtful that lawyers, prosecutors and public defenders can change the system by themselves. It will require a joint effort between the legal profession and an aware citizenry to demand swifter, more equitable, and more transparent criminal justice proceedings.

## **V. THE FUTURE — GPSP SCHOLARS IN GUATEMALA**

### **REPLICATING THE GPSP MODEL**

The Guatemala Peace Scholarship Program combines some unique features with elements of traditional human resource development programs. The GPSP model is a development activity with a specific focus targeted at strengthening the capacity of grassroots institutions. The model is centered around a program of in-country skills training complemented by U.S. training for a select group of individuals, and followed by further in-country follow-up training and technical assistance to reinforce the learning experience. The model is characterized by specific training objectives developed by USAID with the close cooperation of the Guatemalan counterpart, the design and implementation of a training program by an institutional contractor, a precisely designed training program, and monitoring and program assistance from the institutional contractor. The desired result of the program is evidence that the graduates apply their newly developed skills within their sponsoring institution.

The model described in this report has focused primarily on democracy and democratic initiatives, with special emphasis on the justice sector. However, the model can be replicated with any topic or sector, provided that the counterpart organization(s) are fully committed to the objectives of the program and support their graduates in utilization of newly developed skills within the organization and implementation of lessons learned in performance of their assigned duties. In discussing the replicability of the GPSP success in Guatemala it is important to keep in mind the following key factors:

The project objectives need to be clear and well defined so that the training can be focused on more substantive content rather than a general "promote democracy" approach.

The cooperation, support and commitment of the in-country institutions is fundamental to sustaining improvements.

The institutional contractor must work closely with USAID and U.S. organizations to insure a fit between trainees and the U.S. training experience. Preparation and follow-up must be emphasized to monitor the performance of the trainers, the adequacy of the U.S. experience, and the institutional setting in the U.S.

The most influential element of the training experience, identified by all the GPSP scholars interviewed for this article, was the U.S. experience. Observing citizen activism, U.S. courtroom procedures and the everyday activities of a democratic society provided a model and impetus for changes in attitude and the possibility for change in Guatemala. When attitude change and motivation is the primary training objective, a U.S. venue should be considered.

In-country skills training has also proved effective particularly when it is important to reach large numbers of participants. The intensive workshop format is particularly useful in providing specific information. However, in-country training does not match the total immersion experience that GPSP scholars went through in their U.S. programs. None of the scholars interviewed for this article tended to mention classroom instruction. They were most excited by the opportunity to observe the democratic process in homes, on the street, in the courtroom, and with a myriad of civic organizations in the U.S. The GPSP scholars recognized opportunities because they saw them, not because they read it or someone told them. In that sense, experience is the best teacher, but it has to be somehow tempered by a mediator to avoid misinterpretation by the participant.

The third leg of the GPSP model, in-country follow-on training, complemented and solidified the skills learned during in-country skills training and the U.S. experience. The careful crafting of the GPSP follow-on program provided for the employment of proven techniques which contribute to the transfer of skills and learning to the participant community. Each training group attended three, week-long seminars after their return to Guatemala. The seminars provided skills training in their sectors as well as professional development, leadership and networking opportunities for the trainees. Regional and national conventions of returned GPSP alumni drew returned participants from throughout the country to their regional capitals and finally to Guatemala City where they were able to renew their commitment to working for development.

In summary, replicability of the outcomes of GPSP is eminently possible because the process and achievements are well documented. But this is not a mechanical process. The GPSP had an impact because of an integration of the diverse elements discussed in this article. A major element in all this was commitment on the part of the participants, the leadership of USAID staff, an experienced institutional contractor, and the involvement of Guatemalan institutions that proposed the scholars and supported their actions when they returned home.

## VI. CONCLUSIONS — WHERE DO WE GO FROM HERE

The Guatemalan experience shows that elements of democratic systems can be modeled and adapted to a specific national culture and society. *If that is true, that is, if democracy can be learned, then it is also true that behavior can be changed to produce results in the other USAID strategic objectives through the application of the same human capacity development methodology.*

What this means is that a re-engineered USAID can and should continue to use human capacity development as a primary tool in producing results in democracy and other sectors where USAID is providing development assistance. This is implicit in the many HCD initiatives undertaken by USAID. But the real issue for the future in Guatemala is "Where do we go from here?"

The most obvious place to begin is to reinforce and extend the current positive condition. USAID/Guatemala has created a network of professionals dedicated to fostering democracy. But this is fragile, subject to change if a strong repressive movement starts to grow in reaction to the changes of the past few years. U.S. objections to the "auto golpe" (self coup attempt) of 1993 were strong and clear. Most believe that U.S. reaction affirmed Guatemalan's rejection of this undemocratic tactic. By the same token, positive support of the GPSP scholars will send a clear message to potential enemies of liberalization, transparency, and participation.

