

“HAVE OUR VALUES BEEN SO TWISTED?”
AMERICAN GOVERNMENTAL DISSENT IN THE
GUATEMALAN CIVIL WAR, 1960-1996

by © John Davis-Abraham

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Abstract

This thesis examines American diplomats, policymakers and officials who criticized US policy choices in Guatemala during the 1960-1996 Guatemalan Civil War. Using recently declassified American government documents, this thesis makes four primary arguments. First, it analyzes the volume, spread, and nature of voices of dissent within the US government and illustrates that dissenting opinions were more numerous and widespread in the second half of the conflict. Dissent was largely based on moral grounds, but other categories of dissent emerged as the US pursued human rights policies. Second, this thesis explores whether Jimmy Carter's human rights-based foreign policy impacted the nature of governmental dissent during the remainder of the Civil War. It argues that while Carter's policies led to an immediate explosion of dissent, there was very little short-term impact on policy changes. In the long term, however, the language of human rights served as a powerful tool of dissent and criticism, and Carter's legitimization of human rights policy laid the groundwork for future dissenters to achieve meaningful policy changes at the end of the Civil War. Third, it considers whether the creation of a formal Dissent Channel meaningfully impacted US officials concerned with American actions in Guatemala and concludes that the Dissent Channel had minimal impact on officials who disagreed with policy choices. Instead, officials overwhelmingly opted to dissent through informal procedures that clearly identified themselves rather than hiding behind the Dissent Channel's anonymity. Finally, it analyzes whether dissenters (both those who did and did not use the Dissent Channel) meaningfully impacted US policy choices. It argues that despite the overall lack of interest in using the Dissent

Channel, dissenters still meaningfully impacted US foreign policy choices in Guatemala. In particular, dissenting opinions helped legitimize human rights as a viable policy choice and served as a check on the US government's activities in Guatemala. This thesis makes a worthwhile contribution to both scholarship on US policy in Guatemala and the emerging field of dissent literature, as it allows for more nuanced analysis of US Cold War foreign policymaking.

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List of Abbreviations

CIA – Central Intelligence Agency

GOG – Government of Guatemala

ICRC – International Committee of the Red Cross

US – United States

USAID – United States Agency for International Development

USG – United States Government

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CHAPTER 1: INTRODUCTION

In 1968, United States (US) government official Viron Vaky (then a member of the State Department's Policy Planning Council) wrote a memorandum entitled "Guatemala and Counter-Terror" directly criticizing the direction of US foreign policy in Guatemala.¹ At the time of Vaky's memorandum, Guatemala was eight years into a thirty-six-year Civil War between the Guatemalan state and left-wing guerrilla insurgents. Throughout the Civil War, the Guatemalan state was dominated by right-wing military dictatorships. Between 1954 and 1986, the military only permitted one civilian government to rule but only after the military was granted *de facto* power. The US aligned itself with the reactionary forces and provided crucial assistance to Guatemala's counterinsurgency program, which eliminated political dissidents through arrests, forced disappearances, and executions.² At the time, Vaky's memorandum "Guatemala and Counter-Terror" was the most pointed criticism of US support for the Guatemalan counterinsurgency by an American government official.

In his memorandum, Vaky wrote that the Guatemalan counterinsurgency impeded meaningful social progress within Guatemala and resulted in increased violence, death, and destruction.³ Furthermore, he admonished the US government for its role in

¹ Historians such as Greg Grandin, *The Last Colonial Massacre: Latin America in the Cold War* (Chicago and London: The University of Chicago Press, 2004) and Michael Kirkpatrick, "Manufacturing the *Nueva Guatemala*: Guerrilla Re-Imaginations of the Modern Guatemalan Nation During the 1960s", (Masters' Thesis, University of Manitoba, 2006), have previously made use of Vaky's writings.

² Susanne Jonas, *The Battle for Guatemala: Rebels, Death Squads and U.S. Power* (Boulder: Westview Press, 1991): 69-71.

³ Vaky to Oliver, 29 March 1968, accessed through "Death Squads, Guerrilla War, Covert Ops, and Genocide: Guatemala and the United States, 1954-1999" from the *Digital National Security Archive* ("Death Squads"), https://www.proquest.com/dnsa_gu/advanced, GU00367.

supporting the Guatemalan counterinsurgency, claiming that such a policy position directly contradicted America's image and values:

Have our values been so twisted by our adversary concept of politics in the hemisphere? Is it conceivable that we are so obsessed with insurgency that we are prepared to rationalize murder as an acceptable counter-insurgency weapon? Is it possible that a nation which so rever[e]s the principle of due process of law has so easily acquiesced in this sort of terror tactic?⁴

Vaky's memorandum encouraged US policymakers "to come to terms with our values and judgments and take a clear ethical stand" against supporting the Guatemalan state.⁵

US involvement in Guatemalan politics and economics was nothing new at the time of Vaky's writing. In fact, US economic presence in Guatemala dates back at least to 1901 with the arrival of the American-owned United Fruit Company.⁶ By the mid-twentieth century, United Fruit controlled considerable land assets in Guatemala as well as critical infrastructure, giving the US investors significant political influence.⁷

American interference in Guatemalan affairs became more pronounced in 1954 when the US Central Intelligence Agency (CIA) orchestrated a coup to overthrow democratically-elected President Jacobo Arbenz. Arbenz's progressive policies, including a wide-ranging land reform bill, were seen as both a threat to US business interests, including that of United Fruit, and a sign of communism in the American sphere of influence. Following Arbenz's overthrow, Colonel Carlos Castillo Armas was installed as Guatemala's new President, beginning over thirty years of direct or indirect military rule in Guatemala. Six

⁴ Vaky to Oliver, 29 March 1968, "Death Squads", GU00367.

⁵ Ibid.

⁶ Jim Handy, *Gift of the Devil: A History of Guatemala* (Toronto: Between the Lines, 1984), 79.

⁷ Stephen Schlesinger and Stephen Kinzer, *Bitter Fruit: The Story of the American Coup in Guatemala* (Cambridge, Massachusetts: Harvard University Press, 2005), 70.

years after the Arbenz overthrow, a civil war broke out between the government of Miguel Ydígoras Fuentes and leftist guerrilla movements aimed at deposing it.⁸

During the civil war, the US supported the military governments over the guerrillas, believing that the army would prioritize US interests. American support for the Guatemalan military was also motivated by fears of other guerrilla movements ascending to power in the wake of Fidel Castro's successful Cuban Revolution.⁹ The US provided equipment, troops, tactics and training to Guatemalan military and security forces throughout the armed conflict. US contributions to the Guatemalan counterinsurgency were instrumental to its success; by the end of the conflict in 1996, the counterinsurgency had claimed 200,000 lives, but preserved the economic and political power of the Guatemalan oligarchy.¹⁰

US involvement in Latin America was not limited to Guatemala. Throughout its history, the US has engaged in imperialist policies in Latin America by shaping regional politics and economics to suit American needs. US officials used the polarized atmosphere of the Cold War as a pretense to increase its sphere of influence and investments in Latin America. US Cold War foreign policy in general, especially in the first decades of the Guatemala conflict, was characterized by the Truman Doctrine, defined as the containment of communism to Soviet areas and preventing it from

⁸ Handy, *Gift of the Devil*, 123-164.

⁹ For more on the transnational character of the guerrilla insurrection, please see Michael D. Kirkpatrick, "Upon the Long Avenues of Sadness: Otto René Castillo and Transnational Spaces of Exile", in *New World Coming: The Sixties and the Shaping of Global Consciousness*, edited by Karen Dubinsky, Catherine Krull, Susan Lord, Sean Mills and Scott Rutherford (Toronto: Between the Lines; New York: Palgrave Macmillan, 2009).

¹⁰ Grandin, *The Last Colonial Massacre*, 74.

spreading elsewhere.¹¹ The Truman Doctrine eventually evolved beyond simply containing communism to “liberat[ing] those under the heel of communism.”¹² While the US government argued that the Truman Doctrine did not mean that the US would prioritize military dictatorships over democratic governments, it became the reality of US foreign policy, especially in Latin America as well as parts of Asia. According to Stephen G. Rabe, the Arbenz overthrow in Guatemala became the blueprint for similar operations in Chile and Brazil.¹³

While the Truman Doctrine guided US Cold War policy, the success of the Cuban Revolution in the late 1950s galvanized the US government to initiate harsher measures in Latin America. In 1960, his last year as President, Dwight D. Eisenhower approved an invasion of Cuba, which resulted in complete failure in the first months of John F. Kennedy’s presidency. According to Rabe, following the failed invasion, Kennedy undertook a different approach based on “[a] new wisdom that support for dictators was counterproductive, for it pushed Latin Americans toward extremism.”¹⁴ However, the Kennedy administration’s aim to promote democracy in Latin American countries was heavily undermined by US aid becoming contingent on Latin American governments renouncing Castro and his revolution; if they refused to do so, the US became “indifferent, even hostile” towards them.¹⁵ In many Latin American countries, the US

¹¹ John Lewis Gaddis, *Strategies of Containment: A Critical Appraisal of Postwar American National Security Policy – Revised and Expanded Edition* (New York: Oxford University Press, 2005), 3-24.

¹² Robert L. Scott, “Cold War and Rhetoric: Conceptually and Critically”, in *Cold War Rhetoric: Strategy, Metaphor and Ideology*, by Martin J. Medhurst, Robert L. Ivie, Philip Wander and Robert L. Scott (East Lansing: Michigan State University Press, 1997), 10.

¹³ Stephen G. Rabe, *Kissinger and Latin America: Intervention, Human Rights, and Diplomacy* (Ithaca: Cornell University Press, 2020), 23.

¹⁴ *Ibid.*, 24.

¹⁵ *Ibid.*, 25.

government increased their funding of and collaboration with local security forces to shut down potential uprisings and keep US-friendly governments in power. For example, the US interfered in the 1958 Guatemalan presidential election so their preferred candidate, Ydígoras Fuentes, would win.¹⁶ They would later contribute to Ydígoras Fuentes' own overthrow in 1963 after he threatened to allow open elections.¹⁷ The US government's harsher policy choices set the stage for an increase in illegal counterinsurgency violence across Latin America.

Various factions of Guatemalan society responded differently to US policy choices during this period. Generally, the Guatemalan state supported US foreign policy when it promoted Guatemalan interests (i.e. support for the counterinsurgency effort); conversely, the Guatemalan state opposed the US when its policies worked against Guatemalan goals. US presence in Guatemala offended nationalist sentiments, even among traditionally conservative institutions. For example, the US government's decision to prepare for an invasion of Cuba on Guatemalan territory was a contributing factor to the November 13, 1960 military revolt that began the Civil War. Some of the junior military officers that participated in these revolts formed the first guerrilla movements in Guatemala.¹⁸ The guerrilla movements' resentment of US interference in Guatemalan affairs persisted throughout the war.¹⁹

¹⁶ Stephen M. Streeter, *Managing the Counterrevolution: The United States and Guatemala, 1954-61* (United States of America: Ohio University Center for International Studies, 2000), 73-77.

¹⁷ Eduardo Galeano, *Guatemala: Occupied Country* (New York and London: Modern Reader Paperbacks, 1967), 55.

¹⁸ Streeter, *Managing the Counterrevolution*, 210-238; Kirkpatrick, "Manufacturing the *Nueva* Guatemala", 43.

¹⁹ Galeano, *Guatemala: Occupied Country*.

In attempting to understand the activities of both the Guatemalan state and the US government, Michel Foucault's theoretical concept of biopolitics provides key insights. Foucault describes biopolitics as "power ... situated and exercised at the level of life, the species, the race, and the large-scale phenomena of population."²⁰ Foucault states that the primary aim of biopolitics is the preservation and enhancement of human life. However, an inherent contradiction within the framework of biopolitics is that it is equally concerned with killing humans in pursuit of life's preservation and enhancement.²¹ As Matthew Gravlin summarizes, "liberal regimes became intent on eliminating elements of human existence, both within and beyond their societies that were identified as threats."²² Additionally, Foucault argues that biopolitics is linked to notions of racism and the Other. He suggests that these two notions are key to the framework of biopolitics: "The fact that the other dies does not mean simply that I live in the sense that his death guarantees my safety; the death of the other, the death of the bad race, of the inferior race (or the degenerate, or the abnormal) is something that will make life in general healthier: healthier and purer."²³

The policies of the Guatemalan state and the US government during the Guatemalan Civil War can be viewed through the lens of Foucault's concept of biopolitics. The purpose of the Guatemalan state's counterinsurgency campaign was to remove undesirable elements from Guatemalan society (insurgents and other political

²⁰ Michel Foucault, *The History of Sexuality, Volume I: An Introduction* (New York: Pantheon Books, 1978), 137.

²¹ Michel Foucault, "Society Must Be Defended": *Lectures at the Collège de France, 1975-1976*, edited by Mauro Bertani and Alessandro Fontana (New York: Picador, 1997), 239-264.

²² Matthew Gravlin, "The Biopolitics of Liberal Colonialism in India" (Master's thesis, University of Saskatchewan, 2014), 28.

²³ Foucault, "Society Must Be Destroyed", 255.

dissidents) that were considered a threat to the population. The government framed the insurgency and its participants as a blight or cancer on Guatemalan society that needed to be eradicated. There was a significant racial component to the counterinsurgency as the Guatemalan military deliberately targeted Guatemala's working-class indigenous populations throughout the Civil War.²⁴ Further, the US government's support of counterinsurgency was motivated by its desire to eliminate communist threats to both their political sphere of influence and their economic interests. Whether real or imagined, many US policy planners viewed the Soviet Union and communism as an existential threat. Because threats to US interests were perceived as a life-and-death matter in the context of the Cold War, US policymakers and bureaucrats were able to justify and support abhorrent policies. Openings for dissent and policy criticisms were only possible once threats were eliminated or neutralized. Notions of racism also played an important role in US Cold War foreign policy. For example, academic Gerald Horne draws connections between racism and the US government's preoccupation with anticommunism: "since the challenges to private property that anticommunism was designed to blunt emerged most dramatically in the 'Third World,' anticommunism itself — which was a broad church that could embrace believers of all colors - often appeared to some as no more than an updated mechanism to protect racial privilege."²⁵

While conventional US policy was to support the Guatemalan military, there were a small number of American policymakers, officials, and diplomats who, like Viron

²⁴ Grandin, *The Last Colonial Massacre*; M. Gabriela Torres, "Constructing the Threat of Insurgency: Inherent Inequalities in the Development of the Guatemalan Counterinsurgent State," *Journal of Poverty* 8, no. 4 (December 2004).

²⁵ Gerald Horne, "Race from Power: U.S. Foreign Policy and the General Crisis of 'White Supremacy'", *Diplomatic History* 23, no. 3 (Summer 1999), 441-442.

Vaky, spoke out against US assistance to the counterinsurgency in the first fourteen years of the Civil War (1960-1974) for being counterproductive and contradicting American values. In the first years of the Civil War, dissenters were preoccupied with whether the Guatemalan government was committed to democratic ideals. However, in the later years of this period, dissenters became more concerned about the Guatemalan government's human rights abuses and the US government's complicity in them.²⁶ Returning to Vaky's memorandum as an example, "Guatemala and Counter-Terror" articulated an argument centered around concern for human rights. Vaky warned that if the US did not disavow counterinsurgency tactics "we will stand before history unable to answer the accusations that we encouraged the Guatemalan Army to do these things."²⁷ The small number of dissenters between 1960-1974 can be explained by analyzing the relationship between dissent and the broader context of the Cold War. In general, there was more dissent at times when Cold War tensions were diminished and less dissent when the US and Soviet Union increased tensions.

This thesis will examine American governmental officials, policymakers and diplomats who criticized US foreign policy choices during the 1960-1996 Guatemalan Civil War. It will focus on the later half of the conflict (1975-1996). This period saw two notable policy changes from the earlier period of the Civil War (1960-1974) with

²⁶ There is a robust literature on the history of human rights in the US context. The language of human rights has been part of US national identity since its inception. However, US emphasis on human rights emerged prominently in the post-World War II period, as the world dealt with the fallout of the conflict and the horrors of the Holocaust. As the US became more involved in global affairs after the war, it took a stronger stance to promote human rights worldwide. However, human rights only became a legitimate consideration for US policymakers in the 1970s. For a more detailed overview please see Kathryn Sikkink, *Mixed Signals: U.S. Human Rights Policy and Latin America* (Ithaca: Cornell University Press, 2007), 5-6, and Roberta Cohen, "Integrating Human Rights in U.S. Foreign Policy: The History, the Challenges, and the Criteria for an Effective Policy", *The Brookings Institution*, 2008, 2.

²⁷ Vaky to Oliver, 29 March 1968, "Death Squads", GU00367.

significant implications for governmental dissent. First, in response to widespread criticism of American participation in the Vietnam War, US President Richard Nixon's administration created a Dissent Channel within the US State Department.²⁸ The Dissent Channel is a formal mechanism for government officials to criticize foreign policy choices which still exists today.²⁹ Through the Dissent Channel, State Department officials can anonymously submit a dissenting opinion to the Secretary of State that must be replied to "substantive[ly]" by the Director of Policy Planning within sixty days.³⁰ The Dissent Channel provided a sanctioned and unstigmatized procedure for criticizing foreign policy that was unavailable to US officials during the first decade of the Guatemalan Civil War. The State Department is the only branch of the US government to have any kind of mechanism for dissenting opinions.³¹

The second major difference is the consistency of broad support for the Guatemalan counterinsurgency across US administrations (specifically the executive branch consisting of the President, Vice-President, and cabinet). Between 1960 and 1974 there was sustained bipartisan support across US administrations for providing financial and military aid to the Guatemalan government. However, between 1975 and 1996, support for counterinsurgency across US administrations was not unanimous. US

²⁸ According to Hannah Gurman, new administrators within the State Department attempted to reform the Department's practices. They undertook concrete steps to provide a legitimate mechanism for dissent, as part of their efforts to campaign for increased open communication throughout the Department. The administrators stated that "it was in the department's best interest to affirm rather than denounce the emerging culture of dissent." The Dissent Channel was one of several suggested reforms, and it was officially implemented one year following its proposal. See Hannah Gurman, "The Other Plumbers Unit: The Dissent Channel of the U.S. State Department", *Diplomatic History* 35, no. 2 (April 2011): 325.

²⁹ Gurman, "The Other Plumbers Unit", 321-324.

³⁰ Thomas Boyatt, "What If I Disagree? Dissent in the Foreign Service", in *Inside a U.S. Embassy: Diplomacy at Work, All-New Third Edition of the Essential Guide to the Foreign Service*, by Shawn Dorman (Lincoln: University of Nebraska Press, 2011), 94.

³¹ *Ibid.*

President Jimmy Carter drastically decreased US assistance to the Guatemalan government during his 1977-1981 presidency. Carter's foreign policy choices centered around human rights, and the Carter administration considered Guatemala to be "perhaps the worst human rights violator in Latin America."³² When Ronald Reagan came to power in January 1981, the US government resumed military aid to Guatemala.³³ The Reagan administration downplayed Guatemala's human rights abuses; Reagan stated that Guatemalan dictator José Efraín Ríos Montt's government was "totally dedicated to democracy in Guatemala ... And frankly I'm inclined to believe they've been getting a bum rap."³⁴ Despite Reagan's defense, Ríos Montt was later convicted of genocide and crimes against humanity for his counterinsurgency tactics.³⁵ The Carter administration's foreign policy choices are important to consider when analyzing American governmental dissent because they created a precedent for prioritizing human rights that did not exist in previous administrations.³⁶ As a result, it is worthwhile to consider whether Carter's human rights-based foreign policy influenced other US officials to speak out against the Guatemalan state's human rights abuses, even as the Reagan administration funnelled military support to Guatemala.

³² Jason M. Colby, "'A Chasm of Values and Outlook': The Carter Administration's Human Rights Policy in Guatemala", *Peace & Change* 35, no. 4 (2010): 564.

³³ "Around the World; U.S. Clears Military Vehicles for Export to Guatemala", *The New York Times*, June 19, 1981.

³⁴ "Question-and-Answer Session With Reporters on the President's Trip to Latin America", *National Archives Ronald Reagan Presidential Library & Museum*, December 4, 1982, <https://www.reaganlibrary.gov/archives/speech/question-and-answer-session-reporters-presidents-trip-latin-america>.

³⁵ Mike McDonald, "Former Guatemala dictator Rios Montt convicted of genocide", *Reuters*, May 10, 2013.

³⁶ Colby, "'A Chasm of Values and Outlook'", 561-593.

Critically to my analysis, shifts in US governmental dissent concerning foreign policy in Guatemala did not occur in isolation. The changing climate of the Cold War had a significant impact on American governmental dissent. There is a notable correlation between the volume of dissent and Cold War tensions. During the 1970s, when the Cold War was characterized by a period of détente between the US and Soviet Union, officials were more willing to criticize US foreign policy choices as there was seemingly less of an existential threat to US survival.³⁷ The same pattern occurred in the final years of the Cold War; dissent levels rose as tensions between the US and Soviet Union fizzled out. Conversely, Cold War tensions reignited in the late 1970s-early 1980s with Reagan's antagonistic policy toward the Soviet Union and the Cuban-inspired Sandinista movement seizing power in Nicaragua. In light of US officials perceiving an existential threat to the US, they were less likely to dissent and more willing to accept the administration's policy choices.

Foucault's concept of discourse can help inform changing attitudes towards dissent during the Guatemalan counterinsurgency. Foucault understands discourses as methods/systems for producing and organizing knowledge and truth. These methods are dependent on two key factors: power relations and social contexts. Both power relations and the social contexts of a particular era impact which discourses are permitted, and which are not.³⁸ Foucault's 1970 "The Order of Discourse" focuses primarily on the

³⁷ Jussi M. Hanhimäki defines détente as "an era when subsequent American administrations attempted to redefine their relationship with the Soviet Union in order to increase predictability and reduce the potential of direct military confrontation." In Jussi M. Hanhimäki, *The Rise and Fall of Détente: American Foreign Policy and the Transformation of the Cold War* (Washington, DC: Potomac Books, 2013), xix.

³⁸ Victor Pitsoe and Moeketsi Letseka, "Foucault's Discourse and Power: Implications for Instructionist Classroom Management", *Open Journal of Philosophy* 3, no. 1 (2013), 24.

factors which restrain and limit discourse. He writes that “in every society, the production of discourse is at once controlled, selected, organized, and redistributed by a certain number of procedures whose role it is to ward off its powers and dangers, to gain mastery over its chance events, to evade its ponderous, formidable mastery.”³⁹ However, Foucault also wrote that discourse can constitute “a point for resistance and a starting point for an opposing strategy.”⁴⁰ It follows that the volume of dissent may fluctuate during the Cold War, depending on the discourses and the avenues of resistance permitted at various points within the conflict.

This thesis will make four primary arguments. First, I will examine the volume and spread of voices of dissent within the US government and the grounds on which dissent was based. My research will illustrate that voices of dissent within the US government were more numerous in the second half of the Civil War (1975-1996) than in the first half (1960-1974). In addition to an increase in dissenting opinions, dissent moved beyond the US Embassy in Guatemala and the Department of State (two key sources of dissent in the 1960-1974 period), to include the US Congress. The increase in congressional interest about Guatemala began in the mid-1970s and accompanied wider conversations occurring within Congress about US complicity in global human rights abuses and what the US role should be moving forward. The rise of Congressional dissent was an important shift in the latter half of the Guatemalan Civil War. The Congress’ consistent and vocal support for human rights became a critical and steady check on the policies of the executive branch.

³⁹ Michel Foucault, “The Order of Discourse”, in *Untying the Text: A Post-Structuralist Reader*, edited and introduced by Robert Young (Boston, London and Henley: Routledge & Kegan Paul, 1981), 52.

⁴⁰ Pitsoe and Letseka, “Foucault’s Discourse and Power”, 25.

Dissenting opinions were largely based on moral grounds, pertaining to the Guatemalan government's human rights abuses and the US government's complicity in them. During periods in which the prioritization of human rights was mainstream policy, several American officials raised concerns about the pragmatism of US policy choices, focusing on the policy's impacts on US-Guatemala relations and worries of working against the US government's regional interests. The volume and diversity of dissenting opinions was highest during the Carter administration. As Carter's presidency was the first time that the US prioritized human rights in foreign policy, American officials engaged in prolonged debate about the merits of the significant policy shift.

My second argument will explore whether Jimmy Carter's human rights-based foreign policy impacted the nature of governmental dissent when Reagan resumed US aid to the Guatemalan state. This essay will highlight the complex legacy of Carter's focus on human rights. Carter's policies initially did little to fundamentally alter the nature of governmental dissent in the years immediately following Reagan's inauguration. Critically, this was at a period of renewed tensions with the Soviet Union in the wake of the Sandinista victory in Nicaragua and when it seemed likely that the Farabundo Martí National Liberation Front (FMLN) would be victorious in El Salvador. When the Reagan administration reverted to support of the Guatemalan counterinsurgency and focused less on human rights, the level of governmental dissent largely returned to pre-Carter levels. Apart from the US Congress which steadily advocated for meaningful human rights policy, only scattered concerns emerged from other US agencies and government branches. However, Carter's policy choices had a more profound impact on dissent in the final years of the Civil War. While levels of dissent in the post-Carter era were lower than

during his presidency, dissenting opinion led to significant policy changes at a much higher rate, especially during the administrations of George H. W. Bush and Bill Clinton. A gradual shift back to Carter's human rights began in Reagan's second term, fully materialized in the first half of Bush's term, and continued through the Clinton administration (once again, in a time of détente with the Soviet Union). The key turning points towards the full return to human rights-based policy in Guatemala were dissenting opinions from American officials.

