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President-elect Alvaro Colom Could End Corruption in Guatemala

by LADB Staff

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To win the Nov. 5 election, President-elect Alvaro Colom had to, and did, overcome accusations of corruption that have dogged him for years. In 2004, he was investigated in connection with illegal transfers of government money into the accounts of his Unidad Nacional para la Esperanza (UNE) party. Initially denying the charge, he eventually fessed up partially, acknowledging, "A check had been found," and returned the money, said to have been around US\$65,000.

The investigation led to the imprisonment of controller general Oscar Dubon Palma. Charges against Colom were dropped, but he lived for a time under the shadow of accusations that he used political influence to escape justice. To some observers, the runoff election turned not so much on rewarding the better candidate but rather on eliminating the worst. Saddled as he was with a reputation for wartime atrocities and a predilection for iron-fisted rule, former Gen. Otto Perez Molina was eliminated (see NotiCen, 2007-11-08).

Now Colom must live up to his promise to root out the corruption that has become synonymous with government in Guatemala and with which he has been associated. To do that, he must face up to what one analyst calls the central paradox of Guatemalan government. "To achieve power, a political party needs the support of corrupt actors motivated by illicit profit," writes analyst Matthew Creelman. "Nevertheless, once in power, no party can govern effectively due to the presence of these corrupt actors. Without confronting this reality directly, the government-elect runs the risk of ending up like the fisherman in Hemmingway's *Old Man and the Sea* catching one of the greatest opportunities the country offers, only to arrive in port four years later with nothing more than the bones of what was an ambitious political project."

Creelman gained his perspective on governmental corruption as a journalist, managing editor, and, for the last seven years, in working with municipal mayors providing strategic information and technical training. At present, half the country's mayors, 170 of them, attend and send local officials to workshops and educational seminars that provide an opportunity, Creelman says, for "frank exchanges and extraordinary discussions on the subject of corruption at the municipal level."

An example of the frankness and extraordinariness of these meetings, he says, was an exchange in which a mayor from Suchitepequez confessed to 25 others at a workshop, "I'm corrupt, and anyone here who says he isn't is a liar." Looking at corruption with a critical eye On the basis of these exchanges, Creelman has come to see corruption as the central problem for the country, but he sees it quite differently from the mainstream media and other interested participants. Functioning as the principal mechanism for containing the tensions between democracy and the private accumulation of wealth, corruption is almost indispensable for the state to function.

The country's legendary concentration of wealth and property is owed in great measure to political players who ensure that governmental obligations are discharged, or not, in a way that benefits private interests at the expense of satisfaction of social demand. Corruption is the default mode for gaining access to power. In small municipalities in Esquintla on the south coast, for instance, a political campaign can cost US\$65,000.

In central Chimaltenango, a campaign for a congressional seat can cost US\$132,000. Self-financing these campaigns, writes Creelman, "usually takes on the logic of investment and return. There is a lot of money to be made in holding office."

At the local level, one mayor admitted that, in addition to his US\$2,600 monthly salary and many perquisites, he makes most of his money from a 10% kickback on public works. That works out to US\$120,000 just on the US\$1.2 million his municipality gets from the central government. The mayors' corruption is facilitated by a corrupt bureaucracy.

Just this week, Encuentro por Guatemala (EG) Deputy Roberto Alfaro accused the Instituto de Fomento Municipal (INFOM) of manipulating internal records to allow local governments to exceed their constitutional debt limits and, effectively, their own ability to repay loans. Alfaro presented a report detailing the anomalies and told reporters, "This reveals a grave crisis of corruption, financial disorder, and administrative incompetence." The paradigm, campaign-as-investment, helps explain the sometimes extreme and violent reaction to an election loss. It also explains, says Creelman, the strengthening of state-business relations at the expense of state-community relations.

The same dynamic solidified relations between the private sector and the military, especially in the transition years of the 1980s that ushered in the present era of civilian rule. Creelman's recent essay *Gobierno Entrante, Caballo de Troya o El Viejo y el Mar?* (Incoming Government, Trojan Horse or Old Man and the Sea?) recognizes three major modes of conceptualizing corruption: 1) the double standard, 2) the modernizing, and 3) the counterhegemonic.

The double standard is the way the media and government commonly address the phenomenon. In this conception, corruption is the norm, and is only called "bad" when political enemies benefit from it. The media use this mode to mount selective attacks on corrupt individuals, shaping public opinion as they go. The modernizing method is the one most often wielded by the US, the European Union (EU), and the World Bank.

This model, too, is internally corrupt, as became apparent in 2003 when the World Bank contracted a study on corruption. At the time, Creelman was director of Inforpress Centroamericana and was a consultant in the study. Inforpress pulled out when the bank did not respond to its questions about the study, which was contracted with the government of then President Alfonso Portillo (2000-2004) but was to be carried out by the incoming government of President Berger (2004-2008). The sole purpose of the study, it turned out, was for the US and the bank to influence local nongovernmental organizations (NGOs) with training, financing, and other mechanisms. The study was never used for any purpose.