The GPSP scholars want to be recognized for their professional growth. They are men and women who have the ability to convey their new skills and experience to others. They know local realities better than any foreign consultant. And they should be enlisted as resources to help orient further democratic initiatives. Those interviewed talked about being invited to attend important seminars with guest lecturers, or having USAID sponsor forums where they could talk or initiate an open dialogue among the different players in the legal system. One of the university professors who had been a GPSP scholar pointed out, "We've talked about independence and stability for judges. It was very healthy, we should do more." They often talked about USAID doing some kind of "seguimiento or follow-on," in order to help promote forums.

But, USAID "follow-ons" have generally always been limited and more often than not done only through intermediary institutions. When the training is done and the follow-on by the intermediary institution is completed, USAID has had a tendency to close the book. USAID/Guatemala should consider providing occasional outputs of resources to maintain a healthy base.

This does not require the expenditure of vast funds to support and sustain the GPSP scholars in their commitment to democracy. We are certainly not talking about buying loyalty to the program they have embarked on. In an era of fiscal belt-tightening, low-cost social events such as breakfasts or brunches for regional scholars will provide high pay off. More formal steps might include speaking at scholar's meetings or arranging regional

conferences around specific democracy issues with the collaboration of USIS. Another significant follow-on gesture would be to add selected scholars to the guest list for Embassy receptions such as the 4th of July National Day event, or other occasions. Scholars should be considered potential guests for all representational events because they represent a part of the future of democracy in Guatemala.

In the final analysis, it has been the overlap between Supreme Electoral Tribunal civic education and legal profession demands for transparency that demonstrated the power of the GPSP scholar network. The ripples of their activism will move far beyond their immediate surroundings and can be amplified by the civic education outreach and high visibility cases in which GPSP scholars are engaged. The combination of activist professionals and an aware citizenry can demand and get a more transparent democratic process by challenging the power of those who resist change because it threatens the status quo from which they benefit. It is not an overnight process, but the scholars are aware of that. There may be reverses from time to time, but they are aware of that as well. The GPSP scholars are not dreamers but hard-headed activists who now understand their own potential and the possibility for significant change in Guatemala. In that sense, Guatemala could be the first nation to really consolidate democracy in a former military stronghold of Central America.

Finally, it must be noted that another impact of GPSP comes when walking in the corridors of government and those of Guatemalan institutions. These days the word AID has magic. It quickly opens doors and generates smiles. This obvious show of appreciation and friendship should not be set aside. These Guatemalan professionals clearly want to be partners. USAID has made friends, and in Latin America, friendship goes a long way.

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## APPENDIX

### INSTITUTIONS VISITED

USAID/Office of Democratic Initiatives

Ministerio Público - UNICAP

Corte Suprema de Justicia

Escuela de Estudios Judiciales

Tribunal Supremo Electoral — Guatemala City

Delegación Departamental — Registro de Ciudadanos Chiquimula

Ministerio Público — Fiscalía de Zacapa

Ministerio Público — Fiscalía de Quetzaltenango

Ministerio Público — Fiscalía de Totonicapán

Servicio de la Defensa Pública — Guatemala

Centro de Enfoque — Quetzaltenango

Centro de Enfoque — Zacapa

CREA — Institutional Contractor DPK Consulting

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## LIST OF INTERVIEWS

July 9-July 22, 1997

1. Luis Adolfo Juárez - Ex-staff GPSP, Program Coordinator
2. Lic. Gerardo Prado/ Inspector General of Tribunal Supremo Electoral Guatemala City
3. Marco Aurelio Marroquin/ Delegate and Subdelegate Supervisor of TSE GPSP Schola/ Guatemala City
4. Elizabeth Hogan & Nelly de De León/ USAID/ODI
5. Timothy Cornish/COP- CREA Project
6. Lic. Ernesto Burgos/Deputy Director of UNICAP/Ministerio Público GPSP Scholar/Guatemala City
7. Lic. Juan José Rodas/FIS/GPSP scholar/Guatemala City
8. Delegates of TSE at activity in Antigua Guatemala: 7 people total  
Olga María Meléndez/GPSP Scholar  
Two other scholars whom we did not get their names
9. Lilian Castañeda de Maldonado/ Ex-staff GPSP Follow-on Program Guatemala City
10. Lic. Yolanda Pérez/Justice of Supreme Court/GPSP Scholar Guatemala City
11. Héctor Linares/TSE delegate/GPSP Scholar/Fraijanes
12. Marilú Hernández/Law School/GPSP Scholar/Guatemala City
13. Regina Yatt/ADEGMAYA/GPSP Scholar/Guatemala City
14. Jaime Mayén/TSE delegate/GPSP Scholar/San Pedro Ayampuc
15. Lic. Hector Cruz Gamboa Barrios/Defense lawyer/GPSP Scholar Quetzaltenango
16. Lic. Jorge Gamboa/Judge/GPSP Scholar/Quetzaltenango
17. Lic. Angel Estuardo Barrios Izaguirre/District Attorney