My third argument will analyze whether the creation of the Dissent Channel meaningfully impacted US officials concerned with American actions in Guatemala. No substantial evidence exists within the research that the creation of the Dissent Channel inspired a significant change in the number of officials who expressed concerns about US policy in Guatemala. While one anonymous official did use the Dissent Channel in 1982 to specifically criticize US conduct in Guatemala, officials and policymakers overwhelmingly used other means to voice their dissatisfaction with policy choices.

My final argument will examine whether dissenters (both those who did and did not use the Dissent Channel) meaningfully impacted US policy choices in Guatemala. My research will demonstrate that despite the overall lack of interest in using the Dissent Channel, dissenters still meaningfully impacted US foreign policy choices in Guatemala. In the first half of the Civil War (1960-1974), US support for the Guatemalan counterinsurgency had bipartisan support across administrations and dissenting opinion of any kind was mostly discounted. In the second half (1975-1996), however, not only had a dissenting opinion (the prioritization of human rights) become a mainstream policy

choice, but it had also achieved bipartisan support across Democrat and Republican administrations by the end of the Civil War. Dissenting opinions played an important role in legitimizing human rights policy as a mainstream and worthwhile policy choice across party lines.

1.1 – Historiography

There is a significant body of literature related to twentieth century Guatemalan history, US foreign policy, and dissent/whistleblowing. One major debate in the twentieth century Guatemala historiography is the amount of influence the US has had in Guatemala's national affairs. There have been three primary historiographical trends pertaining to twentieth-century Guatemalan history. The first trend focused on the US' extensive role in shaping Guatemalan politics and economics. This trend emerged in the 1980s amid renewed scrutiny of US-Latin America policy following the declassification of 1950s CIA documents and Reagan's support of Latin American militaries and the Contra rebels in Nicaragua.⁴¹ Some works from this historiographical trend include Stephen Schlesinger and Stephen Kinzer's *Bitter Fruit: The Story of the American Coup in Guatemala* and Richard H. Immerman's *The CIA in Guatemala: The Foreign Policy of Intervention*. Both *Bitter Fruit* and *The CIA in Guatemala* provide thorough analyses of the US overthrow of Jacobo Arbenz in 1954. These works illustrate why the US felt threatened by Arbenz, as well as the planning, execution, and aftermath of the overthrow. In particular, *Bitter Fruit* utilized the recently declassified CIA documents to analyze the

⁴¹ Edward A. Lynch, *The Cold War's Last Battlefield: Reagan, the Soviets, and Central America* (Albany: Global Academic Publishing, 2011); Schlesinger and Kinzer, *Bitter Fruit*.

US government's activities in Guatemala.⁴² Similarly, Stephen M. Streeter's 2000 book *Managing the Counterrevolution: The United States and Guatemala, 1954-1961* uses the framework of cultural hegemony to illustrate how the US dominated Guatemalan politics and economics in the seven years after the Arbenz overthrow.⁴³ These works are useful for contextualizing US-Guatemala relations in the leadup to the Civil War.

The second historiographical trend emerged as a reaction to the first US-centred approach. The second trend de-emphasized the extensive US focus and highlighted Guatemalan factors and experiences. Works by Jim Handy have championed this approach. While Handy's 1984 book *Gift of the Devil: A History of Guatemala* details the role of the US in Guatemalan affairs, he argues from the outset that the US role should not be the primary focus in Guatemalan studies: "While U.S. governments and business interests have always had an important influence on the way events unfold in Guatemala, they do not control them. The United States has never been able simply to shape Guatemala for its own interests."⁴⁴ The Guatemala-focused historiographical trend fully materialized with Handy's 1994 book *Revolution in the Countryside: Rural Conflict and Agrarian Reform in Guatemala*. In this book, Handy describes the Guatemalan Revolution of 1944-1954 from the perspective of the rural communities in the Guatemalan countryside, scarcely mentioning the CIA or State Department. Using frameworks like class and ethnicity, Handy emphasizes Guatemalan agency by describing

⁴² Schlesinger and Kinzer, *Bitter Fruit*, xxxvii.

⁴³ Richard H. Immerman, *The CIA in Guatemala: The Foreign Policy of Intervention* (Austin: University of Texas Press, 1982); Schlesinger and Kinzer, *Bitter Fruit*; Streeter, *Managing the Counterrevolution*.

⁴⁴ Handy, *Gift of the Devil*, 9.

how Guatemala's indigenous and ladino populations meaningfully impacted the Guatemalan government's policies during the Revolution.⁴⁵

The final and most recent historiographical trend has a more balanced perspective which considers both the Guatemalan and US roles equally. One of the first academics to take this approach was Susanne Jonas in her 1991 book *The Battle for Guatemala: Rebels, Death Squads and U.S. Power*. Jonas' analysis equally considers the perspectives of the Guatemalan military, the Guatemalan guerrilla movements, and the US government, while illustrating the societal, political, and economic structures that affected each group's activities during the Civil War.⁴⁶ Additionally, Greg Grandin's *The Last Colonial Massacre: Latin America in the Cold War* highlights the experiences of Guatemala's working-class indigenous people who were deliberately targeted by the military, as well as the US' increased role in assisting the military's counterinsurgency operations. My thesis is inspired primarily by this historiographical trend. While it will mostly focus on the US experience, it is also necessary to consider the Guatemalan perspective to achieve a nuanced analysis.

There has been very little comprehensive analysis of US policy choices during the second half of the Guatemalan Civil War. The lack of analysis can be attributed to the unavailability of documents from the later period; many of these documents "remain in the custody of the [US government]."⁴⁷ However, one aspect of the later era which has

⁴⁵ Jim Handy, *Revolution in the Countryside: Rural Conflict & Agrarian Reform in Guatemala, 1944-1954* (Chapel Hill & London: The University of North Carolina Press, 1994).

⁴⁶ Grandin, *The Last Colonial Massacre*; Jonas, *The Battle for Guatemala*.

⁴⁷ "Central Foreign Policy File (CFPF), 1973-1979 | National Archives", *United States National Archives*, <https://www.archives.gov/research/foreign-policy/state-dept/rg-59-central-files/1973-1979>.

received some academic attention is US President Jimmy Carter's foreign policy choices in Guatemala. Carter's human rights-based foreign policy led to the US government cutting off most of its assistance programs in Guatemala over concerns of human rights abuses.⁴⁸ Two pertinent academic writings on this subject are Tanya Broder and Bernard D. Lambek's article "Military Aid to Guatemala: The Failure of U.S. Human Rights Legislation" and Jason M. Colby's article "'A Chasm of Values and Outlook': The Carter Administration's Human Rights Policy in Guatemala." These two articles are part of a larger academic debate on the efficacy of Carter's foreign policy choices.

Broder and Lambek argue that Carter's human rights-based policy was ineffective because it did not reform the Guatemalan military's tactics and because the Reagan administration was able to easily circumvent it later.⁴⁹ Broder and Lambek's criticisms reflect the general historical consensus that Carter's foreign policy choices were "naïve and counterproductive."⁵⁰ Conversely, Colby argues that Carter's policy choices in Guatemala deserve more credit than they have received. Colby suggests that Carter's deliberate focus on human rights cast a shadow over future administrations that was impossible to ignore. Further, he argues that Carter's policy choices helped facilitate the restoration of civilian rule in Guatemala in the mid-1980s. As Colby effectively summarizes: "conservatives in both the United States and Guatemala pushed to jettison Carter's policies, but they could not escape his legacy. In the end, the human rights policy not only limited the Reagan administration's ability to support a brutal regime but also

⁴⁸ Colby, "A Chasm of Values and Outlook", 561-565.

⁴⁹ Tanya Broder and Bernard D. Lambek, "Military Aid to Guatemala: The Failure of U.S. Human Rights Legislation", *Yale Journal of International Law* 13, vol. 111 (1988): 111-145.

⁵⁰ Colby, "A Chasm of Values and Outlook", 561.

convinced Guatemalan military leaders that they could no longer count on unconditional U.S. support.”⁵¹ There are compelling arguments on both sides of the Carter foreign policy debate. Since my research will be focusing on opposition to conventional US policy choices, it is important to consider Carter’s unconventional policy choices in their entirety rather than focusing on only one perspective.

Dissent literature is a relatively new and emerging field that has gained considerable traction in the last five to ten years, inspired by several prominent whistleblowers like Julian Assange, Edward Snowden, and Chelsea Manning. Academics have written about dissent and whistleblowing from several perspectives including focus on popular protests and specific whistleblowers like Snowden and Manning.⁵² Dissent has also been analyzed using a variety of methodologies. Kaeten Mistry and Hannah Gurman’s edited volume *Whistleblowing Nation: The History of National Security Disclosures and the Cult of State Secrecy* encompasses a variety of methodologies to study its topic, including cultural, political, and social history. Mistry and Gurman use a “longue durée” approach to analyze whistleblowing.⁵³ They argue that the best approach to study dissent and whistleblowing is to examine its trajectory, rather than the traditional methodology of a “case-by-case” basis.⁵⁴ Mistry and Gurman’s longue durée methodology will be useful for this research project as it will examine the patterns found

⁵¹ Colby, “A Chasm of Values and Outlook”, 565.

⁵² Eric R. Boot, *The Ethics of Whistleblowing* (New York: Routledge, 2019); Randall Bennett Woods, *Vietnam and the American Political Tradition: The Politics of Dissent* (Cambridge, UK: Cambridge University Press, 2003).

⁵³ Kaeten Mistry and Hannah Gurman, “Introduction”, in *Whistleblowing Nation: The History of National Security Disclosures and the Cult of State Secrecy*, edited by Kaeten Mistry and Hannah Gurman (New York: Columbia University Press, 2020), 5.

⁵⁴ *Ibid.*, 4.

in American governmental dissent over the course of the Guatemalan Civil War rather than focusing on a select number of cases.

Gurman's other works on dissent have been very influential in the development of this thesis. Many of them have been written from the perspective of US foreign relations, which she and Mistry identify as a notable gap in the existing scholarship.⁵⁵ In *The Dissent Papers: The Voices of Diplomats in the Cold War and Beyond*, Gurman examines four case studies of US officials who succeeded in impacting US Cold War foreign policy. She uses a discourse-based approach to study dissent, focusing on how dissenters conveyed their criticisms in addition to what policies they opposed. According to Gurman, diplomatic writing during the Cold War became increasingly more bureaucratic, so dissenters had to learn "how to make their voices heard through the more impersonal layers of bureaucracy."⁵⁶ She notes that while the vast majority of dissenters failed to affect meaningful policy change, it is worth analyzing how and why a select few were able to succeed.⁵⁷ Her thoughtful and nuanced approach is beneficial for this thesis as she highlights both the possibilities for meaningful dissent and the constraints that have made it difficult for officials to criticize policy choices. Her focus on discourse is important as

⁵⁵ Hannah Gurman and Kaeten Mistry, "The Paradox of National Security Whistleblowing: Locating and Framing a History of a Phenomenon", in *Whistleblowing Nation: The History of National Security Disclosures and the Cult of State Secrecy*, edited by Kaeten Mistry and Hannah Gurman (New York: Columbia University Press, 2020), 33.

⁵⁶ Hannah Gurman, *The Dissent Papers: The Voices of Diplomats in the Cold War and Beyond* (New York: Columbia University Press, 2012), 17.

⁵⁷ *Ibid.*, 15-18.

many US officials consider the articulation and presentation of dissenting opinions to be as important as the dissent itself.⁵⁸

An important theme in the literature on dissent is the debate on whether governments should welcome or dismiss dissenting opinions. Allison Stanger's *Whistleblowers: Honesty in America from Washington to Trump* describes the stigmas and negative repercussions that dissenters face which make it difficult to speak out. She argues that "the taboo on national security whistleblowing makes it easier for Americans simultaneously to revere whistleblowers and to acquiesce in their persecution. ... This thinking has a corrosive effect on democratic values."⁵⁹ While Rosemary O'Leary's *The Ethics of Dissent: Managing Guerrilla Government* recognizes the importance of dissent, she is more skeptical of dissenters' intentions. Her analysis focuses on the ethical considerations that dissenters must address when criticizing policy: "how do you *really* know when or if you are right? Where do you draw the line between sincere concern and arrogant hubris? ... How can a public servant dissent responsibly and ethically?"⁶⁰

The book *Career Diplomacy: Life and Work in the US Foreign Service*, written by former Foreign Service Officers Harry W. Kopp and John K. Naland, highlights the complicated culture of dissent in the US State Department (and more specifically the US Foreign Service). According to Kopp and Naland, dissent is not necessarily discouraged, but there is an expectation among Foreign Service Officers to stand by and promote all

⁵⁸ Boyatt, "What If I Disagree?", 96; Harry W. Kopp and John K. Naland, *Career Diplomacy: Life and Work in the US Foreign Service. Third Edition* (Washington, DC: Georgetown University Press, 2017): 134.

⁵⁹ Allison Stanger, *Whistleblowers: Honesty in America from Washington to Trump* (New Haven: Yale University Press, 2019), 12.

⁶⁰ Rosemary O'Leary, *The Ethics of Dissent: Managing Guerrilla Government*, 3rd ed. (Washington, D.C.: CQ Press, 2019), xi-xii.

US policy choices. They state that “an officer’s personal views are of no consequence and should never enter an official discussion.”⁶¹ Kopp and Naland suggest that many officers avoid criticizing US policy choices for fear of facing significant punishment from their superiors, including losing their jobs, despite the unlikelihood of this occurring. Possibilities for meaningful dissent are further restricted by the Foreign Service’s culture of skepticism and partisanship. According to Kopp and Naland, because Foreign Service Officers must advance the policy positions of whatever party is in power, “it would not occur to a member of the Service to identify himself as a ‘Democratic [or a Republican] diplomat.”⁶² Despite the professed non-partisanship of the Foreign Service, many Foreign Service Officers are often considered by those in power to be “loyal but not loyal enough,” especially if they have worked for multiple administrations.⁶³

According to Kopp and Naland, dissent is a contentious topic within the US government and its officials have belabored the merits and detriments of allowing dissent. The State Department’s official stance is that while the Dissent Channel exists to disclose dissenting opinions, “if an officer cannot publicly defend official US policy, he or she has the option to resign.”⁶⁴ However, many Foreign Service Officers and diplomats recognize the importance of dissenting opinions. Former US Ambassador Thomas Boyatt argues that dissent is an essential component of making policy: “the most effective way to influence the permanent policy process is to convince superiors of the validity and utility

⁶¹ Kopp and Naland, *Career Diplomacy*, 120.

⁶² *Ibid.*, 122.

⁶³ *Ibid.*, 121.

⁶⁴ *Ibid.*, 134.

of your views.”⁶⁵ Kopp and Naland’s insights are useful for illustrating the challenges faced by potential dissenters within the US Foreign Service and the factors that make meaningful dissent difficult.

The efficacy of the Dissent Channel as a mechanism for dissent has also been disputed by both scholars and officials. In *The Ethics of Dissent*, Rosemary O’Leary briefly highlights the positive aspects of the Dissent Channel. She quotes *The American Conservative* commentator Daniel Larison, who writes that ““even if the dissenters don’t always get their way, it at least ensures that the Secretary of State and the president have the benefit of a wider range of views rather than just being told whatever they want to hear.””⁶⁶ Some US officials have suggested that the Dissent Channel has been an important step forward in US policymaking. According to Boyatt, “the permanent policy discussion is more open and vibrant because of the existence of the Dissent Channel.”⁶⁷

Conversely, scholars like Hannah Gurman and Kishan S. Rana have argued that in practice the Dissent Channel has not led to meaningful dissent and policy change. Gurman’s analysis suggests that the Dissent Channel has served a primarily symbolic role within the US government, “mak[ing] it possible for the State Department to formally encourage dissent, while at the same time deflating the most serious threat posed by internal dissenters.”⁶⁸ Rana suggests that the Dissent Channel has not sufficiently inspired apprehensive government officials to come forward with dissenting opinions, given that

⁶⁵ Boyatt, “What If I Disagree?”, 95.

⁶⁶ O’Leary, *The Ethics of Dissent*, 117.

⁶⁷ Boyatt, “What If I Disagree?”, 94.

⁶⁸ Gurman, “The Other Plumbers Unit”, 341.

the Channel was only used 123 times between 1971 and 2011.⁶⁹ According to Rana, the Dissent Channel has only reinforced the opinion that “fundamental divergences on policy can only result in grief or exit for the individual who cannot accept the national policy.”⁷⁰ The academic discourse on the Dissent Channel is important to consider; while Gurman and Rana raise valid arguments about the Dissent Channel’s legitimacy, it is also worth analyzing O’Leary, Larison, and Boyatt’s defenses of its positive effects for US policymaking.

Through an analysis of the available research, I have identified several gaps in the literature which will be the focus of my study. First, this project will be a thorough examination of US foreign policy choices in Guatemala in the later years of the Guatemalan Civil War, a period largely absent in the scholarship. It will also add to the limited work completed on the State Department’s Dissent Channel. My project will address another related gap in the literature: a lack of nuanced study of US diplomats, policymakers and officials who objected to foreign policy decisions in Guatemala. My focus on dissenting officials will allow for a more balanced analysis of US policy choices, as it will highlight how officials did not unanimously support US policy choices in Guatemala, and many expressed concerns of complicity and participation in brutal counterinsurgency violence. Further, this essay will take into consideration the broader changes during the Cold War, for example *détente*, and how these changes impacted US governmental dissent (other existing works on Cold War dissent focus primarily on a case-study approach). The framework of dissent will enable me to examine Carter’s

⁶⁹ Kishan S. Rana, *The Contemporary Embassy: Paths to Diplomatic Excellence* (New York: Palgrave Macmillan, 2013), 66.

⁷⁰ *Ibid.*

foreign policy and American values/attitudes about foreign policy from a new perspective. Rather than focusing strictly on the results of Carter's foreign policy, analyzing the effects on dissent will be a new and unique way to measure its success. While it is essential to understand the attitudes and values of mainstream policymakers, it is also important to ensure that all opinions, including dissent, are comprehensively represented.

Foucault's work on discourse provides an insightful methodological framework for analyzing how and why dissent flourished or dissipated at various points throughout the Civil War. The framework considers factors which limit and constrain discourse, such as power relations and social contexts, and also provides meaningful opportunities for resistance and dissent. This thesis draws principally on primary source documents obtained through the National Security Archive found at George Washington University in Washington, D.C., and the US National Archives and Records Administration in College Park, Maryland. The documents include cables, memorandums, and reports related to US activity in Guatemala. While various US government departments are represented in these documents, reports and messages from the US Embassy in Guatemala and the State Department were particularly useful for understanding the day-to-day considerations for US policymaking in Guatemala.

Chapter 2 will examine the administration of President Gerald Ford, which continued Richard Nixon's dirty war policies in Guatemala and supplied critical assistance to the Guatemalan counterinsurgency. While Guatemala-specific dissent remained low during the Ford presidency, US policymakers' general discontent with

conventional policy choices, especially in the Congress, legitimized human rights as a viable alternative to dirty war policies. Further, the presidential campaign and subsequent election of Jimmy Carter in 1976 signaled that human rights performance would soon become the new focal point of US foreign policy.

Chapter 3 will analyze the polarizing reaction to Carter's human rights-based policy in both Guatemala and the US. Carter's human rights emphasis did not achieve any meaningful short-term improvements in Guatemala and worsened already deteriorating bilateral relations with the Guatemalan state. This chapter will outline the significant short-term increase in the volume and diversity of US governmental dissent as officials debated the merits of prioritizing human rights in foreign policy choices. While some officials suggested that Carter's human rights emphasis went too far, others pushed for the US to take harsher measures against the Guatemalan state to ensure human rights improvements.

Chapter 4 will illustrate how dissent levels plummeted during Ronald Reagan's presidency. As Cold War tensions escalated, Reagan rejected Carter's human rights emphasis and resumed military assistance to the Guatemalan state. While the Congress remained a consistent advocate for human rights within the US government, overall dissent levels dropped significantly. However, during Reagan's second term, the US government reversed course and laid the groundwork for subsequent administrations to resume human rights-based foreign policy choices.

Chapter 5 will explore the return to human rights-based policy choices in the administrations of Presidents George H. W. Bush and Bill Clinton. While human rights

considerations were institutionalized and broadly accepted during these presidencies, it took longer for human rights policies to fully materialize in Guatemala. Overall, dissent levels remained relatively low in this period. However, the dissent that did occur led to decisive and significant changes in US policy choices. Ultimately, dissent not only accelerated the transition back to human rights policy in Guatemala but contributed to the US government's focus on document declassification in the aftermath of the Civil War.

CHAPTER 2: BUSINESS AS USUAL AND RISING CONCERNS IN THE FORD YEARS

In the years preceding Gerald Ford's assumption of the US presidency in 1974, the US administrations of Lyndon B. Johnson (1964-1969) and Richard Nixon (1969-1974) helped the Guatemalan state to intensify their counterinsurgency efforts.⁷¹ The Johnson and Nixon administrations marked a shift from clean war tactics to dirty war tactics. M. L. R. Smith and Sophie Roberts define dirty wars as internal conflicts which suspend constitutional guarantees and disavow international norms like the rule of law. In dirty wars, police, military forces and paramilitary groups target both combatants and civilians.⁷² During the Johnson and Nixon administrations, largely in response to the expansion of insurgency in Latin America, the US actively collaborated with the Guatemalan state to modernize Guatemala's military capabilities and restructure their offensive strategies, resulting in a level of violence previously unseen in the Civil War. American governmental dissent during the Johnson and Nixon years was sporadic but became increasingly focused on US complicity in the Guatemalan government's human rights abuses.⁷³ Ford's insistence on continuing Nixon's foreign policy of dirty war strategies led to significant changes in both governmental dissent and US policy choices.

In the Ford years, dissent concerning US-Guatemala policy remained low and ignored. However, officials and policymakers became increasingly discontent with Ford's

⁷¹ Grandin, *The Last Colonial Massacre*.

⁷² M. L. R. Smith and Sophie Roberts, "War in the Gray: Exploring the Concept of Dirty War", *Studies in Conflict & Terrorism* 31, no. 5 (2008): 382.

⁷³ I wrote my Honours thesis on this topic. It describes the US' shift from clean war tactics to dirty war strategies in the first fourteen years of the Guatemalan Civil War, and the increasing dissent expressed by American officials. See John Davis-Abraham, "Corrosive, Indiscriminate and Brutal: American Involvement in the Guatemalan Civil War Counterinsurgency, 1960-1974" (Honours thesis, Memorial University of Newfoundland, 2020).

policy choices in many other areas, especially following the Watergate scandal and military failures in Vietnam. Important developments elsewhere in American politics exposed problems with the US government's reliance on dirty war tactics. The most consequential of these developments was that the US Congress became a consistent and vocal proponent for human rights, paving the way for change and bringing previously dissenting concerns about the prioritization of human rights to the forefront. Congressional support for human rights in Guatemala began during the Ford administration and continued through the remainder of the Civil War.

2.1 – Under New Management, Business As Usual

Gerald Ford was inaugurated as US President in August of 1974. Ford's succession came amid political distress and turmoil due to the US military's failures in Vietnam and former President Richard Nixon's handling of the Watergate scandal, which resulted in his resignation from the presidency. As Ford was Nixon's Vice-President, he remained committed to Nixon's foreign policy of dirty war tactics.⁷⁴ In Guatemala's case, this meant strengthening the Guatemalan military for its counterinsurgency strategies. Ford summarized his approach to foreign policy in an August 1974 Congressional address delivered days after his inauguration:

A strong defense is the surest way to peace ... Weakness invites war, as my generation knows from bitter experiences. ... I have fully supported the outstanding foreign policy of President Nixon. This policy I intend to continue. Now let there be no doubt or any misunderstanding anywhere. There are no opportunities to exploit, should anyone so desire. There will be no change of course, no relaxation of vigilance, no abandonment of the helm of our ship of

⁷⁴ Bernard Gwertzman, "Ford in Warning on US Defenses", *The New York Times*, August 13, 1974.

state as the watch continues.⁷⁵

Ford's remarks are quite striking and recall Foucault's theoretical concept of biopolitics. In particular, Ford's language of defense, weakness, and vigilance illustrates his perception of threats to the nation even where they might not exist. His comments demonstrate the US government's strong commitment to protecting American economic interests and preventing the spread of communism, even if it meant supporting the activities of brutal anticommunist regimes.

Ford retained Nixon's Secretary of State, Henry Kissinger, for his own cabinet. In his Congressional address, Ford promised the "continuation of the 'deepening dialogue'" commenced by Kissinger in Latin American countries.⁷⁶ In practice, however, Kissinger's policies translated to full support for military dictatorships and counterinsurgencies. Most notably, Kissinger was the driving force behind a 1973 military coup in Chile which overthrew President Salvador Allende and placed General Augusto Pinochet in power.⁷⁷ In Guatemala, Kissinger played a key role in continuing the Johnson government's dirty war policies. While the CIA and the Guatemalan military already had a strong relationship, Nixon's administration (with Kissinger helming the State Department) increased the collaboration between them. For example, Kissinger directed CIA officers to share their intelligence with the Guatemalan military, who then

⁷⁵ Gwertzman, "Ford in Warning on US Defenses."