The longer-term outcome, writes Creelman, was that the modernizing school now reigns in the discourse on corruption. The modernizers' aim is to seek political stability and effective public administration to develop markets and avoid political crises in their areas of influence. The third conceptual scheme for addressing corruption, the counterhegemonic, seeks to turn the corruption issue into a struggle for democratic transformation, returning to the state the power to regulate the market.

It is here, says Creelman, that Colom's opportunity to effect radical change in Guatemala resides, but the new president must act quickly. Colom must convince the population of his seriousness before his own corrupt allies, the very individuals and institutions that helped him win office, work to block an anti-corruption agenda.

Ending corruption: a tenuous scenario

The new president would have to convince the people of his own honesty while still in the glow of newness and overcome the popular distrust of such a campaign born of a long history of deception. That done, he would have to face his own corrupt supporters and, beyond that, "a significant proportion of public employees." Creelman observes that unless corrupt permanent workers are targeted, "a conflict can emerge between the permanent bureaucracy and the workers brought in by any given administration." Along with all this, writes the analyst, Colom is going to have to create a parallel legal channel in which uncorrupted judicial workers prosecute high-profile cases, including corrupt mayors, police, judges, and other public officials.

This is no small task and would be a dangerous undertaking for all involved in the parallel channel. Guatemala's judicial history is littered with the corpses, broken lives, bodily injuries, and self-imposed exiles of the judges, prosecutors, lawyers, witnesses, auditors, police, corrections officials, and other judicial personnel who have dared to try to make the system work. Exactly how Colom would make this happen is not elucidated in the essay, but it is probable that there exist honest, fed-up, courageous people in all these categories.

The idea would be not to take on the whole system at once but to use the channel on selected, high profile cases. But supposing the new president could marshal as yet undefined forces, the effect of these actions would be to broaden the government's anti-corruption campaign into a social movement, weakening the government-illicit actor bond and strengthening a government-citizen alliance.

Creelman believes an attack on corruption of this magnitude would force the now corruption-compliant Guatemalan media into joining it, "even if it were to jeopardize shareholders' and advertisers' interests." Heightening the risks of a major attack on corruption, Colom would have to begin almost immediately upon taking office to take advantage of a Trojan-horse effect, whereby a won election becomes the means for the new government to gain entry to the sanctums of illicit power and attack its own corrupt supporters. Creelman says he got this idea from his work with the mayors, getting them to buy into creating the circumstances for admitting their own corruption to their constituents through signing up for World Bank-funded workshops on corruption.

If there is a key here, whether the metaphor comes from Greek history or Hemmingway, it is that the attack on corruption must become a social movement with the backing of the government. If the battle is of the modernizing type, which is to say subsidized rather than counterhegemonic, the result will be "superficial and stabilizing," without changing the relationships and structures that brought the government to power. Because the modernizing paradigm would seek to relegitimize the state without providing an opportunity for social movements to focus on corruption, Colom's government would have to take on the task alone, without depending on NGO, foreign-government, or private-sector initiatives.

The scenario Creelman lays out is to convince civil society of its sincerity in ending corruption by first attacking its own corrupt political and business-sector allies, including the ones who form part of the new administration, despite the costs of being seen as traitors by these sectors and large numbers of public employees who have been profiting for years from corrupt practices.

Second would be the creation of the channel within the justice system. Once this process is started and society in general is engaged, if not entirely convinced, the more reluctant sectors might be pulled along. Creelman recalls that, during the internal war, the Guatemalan media rarely, if ever, denounced or reported on the brutality of the Army and government, but once the silence was broken, they facilitated the revelations of the facts of the war.

It is partly a question of market forces. "A media outlet that seeks to compete in the market could convert the theme of corruption into a possible competitive advantage against other, biased media," he said. What would be needed, however, would be the understanding that this is not just another opportunity to use anti-corruption rhetoric to signal the change of regime. It is not unusual at the end of a presidency for the media to center on the administration's corruption after largely ignoring it for the previous four years.

Creelman told NotiCen that before publishing his essay on corruption in multiple publications, including Inforpress Centroamericana, Central America Report, and Albedrio, he had offered it to Colom's campaign. "I went by the UNE offices in October and asked for Jose Carlos Marroquin, son of the owner of La Hora [Guatemala's afternoon daily] and apparently in charge of political strategy for Colom. They told me that he was not expected to come to the UNE office and that he sent someone by each day for his mail. I left the package with his name on it and got his cell phone number. He never answered the phone calls, and I have no idea if he received the package. Three days later he quit the party and complained about corruption in Guatemalan politics."

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