- GPSP Scholar/Quetzaltenango
18. Cristian Josediego Morales López/GPSP Scholar/auxiliar to prosecutor/Quetzaltenango
  19. Carlos Vinicio Gudiel Monroy/GPSP Scholar/auxiliar to prosecutor/Quetzaltenango
  20. Lic. María Angulo Zamora de Morales/GPSP Scholar/Prosecutor Quetzaltenango
  21. Lic. Rosa de Alba Godínez y Velásquez/GPSP Scholar/Prosecutor Quetzaltenango
  22. Lic. Felipe Santos Pérez/GPSP Scholar/Prosecutor/Quetzaltenango
  23. Lic. Gustavo Adolfo Fuentes Escobar/GPSP Scholar/Sentencing Judge Quetzaltenango
  24. Lic. Romeo Emiliano Tiu López/Justice of the Peace/MINUGUA GPSP Scholar/Quetzaltenango
  25. Lic. Angel Gmo. Cifuentes Sosa/Private lawyer/GPSP Scholar Quetzaltenango
  26. Lic. Carlos Danilo Arango Benecke/Private lawyer/GPSP Scholar Quetzaltenango
  27. Lic. Eber de Jesus Maldonado Hip/Un. Professor/GPSP Scholar Quetzaltenango
  28. Lic. Bladimiro Rodríguez Arriola/ Un. Professor/GPSP Scholar Quetzaltenango
  29. Lic. Pedro Edin Exquiac Sum/Defense lawyer/GPSP Scholar Quetzaltenango
  30. Focus Center/Quetzaltenango/spoke to coordinator and Administrative Assistant: Astrid
  31. María Eugenia Vallejo Herrera/TSE Delegate/GPSP Scholar Totonicapan
  32. Adriana Elizabeth Cordova Juárez/TSE Voter Registration Coordinator/GPSP Scholar/Totonicapan

33. Lic. Armando Martínez/District Attorney/Totonicapan/GPSP Scholar
34. Lic. Julia Vicenta Pastor Quixan/prosecutor/Totonicapan/GPSP Scholar
35. Lic. Juana Solis/Public Defense Office/Guatemala City/GPSP Scholar
36. Colleague of Lic. Solis as defense lawyer/not GPSP Scholar  
Guatemala City
37. Lic. Gabriel Medrano Valenzuela/ Magistrate of TSE/Guatemala City
38. Chief Justice of the Supreme Court/Guatemala City
39. Lic. Jorge Cifuentes Velázquez/Supreme Court Public Relations  
Guatemala City
40. Ingrid Elizabeth Vega/Community Leader/GPSP Scholar/Guatemala City
41. René Muñoz García/TSE subdelegate/GPSP Scholar/Chiquimula
42. Onelia Elizabeth Díaz de Arriola/TSE subdelegate/Chiquimula  
GPSP Scholar
43. Delia America Lemus Guerra/GPSP Scholar/TSE subdelegate/Chiquimula
44. Francesca Lunares Rivera Sosa/GPSP Scholar/TSE subdelegate/Chiquimula
45. Alma Janet Carranza Herredia/GPSP Scholar/TSE Delegate/Chiquimula
46. Lic. Enrique Sosa/District Attorney/GPSP Scholar/Zacapa
47. Lic. Noe Moya/President of Sentencing Court/GPSP Scholar/Zacapa
48. Lucrecia Pereira/Pedagogical Advisor of Vice Presidency of the Republic  
GPSP Scholar/Guatemala City
49. Lic. Carlos Mancur/private lawyer -INGUMASC/GPSP Scholar/Guatemala City
50. Lic. Nadya Lissette González Maldonado/private lawyer -INGUMASC/GPSP Scholar  
Guatemala City
51. Lic. Rita Florencia Moguel Luna/ private lawyer - INGUMASC/GPSP Scholar  
Guatemala City

52. Lic. Brenda Yolanda Arévalo García/private lawyer-INGUMAS/GPSP Scholar  
Guatemala City
53. Claudia Mejicanos/GPSP Scholar/INGUMASC/Guatemala City
54. Lic. Juan R. Estrada/Public Defenders Office/GPSP Scholar/Guatemala City
55. Lic. Irma Arriaza Sagastume/ Prosecutor Ministerio Público/ GPSP Scholar  
Guatemala City
56. Lic. Romano Bonatti González/Private lawyer/GPSP Scholar/Guatemala City
57. Lic. Arnulfo Conrado Reyes/ Bar Association/GPSP Scholar/Guatemala City
58. Lic. Mayra Velez/Advisor to Secretaría General of District Attorney's Office  
GPSP Scholar/Guatemala City
59. Lic. René Salas García/Special Prosecutor/GPSP Scholar/Guatemala City