⁷⁶ Ibid.

⁷⁷ "Allende and Chile: 'Bring Him Down' | National Security Archive", *National Security Archive*, November 3, 2020, <https://nsarchive.gwu.edu/briefing-book/chile/2020-11-06/allende-inauguration-50th-anniversary>; Christopher Hitchens, *The Trial of Henry Kissinger* (London, New York: Verso, 2001), 55-76; Lubna Z. Qureshi, *Nixon, Kissinger, and Allende: U.S. Involvement in the 1973 Coup in Chile* (Lanham, MD: Lexington Books, 2009)

used this information to pursue insurgents.⁷⁸ In the early 1970s, Kissinger supported the ultra-violent counterinsurgency methods of Guatemalan President Colonel Carlos Manuel Arana Osorio, nicknamed the “Butcher of Zacapa” for his ruthless military campaign against guerrillas in Zacapa’s Sierra de las Minas after 1966.⁷⁹

Around the time of Ford’s inauguration, the Guatemalan state also came under new leadership. In July 1974, Brigadier General Kjell Eugenio Laugerud García was sworn in as the new President of Guatemala. Laugerud was endorsed by Arana to be his successor. According to a biographic sketch from the US Southern Command, a Central and South America-focused combatant command within the Defense Department, Laugerud came to power “through the most blatant electoral fraud in modern Guatemalan history.”⁸⁰ Laugerud decisively lost the 1974 election to José Efraín Ríos Montt, but the Guatemalan government manipulated the vote tallies to give Laugerud the presidency.⁸¹ Kissinger’s response to reports of Guatemalan election fraud was to “[not] say anything ... [and] just ... stay the hell out of it.”⁸²

The Southern Command characterized Laugerud as being “‘probably the finest product of the Guatemalan military system’ ... a strong nationalist and extremely sensitive about his country’s dignity.”⁸³ Overall, Laugerud supported the US government and its military, although he openly criticized US military activity in Cuba and Vietnam. Laugerud ardently supported the use of extrajudicial force to crush political dissidence,

⁷⁸ Marlene Dixon and Susanne Jonas, *Revolution and Intervention in Central America* (San Francisco: Synthesis Publications, 1983), 289.

⁷⁹ Rabe, *Kissinger and Central America*, 158.

⁸⁰ US Southern Command biographic sketch, February 1996, “Death Squads”, GU00498.

⁸¹ *Ibid.*

⁸² Rabe, *Kissinger and Central America*, 160.

⁸³ US Southern Command biographic sketch, February 1996, “Death Squads”, GU00498.

having helped organize Guatemala's brutal counter-insurgency campaigns in the late 1960s and early 1970s.⁸⁴ Some in the US government believed that Laugerud might represent a shift from the status quo. According to the Southern Command, Laugerud called for "national unity" following the contentious election cycle and expressed some desire to show leniency towards insurgents and protestors by offering opportunities for amnesty.⁸⁵ In spite of this, government-sponsored illegal violence began to rise in the months following Laugerud's ascension to power.⁸⁶

2.2 – The State of US-Guatemala Relations

In a May 1975 report, the US Department of Defense outlined two key foreign policy goals in Guatemala. The first was to "maintain US influence in the military establishment of Guatemala which occupies an important position within the political structure of the nation"; the second was to "assist in modernization of the Guatemalan Armed Forces to improve their capability to maintain internal security and an adequate defense posture."⁸⁷ Both policy goals illustrate unwavering commitment to supporting the Guatemalan counterinsurgency to ensure US political and economic interests in Guatemala were prioritized. The US government's goals in Guatemala were consistent with their policy elsewhere in Latin America. According to John R. Bawden, the State Department and the Pentagon considered the provision of military assistance in the Latin

⁸⁴ US Southern Command biographic sketch, February 1996, "Death Squads", GU00498.

⁸⁵ Ibid.

⁸⁶ Rabe, *Kissinger and Central America*, 160-162.

⁸⁷ Ellsworth to Schlesinger, 1 May 1975, "Death Squads", GU00495.

American region to be of utmost importance as “military aid and arms sales maintained loyalty to the US government.”⁸⁸

The Guatemalan state’s perception of the US government under Ford was favorable overall. The Guatemalan government thought highly of the US and considered it to be “the most powerful and important country in the world, politically, economically, and militarily.”⁸⁹ Additionally, the Guatemalan military highly coveted American-made equipment.⁹⁰ While US-Guatemala relations were positive overall, they began to strain as a result of two key events. First, the Guatemalan state was upset by the US loss in the Vietnam War, especially since the Guatemalan military’s counterinsurgency tactics were modeled after American strategies in Vietnam.⁹¹ Second, the US was caught in the crossfire of a land dispute between Guatemala and the UK over Belize (formerly British Honduras).⁹² Kissinger’s approach to dealing with the Belize conflict was to “urge moderation” from the Guatemalan state.⁹³ Further, the US government granted the British government’s request to delay shipments of military equipment and C-47 aircraft, for fear that the Guatemalan military might launch an invasion of Belize using American-made

⁸⁸ John R. Bawden, “Cutting Off the Dictator: The United States Arms Embargo of the Pinochet Regime, 1974-1988”, *Journal of Latin American Studies* 45, no. 3 (August 2013): 521.

⁸⁹ Andrews to Rogers, 2 February 1976, accessed through “Central Foreign Policy Files, created 7/1/1973 - 12/31/1979, documenting the period ca. 1973 - 12/31/1979 - *Record Group 59*” (RG 59), from the *National Archives and Records Administration Access to Archival Databases* (NARA AAD), <https://aad.archives.gov/aad/series-list.jsp?cat=WR43>. 1976GUATEM00664.

⁹⁰ Meloy to Department of State, 18 February 1976, RG 59, NARA AAD, 1976GUATEM01342.

⁹¹ Andrews to Rogers, 2 February 1976, RG 59, NARA AAD, 1976GUATEM00664.

⁹² In the 1940s, the Guatemalan government disavowed an 1859 treaty signed with Britain that established the boundaries between Belize and Guatemala. The Guatemalan government repeatedly pledged to invade Belize after claiming it as Guatemalan territory, only to be thwarted by the UK government. Guatemalan threats of invasion increased in the 1970s, especially after a 1975 United Nations resolution recognized Belize’s right to independence and self-determination. By 1981, Belize had secured its independence. Arlenie Perez, Chuang Chin-Ta, and Farok Afero, “Belize-Guatemala Territorial Dispute and Its Implications for Conservation”, *Tropical Conservation Science* 2, no. 1 (2009): 13.

⁹³ Rabe, *Kissinger and Central America*, 162.

arms.⁹⁴ The Guatemalan state was greatly angered by the US suspension of equipment; Guatemalan General Fernando Romeo Lucas García suggested that the “long delay ... ‘cannot help but cool relations’”, and that the Guatemalan military would look elsewhere to procure their desired arms.⁹⁵ The US government’s concerns about the Belize conflict were less about human rights and more about appeasing both Guatemala and the UK, two important American allies.

2.3 – American Indifference to Guatemalan Human Rights

Throughout the Ford administration, political violence in Guatemala rose significantly, and much of it was government-sponsored violence. There was a deliberate increase in the Guatemalan state’s counterinsurgency tactics following a massive earthquake in early 1976.⁹⁶ The military “took advantage of the confusion” to target dissidents.⁹⁷ Important progressive leaders and military officers alike were murdered.⁹⁸ In the final month of Ford’s term alone, there were twenty-nine instances of political violence within Guatemala.⁹⁹ President Laugerud addressed the mounting violence levels during his 1976 state of the union address:

As a government that acts within the law and not above it, its action is regulated by the law, a fact that should be understood by those who criticize the leniency of the authorities and clamor for a stronger hand, as well as by those who brand the government as repressive and dictatorial and as not respecting human rights. In reference to political delinquency my government has sufficient moral authority

⁹⁴ Kissinger to US Embassy in London and US Embassy in Guatemala, 21 June 1975, RG 59, NARA AAD, 1975STATE146420; Rabe, *Kissinger and Central America*, 162.

⁹⁵ Meloy to Department of State, 24 June 1975, RG 59, NARA AAD, 1975GUATEM03240.

⁹⁶ Virginia Garrard-Burnett, “The Earthquake and the Culture Of Violence”, in *Protestantism in Guatemala: Living in the New Jerusalem* (New York, USA: University of Texas Press, 1998) 120-137.

⁹⁷ Rabe, *Kissinger and Central America*, 161.

⁹⁸ Defense Intelligence Agency, 22 April 1976, “Death Squads”, GU00500.

⁹⁹ Boster to Department of State, 1 March 1977, “Death Squads”, GU00507.

to ask why the violence still continues when we are trying to eliminate the economic and social causes which could justify it. But if the political violence is based only on the promotion of ideologies which try to substitute totalitarian institutions for democratic institutions, my government has sufficient vigor and popular support to repress and destroy it.¹⁰⁰

During this period of increased political violence in Guatemala, American governmental dissent concerning US policy in Guatemala remained low and ignored by the US government. The US undertook extensive efforts to undermine the Guatemalan state's human rights abuses to justify aiding the counterinsurgency. Any attempts at introducing meaningful legislation were struck down, such as Congressman Henry Reuss' attempts to cease financial aid to military dictatorships, which would have included \$2 million for the Guatemalan government.¹⁰¹

Additionally, American officials across the US government falsified and downplayed human rights reports to secure more funding for the Guatemalan state. According to Rabe, many officials argued that the Guatemalan government did not constitute a military dictatorship as it held democratic elections, and therefore US aid for Guatemala could not be restricted.¹⁰² State Department employees were instructed to cast doubt on the Guatemalan government's role in the violence and deny that right-wing death squads like the Mano Blanca were still in operation.¹⁰³ A March 1976 report from the US Embassy in Guatemala suggested that the Guatemalan state was "not engaged in a 'consistent pattern of gross violations' of human rights."¹⁰⁴ Further, the Embassy argued

¹⁰⁰ Andrews to Department of State, 2 July 1976, RG 59, NARA AAD, 1976GUATEM04802.

¹⁰¹ Rabe, *Kissinger and Central America*, 160.

¹⁰² Ibid.

¹⁰³ Department of State press guidance, February 1975, "Death Squads", GU00491.

¹⁰⁴ Meloy to Department of State, 15 March 1976, RG 59, NARA AAD, 1976GUATEM02093.

that the available human rights reporting greatly exaggerated violence levels in Guatemala to discredit the Guatemalan government's efforts to minimize the bloodshed.¹⁰⁵ The US credited Laugerud with decreases in political violence. While the Embassy conceded that violence still persisted within Guatemala, its officials believed that "Laugerud's methods [were] less harsh and his tactics more skillful than those of his immediate predecessor."¹⁰⁶

While US action concerning human rights in Guatemala was largely surface-level and superficial, there were nevertheless some meaningful developments that occurred during the Ford presidency. There were early signs of the US government recognizing the faults with their conventional policy choices and the importance of human rights in Guatemala. For example, in April of 1976, representatives from Amnesty International, a non-governmental human rights organization, visited the US Embassy in Guatemala and consulted with Embassy officials about Guatemala's human rights situation. In addition to questions about Guatemala's democratic progress and its history of political violence, the representatives grilled Embassy officials with detailed questions about US assistance to the Guatemalan government and military, as well as its training programs for Guatemalan troops. The Amnesty International visit put the US and its activities in Guatemala on notice, especially since the Embassy was unsure what the representatives would be doing with the information they were given.¹⁰⁷

¹⁰⁵ Boster to Department of State, 18 January 1977, "Death Squads", GU00503.

¹⁰⁶ Andrews to Department of State, 2 August 1976, RG 59, NARA AAD, 1976GUATEM05437.

¹⁰⁷ Andrezi to Department of State, 28 April 1976, RG 59, NARA AAD, 1976GUATEM03249.

Another important development concerning the US Embassy in Guatemala was the appointment of Davis Eugene Boster as the new US Ambassador to Guatemala in late 1976. Boster's approach to US-Guatemala relations was markedly different from his predecessors. According to Rabe, Boster and his team did not accept the fearmongering that was commonplace within the Embassy, and argued that the previous Ambassadors greatly sensationalized the amount of guerrilla activity in Guatemala to justify increased aid for the military. Under Boster, the Embassy became an advocate for human rights within Guatemala.¹⁰⁸ Boster's appointment as Ambassador set the stage for the US to adopt a new kind of foreign policy in Guatemala centered on respect for human rights and away from blanket support for counterinsurgency.

2.4 – Important Developments Elsewhere in US-Latin American Policy

Although American governmental dissent specifically concerning US policy in Guatemala remained low and ignored, general discontent with US policy choices began to mount among US officials. While initial concerns about human rights in the Ford years were generally dismissed, around 1974, questions about US complicity in global human rights abuses started to be raised in earnest at higher levels of government. Several important events during the Ford administration paved the way for a dissenting opinion (the prioritization of human rights) to eventually become a mainstream policy choice in Guatemala. The increase in Congressional interest in human rights coincided with cooling Cold War tensions brought about by Nixon and Kissinger's policy of détente with the Soviet Union. Even as détente led to a rapprochement between the US and the

¹⁰⁸ Rabe, *Kissinger and Latin America*, 161-162.

Soviet Union, détente, along with other factors, contributed to destabilized bilateral relations between the US and other countries, especially those in the Third World. The CIA lamented that ““Relationships among countries are no longer clear cut. ... Among the main reasons for the less well defined relationships that exist now are: the era of détente; oil producers; shifts in the communist world; and the emergence of the so-called third world. ... [Our] ability to exert decisive political influence is being challenged. This is true in multilateral organizations ... as well as in bilateral relations.””¹⁰⁹ The impact of détente on bilateral relations created the social conditions necessary for human rights discourse to emerge and flourish within the US government.

The most significant development concerning dissent in this period is that the US Congress began advocating for human rights at a global level. According to Bawden, the Congress took on a larger leadership role in the creation of foreign policy following renewed criticisms of the US presidency after the Vietnam and Watergate scandals.¹¹⁰ After the 1974 midterm election, in which the Democrats won control of both the House of Representatives and the Senate, the Congress undertook more concentrated efforts to ““abando[n] ... rigid, military-centred anti-Communism”” and ““focu[s] on promoting human rights and democracy overseas.””¹¹¹ During this period, Congress and the executive branch of the US government were in constant conflict over the prioritization

¹⁰⁹ Tanya Harmer, “Dialogue or Détente? Henry Kissinger, Latin America, and the Prospects for a New Inter-American Understanding, 1973-1977”, in *Foreign Policy at the Periphery: The Shifting Margins of US International Relations since World War II*, edited by Bevan Sewell and Maria Ryan (Lexington, Kentucky: University of Kentucky Press, 2017), 237.

¹¹⁰ Bawden, “Cutting Off The Dictator”, 541.

¹¹¹ *Ibid.*, 520.

of human rights. In particular, Kissinger railed against the Congress' proposals as he believed they would not serve US interests and worsen US relationships with its allies.¹¹²

On March 27, 1974, the House of Representatives' Committee on Foreign Affairs Subcommittee on International Organizations and Movements submitted a report entitled *Human Rights in the World Community: A Call for U.S. Leadership*. The report was commissioned by Congressman Donald Fraser, the head of the Subcommittee. Fraser was one of the first Congressmen to begin openly campaigning for the US to adopt a human rights focus.¹¹³ In its preface, Fraser expressed hope that the report would help influence a shift towards a US policy with stronger consideration for human rights. The Subcommittee held fifteen hearings in which over forty former American officials testified, and which formed the basis of the report.¹¹⁴ The report strongly condemned the US government for its complicity in human rights abuses:

The human rights factor is not accorded the high priority it deserves in our country's foreign policy. Too often it becomes invisible on the vast foreign policy horizon of political, economic, and military affairs. Proponents of pure power politics too often dismiss it as a factor in diplomacy. Unfortunately, the prevailing attitude has led the United States into embracing governments which practice torture and unabashedly violate every human rights guarantee pronounced by the world community. Through foreign aid and occasional intervention – both covert and overt – the United States supports those governments.¹¹⁵

The report also provided several recommendations on steps the US should take to become a respected human rights leader on the world stage. The Subcommittee

¹¹² Cohen, "Integrating Human Rights in U.S. Foreign Policy", 2-3.

¹¹³ David F. Schmitz and Vanessa Walker, "Jimmy Carter and the Foreign Policy of Human Rights: The Development of a Post-Cold War Foreign Policy", *Diplomatic History* 28, no. 1 (January 2004): 118.

¹¹⁴ US Congress (House Committee on Foreign Affairs Subcommittee on International Organizations and Movements), *Human Rights in the World Community: A Call for U.S. Leadership* (Washington: US Government Printing Office, March 27, 1974), xi.

¹¹⁵ *Ibid.*, 9.

recommended that the Department of State prioritize human rights in its policymaking, and that it enforce respect for human rights in all countries, regardless of whether they are “friendly, neutral, or unfriendly.”¹¹⁶ The report suggested the establishment of an Advisory Committee on Human Rights within the Department of State. Further, the Subcommittee argued that the Department of State should increase its collaboration with the United Nations to promote human rights on a global scale.¹¹⁷

Another significant development within the US Congress was the 1975 Church Committee. The Senate commissioned the Church Committee - named for its chairman, Senator Frank Church – to conduct an investigation into the CIA’s role in toppling foreign governments. One of the key overthrows documented in the report was the CIA’s overthrow of Guatemalan President Jacobo Arbenz in 1954.¹¹⁸ The Church Committee’s findings had wide-ranging implications and reinforced the Congress’ belief that significant change was needed in US policy choices. According to Church, “American foreign policy must be made to conform once more to our historic ideals, the ... fundamental belief in freedom and popular government.”¹¹⁹

By 1976, the Congress began to pass legislation which effectively tied US assistance programs to human rights commitments. According to Broder and Lambek, tying military aid to human rights “treads in an area of constitutional uncertainty” and raises questions over whether the executive or legislative branch should have more sway

¹¹⁶ US Congress (House Committee on Foreign Affairs Subcommittee on International Organizations and Movements), *Human Rights in the World Community*, 3.

¹¹⁷ *Ibid.*, 4-8.

¹¹⁸ Schmitz and Walker, “Jimmy Carter and the Foreign Policy of Human Rights”, 118.

¹¹⁹ *Ibid.*

in determining the direction of foreign policy choices.¹²⁰ However, Broder and Lambek argue that the US Constitution does allow the Congress to enact human rights restrictions. They write that although “Congress and the President ... each ha[ve] exclusive powers, they frequently occupy the same terrain. The actions of one affect the actions of the other, and human rights legislation is no exception. ... Because, under Article II [of the Constitution], the President ‘shall take Care that the Laws be faithfully executed,’ it is unconstitutional for the President not to enforce human rights legislation.”¹²¹

Some important early pieces of legislation passed by the Congress were Section 116 of the Foreign Assistance Act (also known as the Harkin Amendment), the 1976 Arms Control Export Act, and Section 502 of the Foreign Assistance Act. Both Section 116 and the Arms Control Export Act required the executive branch and the Secretary of State to conduct annual human rights reports in countries that received US foreign aid, as well as reports detailing how that assistance would be allocated.¹²² Similarly, Section 502 of the Foreign Assistance Act stipulated that the US would not provide military assistance to authoritarian regimes, except if “‘the President [could] advise the Congress of the extraordinary circumstances necessitating the assistance.’”¹²³ If Congressional standards for human rights were not met, the Congress could then pass a resolution to halt aid.¹²⁴ In practice, however, these Congressional actions did not always have the desired effect. The Ford administration was often able to circumvent the provisions in the

¹²⁰ Broder and Lambek, “Military Aid to Guatemala”, 114.

¹²¹ *Ibid.*, 119.

¹²² Schmitz and Walker, “Jimmy Carter and the Foreign Policy of Human Rights”, 118.

¹²³ Luis da Vinha, “Revisiting the Carter Administration’s Human Rights Policy: Understanding Traditional Challenges for Contemporary Foreign Policy”, *Revista de Paz y Conflictos* 7 (2014): 102.

¹²⁴ Schmitz and Walker, “Jimmy Carter and the Foreign Policy of Human Rights”, 118.

Congressional legislation to continue supplying aid to repressive governments like that of Guatemala.¹²⁵ Nevertheless, these pieces of legislation are an example of Congressional dissent at a broader level, and highlight the Congress' commitment to a more just and equitable foreign policy.

An example of Congressional dissent more specific to Latin America is the 1976 Kennedy Amendment, named for its Senate sponsor Ted Kennedy. Like Section 116, the Kennedy Amendment conditioned American foreign aid to the Chilean military on its respect for human rights.¹²⁶ Proponents of the Kennedy Amendment argued that fully cutting off military aid instead of simply reducing it would lead to better advances in human rights and demonstrate that the US takes human rights seriously.¹²⁷ The Kennedy Amendment passed 48-39 in the Senate, and led to the US cutting its assistance programs in Chile because the human rights requirements were not met.¹²⁸

The Kennedy Amendment was not well received by the Ford administration. Kissinger doubled down on his position that prioritizing human rights was not in the US' best interests. Ford was also upset with the Congress' emphasis on human rights and lamented the “new generation of wildass Democrats” that made the Kennedy Amendment possible.¹²⁹ Latin American governments and their militaries were also unhappy with the Kennedy Amendment. According to Bawden, Latin American military officials believed that the Congress was “selectively appl[ying] a human rights policy that

¹²⁵ Da Vinha, “Revisiting the Carter Administration’s Human Rights Policy”, 103.

¹²⁶ Bawden, “Cutting Off The Dictator”, 514-515.

¹²⁷ Ibid., 521-522.

¹²⁸ Ibid., 514, 527.

¹²⁹ Ibid., 525.

pushed away natural allies and showed little appreciation of South America's geo-strategic value to the free world."¹³⁰ One of the most critical voices against the Kennedy Amendment was Dr. Cornelio Hueck, the President of the Nicaraguan Congress. Hueck blasted Kennedy for his human rights stance in a September 1976 address to the Guatemalan Congress:

I want to make clear that these legitimate concerns should be distinguished from the demagoguery of other countries that with perverse designs take up the causes of sovereignty and human rights to further Marxist infiltration, when they themselves do not respect human rights within their own borders. It causes indignation that a Senator of the United States without more historical or moral justification than the illustrious name of his brother, President Kennedy, dares in letters and leaflets to violate the sovereignty of some anticommunist countries of Latin America, notably Brazil, the Dominican Republic, and especially the exclusive affairs of the free peoples of Guatemala and Nicaragua. It is our people who will set him on the stool of the accused as a demagogue or filibuster of a new order.¹³¹

The final important development during the Ford years was Democrat Jimmy Carter's campaign for the US presidency in 1976. Carter announced his bid for the presidency in 1974, around the time that the Congress began seriously discussing how the US could implement meaningful human rights policies. He campaigned on the promise of promoting human rights at home and abroad. Carter's campaign co-opted public discontent with recent US foreign policy failures like the Vietnam War to advocate for a human rights-based platform to a national audience.¹³² Carter suggested that human rights could be achieved alongside other US policy goals like national security. Further, he articulated that the US was obligated under international law to promote human rights on

¹³⁰ Bawden, "Cutting Off The Dictator", 529.

¹³¹ Andrews to Department of State, 13 September 1976, RG 59, NARA AAD, 1976GUATEM06410.

¹³² Schmitz and Walker, "Jimmy Carter and the Foreign Policy of Human Rights", 118-119.

the world stage. His position contrasted that of Kissinger, who believed that national security should remain the US' primary goal and that it could not be pursued in tandem with human rights legislation.¹³³

Above all, Carter advocated for human rights-based policy from a moralistic standpoint. He argued that a human rights policy would help improve the US' international reputation after some very public failures and scandals.¹³⁴ During the second presidential debate, Carter criticized Ford for his negligence of human rights in the pursuit of American goals: "in supporting dictatorships, in ignoring human rights, we are weak and the rest of the world knows it. ... We ought to be a beacon for nations who search for peace and who search for freedom, who search for individual liberty, who search for basic human rights. We haven't been lately. We can be once again."¹³⁵ Carter's calls for change in US foreign policy resonated with the American public. He won the 1976 presidential election against Ford, receiving 50.1% of the popular vote and 297 Electoral College seats.¹³⁶

Carter's election victory was a watershed moment for both American governmental dissent and human rights policy. It marked the first time that a dissenting opinion (the prioritization of human rights) became a mainstream foreign policy choice. It also signaled the culmination of the Congress' work to legitimize human rights-based foreign policy; what began with Congressional committees pursuing human rights

¹³³ Cohen, "Integrating Human Rights in U.S. Foreign Policy", 3.

¹³⁴ Da Vinha, "Revisiting the Carter Administration's Human Rights Policy", 104; Schmitz and Walker, "Jimmy Carter and the Foreign Policy of Human Rights", 118-120.

¹³⁵ "CPD: October 6, 1976 Debate Transcript", *The Commission on Presidential Debates*, <https://www.debates.org/voter-education/debate-transcripts/october-6-1976-debate-transcript/>.

¹³⁶ "1976 | The American Presidency Project", *The American Presidency Project: UC Santa Barbara*, <https://www.presidency.ucsb.edu/statistics/elections/1976>.

legislation against the President's wishes ended with a new President-elect intent on making human rights the focal point of his foreign policy. The major shift in policy direction had significant implications for US foreign policy everywhere, but especially in regions like Guatemala where repressive dictatorships were in power.

2.5 – Conclusion

Between 1974 and 1976, very little changed in US policy as it concerned Guatemala. The Ford administration continued to uniformly support the Guatemalan military's counterinsurgency tactics and dismissed legitimate concerns about the military's human rights abuses. However, while Guatemala-specific dissent remained low and ignored, general dissent among US officials led to significant policy changes. In particular, the work done by the US Congress and Jimmy Carter's election campaign did much to legitimize the prioritization of human rights as a viable alternative to the standard foreign policy of dirty war tactics. The Ford years marked the end of the US' blanket support for counterinsurgency and led into a four-year period in which US policy in Guatemala was centred around respect for human rights.

CHAPTER 3: ONCE DISSENT, NOW MAINSTREAM - JIMMY CARTER, HUMAN RIGHTS, AND GUATEMALA

Jimmy Carter's election win in November 1976 represented a paradigm shift for US Cold War foreign policy, especially in Guatemala. Rather than aiding and abetting counterinsurgency to protect US interests, American assistance to the Guatemalan military became contingent on Guatemala's human rights performance. Carter's new policy also marked the first time that a previously dissenting opinion – the prioritization of human rights – became a mainstream foreign policy choice. Carter's policy direction had significant repercussions for US-Guatemala relations; the new policy contributed to worsening relations between the American and Guatemalan governments since the Guatemalan state relied heavily on the US for military assistance and equipment. Carter's policy choices also had important implications for both the volume and content of American governmental dissent. The implementation of a mainstream human rights policy correlated with a significant increase in officials within the US government who criticized foreign policy choices in Guatemala. Additionally, the kinds of criticisms officials leveled at Carter's policies began to diversify. There were two primary camps of dissent during the Carter era: a reactionary camp and a progressive camp. The reactionary camp of dissent consisted of officials who believed that Carter's policies went too far, and raised questions about the pragmatism of centering human rights in foreign policy. The progressive camp of dissent was comprised of officials who argued that Carter's policies did not go far enough, and campaigned for stricter actions against the Guatemalan state to ensure improvement in Guatemala's human rights situation. There

was also a smaller third camp of intermediate dissent, comprised of officials who articulated a mix of pragmatic and progressive concerns.

3.1 – Carter Comes to Power and Domestic Challenges

Carter was inaugurated as President in January 1977. His inauguration speech emphasized his commitment to upholding human rights both at home and abroad:

The world itself is now dominated by a new spirit. Peoples more numerous and more politically aware are craving and now demanding their place in the sun – not just for the benefit of their own physical condition, but for basic human rights. The passion for freedom is on the rise. Tapping this new spirit, there can be no nobler nor more ambitious task for America to undertake on this day of a new beginning than to help shape a just and peaceful world that is truly humane. We are a strong nation and we will maintain strength so sufficient that it need not be proven in combat – a quiet strength based not merely on the size of an arsenal, but on the nobility of ideas. We will be ever vigilant and never vulnerable, and we will fight our wars against poverty, ignorance and injustice – for those are the enemies against which our forces can be honorably marshaled. We are a purely idealistic Nation, but let no one confuse our idealism with weakness. Because we are free we can never be indifferent to the fate of freedom elsewhere. Our moral sense dictates a clearcut preference for these societies which share with us an abiding respect for individual human rights.¹³⁷

Once in office, Carter and his Secretary of State Cyrus Vance began to implement a human rights-based foreign policy that shifted away from traditional “Cold War dogmatism.”¹³⁸ Under the Carter administration, the US government’s primary goals in Guatemala were “encourag[ing] [a] peaceful resolution to [the] Belize dispute ... [the] promotion of human rights and democratic values ... [and] seek[ing] Guatemala’s support for our human rights initiatives in international organizations.”¹³⁹ Further, the Department of State advocated exercising a more moderate approach to deal with the

¹³⁷ “The Avalon Project: Inaugural Address of Jimmy Carter”, *The Avalon Project: Documents in Law, History and Diplomacy*, https://avalon.law.yale.edu/20th_century/carter.asp.

¹³⁸ Colby, “A Chasm of Values and Outlook”, 568.

¹³⁹ Boston to Department of State, 23 December 1977, RG 59, NARA AAD, 1977GUATEM07789.

Guatemalan state. In a memo circulated to the Department of State, Vance stressed using “quiet diplomacy” rather than force to deal with human rights issues, and stated that the US government is “no longer willing to intervene clandestinely to compel one political result over another.”¹⁴⁰ The Carter government’s goals and methods highlight a significant change in priorities from the Ford administration, in which the US stressed unconditional support for the Guatemalan military to secure US interests.

The Carter administration also took steps to institutionalize human rights prioritization as a part of US policymaking. Notably, the US established a Bureau of Human Rights and Humanitarian Affairs within the Department of State in 1977. The State Department hired civil rights activist Patricia Derian to lead the Bureau, whom Jason M. Colby describes as “the administration’s most vocal human rights advocate.”¹⁴¹ The creation of an office within the Department of State that focused specifically on human rights was one of the House Committee on Foreign Affairs’ key recommendations in their 1974 report *Human Rights in the World Community*.¹⁴² Donald Fraser, the Congressman who oversaw the report, ensured that Derian’s position would be upgraded to an Assistant Secretary rather than a coordinator, which gave her increased power to enact human rights legislation.¹⁴³ Derian’s contributions led to the Bureau becoming an important player in policymaking.¹⁴⁴ The Bureau’s creation was an important step as it

¹⁴⁰ Vance to US Embassy in Guatemala, 13 July 1977, RG 59, NARA AAD, 1977STATE162645.

¹⁴¹ Colby, “‘A Chasm of Values of Outlook’”, 568.

¹⁴² US Congress (House Committee on Foreign Affairs Subcommittee on International Organizations and Movements), *Human Rights in the World Community*, 4-8.

¹⁴³ Sikkink, *Mixed Signals*, 121.

¹⁴⁴ *Ibid.*, 122.

solidified US commitment to upholding human rights both domestically and internationally.

The Carter administration faced several domestic challenges in implementing their human rights-based foreign policy. According to Colby, the newly established Bureau of Human Rights and Humanitarian Affairs lacked adequate funding, staffing, and “bureaucratic clout” to truly effect meaningful change in its first years.¹⁴⁵ Carter’s human rights policies also suffered from inconsistent implementation. Academic Kathryn Sikkink’s analysis of Carter’s human rights policy splits Carter’s term into an “active phase” and a “disenchantment phase.”¹⁴⁶ During the active phase, the main priority of the US agenda was implementing and enforcing the new human rights policy. However, during the disenchantment phase, human rights receded from the forefront of US policy because of “a series of foreign policy setbacks” in Nicaragua, Iran, and Afghanistan.¹⁴⁷ Further, Sikkink argues that Carter’s human rights policy was not applied as vigorously or consistently in Guatemala as it was in other Latin American areas of interest like Argentina and Chile. Even the US Congress, which had become an important human rights advocate within the US government, did not have any Guatemala-specific hearings during the Carter presidency.¹⁴⁸ The Guatemalan state was still able to procure large quantities of American-made equipment from US companies and smaller quantities from

¹⁴⁵ Colby, “A Chasm of Values and Outlook”, 568.

¹⁴⁶ Sikkink, *Mixed Signals*, 123-124.

¹⁴⁷ *Ibid.*, 124.

¹⁴⁸ Sikkink, *Mixed Signals*, 137.

the US government itself. These smaller shipments were seen as small concessions to improve relations in the long run.¹⁴⁹

3.2 – Rising Tensions Between the US and Guatemala

Carter's new policy choices contributed to increased tensions between the US and Guatemalan governments. While some Latin American governments supported Carter's human rights initiatives, the Guatemalan government disapproved straight away. In March of 1977, in accordance with Congressional stipulations, the Department of State released a human rights report which both criticized Guatemala's long history of human rights abuses and praised the current government for its efforts to stop them. The Guatemalan government was angered by the report and refused to accept all US aid soon after. Guatemalan President Kjell Eugenio Laugerud García was one of the fiercest critics of the US' new policy direction. He dismissed Carter's human rights focus as a form of US interventionism and as conclusive evidence that the US was supporting the UK in the Belize dispute.¹⁵⁰ An April 1977 report from the Embassy in Guatemala called Laugerud's rejection of US aid "yet another in a growing list of irritants to our broader relations with Guatemala."¹⁵¹ However, the Defense Intelligence Agency expressed optimism that US-Guatemala relations would eventually improve given Guatemalan dependence on the US.¹⁵²

¹⁴⁹ Boster to Department of State, 2 May 1977, RG 59, NARA AAD, 1977GUATEM02683; Vance to US Embassy in Guatemala, 20 August 1977, RG 59, NARA AAD, 1977STATE198357; Sikkink, *Mixed Signals*, 139.

¹⁵⁰ Boster to Department of State, 27 June 1977, RG 59, NARA AAD, 1977GUATEM04036; Boster to Department of State, 18 July 1978, "Death Squads", GU00526.

¹⁵¹ Boster to Department of State, 20 April 1977, RG 59, NARA AAD, 1977GUATEM02381.

¹⁵² Defense Intelligence Agency intelligence summary, August 1977, "Death Squads", GU00510.

Despite Guatemalan discontent with the State Department's human rights report, the US government noted that Laugerud attempted to maintain good relations. An Embassy report stated that Laugerud remained "warm and cordial" towards the US and "drew a distinction between rejection and inability to accept" aid.¹⁵³ There were also some minor concessions from the Guatemalan government. For example, in April of 1978 the Laugerud government signed an aid agreement that required Congressional approval on Guatemala's human rights situation. The Guatemalan government did not comment on the human rights provision either way, which the US Embassy labelled a step in the right direction.¹⁵⁴

Even though the Guatemalan government rejected all US aid predicated on human rights, Laugerud still made scattered requests for equipment from 1977 until mid-1978. In May 1977, Laugerud requested five million rounds from the US government. In August of that year, Vance approved the sale of four million rounds.¹⁵⁵ By October, the Guatemalan government requested F-5 aircraft and F-5 interceptors, an insistence which continued for several months. In February 1978, an Embassy cable weighed the benefits and drawbacks of providing F-5s to the Guatemalan government: "[it] would go a long way towards restoring normal relationships and a greater sense of affinity than now exists. ... US willingness to sell lesser items and expeditious processing of future requests would help cut our losses. But we may have to resign ourselves to cooler

¹⁵³ Boster to Department of State, 17 May 1977, RG 59, NARA AAD, 1977GUATEM03042.

¹⁵⁴ Boster to Department of State, 3 April 1978, RG 59, NARA AAD, 1978GUATEM01959.

¹⁵⁵ Boster to Department of State, 2 May 1977, RG 59, NARA AAD, 1977GUATEM02683; Vance to US Embassy in Guatemala, 20 August 1977, RG 59, NARA AAD, 1977STATE198357.

relations ... than has been traditional.”¹⁵⁶ By April 1978, the US denied Guatemala’s request for F-5s, and completely terminated its assistance programs.¹⁵⁷

3.3 – Increasing Violence and the Lucas García Government

Despite the termination of US aid, politically motivated violence continued to rise in Guatemala. According to Sikkink, “Guatemala is one case where the period following the cutoff of U.S. assistance witnessed not a decline in human rights abuses but an escalation in outright killings and disappearances.”¹⁵⁸ The wave of violence began in 1978 during the Carter presidency and peaked in 1982-1983 during the Reagan administration. One of the most notable acts of violence during the Carter years was the May 1978 Panzós massacre. The Guatemalan army stormed the town of Panzós and murdered an undetermined number of indigenous Guatemalans (historian Greg Grandin suggests that between thirty-five and several hundred citizens were killed in the attacks). Despite reports that the army shot first, Laugerud defended the soldiers and argued that they were defending themselves against aggression.¹⁵⁹ Grandin considers the Panzós massacre a pivotal moment in Guatemalan history and a “prefigur[e] [to the] more deadly forms of counterinsurgent violence that were soon to come.”¹⁶⁰

The increase in violence also coincided with the July 1978 inauguration of Fernando Romeo Lucas García as Guatemala’s new President. Lucas García served as

¹⁵⁶ Boster to Department of State, 2 February 1978, RG 59, NARA AAD, 1978GUATEM00722.

¹⁵⁷ Boster to Department of State, 20 April 1978, RG 59, NARA AAD, 1978GUATEM02381; Sikkink, *Mixed Signals*, 137.

¹⁵⁸ Sikkink, *Mixed Signals*, 137.

¹⁵⁹ Boster to Department of State, 28 June 1978, “Death Squads”, GU00525; Grandin, *The Last Colonial Massacre*, 1-3, 155-165.

¹⁶⁰ Grandin, *The Last Colonial Massacre*, 2.

Laugerud's defense minister and was elected as President after significant voter fraud.¹⁶¹ According to the US Embassy in Guatemala, Lucas García pledged to "deal firmly with demonstrators and strikers while hewing to [the] letter of law."¹⁶² The Carter administration was optimistic that Lucas García's government would be more receptive to human rights considerations as both Lucas García and his Vice-President Francisco Villagrán Kramer expressed commitment to human rights on the campaign trail. Further, Lucas García had shown preliminary willingness to "quietly accep[t]" aid conditioned on human rights performance.¹⁶³ However, the US government's hopes for the new Guatemalan government were misplaced as Lucas García "let loose the death squads ... [and] ratchet[ed] up the repression."¹⁶⁴

According to a report from the Bureau of Human Rights and Humanitarian Affairs, "notwithstanding isolated positive actions by the Guatemalan Army, the general pattern of military involvement in repressive activities continues."¹⁶⁵ The Guatemalan military targeted important progressive leaders and protestors alike. In October of 1978, prominent student leader Oliverio Castañeda was assassinated by a Guatemalan death squad. Leftist politician Alberto Fuentes Mohr and the former progressive mayor of Guatemala City Manuel Colom Argueta were assassinated in early 1979.¹⁶⁶ Additionally, following the occupation of the Spanish Embassy in Guatemala by indigenous protestors

¹⁶¹ Boster to Department of State, 14 March 1978, "Death Squads", GU00516.

¹⁶² Boster to Department of State, 16 August 1978, RG 59, NARA AAD, 1978GUATEM04792.

¹⁶³ Boster to Department of State, 18 July 1978, "Death Squads", GU00526.

¹⁶⁴ Grandin, *The Last Colonial Massacre*, 162.

¹⁶⁵ Schneider to Bushnell, 8 November 1978, "Death Squads", GU00538.

¹⁶⁶ Boster to Department of State, 23 October 1978, "Death Squads", GU00535; Bennett to Department of State, 7 March 1979, "Death Squads", GU00550; Central Intelligence Agency report, 26 March 1979, "Death Squads", GU00559.

in early 1980, the Guatemalan military murdered dozens of protestors and burned down the Embassy.¹⁶⁷ The CIA considered the rising violence to be a symbol of Lucas García's failures as a leader.¹⁶⁸ However, Guatemala's patterns of political violence – and especially Castañeda's assassination - sparked factions of Guatemalan society to renew their criticisms of US support for the Guatemalan military. According to the US Embassy, Guatemalan labor organizations “condemn[ed] the ‘repressive forces’ of the [Guatemalan] government ‘duly trained ... (and) armed ... by yankee imperialism.’”¹⁶⁹

Like the Laugerud administration, Lucas García grew increasingly annoyed with the Carter government for its human rights position. In March 1979, Lucas García voiced his anger with the US for cutting its training funds in Guatemala and threatened to expel the US Military Group stationed in Guatemala as retaliation.¹⁷⁰ Further, Guatemala's defense minister Otto Spiegel Noriega condemned the US for conditioning aid on human rights and suggested that the Guatemalan government would continue seeking arms from other countries, including Soviet regions. The US Embassy fired back against Spiegel Noriega and dismissed his claims that “the US suspended arms sales some 7 years ago” as an “erroneous assertion ... We doubt the general has his facts as jumbled as this account of his remarks would suggest ... Lest we escalate the attention this subject receives, we do not plan to set the public record straighter than we have to.”¹⁷¹ By the last year of the Carter administration, Guatemalan government officials began to seek favor with American Republican officials in anticipation of a Ronald Reagan presidency that

¹⁶⁷ Ortiz to Department of State, 1 February 1980, “Death Squads”, GU00629.

¹⁶⁸ Central Intelligence Agency report, 26 March 1979, “Death Squads”, GU00559.

¹⁶⁹ Boster to Department of State, 23 October 1978, “Death Squads”, GU00535.

¹⁷⁰ Bennett to Department of State, 27 March 1979, “Death Squads”, GU00560.

¹⁷¹ Bennett to Department of State, 2 April 1979, RG 59, NARA AAD, 1979GUATEM02130.

would waive human rights restrictions.¹⁷² This development emerged following Guatemala's increasing isolation on the world stage after Amnesty International's reports of the military's human rights abuses. According to the US Embassy, a Guatemalan editorial stated that "those in charge of [Guatemalan] foreign policy had better get busy making the changes necessary in order to avoid Guatemala winding up completely alone."¹⁷³

3.4 – Three Camps of Dissent

The Carter government's focus on human rights had important implications for US governmental dissent about Guatemala-specific policy. As Carter's presidency was the first time that the US prioritized human rights in foreign policy, American officials engaged in prolonged debate about the merits and detriments of the significant policy shift. The transition to human rights-based policy led to major changes in both the quantity and content of dissent. First, the prioritization of human rights correlated with a substantial increase in the number of officials who expressed dissenting opinions about US activities in Guatemala. Second, when compared to the pre-Carter era, American officials expressed a wider variety of concerns about US policy in Guatemala. There were two primary camps of dissent during the Carter presidency, a reactionary camp and a progressive camp. Officials in the reactionary camp argued that Carter's policies on human rights went too far, and articulated pragmatic concerns about US-Guatemala relations and US interests. The progressive camp suggested that Carter's policies did not go far enough, and that stricter measures needed to be taken to ensure that Guatemala's

¹⁷² Sikkink, *Mixed Signals*, 139.

¹⁷³ Ortiz to Department of State, 2 November 1979, RG 59, NARA AAD, 1979GUATEM07332.

human rights situation would improve. A smaller third camp of intermediate dissenters expressed both pragmatic concerns about bilateral relations, as well as progressive concerns which indicated support for human rights considerations.

3.4a – The Reactionary Camp

Many within the US government were angered at Carter's attempts to institutionalize human rights as a permanent focus of foreign policymaking. Several State Department officials railed against the creation of the Bureau of Human Rights and Humanitarian Affairs, citing worries of "politicization" and the possibility of deteriorating relations with Latin American governments.¹⁷⁴ Other policymakers remained loyal to former Secretary of State Henry Kissinger's approach of prioritizing US interests and national security above all else. An October 1977 report from the US Embassy in Guatemala highlighted a group of officials worried that Carter was sacrificing US interests for human rights. These officials cited a recent speech from Kissinger at New York University as a clear condemnation of Carter's policies.¹⁷⁵ In his speech, Kissinger suggested that Carter's focus on human rights would negatively impact the US' image and its relations with its allies. He argued that the best foreign policy approach was a "balance between our interests and ideals", and that Carter's current stance would lead to "a posture of resignation towards totalitarian states and harassment of those who would be our friends."¹⁷⁶

Some dissenters continued to downplay the Guatemalan government's human rights abuses. An August 1979 report from the Department of State Bureau of Inter-

¹⁷⁴ Sikkink, *Mixed Signals*, 123.

¹⁷⁵ US Embassy in Guatemala report to Department of State, 19 October 1977, "Death Squads", GU00511.

¹⁷⁶ Carey Winfrey, "Kissinger Appraises U.S. Foreign Policy", *The New York Times*, September 20, 1977.

American Affairs suggested that despite the Guatemalan government's poor human rights record, it was "not a gross and consistent violator of human rights."¹⁷⁷ Many government officials believed that US policy in Guatemala was far too harsh and needed to be applied less strictly. A November 1979 Embassy report highlights that the US Military Group stationed in Guatemala disagreed with the severity of US policy choices. The Military Group provided a list of "non-controversial initiatives" that the US could undertake to improve relations with the Guatemalan state; the proposed initiatives included approving requests and delivering sales of non-lethal equipment, airplanes, and uniforms.¹⁷⁸ The Military Group reasoned that "within the broad definition of security assistance, there are many relatively non-controversial things that should be done that would not necessarily indicate any substantial change in US support for the GOG [Government of Guatemala], but would dispel[] communications of US abandonment."¹⁷⁹

The US Embassy in Guatemala was an important proponent of reactionary dissent within the US government. While the Embassy was generally more sensitive to human rights concerns under its new Ambassador Davis Eugene Boster, Embassy officials primarily articulated pragmatic concerns about Carter's policies.¹⁸⁰ According to Colby, Boster often minimized the Guatemalan government's role in the violence and focused on its positive progress.¹⁸¹ On October 5, 1978, Boster wrote to Secretary Vance reporting that the Guatemalan state had requested 5000 rounds of tear gas to quell riots related to bus fares. While US assistance programs to Guatemala had been officially terminated

¹⁷⁷ Bushnell to Christopher, 23 August 1979, "Death Squads", GU00597.

¹⁷⁸ Ortiz to Department of State, 10 November 1979, Death Squads, GU00618.

¹⁷⁹ Ibid.

¹⁸⁰ Rabe, *Kissinger and Latin America*, 161-162.

¹⁸¹ Colby, "'A Chasm of Values and Outlook'", 570.

earlier that year, Boster argued that the US should approve the military's request. Boster suggested that tear gas was "a more humane way than other alternatives" to deal with the growing riots.¹⁸² Further, he stated that Lucas García "has made [a] good faith effort to accommodate dissent and to restrain reaction to violent provocation at risk to his own image."¹⁸³

The most consequential development within the Embassy during the Carter administration was the appointment of Frank V. Ortiz as the new US Ambassador to Guatemala in July 1979. Ortiz claimed to support Carter's emphasis on human rights; in an October 1979 report, he argued that "human rights abuses and restrictions on democratic institutions are the main obstacles to good US relations with Guatemala ... [and that] the key sectors in Guatemala now perceive that attempted maintenance of the status quo is no longer a viable alternative."¹⁸⁴ However, Ortiz's tenure as Ambassador signaled a return to tactics employed in the pre-Carter administrations.

According to Sikkink, Ortiz's off-the-record actions contradicted his public support for human rights initiatives. Ortiz sought to strengthen the Embassy's ties with the Guatemalan military. Colby states that Ortiz's political violence reports "focused almost exclusively on leftist 'terrorism' while criticizing watchdog organizations such as Amnesty International."¹⁸⁵ Further, Ortiz's decision to allow a US Navy destroyer to visit a Guatemalan port without the knowledge or consent of the State Department led several State Department officials to argue that Ortiz was deliberately undermining Carter's

¹⁸² Boster to Department of State, 5 October 1978, "Death Squads", GU00532.

¹⁸³ Ibid.

¹⁸⁴ Ortiz to Department of State, 30 October 1979, RG 59, NARA AAD, 1979GUATEM07236.

¹⁸⁵ Colby, "A Chasm of Values and Outlook", 574.

human rights policy.¹⁸⁶ Further, he lobbied the US government to lessen its restrictions on equipment sales and deliveries. In March 1980, two months after the attack on the Spanish Embassy, Ortiz argued that the US should deliver spare helicopter parts to the Guatemalan military. Ortiz' argument was centred around pragmatic concerns about US relations: "While we must guard against appearing to signal acceptance of the GOG's now unsatisfactory human rights performance, I am convinced that helicopter spares are an inappropriate if not counterproductive item on which to take the high moral ground."¹⁸⁷

According to Colby, Ortiz grew increasingly critical of Carter's human rights posture throughout his tenure as Ambassador. He argued that emphasizing human rights would "increase 'the ... paranoia of the far right and embolden the far left'", and that a more moderate approach was key to achieving meaningful results.¹⁸⁸ After officials from the Congress, State Department and human rights organizations protested his dismissal of human rights issues, Ortiz was eventually recalled as Ambassador.¹⁸⁹ However, Ortiz later argued in his memoirs that his policy positions in Guatemala were a more practical attempt to curb the human rights abuses:

All my efforts to calm the violence in Guatemala proved unsuccessful. It didn't help that soon after I arrived, the U.S. government, in reaction to a terrible series of killings, cut off assistance to Guatemala. Military assistance had been cut long before. This made it very difficult for me to exercise any leverage over the government.¹⁹⁰ ... Rather than be confrontational, I argued that we should seek

¹⁸⁶ Karen DeYoung, "Navy Ship's Visit to Guatemala Reveals U.S. Split on Policy", *The Washington Post*, April 21, 1980; Sikkink, *Mixed Signals*, 138.

¹⁸⁷ Ortiz to Department of State, 26 March 1980, "Death Squads", GU00637.

¹⁸⁸ Colby, "'A Chasm of Values and Outlook'", 577.

¹⁸⁹ Nicholas Lemann, "How Realpolitik Undid One Diplomat", *The Washington Post*, July 6, 1980; Sikkink, *Mixed Signals*, 138.

¹⁹⁰ Frank V. Ortiz, *Ambassador Ortiz: Lessons From a Life of Service*, edited by Don J. Usner (Albuquerque, University of New Mexico Press, 2005), 129.

means to pressure, entice, and persuade the people in power that it was in their own best interests to stop the terrible bloodshed. I said that if they gave me some time, I could try to accomplish that, but I flatly refused to carry out the confrontational policy they wanted. My position didn't go over very well in Washington.¹⁹¹ ... The policy I recommended – of multilateral, strong, steady, quiet pressure – came too late for ... thousands of victims.¹⁹²

Reactionary pushback to Carter's policy in Guatemala continued throughout the remainder of his presidency. Officials from the Department of State, the Congress, and the Department of Defense engaged in prolonged debate about the merits of human rights-based policy. *Washington Post* journalist John M. Goshko reported in March 1979 that the US government was considering resuming its military assistance programs in Guatemala and other Latin American countries that had rejected US human rights contingencies. While many members of Congress and the State Department (particularly the Bureau of Human Rights and Humanitarian Affairs) rejected the proposal for undermining US human rights legislation, others embraced the opportunity to improve soured relations with the Guatemalan military.¹⁹³ In particular, many Defense Department officials argued that resuming military assistance in Guatemala was necessary following the Sandinistas' recent seizure of power in Nicaragua.¹⁹⁴

In the last year of Carter's presidency, members of Congress from both political parties began echoing calls for resuming US military assistance to Guatemala.

Republican Congressman Robert Bauman stated that Carter's policies have led to “another Latin American ally sold down the river”, while Democratic Congressman

¹⁹¹ Ortiz, *Ambassador Ortiz*, 133-134.

¹⁹² *Ibid.*, 136.

¹⁹³ John M. Goshko, “Controversy Looms Over Bid to Aid Guatemala”, *The Washington Post*, March 11, 1979.

¹⁹⁴ Vance to US Embassy in San Salvador and US Embassy in Guatemala, 2 August 1979, RG 59, NARA AAD, 1979STATE200957.

Larry McDonald argued that ““if the Reds take control ... they will have Washington to thank for it, because we have done all we can to weaken that country.””¹⁹⁵ Around the same time, many CIA officials - having maintained strong relations with the Guatemalan military – articulated similar concerns that Carter’s policies were “weakening the regime and opening the way for a communist victory.”¹⁹⁶

3.4b – The Progressive Camp

Progressive dissent focused on encouraging harsher measures against the Guatemalan government came primarily from members of Congress and the Department of State. An early example of progressive dissent came from Donald Fraser, one of the Congress’ first advocates for a human rights-based foreign policy. As highlighted in the previous chapter, Fraser’s work during the Ford years, specifically the human rights report he commissioned, played an important role in legitimizing human rights concerns as a worthwhile focus of US foreign policy.¹⁹⁷ In November 1977, Fraser wrote to Vance expressing concerns about how Carter’s human rights policy would be implemented in Latin America. Fraser argued that the US ought to be cautious and think in the long-term instead of letting their guard down at the first sign of human rights progress:

One of the fundamental problems in this field is how to gauge human rights progress; and at what point should we reward a government for such progress. There are a number of instances in which there has been progress, and the administration has rewarded a government for such progress. ... However, it would be unrealistic to determine that the fundamentally repressive nature of these regimes has changed overnight. Wouldn’t our policy be more credible and more effective, if we were to hold out rewards until enough time had passed to

¹⁹⁵ Colby, ““A Chasm of Values and Outlook””, 576.

¹⁹⁶ *Ibid.*, 573.

¹⁹⁷ Schmitz and Walker, “Jimmy Carter and the Foreign Policy of Human Rights”, 118; US Congress (House Committee on Foreign Affairs Subcommittee on International Organizations and Movements), *Human Rights in the World Community*.

make a clear judgment whether or not the situations had changed fundamentally? Is our tendency to favor resumption of aid and termination of sanctions overly influenced by the natural bureaucratic desire to maintain friendly relations with the country and to satisfy other U.S. interests?¹⁹⁸

On November 4, 1977, Vance subsequently forwarded Fraser's questions to the US Embassies in Guatemala, San Salvador (El Salvador), Tegucigalpa (Honduras), Managua (Nicaragua) and San José (Costa Rica).¹⁹⁹ US Ambassador to El Salvador Frank J. Devine responded to Fraser's claims in a message to the Secretary of State sent two days later. Devine was sympathetic to Fraser's concerns but pushed back against his recommendation for caution and stricter measures. He argued that "we should be neither too quick to punish nor too quick to reward specific performance. But the rate at which we take action in both directions should be comparable. ... Where such change does begin to appear, we should be flexible enough to nurture and encourage it onward rather tha[n] withhold all positive response or reward pending complete satisfaction."²⁰⁰

On September 1, 1978, Richard Feinberg from the Department of State Policy Planning Staff wrote a memorandum entitled "Direction of Human Rights in Guatemala." In his memorandum Feinberg reiterated Fraser's concern that the US ought to exercise more caution in its dealings with the Guatemalan government. Feinberg cited several recent developments within Guatemala as cause for alarm, namely the increased presence of guerrilla insurgents, the return of death squads, and the Lucas García administration's embrace of the death squads in its renewed focus on law and order. Feinberg argued that "we should be careful before taking actions that would appear to signal USG [United

¹⁹⁸ Vance to US Embassy in San Salvador, 4 November 1977, RG 59, NARA AAD, 1977STATE264619.

¹⁹⁹ Ibid.

²⁰⁰ Devine to Department of State, 6 November 1977, RG 59, NARA AAD, 1977SANS05118.

States Government] approval of the direction of human rights practices there. ... We should be alert to early indications of an unfavorable human rights trend, and issue clear signals to the GOG of its inevitable efforts on our relations.”²⁰¹

Some proponents of progressive dissent tried personally appealing to President Carter to affect meaningful changes in his human rights policy. One such dissenter was Donald J. Pease, a Democratic Congressman from Ohio. In September 1979, Pease wrote a letter to Carter to discuss the worsening human rights situation in Guatemala. In particular, Pease was responding to labor abuses and acts of violence at Embotelladora Guatemalteca, the Coca-Cola bottling plant in Guatemala City. As Embotelladora Guatemalteca was owned by an American named John Clinton Trotter, Pease expressed concerns about “American corporate complicity in some of the widespread violence and bloodshed taking place.”²⁰² Pease alleged that Trotter was using military and paramilitary violence to “tramp[le] the rights of the workers.”²⁰³ Several prominent officials within the Coca-Cola Workers Union were targeted and assassinated, including Financial Secretary Pedro Quevedo y Quevedo and General Secretary Manuel López Balam.²⁰⁴ Pease’s letter requested that Carter use his presidential powers to take swift action to improve the human rights situation at Embotelladora Guatemalteca:

First, it is my sincere hope that you will immediately use your good offices to persuade officials of the Coca-Cola Company in Atlanta to thoroughly investigate the operations of Trotter’s plant and to take responsible action to end the intolerable labor abuses that have been ignored to date. Second, since there is

²⁰¹ Feinberg to Walker, 1 September 1978, “Death Squads”, GU00531.

²⁰² Pease to Carter, 20 September 1979, “Death Squads”, GU00599.

²⁰³ Ibid.

²⁰⁴ Boster to Department of State, 13 December 1978, “Death Squads”, GU00540; Vance to US Embassy in Guatemala, 6 April 1979, “Death Squads”, GU00571; Hank Frundt, “To Buy the World a Coke: Implications of Trade Union Redevelopment in Guatemala”, *Latin American Perspectives* 14, no. 3 (1987): 383.

considerable evidence suggesting that military and/or paramilitary elements of the Guatemalan army have been party to the deplorable human rights violations at the Coca-Cola franchise Embottelladora [*sic*] Guatemalteca, there should be no further discussions or consideration given to resumption of military training funds for a program for Guatemalan armed forces. If there was ever any doubt that this training would be counterproductive to the restoration of open, democratic government in Guatemala, these recent events should have dispelled it.²⁰⁵

On October 11, 1979, Assistant Secretary for Congressional Relations J. Brian Atwood replied to Pease's letter on Carter's behalf. According to Atwood, while the State Department sympathized with Pease's concerns, there was not enough evidence to corroborate his allegations of military and paramilitary activity at Embotelladora Guatemalteca. Further, Atwood assured that the US government had ended its military aid for the Guatemalan government in 1977-1978, and was not actively considering any new military assistance programs.²⁰⁶

Twelve days later on October 23, Pease wrote a second letter to Carter detailing his disappointment with Atwood's response. Pease wrote that the State Department's reply "leaves a lot to be desired", calling it vague and lacking clear plans to address his concerns.²⁰⁷ Further, he was upset because he asked Carter to "personally use your good offices" to expedite an investigation of Trotter, which Carter had not done.²⁰⁸ Pease once again called on Carter to invoke his presidential powers to bring about meaningful results: "I believe in this instance you are in a unique position to take effective action in defense of the basic human rights of the Guatemalan workers at the Coca-Cola

²⁰⁵ Pease to Carter, 20 September 1979, "Death Squads", GU00599.

²⁰⁶ Atwood to Pease, 11 October 1979, "Death Squads", GU00606.

²⁰⁷ Pease to Carter, 23 October 1979, "Death Squads", GU00611.

²⁰⁸ Ibid.

Embottelladora [*sic*] Guatemalteca franchise. I look forward to personally hearing from you regarding this matter.”²⁰⁹

Following Pease’s second letter, Executive Secretary of the Department of State Peter Tarnoff wrote a memorandum to National Security Advisor Zbigniew Brzezinski on November 14, 1979. Tarnoff’s message detailed Pease’s correspondence with Carter and attached a draft reply from Department of State official Frank Moore that more meaningfully addressed Pease’s concerns.²¹⁰ Moore’s draft reply highlighted actions taken by the US Embassy in Guatemala and the Department of State in light of the violence. In June 1979 an Embassy official communicated with American management at Embotelladora Guatemalteca to condemn the recent assassinations and US complicity in them, as well as to reiterate the Carter government’s emphasis on human rights. Additionally, State Department officials contacted the Coca-Cola Atlanta headquarters to discuss the situation in Guatemala. Coca-Cola Atlanta later launched an investigation into Embotelladora Guatemalteca and “ordered the local firm there to sell its franchise”, after which reports of labor abuses dramatically decreased.²¹¹ Tarnoff concluded his memorandum by stating that “in view of the State Department’s actions in this matter, we do not believe it is necessary ... to address the suggestion that President Carter intervene personally with Coca-Cola Company in Atlanta.”²¹²

Another official who personally wrote to Carter with dissenting concerns was Democratic Congressman Tom Harkin. In June 1980, Harkin wrote to Carter to express

²⁰⁹ Pease to Carter, 23 October 1979, “Death Squads”, GU00611.

²¹⁰ Ibid.

²¹¹ Moore to Pease, c. 23 October 1979, “Death Squads”, GU00612.

²¹² Pease to Carter, 23 October 1979, “Death Squads”, GU00611.

his “frank impression” about Ambassador Frank Ortiz.²¹³ While Harkin praised other US Ambassadors stationed across Latin America, including Larry Pezzullo in Nicaragua and Bob White in El Salvador, he criticized Ortiz for his associations with the Guatemalan military and other right-wing factions, as well as his disregard for human rights. Harkin finishes his letter by arguing that “Guatemala represents the greatest danger to a peace in that area and our ambassador there should certainly be making more in-roads and contacts with the popular and democratic forces in that country.”²¹⁴ Ortiz responded to Harkin’s letter on June 26, 1980, calling his allegations a “perverted falsehood.”²¹⁵ Ortiz demanded that Harkin retract his allegations:

You apparently have preferences as to Governments. While you do, the Ambassador does not. He has to operate in the situation in which he finds himself and seek to exert maximum influence always in the advancement of American interests. ... I take you as an honorable man. Because your allegation is so malevolently wrong I know you will find prompt effective means to attempt to undo the harm you have done by relying ‘on what people say.’ Please send me ... copies of your retraction. I expect it will be a complete and satisfactory one.²¹⁶

While Ortiz was eventually recalled from the Embassy, recent scholarship by academic Michael Cangemi has reappraised both Ortiz’s tenure as Ambassador and Harkin’s criticisms. Cangemi argues that Ortiz’s failures with implementing human rights in Guatemala reflected the Carter administration’s lack of a coherent strategy and leverage against the Guatemalan state.²¹⁷ Cangemi also scrutinizes Harkin’s criticisms of Ortiz: “Harkin interpreted Ortiz’s inability to secure the Lucas government’s cooperation on halting human rights violations as a product of Ortiz’s indifference toward administrative

²¹³ Harkin to Carter, 10 June 1980, “Death Squads”, GU00649.

²¹⁴ Ibid.

²¹⁵ Ortiz to Harkin, 26 June 1980, “Death Squads”, GU00653.

²¹⁶ Ibid.

²¹⁷ Michael Cangemi, “Ambassador Frank Ortiz and Guatemala’s ‘Killer President,’ 1976–1980”, *Diplomatic History* 42, no. 4 (2018): 638-639.

desires and an excessively close relationship with Guatemala's political leaders.

However, as Ortiz noted in his letter to Harkin, local conditions dictate the success—or in Ortiz's case, the failure—of desired foreign policy outcomes. These circumstances partially explain Ortiz's diplomatic failure, and also challenge Harkin's assessment of Ortiz's performance."²¹⁸

3.4c – The Intermediate Camp

A small number of officials fall into the camp of intermediate dissent, which combined both pragmatic and progressive concerns about Carter's policy choices. One intermediate dissenter was Embassy official John Tescan Bennett, who became interim leader of the US Embassy following Boster's resignation. According to Colby, Bennett was more willing to directly implicate the Guatemalan government in the mounting violence than his predecessor.²¹⁹ However, in April 1979 Bennett wrote to Vance to suggest that the US tone down its human rights emphasis. Bennett's argument was centred around pragmatic concerns about US relations and US interests. He stated that continuing to press Lucas García on human rights would lead to significant retaliation from the Guatemalan government:

A stronger statement of our human rights views, i.e., one which really pins the blame on the Lucas government, it seems to me, will have extreme consequences, certainly including the end of the [Military Group in Guatemala] and possibly the Peace Corps and [Agency of International Development] mission as well, reflecting a decision on the part of the GOG to go it without us. They have, we believe, thought through the consequences and would be prepared to accept them.²²⁰

²¹⁸ Cangemi, "Ambassador Frank Ortiz and Guatemala's 'Killer President,' 1976–1980", 639.

²¹⁹ Colby, "A Chasm of Values and Outlook", 571.

²²⁰ Bennett to Department of State, 25 April 1979, "Death Squads", GU00578.

Another US official who expressed intermediate concerns was Viron Vaky, Assistant Secretary of State for Inter-American Affairs. In 1968, Vaky was the first US government official to explicitly criticize the US government's complicity in the Guatemalan government's human rights abuses.²²¹ While Vaky supported Carter's focus on human rights, he was also a proponent of resuming reasonable military aid to the Guatemalan government so that bilateral relations were not damaged beyond repair. His position was controversial among progressive dissenters who believed he was attempting to undermine existing human rights legislation.²²² However, unlike other dissenters who expressed pragmatic concerns, Vaky's approach was more rooted in concern for human rights. He argued that Guatemala's human rights situation was a crucial dealbreaker for US-Guatemala relations going forward. In a memorandum written to Vance before his meeting with Guatemala's foreign minister, Vaky made the following suggestions:

Therefore, we need to make our message clear. ... We would like to work with the Guatemalan Government. ... However, our ability to cooperate with Guatemala is hampered by the common perception in the United States that the GOG is not committed to correcting human rights abuses. ... We hope to be able to continue our bilateral AID program in Guatemala, but ... our ability to cooperate will depend to an important extent on Guatemala's human rights performance. ... We urge the Guatemalan Government to take all steps possible to reduce political violence. The resulting improvement in its image would facilitate our ability to maintain friendly and cooperative relations.²²³

Vaky's approach is striking when compared to that of Bennett. Both Vaky and Bennett desired to resume aid and improve relations with the Guatemalan state, but their approaches greatly differed, especially concerning human rights. While Bennett suggested that the best option was to deemphasize Carter's human rights angle, Vaky

²²¹ Vaky to Oliver, 29 March 1968, "Death Squads", GU00367.

²²² Goshko, "Controversy Looms Over Bid to Aid Guatemala."

²²³ Vaky to Vance, c. 3 May 1979, "Death Squads", GU00581.

argued that reinforcing human rights was imperative in order to achieve meaningful results.²²⁴

3.5 – Conclusion

Jimmy Carter's human rights-based foreign policy had far-reaching consequences both at home and in Guatemala. The Carter government faced significant challenges in implementing and institutionalizing human rights into its foreign policy. Carter's policy had negative effects on bilateral relations with the Guatemalan state. The Guatemalan government rejected all US aid predicated on human rights commitments, and government-sponsored violence in Guatemala continued to rise. The US government's new emphasis on human rights also had significant implications on governmental dissent concerning Guatemala-specific policy. The volume of dissent increased exponentially as US officials debated the merits of prioritizing human rights in foreign policy choices. In addition, officials articulated a wider variety of concerns than in previous administrations. Reactionary dissenters articulated pragmatic concerns about human rights policy centred around protecting US interests and improving bilateral relations with Guatemala, while progressive dissenters argued that the US government needed to take stricter measures against the Guatemalan state to ensure a decrease in human rights abuses. In addition, a small number of intermediate dissenters blended practical and progressive critiques of Carter's policy choices.

²²⁴ Bennett to Department of State, 25 April 1979, "Death Squads", GU00578; Vaky to Vance, c. 3 May 1979, "Death Squads", GU00581.

CHAPTER 4: DISSENT AND THE MIXED LEGACY OF HUMAN RIGHTS POLICY – THE REAGAN ADMINISTRATION

Amid a re-escalation of Cold War tensions and contentious debate within the US government about the merits of human rights-based policy, Ronald Reagan's election to the presidency signaled a return to more traditional foreign policy. Reagan was a staunch anticommunist, and adopted a hardline policy that focused on directly combatting the communist threat rather than simply containing it.²²⁵ Reagan campaigned on renewed assistance for anticommunist regimes, criticizing Carter's human rights emphasis for its ineffectiveness, its negative impacts on bilateral relations, and its damage to the US' security interests and global reputation.²²⁶ He won a decisive victory in the 1980 federal election, receiving 489 Electoral College seats and 50.7% of the popular vote.²²⁷ The Guatemalan state and American conservatives alike celebrated Reagan's election victory as a long overdue return to form for US foreign policy.

This chapter will examine Reagan's shift away from Carter's human rights policy in Guatemala during his presidency. In Reagan's first term, the US sought to improve bilateral relations with the Guatemalan state and resume its military assistance programs, even as the counterinsurgency escalated in intensity and brutality. The Reagan administration's rejection of human rights policies, combined with mounting Cold War tensions, eliminated the social conditions which allowed human rights discourse to

²²⁵ Jack F. Matlock, *Reagan and Gorbachev: How The Cold War Ended* (New York: Random House, 2004), 27.

²²⁶ David Carleton and Michael Stohl, "The Foreign Policy of Human Rights: Rhetoric and Reality from Jimmy Carter to Ronald Reagan", *Human Rights Quarterly* 7, no. 2 (1985): 205; Colby, "A Chasm of Values and Outlook", 578.

²²⁷ "1980 | The American Presidency Project", *The American Presidency Project: UC Santa Barbara*, <https://www.presidency.ucsb.edu/statistics/elections/1980>.

flourish under Carter, resulting in a notable impact on governmental dissent. While the Congress remained a consistent and vocal advocate for human rights policy when the US government attempted to minimize it, their efforts achieved mixed results. Apart from the Congress, dissent concerning US-Guatemala policy dropped significantly. In Reagan's second term, however, broader developments in both the Guatemalan Civil War (Guatemala's transition to civilian rule) and the Cold War (the renewal of US-Soviet détente) set the stage for subsequent administrations to resume Carter-era human rights policy choices. Ultimately, Reagan's policymaking highlights the mixed legacy of Carter's human rights emphasis.

4.1 – The End of Mainstream Human Rights Policy: Reagan and Guatemala

A State Department report from March 3, 1981 lists the Reagan administration's initial goals in Guatemala, including repairing strained relations with the Guatemalan state, establishing a legitimate non-violent government in Guatemala, preventing Cuban influence, and ending the Civil War. The report criticized the Carter administration's human rights policy for “fail[ing] to elicit the changes we sought ... [and] contribut[ing] to a climate of mistrust and resentment toward us.”²²⁸ Reagan's strategy for foreign policy was to shift away from Carter's heavy emphasis on human rights and move towards the Kirkpatrick Doctrine, named for US Ambassador to the United Nations Jeane J. Kirkpatrick. Kirkpatrick was a fierce critic of Carter's human rights policy before her time in government; in 1979 she wrote an essay titled “Dictatorships and Double Standards” for *Commentary* magazine highlighting the flaws with Carter's approach:

²²⁸ Department of State report, c. 3 March 1981, “Death Squads”, GU00690.

[A] posture of continuous self-abasement and apology *vis-a-vis* the Third World is neither morally necessary nor politically appropriate. No more is it necessary or appropriate to support vocal enemies of the United States because they invoke the rhetoric of popular liberation. It is not even necessary or appropriate for our leaders to forswear unilaterally the use of military force to counter military force. Liberal idealism need not be identical with masochism, and need not be incompatible with the defense of freedom and the national interest.²²⁹

Kathryn Sikkink defines the Kirkpatrick Doctrine as the idea “that human rights pressures should focus on [communist] ‘totalitarian’ regimes and that the United States should reestablish friendly relations with anticommunist authoritarian regimes, regardless of their human rights practices.”²³⁰ In the case of Guatemala, the Kirkpatrick Doctrine translated to full support for the Guatemalan government and military, combined with half-hearted human rights pressures to appease human rights advocates within the Congress.²³¹ In many regards, the Kirkpatrick Doctrine merely formalized US Cold War policy, updating it with the language of human rights.

The Kirkpatrick Doctrine can be analyzed through the lens of Michel Foucault’s concept of biopolitics, the idea that liberal regimes are willing to kill humans that are considered threats to the preservation and enhancement of human life.²³² The Doctrine was a strategy to eliminate outside communist threats to US political and economic interests. In “Dictatorships and Double Standards”, Kirkpatrick wrote that “If, moreover, revolutionary leaders describe the United States as the scourge of the 20th century, the enemy of freedom-loving people, the perpetrator of imperialism, racism, colonialism,

²²⁹ Jeane J. Kirkpatrick, “Dictatorships & Double Standards”, *Commentary* (November 1979), <https://www.commentary.org/articles/jeane-kirkpatrick/dictatorships-double-standards/>.

²³⁰ Sikkink, *Mixed Signals*, 149.

²³¹ *Ibid.*, 161.

²³² Foucault, “*Society Must Be Defended*”, 239-264; Gravlin, “The Biopolitics of Liberal Colonialism in India”, 28.

genocide, war, then they are not authentic democrats or, to put it mildly, friends. Groups which define themselves as enemies should be treated as enemies.”²³³

Mirroring the Reagan government’s embrace of the Kirkpatrick Doctrine was the shift away from détente towards a period of hostile tensions between the US and Soviet Union. Tensions between the two superpowers re-emerged at the end of Carter’s term as the Soviet Union expanded its military capabilities. The US government considered the Soviet military buildup to be a threat to the West, especially after the recent Soviet intervention in Afghanistan.²³⁴ Reagan’s response was to further escalate tensions between the two superpowers to counter the Soviet threat. The Reagan government’s policy goals of restraint (the end of Soviet expansion) and reciprocity (the ability to bend the Soviets to their will) became the focal point of US-Soviet Union relations. The US stated that the Soviet Union needed to comply with their demands before discussing matters like trade and arms controls.²³⁵ Additionally, the Reagan administration began rapidly building up its military to counter the Soviet’s growing forces. According to Daniel Wirls, “Reagan sustained the largest buildup in peacetime history, which by many measures exceeded spending during the Korean and Vietnam wars.”²³⁶

Once Reagan was inaugurated, the US government immediately began looking for ways to improve relations with the Guatemalan state. In April 1981, Deputy Secretary of State William P. Clark highlighted a list of initiatives aimed at improving relations with

²³³ Kirkpatrick, “Dictatorships & Double Standards.”

²³⁴ Beth A. Fischer, *The Reagan Reversal: Foreign Policy and the End of the Cold War* (Columbia: University of Missouri Press, 1997), 18-22.

²³⁵ Fischer, *The Reagan Reversal.*, 22-25; Matlock, *Reagan and Gorbachev*, 52.

²³⁶ Daniel Wirls, *Buildup: The Politics of Defense in the Reagan Era* (Ithaca and London: Cornell University Press, 1992), 35.

the Guatemalan government and easing tensions caused by Carter's human rights policy, such as "seek[ing] to insure that the human rights situation in Guatemala is treated in an unbiased and objective manner ... [and] actively convey[ing] to GOG officials, the Guatemalan military, Guatemalan and resident US business leaders our desire for friendship and closer cooperation with the GOG."²³⁷ A particularly noteworthy initiative highlighted by Clark was to "minimize public statements by US officials on the human rights situation in Guatemala or on any other subject concerning Guatemala about which there is little positive to be said."²³⁸ This initiative clearly articulates how the changing context of US politics under Reagan limited the discourse on human rights in Guatemala.

In May 1981, a meeting between US and Guatemalan officials decided that the best course of action was to let the Guatemalan state "do its own thing" to rebuild confidence and goodwill lost during the Carter years; after persuasion from Guatemalan Foreign Minister Rafael Castillo Valdez, Clark affirmed that "the Reagan Administration would not publicly castigate human rights offenders nor forget its friends."²³⁹ By June 1981, the Reagan administration began to loosen Carter's human rights restrictions by allowing the export of \$3.1 million worth of trucks and jeeps for the Guatemalan military.²⁴⁰

The most consequential development in Reagan's first term was a March 1982 military coup in Guatemala which overthrew the incumbent President, General Fernando Romeo Lucas García. The military coup came days after a national election won by

²³⁷ Clark to US Embassy in Guatemala, 8 April 1981, "Death Squads", GU00696.

²³⁸ Ibid.

²³⁹ Department of State memorandum of conversation, 8 May 1981, "Death Squads", GU00704.

²⁴⁰ "Around the World; U.S. Clears Military Vehicles for Export to Guatemala."

Lucas García's Defense Minister Ángel Aníbal Guevara Rodríguez. Lucas García was replaced by a military junta led by José Efraín Ríos Montt.²⁴¹ Two months later, Ríos Montt became Guatemala's newest dictator after ousting the other members of the junta.²⁴² The Reagan administration closely monitored the changing political situation in Guatemala. A Department of State memorandum two days after the coup appraised the situation in Guatemala: "For the next weeks and months, we will have to deal with the military."²⁴³

Ríos Montt oversaw the most brutal period of the Guatemalan counterinsurgency. According to Virginia Garrard-Burnett, Ríos Montt's counterinsurgency campaign was more systematic, efficient and brutal than that of Lucas García.²⁴⁴ His primary counterinsurgency campaign, known as Plan Victoria 82, aimed to "creat[e] ... a State purged of subversive elements by a war 'without limits.'"²⁴⁵ Ríos Montt's counterinsurgency campaign accounted for "nearly half of all the massacres and scorched-earth operations" during the Guatemalan Civil War.²⁴⁶ According to Garrard-Burnett, 43% of the Civil War's deaths (roughly 86,000 of 200,000) occurred during Ríos Montt's seventeen months in power.²⁴⁷

²⁴¹ Chapin to Department of State, 19 March 1982, "Death Squads", GU00777; Victoria Sanford, "Command Responsibility and the Guatemalan Genocide: Genocide as a Military Plan of the Guatemalan Army under the Dictatorships of Generals Lucas García, Ríos Montt, and Mejía Victores", *Genocide Studies International* 8, no. 1 (Spring 2014), 89.

²⁴² Sanford, "Command Responsibility and the Guatemalan Genocide", 91.

²⁴³ Department of State to Enders, 25 March 1982, "Death Squads", GU00784.

²⁴⁴ Virginia Garrard-Burnett, *Terror in the Land of the Holy Spirit: Guatemala Under General Efraín Ríos Montt, 1982-1983* (Oxford: Oxford University Press, 2010), 86-87.

²⁴⁵ "The Final Battle: Ríos Montt's Counterinsurgency Campaign", *National Security Archive*, May 9, 2013, <https://nsarchive2.gwu.edu/NSAEBB/NSAEBB425/>.

²⁴⁶ Garrard-Burnett, *Terror in the Land of the Holy Spirit*, 87.

²⁴⁷ *Ibid.*, 6-7.

There was also a significant racial component to Ríos Montt's counterinsurgency. He deliberately targeted Guatemala's rural indigenous Maya populations, unlike earlier counterinsurgency campaigns targeted towards Guatemala's ladino populations.²⁴⁸ The Guatemalan state's rationale behind targeting the Maya was to "destroy [the insurgents'] 'base of support.'"²⁴⁹ The Guatemalan military employed a strategy of fusiles y frijoles (guns and beans).²⁵⁰ Ríos Montt described the fusiles y frijoles campaign as an ultimatum to Maya communities: "If you are with us, we'll feed you, if not, we'll kill you."²⁵¹ Ríos Montt's counterinsurgency devastated Maya communities; later analyses by truth commissions revealed that Maya accounted for 80% of those murdered by the Guatemalan state in the early 1980s.²⁵² Ríos Montt was later tried and convicted of genocide of the Ixil Maya in 2013 (constituting 1,771 victims in 15 villages).²⁵³

Despite Ríos Montt's intensification of the Guatemalan counterinsurgency, the Reagan administration continued to court the Guatemalan state. Ríos Montt's strong evangelical Christian faith endeared him to the growing Religious Right movement in the US, which constituted a critical portion of Reagan's political base. According to Garrard-Burnett, American Christian conservatives viewed Ríos Montt as "a literal godsend ... [and] a 'Christian soldier' who would both vanquish communism and at last bring a

²⁴⁸ Garrard-Burnett, *Terror in the Land of the Holy Spirit*, 7.

²⁴⁹ "The Final Battle: Ríos Montt's Counterinsurgency Campaign."

²⁵⁰ Americas Watch, *Creating a Desolation and calling it peace; May 1983 Supplement to the Report of Human Rights in Guatemala* (May 1983), 2.

²⁵¹ Sofia Menchu, "Ex-Guatemala dictator Rios Montt, plagued by genocide charges, dies", *Reuters*, April 1, 2018.

²⁵² Garrard-Burnett, *Terror in the Land of the Holy Spirit*, 7.

²⁵³ Stephen Kinzer, "Efraín Ríos Montt, Guatemalan Dictator Convicted of Genocide, Dies at 91", *The New York Times*, April 1, 2018; Menchu, "Ex-Guatemala dictator Rios Montt, plagued by genocide charges, dies"; Sanford, "Command Responsibility and the Guatemalan Genocide", 86.

godly era of peace, justice, and tranquility to his long-troubled country, a metaphoric leader in a metaphoric war.”²⁵⁴

In June 1982, one week after Ríos Montt disbanded the military junta, Reagan’s Secretary of State Alexander Haig announced the US government’s intention to “expand our development assistance and to aid the military in its attempts to counter active insurgency” because of perceived “recent human rights advances.”²⁵⁵ US officials downplayed Guatemala’s human rights situation in reports and cables. A State Department report argued that Ríos Montt was responsible for a downturn in both violence and human rights abuses.²⁵⁶ Further, the US Embassy in Guatemala sided with the Guatemalan state in placing the blame for the violence on the insurgents. A 26-page report from US Ambassador to Guatemala Frederic Chapin criticized those highlighting Ríos Montt’s role in the violence:

The Embassy has analyzed reports made in the U.S. by Amnesty International, WOLA/NISGUA and the Guatemalan Human Rights Commission. We conclude that a concerted disinformation campaign is being waged in the U.S. against the Guatemalan government by groups supporting the communist insurgency in Guatemala ... This is a campaign in which guerilla mayhem and violations of human rights are ignored; a campaign in which responsibility for atrocities is assigned to the GOG without verifiable evidence; a campaign in which GOG responsibility is alleged when evidence shows guerrilla responsibility; a campaign in which atrocities are cited that never occurred. The campaign’s object is simple: to deny the Guatemalan army the weapons and equipment needed from the U.S. to defeat the guerrillas. ... Although [the] Embassy believes it likely that the Guatemalan army has indeed committed some atrocities, the assertion that they committed all the massacres attributed to them is not credible, especially since

²⁵⁴ Garrard-Burnett, *Terror in the Land of the Holy Spirit*, 161.

²⁵⁵ Haig to Council on Foreign Relations, June 16, 1982, “Death Squads”, GU00825.

²⁵⁶ Department of State Bureau of Intelligence and Research analysis, 13 August 1982, “Death Squads”, GU00841.

analysis indicates the guerrillas are responsible in many cases.²⁵⁷

Reagan became a strong champion of Ríos Montt and his government. In November 1982, following talks between the two Presidents, Reagan released the following statement: “I know that President Ríos Montt is a man of great personal integrity and commitment. ... The US Government supports his effort to restore democracy, and to eradicate the root causes of the insurgency. I know he wants to improve the quality of life for all Guatemalans and to promote social justice. My administration will do all it can to support his progressive efforts.”²⁵⁸ Reagan further endorsed Ríos Montt in December 1982 while talking to the press during his Latin American tour. Reagan suggested that Ríos Montt was getting a “bum rap” and that his actions had a more positive effect than had been suggested; he also signaled willingness to resume military aid to Guatemala based on his conversation with Ríos Montt.²⁵⁹ In April 1983, Reagan sent a letter to Ríos Montt to reaffirm his commitment to aiding the Guatemalan state.²⁶⁰ Sikkink argues that Reagan’s endorsements of Ríos Montt were “a cue to the Guatemalan military that the United States was not going to criticize them, much less sanction them, for their human rights practices. ... this signal gave a green light to repression.”²⁶¹

Ríos Montt’s reign of terror ended in August 1983 after a group of senior Guatemalan army commanders orchestrated a coup to overthrow him. Ríos Montt was

²⁵⁷ Chapin to Department of State, 22 October 1982, “Death Squads”, GU00866.

²⁵⁸ Department of State statement, 22 November 1982, “Death Squads”, GU00878.

²⁵⁹ “Question-and-Answer Session With Reporters on the President's Trip to Latin America.”

²⁶⁰ Clark to US Embassy in Guatemala, 15 April 1983, “Death Squads”, GU00912.

²⁶¹ Sikkink, *Mixed Signals*, 169.

succeeded by his Defense Minister Óscar Humberto Mejía Víctores.²⁶² While the US Defense Intelligence Agency believed that the new government would be short-lived because “[the] coup ... was staged by a minority faction within the army to preempt a later coup planned by a majority faction”, Mejía Víctores remained in power until January 1986.²⁶³

In the months following the coup, US governmental documents highlight rising violence levels under Mejía Víctores. A November 1983 report from the Department of State Bureau of Intelligence and Research highlighted the re-emergence of paramilitary death squads that recently targeted three workers affiliated with the US Agency for International Development (USAID). The Bureau suggested that the USAID murders were meant to send a warning to the US: “Last week’s murder[s] ... illustrat[e] the difficulty of attempts by foreigners to influence Guatemalan human-rights practices. The Guatemalans invariably react xenophobically to any suggestion - no matter how private or delicate - that their treatment of perceived enemies of the regime should be moderated.”²⁶⁴ In a memorandum addressed to Reagan, Secretary of State George P. Schultz wrote that Mejía Víctores’ administration “ha[s] frustrated our efforts to expand bilateral relations and to help Guatemala meet its basic needs in confronting the guerrilla insurgency.”²⁶⁵

²⁶² Montgomery to Shultz, 8 August 1983, “Death Squads”, GU00949.

²⁶³ Defense Intelligence Agency cable, 15 August 1983, “Death Squads”, GU00956.

²⁶⁴ Department of State Bureau of Intelligence and Research analysis, 21 November 1983, “Death Squads”, GU00985.

²⁶⁵ Shultz to Reagan, 30 November 1983, “Death Squads”, GU00989.

Despite the increase in violence under Mejía Víctores, the Reagan administration attempted to provide moderate amounts of assistance to the Guatemalan state. Paul D. Taylor, Deputy Chief of Mission in Guatemala, argued that approving an appropriate amount of military assistance for the Guatemalan state would be beneficial for fulfilling key US objectives in Guatemala.²⁶⁶ Similarly, a report from the CIA Directorate of Intelligence argued that resuming military aid would considerably improve bilateral relations between the US and Guatemalan governments:

[There] is resentment in the armed forces toward the United States ... Their growing “go it alone” attitude is likely to impose limits on the extent of future US-Guatemalan cooperation. We believe the Guatemalans place as much symbolic importance on the restoration of aid as they do on its tangible impact on their counterinsurgency program. Mejia views his two foremost policy objectives – obtaining US material support and ending the international opprobrium of Guatemala - as closely linked. The removal of US restrictions on military aid to Guatemala ... will continue to be viewed by any Guatemalan government as a critical step toward improving its image.²⁶⁷

By the end of Reagan’s first term, the Embassy proposed several moderate initiatives for military assistance. The proposed initiatives included ship visits, training programs, equipment reviews, and tours of US military facilities. The Embassy argued that the initiatives were meant to reward the Guatemalan state’s positive steps towards democratization and were considered inoffensive enough to avoid major backlash.²⁶⁸

²⁶⁶ Taylor to Department of State, 15 March 1984, “Death Squads”, GU01004.

²⁶⁷ Central Intelligence Agency Directorate of Intelligence analysis, 14 May 1984, “Death Squads”, GU01013.

²⁶⁸ Piedra to Department of Defense and Department of State, 14 January 1985, Death Squads, GU01029.

4.2 – Congressional Dissent

While the Reagan administration attempted to improve relations with the Guatemalan state, the US Congress continued to be a steady advocate for human rights and a check on the executive branch's policies. According to Sikkink, although the Reagan government strongly desired to provide aid to the Guatemalan state, Congressional stipulations prevented the US from providing the desired amount of assistance. While the Reagan government was able to circumvent certain restrictions, the overall level of military aid remained minimal. Because the Reagan administration considered Guatemala to be a relatively low priority, they decided not to challenge the Congress for increased assistance.²⁶⁹ Sikkink also notes that the low levels of military aid led to unintended consequences: "the cutoff of military assistance to Guatemala gave it a 'relative autonomy' vis-à-vis the United States that other regimes ... did not have. The Guatemalan government thus carried out its most intense repression at a time that it received very little U.S. military aid."²⁷⁰

Congressional human rights restrictions were a notable source of tension between the Reagan administration and the Guatemalan government, particularly when Ríos Montt was in power. Ríos Montt believed that Reagan was deliberately withholding military aid from him. A November 1982 report from the US Embassy relayed that Ríos Montt was unwilling to meet with Reagan over the US refusal of military assistance. He

²⁶⁹ Sikkink, *Mixed Signals*, 159.

²⁷⁰ *Ibid.*, 160.

told his Cabinet that “he would not bow down to President Reagan or anyone else ... and that Guatemala could not live under the U.S. boot.”²⁷¹

Tensions began to diminish after a meeting between the two leaders in which Reagan affirmed his support for the Guatemalan state.²⁷² In his April 1983 letter to Ríos Montt, Reagan stated that Congressional restrictions on military assistance impeded his ability to send aid, but he would work diligently to procure equipment and aid for the Guatemalan government.²⁷³ Further, the Guatemalan state gained a better understanding of the Congressional restrictions after Guatemalan Special Emissary Jorge Antonio Serrano Elías traveled to Washington to meet with Reagan in May 1983. According to a State Department report, “Serrano left with the recognition that while the US would react favorably to Guatemala’s needs, its ability to help was limited by political considerations here that his government must help to overcome.”²⁷⁴

The Congress’ checks on the Reagan government’s policies in Guatemala continued into the Mejía Vítores administration. In November 1983, following the increase of violence and human rights abuses under Mejía Vítores (particularly the USAID murders), the Congress implemented additional restrictions that “effectively will reduce A.I.D. programs from \$13 million to perhaps less than \$1 million.”²⁷⁵ In late 1983, the House Foreign Affairs Committee requested a report on Guatemala’s human rights situation, and threatened to further withhold military assistance if not completed

²⁷¹ Chapin to Department of State, 18 November 1982, “Death Squads”, GU00873.

²⁷² Department of State statement, 22 November 1982, “Death Squads”, GU00878.

²⁷³ Clark to US Embassy in Guatemala, 15 April 1983, “Death Squads”, GU00912.

²⁷⁴ Hill to Clark, 28 May 1983, “Death Squads”, GU00920.

²⁷⁵ Shultz to Reagan, 30 November 1983, “Death Squads”, GU00989.

acceptably. According to the stipulations in Section 502 of the Foreign Assistance Act, the report required information on Guatemala's human rights practices, initiatives to "promote human rights and disassociate the USG from abuses", and any "extraordinary circumstances" that might necessitate US military aid.²⁷⁶ In February 1984, the Department of State approved the final report to be sent to the House. The report's primary argument was that "while serious human rights problems persist in Guatemala, the government has taken actions to reduce them. Continued security assistance is essential to support that process."²⁷⁷

Although the Congress remained an important advocate for human rights within the US government, its initiatives achieved mixed results overall. While the Congress was largely successful in halting military assistance to the Guatemalan state, the executive branch found ways to undermine Congressional legislation. For example, an article by academics Tanya Broder and Bernard D. Lambek illustrates how the attempts of Congress to amend existing policies with country-specific legislation led to loopholes that were exploited by the Reagan administration. In 1985, the Congress implemented Section 703 of the International Security and Development Cooperation Act, which stated that in order to resume military aid to Guatemala in the next fiscal year, it needed to have a civilian government and show "demonstrated progress" in human rights improvements.²⁷⁸ However, Section 703 inadvertently undermined Section 502 of the Foreign Assistance Act, which stated that human rights improvements were not good

²⁷⁶ Propor to Motley, 18 January 1984, "Death Squads", GU00992.

²⁷⁷ Abrams, Bennett, Jr., and Michel to The Acting Secretary, 3 February 1984, "Death Squads", GU00997.

²⁷⁸ Broder and Lambek, "Military Aid to Guatemala", 113.

enough, and that human rights abuses had to completely cease.²⁷⁹ Broder and Lambek conclude that Section 703 was a significant regression from existing human rights policy as it “weakened the substantive requirement for the disbursement of security assistance to Guatemala, and it made congressional control over executive policy more difficult.”²⁸⁰

4.3 – Non-Congressional Dissent in Reagan’s First Term

Outside of the Congress, US governmental dissent concerning Guatemala-specific policy dropped significantly. The lower levels of dissent may be attributed in part to the end of détente between the US and Soviet Union. The social conditions which allowed human rights discourse to flourish under Carter dissipated as the Cold War intensified and the Reagan administration returned to a more traditional anticommunist foreign policy. Non-Congressional dissent about US-Guatemala policy was confined to the State Department and the US Embassy in Guatemala.

An early dissenter during the Reagan government was Robert L. Jacobs from the State Department’s Bureau of Human Rights and Humanitarian Affairs. In October 1981, Jacobs wrote to Luigi Einaudi, who worked in the Bureau of Inter-American Affairs’ Office of Policy Planning, Public, and Congressional Affairs. Jacobs’ message articulated pragmatic and progressive concerns about US support for Lucas García’s counterinsurgency efforts. He pushed back against Lucas García’s arguments that counterinsurgency would indisputably put an end to the violence in Guatemala. He argued that the best thing the US government could do was to stop supporting the

²⁷⁹ Broder and Lambek, “Military Aid to Guatemala”, 133-134.

²⁸⁰ Ibid., 143.

Guatemalan counterinsurgency effort. He wrote that “If Lucas is right and the GOG can successfully ‘go it alone’ in its policy of repression, there is no need for the U.S. to provide the GOG with redundant political and military support. The provisioning of such assistance would needlessly render us a complicit party in the repression. If we are correct in our conviction that the repression will not succeed ... then we ought to distance ourselves from the GOG until such time as it arrives at this realization.”²⁸¹

In January 1982, Embassy official Raymond J. Gonzalez expressed progressive concerns about US complicity in the Guatemalan state’s counterinsurgency violence. Gonzalez argued that the US needed to move away from quiet diplomacy and adopt a more hardline position of criticizing the Guatemalan state’s illegal counterinsurgency violence. Gonzalez’s criticisms were among the most pointed condemnation of US-Guatemala policy by an American governmental official: “I, for one, do not intend to serve as an apologist for GOG or my own government. It is the height of hypocrisy to participate in the civilities of diplomacy when we know the truth. We become silent partners in the barbarous and criminal deeds of this government if we do not speak out.”²⁸² US Ambassador to Guatemala Frederic Chapin later responded to Gonzalez’s policy criticisms. He pushed back against Gonzalez’s criticisms of quiet diplomacy, arguing that it was a necessary position to secure US interests. Chapin wrote that “I believe that Mr. Gonzalez’s message is a profound cry of conscience from a deeply

²⁸¹ Jacobs to Einaudi, 5 October 1981, “Death Squads”, GU00730.

²⁸² Sikkink, *Mixed Signals*, 164.

concerned and eminently honest officer. Nevertheless, ... Foreign policy cannot, unfortunately, be run on raw, gut emotion.”²⁸³

One notable occurrence during Reagan’s first term was the first (and likely only) use of the Dissent Channel to criticize foreign policy in Guatemala. On June 10, 1982, an unnamed official from the US Embassy in Guatemala used the Dissent Channel to write to the Secretary of State. The dissenting message was written in response to Ríos Montt dismantling the military junta and assuming full control over the Guatemalan government. The unnamed official argued that the US government should not recognize Ríos Montt as President of Guatemala because his dismissal of the military junta was “neither a reflection of popular will nor anything that resembles a division of power.”²⁸⁴ The message highlights the hypocrisy of the US encouraging democracy in Guatemala if they recognized Ríos Montt as a legitimate President. The official also accused Ríos Montt of being “a man who may not be in full possession of his mental faculties.”²⁸⁵ The message concludes by highlighting the negative consequences of recognizing the Ríos Montt government:

We should withhold any immediate recognition or aid until he sets a specific date for elections and publicly declares he will step down from office at that time. Anything less than this would be more than a giant leap from the democratic process that we supposedly hold so dear. The USG should make a clear and public statement to the effect that we do not condone the self-imposition of a President in what we would like to recognize as a democratic republic. By failing to do this we

²⁸³ Sikkink, *Mixed Signals*, 164.

²⁸⁴ “US Should Condition Recognition of Presidency of Rios Montt, from Guatemala, June 10, 1982, Confidential.; Director of Policy Planning Paul Wolfowitz response, July 29, 1982, Confidential”, *National Security Archive*, March 15, 2018, <https://nsarchive.gwu.edu/document/16368-document-23-us-should-condition-recognition>.

²⁸⁵ *Ibid.*

forfeit our right to be leaders of the free world.²⁸⁶

On July 29, 1982, Director of Policy Planning Paul Wolfowitz replied to the official's concerns about the situation in Guatemala. Wolfowitz wrote that while the State Department shared the dissenter's concerns about the Ríos Montt government, they were overall "less pessimistic than you are."²⁸⁷ He suggested that although Guatemala's future was uncertain, there were some encouraging trends which indicated that Ríos Montt could be a "positive leade[r]."²⁸⁸ Wolfowitz elaborated that the State Department was pursuing programs and initiatives in Guatemala that would both incentivize human rights progress and help the Guatemalan government ward off threats to Guatemala's political stability and US interests. He argued that providing rewards was a better option than completely renouncing US support for Guatemala:

... [Ríos Montt] is a mercurial personality and must be watched closely. It is important, however, to look behind his rhetoric to see just what he does ... Your prediction may turn out to be correct, but it would be unwise to prejudge a situation that may have a positive outcome, especially when there is no readily apparent better alternative.

... The present situation in Guatemala is indeed not democratic, but hardly less so than the junta itself ... I fail to see any reason why, on institutional grounds, we should withdraw from Ríos Montt when we are willing to deal with the other equally undemocratic junta. ... Our assistance should not be seen as support for Ríos Montt as an individual, but for the reform program.

... I very much appreciate your expressing your views through the Dissent Channel on this admittedly difficult matter. ... Having weighed the possibilities, including the considerations that you have put forth, the Department remains of the view that a policy of modest incentives is best for us and best for Guatemala. This policy will have to be kept under close review by the Department and the Embassy to make sure it is serving its purpose. I am glad that your sensitive

²⁸⁶ "US Should Condition Recognition of Presidency of Rios Montt, from Guatemala, June 10, 1982, Confidential.; Director of Policy Planning Paul Wolfowitz response, July 29, 1982, Confidential."

²⁸⁷ Ibid.

²⁸⁸ Ibid.

concern for the situation in Guatemala is one of the inputs to that review process.²⁸⁹

Another dissenter during Reagan's first term was Charles Fairbanks, an official in the State Department's Bureau of Human Rights and Humanitarian Affairs. In November 1982, Fairbanks wrote to Assistant Secretary of State for Inter-American Affairs Elliott Abrams to discuss the US Embassy in Guatemala. Fairbanks argued that the US government should be skeptical of the Embassy's positive reporting of Ríos Montt's human rights progress. He elaborated that the Embassy relied heavily on inconsistent testimonies from Guatemalan military personnel, which was problematic because "the Army itself says different things at different times."²⁹⁰ He deemed the Embassy's other key sources of information, like the Guatemalan press, eye-witness testimonies and video tapes to be equally unreliable. Fairbanks made two key suggestions for how to account for the discrepancies from the Embassy's reporting. He warned against heavily relying on Embassy reports for public statements from the US government, and encouraged the US government to improve its own human rights reporting to circumvent problems with the Embassy's reports.²⁹¹

Halfway through Reagan's first term, Ambassador Chapin began advocating for harsher policies against the Ríos Montt government. In March 1983, Chapin argued that the US needed to further reduce its assistance programs after the Guatemalan military disappeared and murdered four teachers involved with USAID programs. Chapin's

²⁸⁹ "US Should Condition Recognition of Presidency of Rios Montt, from Guatemala, June 10, 1982, Confidential.; Director of Policy Planning Paul Wolfowitz response, July 29, 1982, Confidential."

²⁹⁰ Fairbanks to Abrams and Levitsky, 23 November 1982, "Death Squads", GU00880.

²⁹¹ Ibid.

proposed retaliations included recalling himself from the Embassy, removing the US Military Group in Guatemala, and suspending US economic and military assistance programs.²⁹² In February 1984, following additional abductions in Guatemala City, Chapin argued that the US government needed to take a more decisive stance about its Guatemala policy:

These new shocking abductions indicate that the GOG security forces will strike whenever there is a target of importance. ... [T]he GOG army will do likewise. I pointed out the other day ... the conflict between the desire to incorporate Guatemala into an overall U.S. strategic concept for Central America and the horrible human rights realities in Guatemala. We must come to some resolution in policy terms. Either we can overlook the record and emphasize the strategic concept or we can pursue a higher moral path. We simply cannot flip flop back and forth between the two possible positions. Muddling through will simply go nowhere.²⁹³

4.4 – Significant Political Changes in Reagan’s Second Term

The year 1985 marked a significant turning point for the Guatemalan Civil War. In this year, Mejía Vítores began the transition to democratic civilian rule after three decades of *de facto* military rule. At this point in the conflict, the Guatemalan military had murdered a significant number of insurgents and the existential threat to Guatemalan political stability had been effectively defeated. Additionally, there were growing concerns about Guatemala’s worsening international reputation due to the considerable violence under Ríos Montt. In July 1984, Guatemalans elected a constituent assembly to be tasked with writing a new Guatemalan Constitution.²⁹⁴ The new Constitution adopted

²⁹² Chapin to Enders, McPherson and Ikle, 13 March 1983, “Death Squads”, GU00908; “US may recall Guatemalan Ambassador”, *United Press International*, March 12, 1983.

²⁹³ Chapin to Department of State, 2 February 1984, “Death Squads”, GU00995.

²⁹⁴ Handy, *Gift of the Devil*, 275; Mark Rabine, “Guatemala: ‘Redemocratization’ or Civilian Counterinsurgency?” *Contemporary Marxism*, no. 14 (1986): 63.

in May 1985 had a significant focus on human rights. The Constitution acknowledged and prioritized international human rights laws and norms, and provided for the appointment of a human rights ombudsman to assess Guatemala's human rights situation.²⁹⁵

In December 1984, Mejía Víctores promised to eventually transfer power to a civilian government.²⁹⁶ Guatemalan civilian, Vinicio Cerezo Arévalo, won the November 1985 election to become Guatemala's next President. At Cerezo's inauguration, he proclaimed that his election marked the start of a new era in Guatemala: "We are a people who were thrown out of our house and today we are going home ... We are a people who were denied expression, and many of us were persecuted for telling the truth. Today we have recuperated our voices as citizens."²⁹⁷ The US government was equally optimistic about Cerezo's presidency; Vice-President George H. W. Bush considered it "a turning point, not just in Guatemala's history, but also as a milestone in this hemisphere. ... We want to be of assistance to President Cerezo ... as he consolidates democracy."²⁹⁸

While Cerezo's inauguration was heralded as an important step forward for Guatemala, his tenure in power achieved mixed results. Despite the importance accorded to human rights provisions in the new constitution, the Guatemalan military continued its counterinsurgency efforts and human rights abuses remained frequent.²⁹⁹ Academic Mark Rabine writes that "[t]he 1985 elections served not only to wash the blood off

²⁹⁵ Sikkink, *Mixed Signals*, 191.

²⁹⁶ William Cespedes, "Guatemalan leader pledges to hand over democracy", *United Press International*, December 7, 1984.

²⁹⁷ Marjorie Miller, "Guatemala Ends Military Rule as Cerezo Becomes President", *Los Angeles Times*, January 15, 1986.

²⁹⁸ *Ibid.*

²⁹⁹ Sikkink, *Mixed Signals*, 191.

Guatemala's image, but also to obscure from world public opinion the transition of the counterinsurgency state to a new form.”³⁰⁰ According to a report from the Defense Intelligence Agency, Cerezo aimed to both improve Guatemala’s human rights situation while also striving to maintain a strong relationship with the military.³⁰¹ In practice, this meant that Cerezo refused to truly criticize the military and its practices. He also declined to investigate the military’s past human rights abuses “as a matter of political pragmatism.”³⁰² The Defense Intelligence Agency suggested that Cerezo prioritized his relationship with the military due to its pervasive political influence and because Cerezo’s politics were more leftist than previous military leaders. Despite Cerezo’s efforts to placate the military, he became a highly divisive figure among army officers. Many of them argued that Cerezo was “not strongly supporting the military institution, especially in its counterinsurgency initiatives.”³⁰³

US government officials were also divided in their opinions on the new civilian government. Several officials saw Cerezo’s presidency as a notable sign of progress in Guatemala to be rewarded with additional US military assistance. In December 1985, Assistant Secretary of State for Politico-Military Affairs H. Allen Holmes advocated for the resumption of US military aid to Cerezo upon his inauguration. Holmes suggested that resuming military aid would be beneficial for bilateral relations between the US and Guatemala, and would also encourage and accelerate further democratization.³⁰⁴

Similarly, Morton I. Abramowitz, the head of the State Department’s Bureau of

³⁰⁰ Rabine, “Guatemala: ‘Redemocratization’ or Civilian Counterinsurgency?”, 63.

³⁰¹ Defense Intelligence Agency intelligence summary, December 1988, “Death Squads”, GU01206.

³⁰² Ibid.

³⁰³ Ibid.

³⁰⁴ Holmes, c. 30 December 1985, “Death Squads”, GU01073.

Intelligence and Research, argued that while human rights abuses continued to occur, Cerezo's government had made several positive steps towards curbing them, and that US aid should be reinstated to maintain Guatemala's "fragile" democracy.³⁰⁵ In 1988, US Ambassador to Guatemala James H. Michel argued against reducing US aid from \$10 million to \$5 million, reasoning that the full amount of aid would help ensure Guatemala's political and economic stability.³⁰⁶ At the same time, there were also increasing concerns from US officials about the lack of progress on the human rights front. In January 1987, Michel's predecessor Alberto M. Piedra met with Cerezo to emphasize that the re-emergence of death squad violence in Guatemala would result in the termination of US assistance programs.³⁰⁷

While US foreign policy choices in Guatemala during Reagan's second term did not lead to any conclusive progress, the President's broader Cold War policymaking provided a foundation for significant policy reforms in subsequent administrations. Reagan's policy choices in his second term starkly contrasted those pursued in his first. By the end of his first term, Reagan began to shift away from his confrontational posture towards the Soviet Union. He emphasized the commonalities between the US and Soviet Union and advocated for frequent dialogue between the superpowers to reduce the potential for future conflicts.³⁰⁸ Reagan's sentiments for increased communication were shared by Soviet leader Mikhail Gorbachev. In November 1985, Reagan and Gorbachev met for the first time in Geneva. The Geneva Summit laid the groundwork for "a United

³⁰⁵ Abramowitz to Durenberger, c. July 1986, "Death Squads", GU01085.

³⁰⁶ Michel to Department of State, 18 February 1988, "Death Squads", GU01145.

³⁰⁷ Piedra to Department of State, 19 January 1987, "Death Squads", GU01093.

³⁰⁸ Fischer, *The Reagan Reversal*, 34-37.

States-Soviet détente similar to that of the early 1970s.”³⁰⁹ The renewal of détente helped ease tensions between the US and Soviet Union and contributed to the end of the Cold War in 1991.³¹⁰ The social conditions created by the diminishing existential threat of warfare between the two superpowers permitted the resurgence of human rights discourse within the US government. Sikkink argues that during this period the Reagan government laid the groundwork for a transition back to Carter-era human rights policy choices that were applied across the globe. By the time George H. W. Bush assumed the presidency, human rights had become “a regularized [and institutionalized] part of the policy process.”³¹¹

4.5 – The Mixed Legacy of Mainstream Human Rights Policy

Academics have debated the legacy of Carter’s human rights policy and its impacts on the Reagan administration’s conduct in Guatemala. It is important to examine the various perspectives because Carter’s human rights policy was the first time a primarily dissenting opinion became the basis for a mainstream foreign policy choice. Academic Jason M. Colby has a more optimistic view on Carter’s human rights legacy when examining its long-term impacts. Colby suggests that Carter’s human rights emphasis was impossible for the Reagan administration to completely dismiss, and helped facilitate Guatemala’s transition from military to civilian rule in the mid-1980s. According to Colby, “In the end, the human rights policy not only limited the Reagan

³⁰⁹ Philip D. Stewart, “Gorbachev and Obstacles Toward Détente,” *Political Science Quarterly* 101, no. 1 (1986): 1.

³¹⁰ Fischer, *The Reagan Reversal*; Michael McFaul, *Russia’s Unfinished Revolution: Political Change from Gorbachev to Putin* (New York: Cornell University Press, 2002).

³¹¹ Sikkink, *Mixed Signals*, 182.

administration's ability to support a brutal regime but also convinced Guatemalan military leaders that they could no longer count on unconditional U.S. support."³¹²

Broder and Lambek have a more pessimistic view of Carter's human rights policy in Guatemala when examining its short-term impacts. They suggest that Carter's human rights policies were ineffective because Reagan's administration was able to easily circumvent many of the human rights preconditions, using Section 703 of the International Security and Development Cooperation Act as their key case study. The Reagan administration used the stipulations of Section 703 to argue that improvements in human rights were enough to justify military aid and fulfill Congressional human rights requirements; in doing so, they were able to send more equipment and funds to the Guatemalan military. Broder and Lambek state that "A serious human rights policy should not accord great weight to 'progress' or 'improvements' when gross violations of human rights continue to dominate the life of a nation."³¹³ Additionally, Broder and Lambek state that the Reagan government submitted misleading human rights reports. They cite reports from non-governmental organization Americas Watch which argue that the Reagan administration only criticized Guatemala's human rights records when it was politically expedient: "As soon as a Guatemalan military dictator was deposed, however, the State Department condemned his human rights record for the purpose of favorably comparing his successor to what went before."³¹⁴

³¹² Colby, "A Chasm of Values and Outlook", 565.

³¹³ Broder and Lambek, "Military Aid to Guatemala", 143.

³¹⁴ Cited in Broder and Lambek, "Military Aid to Guatemala", 128.

Sikkink takes a more balanced approach to analyzing Carter's human rights legacy. Her work examines the effects of Carter's human rights emphasis in Latin America more broadly and combines analysis of short and long-term effects of Carter's human rights policies. She states that the Reagan administration originally undermined existing human rights legislation, but eventually decided to resume the human rights emphasis. The executive branch and the Congress continued to fight over human rights, and a series of significant losses for the executive branch forced them to change course from the Kirkpatrick Doctrine to a policy centred around democracy promotion.³¹⁵ While several officials advocated for a shift to democracy promotion early into Reagan's first term, it took several years for the policy changes to take effect due to objections from staunch conservatives within the US government and an "instinctive distrust" for Carter's human rights policies.³¹⁶ By the time the policy shift began, the damage was already done, especially in Guatemala.

4.6 – Conclusion

Reagan's election had significant implications for both US foreign policy in Guatemala and governmental dissent. Initially, the US government deliberately deemphasized Carter's human rights focus in favor of the anticommunist Kirkpatrick Doctrine. Reagan doubled down on his support for the Guatemalan state, and downplayed Guatemala's human rights situation even as Ríos Montt intensified the counterinsurgency. The Reagan presidency also had a notable impact on governmental dissent. Reagan's embrace of the Kirkpatrick Doctrine, combined with the end of détente

³¹⁵ Sikkink, *Mixed Signals*, 153-157.

³¹⁶ *Ibid.*, 157.

and rising Cold War tensions, created social conditions where human rights discourse was severely limited. Apart from the Congress, which remained a steady advocate for human rights policy, dissent concerning US policy in Guatemala dropped significantly. As the Cold War fizzled out and Guatemala transitioned to civilian rule during Reagan's second term, the US government laid the groundwork for the resumption of Carter-era human rights policy choices. An examination of differing academic perspectives reinforces the mixed legacy of Carter's human rights policy in the Reagan administration.

CHAPTER 5: DISSENT AND THE RETURN OF MAINSTREAM HUMAN RIGHTS POLICY - BUSH AND CLINTON

In the final years of the Guatemalan Civil War, the US government returned to Carter-era human rights foreign policy in Guatemala. Reagan's shift away from the Kirkpatrick Doctrine in his second term began the process, which was cemented by the subsequent administrations of George H. W. Bush and Bill Clinton. The transition back to human rights policy coincided with the end of the Cold War. As hostile tensions between the US and Soviet Union diminished, both human rights discourse and dissent about US policy choices were once again permissible.

US governmental dissent about Guatemala policy under Bush and Clinton exhibited two key differences from the Carter era. First, although human rights discourse became more accepted in the Bush era and beyond, there was less governmental dissent overall, and far fewer officials articulating reactionary concerns about US policy going too far. These developments can be attributed to the US government's institutionalization and integration of human rights policy in this period. The second and most notable difference is that dissent from US officials led to significant and sustained policy changes. In 1990, the advocacy of two prominent officials, US Ambassador to Guatemala Thomas F. Stroock and Assistant Secretary of State for Inter-American Affairs Bernard W. Aronson, helped cement the US government's transition to a more cohesive human rights policy. Subsequently, in 1995, State Department official Richard Nuccio and Congressman Robert G. Torricelli exposed an incriminating CIA coverup related to two murder investigations in Guatemala. Nuccio and Torricelli's whistleblowing significantly

impacted Clinton's policy in the final years of the conflict and its immediate aftermath, and contributed to Clinton's later emphasis on government transparency and document declassification.

5.1 – Bush Comes to Power

Bush was inaugurated as the new US President in January 1989. According to Kathryn Sikkink, Bush had very little interest in either human rights or Latin America policy. However, by the time of his inauguration, the US government had integrated human rights provisions into its foreign policy choices and the everyday practices of the Foreign Service.³¹⁷ Although the new human rights focus became generally accepted, many Foreign Service Officers hesitated at first, arguing that “human rights ... ran against the grain of their training, which taught them to maintain cordial relations with their counterparts in foreign governments. ... Human rights policy required the embassy to reconceive its mission, especially when human rights issues put ambassadors in conflict with governments.”³¹⁸

Bush entered office in a period of political turmoil within Guatemala. Guatemalan military officials became increasingly annoyed with President Vinicio Cerezo Arévalo for prioritizing civilian interests over those of the military. In May 1989, a group of approximately 300 Guatemalan troops attempted a coup against the Cerezo government but Cerezo-loyal troops successfully shut it down. This attempt to depose Cerezo

³¹⁷ Sikkink, *Mixed Signals*, 182.

³¹⁸ *Ibid.*, 186.

followed an earlier failed coup in May 1988.³¹⁹ Further, tensions between the US and Guatemalan governments remained high over the US Congress' restrictions on military assistance. US Ambassador James H. Michel believed that the Congress was being unnecessarily harsh on the Guatemalan government, particularly the House Foreign Affairs Committee. He suggested having key members of Congress visit Guatemala and offered to travel to Washington to further discuss policy options.³²⁰ Michel warned that the Congress' stubbornness would have negative consequences: "If ... we undercut our ability to help keep the fragile democratic transition on track, we can do irreparable damage to U.S. bilateral and regional interests ... If all of this sounds overanxious, it is because it reflects the perception here that the anti-Guatemala faction in Congress has the initiative and that if we do not soon undertake a concerted effort to take it away from them we may pay a heavy and unnecessary price."³²¹

The human rights equation also continued to be a challenging balancing act for both Guatemalan and US officials. A July 1989 CIA report stated that "Cerezo must walk a fine line between yielding to the military's desire for a quick resolution and protecting Guatemala's international and human rights standing."³²² The US Embassy suggested that the best approach was to "take a low profile on Guatemala" and not support the government's human rights practices to the United Nations.³²³ Embassy official Philip B. Taylor III argued that the US should not overstate the Guatemalan state's culpability in

³¹⁹ Defense Intelligence Agency, 11 May 1988, "Death Squads", GU01159; Lee Hockstader, "Guatemala Puts Down Coup Attempt", *The Washington Post*, May 10, 1989.

³²⁰ Michel to Department of State, 14 April 1989, "Death Squads", GU01231.

³²¹ Ibid.

³²² Central Intelligence Agency analysis, 27 July 1989, "Death Squads", GU01252.

³²³ Taylor to Department of State, 12 September 1989, "Death Squads", GU01279.

the violence, but still convey that the government nonetheless refused to do anything about it, either by “inability or unwillingness.”³²⁴ Despite Cerezo’s unwillingness to address human rights abuses, the US government remained relatively sympathetic to his government. In May of 1990, US Ambassador Thomas F. Stroock expressed support for Cerezo’s request for additional economic assistance in order to prevent another coup attempt on the Guatemalan government. Stroock stated that “Clearly, now is the time to be helpful as well as prudent.”³²⁵

5.2 – Dissenting Opinion Affects Mainstream US Policy

Sikkink suggests that the return to human rights policy in Latin America more generally began in the second Reagan administration.³²⁶ However, in the case of Guatemala, the transition did not fully materialize until approximately halfway through Bush’s administration. Dissenting opinions from American officials became key turning points towards the full return to human rights-based policy. The first major turning point began in February 1990 when prominent US officials who were discontent with current policy choices started pushing for the Bush administration to take stronger actions against the Guatemalan state. Two key officials who expressed concerns about US policy were Ambassador Stroock and Assistant Secretary of State for Inter-American Affairs Bernard W. Aronson.

On February 23, 1990, Aronson suggested that the US needed to take firm action against the Guatemalan government in light of mounting violence and human rights

³²⁴ Taylor to Department of State, 12 September 1989, “Death Squads”, GU01279.

³²⁵ Stroock to Department of State, 2 May 1990, Death Squads, GU01330.

³²⁶ Sikkink, *Mixed Signals*, 182.

abuses, as well as Cerezo's unwillingness to meaningfully deal with the issue. He recommended a plan of action which involved recalling Stroock from the Embassy for consultations in Washington and getting him to deliver a warning message from the President. Aronson argued that these actions would exhibit the Bush administration's human rights commitment to both the Guatemalan state and the US Congress.³²⁷ The State Department recalled Stroock in early March 1990. Stroock's recall came soon after Cerezo publicly condemned Stroock for giving a speech that criticized the Guatemalan government's role in human rights violations.³²⁸

Following Stroock's recall, Aronson advocated for the US to keep up the pressure on Guatemala: "We need to capitalize now that we have Cerezo's attention ... In public, President Cerezo has reacted quite strongly to Tom Stroock's recall ... [but] [i]n private, he has conveyed his desire to work with us."³²⁹ Bush's Secretary of State James Baker III echoed Aronson's sentiments. In a March 16 cable to the Embassy, Baker notes that the Guatemalan state had taken some positive steps, such as announcing a judicial police force, but the US needed to keep up the pressure because "we don't want Cerezo to think he is off the hook."³³⁰ Upon his return to Guatemala, Stroock believed that the US' increased pressure on the Guatemalan state had made a pronounced difference: "We believe the GOG is at last convinced that we are serious about human rights and that this topic is going to be a major determinant in our bilateral relationship. ... in the wake of the

³²⁷ Aronson to Baker, 23 February 1990, "Death Squads", GU01309.

³²⁸ Stroock to Department of State, 2 March 1990, "Death Squads", GU01311; Eagleburger to US Embassy in Guatemala, 3 March 1990, "Death Squads", GU01312; "U.S. Recalls Its Ambassador In Guatemala Over Slayings", *The New York Times*, March 6, 1990.

³²⁹ Aronson to Baker, 7 March 1990, "Death Squads", GU01315.

³³⁰ Baker to US Embassy in Guatemala, 16 March 1990, "Death Squads", GU01317.

Ambassador's recall, the topic of human rights has gotten a renewed legitimacy here. We believe that the USG's forthright stand on the subject is the principal reason for that."³³¹

In April 1990, Aronson contacted Stroock to emphasize the importance of coordination between the State Department and Embassy on Guatemala policy. Aronson stated that increased coordination was necessary because of the gradual improvements in Guatemala's human rights situation and growing media interest in the US government's Guatemala policy. He emphasized the importance of keeping the messaging clear and consistent across the State Department and Embassy since "we are charting new ground" in US-Guatemala relations and they did not want the Guatemalan government or the media to misrepresent their position: "Our basic aim should be to keep up the pressure on the Guatemalans through quiet deliberate and persistent nudges. ... We must sing from the same sheet of music if our voices are to be heard and the changes made."³³²

The second major turning point towards the full return of human rights-based policy was the murder of American innkeeper Michael Devine on June 8, 1990. Devine was found "with his hands tied and his head nearly cut off."³³³ Stroock and other Embassy officials recognized that Devine's murder was likely committed by Guatemalan military officers. In an interview conducted with *The New York Times* five years after Devine's murder, Stroock stated that the Embassy was confident of the military's involvement: "We knew that they had murdered this guy. ... So much else was murky.

³³¹ Stroock to Department of State, 16 March 1990, "Death Squads", GU01318.

³³² Baker to US Embassy in Guatemala, 27 April 1990, "Death Squads", GU01328.

³³³ Sam Dillon, "On Her Guatemalan Ranch, American Retraces Slaying", *The New York Times*, March 28, 1995.

But we had this one cold.”³³⁴ Stroock pushed for the Devine case to be ““a centerpiece of [US] policy”” in Guatemala.³³⁵ On August 10, 1990, Stroock called on Guatemalan military investigators to determine Devine’s murderer after mounting evidence of the Guatemalan government’s complicity. He argued that if the Guatemalan state was actively covering up their role in Devine’s murder, “it calls into serious question the continuation of security assistance.”³³⁶ Despite pressures from the US government, the Guatemalan government refused to meaningfully address Stroock’s concerns. A September 1990 report from the Department of Defense relayed that “[Cerezo] and military high command intend to placate the U.S. Embassy as much as possible ... but do not really expect to bring the case to any particular conclusion.”³³⁷

In December 1990, Aronson and Stroock’s criticisms of US policy in Guatemala led to significant and sustained policy changes. On December 13, Aronson and Assistant Secretary of State for Political-Military Affairs Richard Clarke wrote to Reginald Bartholomew, the Under Secretary of State for International Security Affairs. Aronson and Clarke argued that in light of the Guatemalan government’s inaction on the Devine case, the US government needed to suspend its military assistance programs in Guatemala. Further, they suggested that since a new administration was shortly taking power in Guatemala, it was important to reaffirm the US government’s commitment to human rights:

³³⁴ Dillon, “On Her Guatemalan Ranch, American Retraces Slaying.”

³³⁵ Ibid.

³³⁶ Stroock to Department of State, 10 August 1990, “Death Squads”, GU01352.

³³⁷ Department of Defense, 19 September 1990, “Death Squads”, GU01370.

We must demonstrate that we are deeply concerned with abuses and that stalling on the Devine murder is unacceptable. A signal must be sent which clearly identifies the Cerezo Administration and the military in particular for lack of action. ... The suspension will send a clear signal to the new administration that we will not tolerate continued unpunished abuses by the military, and provide the new government an opportunity, backed by the U.S., to assert more control over the military.³³⁸

The next day, Stroock reiterated Aronson and Clarke's concerns about the Guatemalan government in a cable to the Secretary of State. Stroock argued that the US needed to suspend military assistance due to the Devine murder, which he labeled "an issue which touches us much more directly."³³⁹ He echoed that the suspension should occur as soon as possible because of the upcoming second round of elections in Guatemala:

We want to make certain that our decision has some impact on the Cerezo administration and that the message not be lost. We also want to send a clear signal to the two presidential candidates and their advisors that we have no confidence in the current military hierarchy and the Devine issue specifically and the broader human rights question generally will be a major concern as we move toward the next GOG. So for all these reasons, if we are going to do something, we better do it sooner.³⁴⁰

The advocacy of Stroock, Aronson, and Clarke is a clear example of dissent resulting in an official policy choice. On December 21, 1990, upon the direction of the State Department, the Embassy informed the Cerezo government that all US military assistance to Guatemala (totaling approximately \$3 million) would be cut off.³⁴¹

³³⁸ Aronson and Clarke to Bartholomew, c. 13 December 1990, "Death Squads", GU01408.

³³⁹ Stroock to Department of State, 14 December 1990, "Death Squads", GU01409.

³⁴⁰ Ibid.

³⁴¹ Baker to US Embassy in Guatemala, 21 December 1990, "Death Squads", GU01414; Taylor to Department of State, 21 December 1990, "Death Squads", GU01413; Sikkink, *Mixed Signals*, 192.

5.3 – Resuming Human Rights Policy and the New Guatemalan Government

By 1991, the US government began to pursue human rights policy in Guatemala with renewed invigoration. Compared to the Carter era, there was a more concrete application of human rights policy in Guatemala, likely due to the increased institutionalization and acceptance of human rights-based policy. The Bush government's return to Carter-era policy choices coincided with the January 1991 election of Jorge Antonio Serrano Elías as Guatemala's new President. Prior to the election, Serrano met with the Embassy to express his willingness to work with the US government and highlighted his commitment to human rights. However, Serrano harbored resentment and distrust towards the US over their supposed preference for his opponent and the suspension of military assistance programs.³⁴²

On January 30, 1991, the Embassy and State Department developed five benchmarks for the Serrano government to complete before US military assistance programs would be resumed. The benchmarks included significant improvements in investigating the Devine case, further investigating the December 1990 massacre in Santiago Atitlán (in which 14 unarmed citizens were murdered by the Guatemalan military), implementing its agreement with the International Committee of the Red Cross (ICRC), a strategy for increased assistance for Guatemala's human rights ombudsman, and an executive-led outreach program to work with local and global human rights

³⁴² Taylor to Department of State, 7 January 1991, "Death Squads", GU01424.

organizations.³⁴³ The State Department instructed the Embassy to deliver the benchmarks to the Guatemalan government.

The Guatemalan government's initial reaction to the US government's human rights policy was much the same as in the Carter era. Serrano was deeply angered by the benchmark plan and considered it to be "a personal slap in the face."³⁴⁴ He then promptly rejected all US aid: "They offered us \$100,000 and a human rights checklist, ... but as president I'm not going to accept their orders. Our dignity must be respected."³⁴⁵ Many military officers supported Serrano's position and were equally upset with the US government's suspension of military aid.³⁴⁶

By mid-1991, Serrano and his government continued Cerezo's pattern of walking the line between the Guatemalan military's interests and the US government's human rights focus. In May 1991, Serrano ordered the army to charge the officers responsible for the Devine murder. However, on June 7 the US government alleged that the Guatemalan government (and especially its Defense Minister Luis Enrique Mendoza García) was protecting the officers involved through lawyers and bribery.³⁴⁷ Testimony from the Senate Select Committee on Intelligence dated May 1991 stated that the CIA provided key evidence that linked Mendoza García to the military coverup.³⁴⁸

³⁴³ Stroock to Department of State, 4 December 1990, "Death Squads", GU01403; Baker to US Embassy in Guatemala, 30 January 1991, "Death Squads", GU01435.

³⁴⁴ Central Intelligence Agency analysis, 30 September 1991, "Death Squads", GU01519.

³⁴⁵ Sikkink, *Mixed Signals*, 192.

³⁴⁶ Central Intelligence Agency intelligence report, February 1991, "Death Squads", GU01436.

³⁴⁷ Central Intelligence Agency, May 1991, "Death Squads", GU01468; Defense Intelligence Agency to US Southern Command Directorate of Intelligence, 4 June 1991, "Death Squads", GU01483; Department of Defense, c. 7 June 1991, "Death Squads", GU01484.

³⁴⁸ US Congress (Senate) Select Committee on Intelligence testimony, c. 9 May 1991, "Death Squads", GU01474.

Despite Serrano's discontent with the US government's benchmarks, the Guatemalan state nonetheless worked to fulfill them. On June 28, 1991, Stroock provided an update on the progress of Guatemala's five benchmarks. Stroock argued that the Guatemalan government had effectively achieved the benchmark of increased outreach with human rights organizations. According to Stroock, "Serrano has adopted a policy of complete accessibility. ... This does not mean, of course, Serrano and activists necessarily agree on either the problems or the solutions, but they are talking."³⁴⁹ The least successful benchmark at this time was the investigation of the Santiago Atitlán massacre, which had received relatively little attention from the Guatemalan government. Stroock ranked the five benchmarks in terms of the Guatemalan government's progress: outreach with human rights organizations, assistance to the human rights ombudsman, the Devine investigation, the ICRC agreement, and the Santiago Atitlán investigation.³⁵⁰

According to a CIA report, Serrano made significant efforts to meet with insurgents to discuss terms of a potential peace treaty, but was largely unsuccessful in doing so. The CIA also argued that Serrano's extensive focus on a peace treaty negatively impacted his commitments to human rights advances.³⁵¹ Serrano's inaction on human rights remained a point of contention in the peace negotiations. The insurgents requested "immediate implementation of international humanitarian law" as a term of the peace treaty, but the Serrano administration deeply distrusted the ICRC and refused to fully implement the terms of their accord.³⁵² The Guatemalan government's negotiation team

³⁴⁹ Stroock to Department of State and Department of Defense, 28 June 1991, "Death Squads", GU01491.

³⁵⁰ Ibid.

³⁵¹ Central Intelligence Agency analysis, 30 September 1991, "Death Squads", GU01519.

³⁵² Taylor to Department of State, 6 December 1991, "Death Squads", GU01549.

requested that the US minimize its criticisms of Guatemala's human rights practices, arguing that "the guerrillas use such criticism to strengthen their hand in the peace talks."³⁵³ In a cable to the Secretary of State, Embassy official Philip B. Taylor III highlighted the benefits and disadvantages of minimizing criticisms of Serrano's government. Ultimately, Taylor was unable to come to any particular conclusion about the US government's path forward:

We sympathize with the GOG team. They are nice guys, they are pro-American, and they have a very difficult task negotiating an end to a bloody 30-year conflict. They are up against some tough opponents. On the one hand they are trying to deal with the guerrillas who are no friends of ours (the Guatemalan guerrillas are, after all, the murderers of U.S. Ambassador John Gordon Mein). On the other, they have to contend with a military establishment whose continued unwillingness to permit its own people to be held accountable for their actions undermines Serrano's own sincere desire to change the human rights situation in Guatemala for the better.³⁵⁴

By late 1991, relations between the US and Guatemalan governments began to gradually improve, albeit with some hesitations. In November, Stroock wrote that Serrano's government was making strong advancements on the outlined human rights benchmarks, except for the Devine investigation. He credited the US government, the Guatemalan human rights ombudsman, and the "changed international situation" (ie. the nearing end of the Cold War and the Soviet Union's collapse) for helping Serrano realize his objectives.³⁵⁵ Stroock argued that in light of Serrano's progress, the US should make some minor concessions to the Guatemalan state to reward and encourage further advancements. Some of the proposed initiatives included informing the US Congress

³⁵³ Taylor to Department of State, 11 October 1991, "Death Squads", GU01526.

³⁵⁴ Ibid.

³⁵⁵ Stroock to Department of State, 22 November 1991, "Death Squads", GU01541.

about the Serrano government's progress, and sales of "non-lethal goods."³⁵⁶ In the coming weeks, Stroock suggested approving the sale of two C-47 planes to the Guatemalan state and resuming funds for International Military Education and Training programs in Guatemala.³⁵⁷ However, Stroock reaffirmed that full military aid would not be resumed until the Devine investigation was completed and that "we should not move the goal posts."³⁵⁸

Serrano took perhaps his most consequential step in December 1991 when he fired his Defense Minister Luis Enrique Mendoza García and replaced him with Brigadier General José Domingo García Samayoa. One of Serrano's key reasons for removing Mendoza García was his unwillingness to meaningfully investigate the Devine murder.³⁵⁹ Serrano hoped that Mendoza García's dismissal would improve Guatemala's human rights situation and its international reputation.³⁶⁰ He suggested that the violence levels "had reached the point where it was no longer possible to defend the army and its human rights record."³⁶¹ In a meeting with Stroock days after his appointment, García Samayoa told the Ambassador that he shared the US' human rights goals and subsequently renewed the Devine investigation.³⁶²

US-Guatemala bilateral relations continued to improve in the months after Mendoza García's removal. In an Embassy cable marking Serrano's first year in office,

³⁵⁶ Stroock to Department of State, 22 November 1991, "Death Squads", GU01541.

³⁵⁷ Stroock to Department of State, 25 November 1991, "Death Squads", GU01543; Stroock to Department of State, 10 December 1991, "Death Squads", GU01551.

³⁵⁸ Stroock to Department of State, 22 November 1991, "Death Squads", GU01541.

³⁵⁹ Defense Intelligence Agency to US Southern Command Directorate of Intelligence, 9 December 1991, "Death Squads", GU01550.

³⁶⁰ Central Intelligence Agency, 20 December 1991, "Death Squads", GU01559.

³⁶¹ Ibid.

³⁶² Stroock, 12 December 1991, "Death Squads", GU01553.

Stroock wrote that “Serrano continues to run an honest administration with good intentions” but he was nonetheless impeded by “failing to win Congress and the people to his vision of the future.”³⁶³ Both the Embassy and Guatemala’s human rights ombudsman Ramiro de León Carpio noticed marked improvements in human rights during Serrano’s presidency.³⁶⁴ De León Carpio argued that “the current human rights problem is no longer one of systematic and widespread violations by the government ... The violations that take place now are on a numerically smaller scale and there is no evidence to suggest that they are carried out as part of official policies.”³⁶⁵ In February 1992, Bush’s Defense Secretary Dick Cheney visited Guatemala, where he met with Serrano, García Samayoa, and de León Carpio. The Guatemalan military considered Cheney’s visit to be an important step forward for bilateral relations, while de León Carpio argued the visit was an indicator of positive human rights trends in Guatemala.³⁶⁶ Stroock argued that US policy was an important factor in encouraging the Guatemalan state’s progress:

Our activist stance has contributed in a real way to the process of human rights improvement which is underway. A great deal of work needs to be done. But with a judicious combination of private and public diplomacy we are poised to help Guatemala and its well-meaning current government achieve much more in the area of respect for fundamental rights. The role played by the U.S. government in achieving progress in the human rights area in Guatemala is something in which all involved can feel a justifiable sense of pride.³⁶⁷

³⁶³ Stroock to Department of State, 28 January 1992, “Death Squads”, GU01568.

³⁶⁴ Ibid.

³⁶⁵ Stroock to Department of State and Department of Defense, 18 February 1992, “Death Squads”, GU01577.

³⁶⁶ Stroock to Department of State and Department of Defense, 18 February 1992, “Death Squads”, GU01577; Taylor to Department of State and Department of Defense, 18 February 1992, “Death Squads”, GU01578; Taylor to Department of State and Department of Defense, 18 February 1992, “Death Squads”, GU01579; Defense Intelligence Agency to US Southern Command Directorate of Intelligence, 20 February 1992, “Death Squads”, GU01581.

³⁶⁷ Stroock to Department of State, 17 March 1992, “Death Squads”, GU01585.

Despite the overall improvements in US-Guatemala bilateral relations, Serrano retained a level of skepticism and distrust for the US government. In February 1992, Stroock reported that Serrano repudiated the US government's recent human rights report as "unfair and overly harsh in substance and tone."³⁶⁸ In response to Serrano's accusation, Stroock requested that future statements and speeches focus on Guatemala's human rights improvements, especially those delivered at the United Nations Human Rights Council. However, Stroock stressed that Guatemala's human rights emphasis should only be highlighted "to the extent possible ... We certainly do not advocate some fawning piece of fluff that ignores the very real and serious human rights deficiencies."³⁶⁹

Bilateral relations began to deteriorate in the last months of Bush's presidency. The US pushed the Guatemalan government for further advancements in human rights, and criticized the weaknesses of Serrano's approach, especially as it concerned the Devine investigation. In June 1992, Stroock wrote that "Serrano has a tough verbal policy against human rights abuses, but enforcement has been spotty and old ways die hard. ... He sees the U.S. as too critical of Guatemala, particularly on human rights. ... He feels we do not give him enough credit for what he has achieved ... and for being a good friend of the United States."³⁷⁰ The Devine case remained a notable source of tension between the two governments. A December 1992 cable from the Embassy stated that

³⁶⁸ Stroock to Department of State and US Mission to the United Nations, 7 February 1992, "Death Squads", GU01570.

³⁶⁹ Ibid.

³⁷⁰ Stroock to Department of State, 5 June 1992, "Death Squads", GU01598.

Serrano's anger towards the US government was inspired in part by "the absurdity of centering an 'entire relationship on one court case.'"³⁷¹

Tensions between Serrano and the US came to a head in November 1992 when Serrano reversed his stance on human rights. The Embassy reported that Serrano had "adopted a new policy of direct confrontation with human rights activists and critics."³⁷² Further, Serrano and García Samayoa set up a "secret, top-level security council" to determine how to respond to human rights criticisms.³⁷³ The policy shift emerged amid growing concerns about a potential coup, and was rumored to be Serrano's attempt at pacifying paranoid military officers.³⁷⁴ According to the CIA, the Guatemalan military was upset by the US government's criticisms of its practices and perceived US sympathy for the guerrilla insurgents.³⁷⁵ While Serrano attempted to reconcile with the US government, Embassy chargé d'affaires John F. Keane argued that "his ignorance – or unwillingness to accept – that his government's human rights performance and his own defensive attitude stand in the way" of improved bilateral relations.³⁷⁶

5.4 – Clinton's Inherited Problems

Bill Clinton was inaugurated as US President in January 1993. His election came amid an era of unbridled optimism in Washington caused by the collapse of the Soviet Union and the end of the Cold War. This new optimism was intensified by the end of the

³⁷¹ Keane to Department of State, 9 December 1992, "Death Squads", GU01634.

³⁷² Keane to Department of State, 13 November 1992, "Death Squads", GU01626.

³⁷³ Ibid.

³⁷⁴ Ibid.

³⁷⁵ Central Intelligence Agency, 18 November 1992, "Death Squads", GU01628.

³⁷⁶ Keane to Department of State, 16 November 1992, "Death Squads", GU01627.

Contra war in Nicaragua, which resulted in the removal of the Sandinistas from power.³⁷⁷

The Soviet Union's collapse demonstrated the success of the key US foreign policy strategy of containment. According to John Lewis Gaddis, "By the time Reagan left office in January 1989, the strategy of containment had largely achieved its purposes: a Soviet leader had indeed acknowledged the failures of Marxism-Leninism and the futility of Russian imperialism."³⁷⁸

Francis Fukuyama's declaration of "The End of History" encapsulates the political optimism of the era. Fukuyama wrote that "What we may be witnessing is not just the end of the Cold War, or the passing of a particular period of postwar history, but the end of history as such: that is, the end point of mankind's ideological evolution and the universalization of Western liberal democracy as the final form of human government."³⁷⁹ This type of political discourse helped inform Clinton's emphasis on democracy promotion in his foreign policy. At a speech at the University of Wisconsin's Institute of World Affairs prior to his election, Clinton summarized his approach to foreign policy:

[O]ur nation has a higher purpose than to coddle dictators and stand aside from the global movement toward democracies. ... [Bush's foreign policy] embraces stability at the expense of freedom. ... A pro-democracy foreign policy is neither liberal nor conservative; neither Democrat nor Republican; it is a deep American tradition. And this is for good reason. For no foreign policy can long succeed if it does not reflect the enduring values of the American people."³⁸⁰

³⁷⁷ Francis Fukuyama, *The End of History and the Last Man* (New York: The Free Press, 1992), 14.

³⁷⁸ Gaddis, *Strategies of Containment*, 377.

³⁷⁹ Francis Fukuyama, "The End of History?", *The National Interest*, no. 16 (Summer 1989): 4.

³⁸⁰ Sikkink, *Mixed Signals*, 194.

According to Sikkink, Guatemala remained “still far from democratic”, but marked improvements were evident, such as the permitted establishment of grassroots movements, non-governmental organizations, and political parties.³⁸¹ In the days after Clinton’s inauguration, Keane suggested that the Clinton government should take advantage of its “honeymoon” with the Guatemalan state and push for Serrano to further advance the Devine investigation.³⁸² Keane stated that Serrano desired a “mutually beneficial” relationship with the new Clinton administration but continued to protest the US focus on human rights.³⁸³ Keane wrote that “[Serrano] doesn’t understand that our policy positions reflect our national interests that are not likely to change much.”³⁸⁴

The US and Guatemalan governments continued to work on Guatemala’s human rights situation. In February 1993, the Embassy and the Guatemalan Military Intelligence agreed to monthly human rights meetings. Keane was optimistic that the meetings would improve US-Guatemala relations: “Guatemalan officials do not always appreciate U.S. political dynamics in the human rights field, so we hope meetings will also facilitate increased understanding of U.S. human rights policy.”³⁸⁵ In May 1993, the CIA announced that it would begin its own human rights investigations as a result of the “considerable disinformation and rumor” that “rightly or wrongly” attributed human rights abuses to the Guatemalan government.³⁸⁶

³⁸¹ Sikkink, *Mixed Signals*, 194-195.

³⁸² Keane to Department of State, 29 January 1993, “Death Squads”, GU01656.

³⁸³ *Ibid.*

³⁸⁴ *Ibid.*

³⁸⁵ Keane to Department of State, 26 February 1993, “Death Squads”, GU01665.

³⁸⁶ Central Intelligence Agency, May 1993, “Death Squads”, GU01681.

Despite the growing communication and cooperation between the US and Guatemalan governments, tensions remained high over the Devine case. Near the start of the Clinton administration, Guatemalan military Captain Hugo Contreras had been arrested and charged with the murder, but not yet convicted. In January 1993, Keane wrote that the Devine case would continue to be a focal point of US policy under Clinton: “we will continue to withhold military assistance as we press for a conviction of Captain Contreras.”³⁸⁷ Contreras was eventually convicted in May 1993 and received a thirty-year prison sentence. A Defense Intelligence Agency cable argued that “a conviction of the Captain is the most we could possibly hope for.”³⁸⁸

However, two days after his conviction, Contreras escaped from custody and fled Guatemala. In the days after Contreras’ escape, Serrano asked his military officers for any information on his location. In particular, Serrano worried about the negative impacts of Contreras’ escape on US-Guatemala bilateral relations.³⁸⁹ By the end of the month, the Defense Intelligence Agency admitted that the odds of Contreras’ arrest were very slim: “We ... are not optimistic, for if the most recent sighting of Contreras was in fact last week at Tocoa, Colón [in Honduras], which is not far from the Atlantic coast, chances are good he is already in Belize. If he manages to make it to Brazil or a similar country without extradition laws, then the game of recapturing Contreras will be over.”³⁹⁰

³⁸⁷ Keane to Department of State, 29 January 1993, “Death Squads”, GU01656.

³⁸⁸ Defense Intelligence Agency, c. 12 May 1993, “Death Squads”, GU01684.

³⁸⁹ Keane to Department of State, 13 May 1993, “Death Squads”, GU01685; US Embassy in Guatemala to Department of State, 17 May 1993, “Death Squads”, GU01688; Central Intelligence Agency, c. 20 May 1993, “Death Squads”, GU01691.

³⁹⁰ Defense Intelligence Agency to US Southern Command Directorate of Intelligence, 29 May 1993, “Death Squads”, GU01707.

5.5 – Serrano’s Attempted Self-Coup and Fallout

Serrano’s concern about a potential coup on his government intensified in the aftermath of Contreras’ escape.³⁹¹ In late May 1993, Serrano initiated a self-coup to remain in power. He disbanded the Guatemalan Congress and judiciary, engaged in press censorship, and suspended constitutional rights.³⁹² The Defense Intelligence Agency reported that some military and police personnel backed Serrano’s self-coup. Serrano argued that his actions were an imperative measure to crack down on drug trafficking. However, others, including former Defense Minister General Héctor Alejandro Gramajo Morales, believed that Serrano was attempting to dodge corruption charges related to the wealth accrued during his presidency. Gramajo Morales alleged that Serrano was colluding with Guatemala’s Supreme Court to enact his self-coup.³⁹³ Further, a Defense Intelligence Agency cable suggested that Serrano’s corruption extended to his presidential staff, and that “this type of corruption could not take place ... without [his] knowledge.”³⁹⁴

Serrano’s self-coup led to increased political destabilization and protests within Guatemala, and sparked rumors of a counter-coup to depose the President. Serrano’s conduct angered Guatemalan military leaders, who threatened to resign and leave the

³⁹¹ US Embassy in Guatemala to Department of State, 17 May 1993, “Death Squads”, GU01688.

³⁹² Keane to Department of State and Defense Intelligence Agency, 25 May 1993, “Death Squads”, GU01695; Sikkink, *Mixed Signals*, 195.

³⁹³ Keane to Department of State and Defense Intelligence Agency, 25 May 1993, “Death Squads”, GU01695; Keane to Department of State, 26 May 1993, “Death Squads”, GU01697; Defense Intelligence Agency to Department of State and US Southern Command Directorate of Intelligence, 26 May 1993, “Death Squads”, GU01698.

³⁹⁴ Defense Intelligence Agency to Department of State and US Southern Command Directorate of Intelligence, 26 May 1993, “Death Squads”, GU01698.

country in protest if Serrano did not restore constitutional guarantees.³⁹⁵ The US government strongly condemned Serrano's self-coup. Aronson spoke to Serrano on behalf of the US and requested that he stop the self-coup and restore constitutional rights. However, since the US government had previously terminated its assistance programs in Guatemala, it had very little political leverage to encourage meaningful changes.³⁹⁶ Amid mounting tensions and political destabilization, Keane suggested that "Serrano[']s] resignation may be imminent."³⁹⁷

On June 1, 1993, García Samayoa held a press conference to confirm Serrano's resignation. His Vice-President Gustavo Adolfo Espina Salguero would temporarily assume the presidency until a new President was appointed by the Congress.³⁹⁸ The Embassy argued that Serrano's resignation and the imminent appointment of a new President was the best-case scenario for Guatemala.³⁹⁹ Keane elaborated on the Embassy's position in a cable to the State Department:

This still fuzzy plan, with all its question marks, is perhaps the best solution, at this point, that we could have hoped for. At a minimum, we should refrain from criticizing it. There is no turning back. Serrano brought about his own downfall. We need to focus now on what we can do to help guide the future along the most constructive, constitutional path. With luck, the silver lining here will be the start of genuine social dialogue in Guatemala. We need to watch and wait.⁴⁰⁰

³⁹⁵ Gelbard to The Deputy Secretary, c. 28 May 1993, "Death Squads", GU01704; Defense Intelligence Agency to Department of State and US Southern Command Directorate of Intelligence, 26 May 1993, "Death Squads", GU01709.

³⁹⁶ Department of Defense to Wisner, 27 May 1993, "Death Squads", GU01699.

³⁹⁷ Keane to Department of State, 1 June 1993, "Death Squads", GU01711.

³⁹⁸ Keane to Department of State, 2 June 1993, "Death Squads", GU01716.

³⁹⁹ Department of Defense, c. 2 June 1993, "Death Squads", GU01714.

⁴⁰⁰ Keane to Department of State, 2 June 1993, "Death Squads", GU01717.

Guatemala's human rights ombudsman, Ramiro de León Carpio, was elected by the Guatemalan Congress to finish Serrano's term. Guatemalan protestors and organizers played an important role in pressuring the Congress to elect de León Carpio.⁴⁰¹ Some of the new President's key promises were the further entrenchment of human rights in Guatemalan society and politics, as well as resuming peace talks.⁴⁰² According to *The New York Times*, de León Carpio's work as human rights ombudsman "forged [him] a reputation as the Guatemalan official most willing to challenge the power of the armed forces."⁴⁰³ In the days after his inauguration, de León Carpio fired García Samayoa for supporting Serrano's self-coup. Additionally, the new President promoted several officials who objected to Serrano's actions.⁴⁰⁴ Sikkink argues that the self-coup and the "surprising" election of Guatemala's human rights ombudsman, was a watershed moment for Guatemalan politics: "The Guatemalan case illustrates the way a society can move from less democracy to more, and the role that international forces play in that process. ... Had the self-coup been allowed to go forward, it is unlikely that the progress in securing peace and human rights would have developed."⁴⁰⁵

5.6 – Clinton and de León Carpio

De León Carpio's presidency received early mixed reception from the US government. A June 1993 report from the CIA Directorate of Intelligence's Office of African and Latin American Analysis states that the new President failed to make

⁴⁰¹ Sikkink, *Mixed Signals*, 195-196.

⁴⁰² Keane to Department of State, 7 June 1993, "Death Squads", GU01724.

⁴⁰³ Tim Golden, "Guatemala's New Chief Ousts Some Top Officers", *The New York Times*, June 8, 1993.

⁴⁰⁴ Ibid.

⁴⁰⁵ Sikkink, *Mixed Signals*, 195-196.

significant progress on human rights legislation in the first two weeks of his administration. The report further criticized de León Carpio for continuing the Guatemalan government's collaborations with the military and for appointing a military officer to lead Guatemala's civilian police force.⁴⁰⁶

Two months later, however, the Office of African and Latin American Analysis softened their stance on the new administration. An August 1993 intelligence memorandum argued that de León Carpio "so far has focused on setting a positive example and laying the groundwork for future democratic government rather than forcing change."⁴⁰⁷ Like his predecessors, de León Carpio had to balance his own interests with those of the military. While he refused to investigate past human rights abuses like Serrano, de León Carpio remained committed to human rights improvements and encouraging military reform.⁴⁰⁸ The memorandum recommended that the US government publicly endorse de León Carpio's initiatives and incorporate human rights into the US' military training and education programs in Guatemala. The Office also warned that the US ought to proceed with caution as "De Leon may react negatively ... if he feels that the United States and the international community are pushing him too hard for change."⁴⁰⁹

Under de León Carpio, the Guatemalan government reached a deal with the insurgents in January 1994 to resume peace talks. Among the agreed-upon discussion points for the talks were human rights, constitutional reforms, ceasefires, displaced

⁴⁰⁶ Central Intelligence Agency Directorate of Intelligence Office of African and Latin American Analysis article, 25 June 1993, "Death Squads", GU01739.

⁴⁰⁷ Central Intelligence Agency Directorate of Intelligence Office of African and Latin American Analysis intelligence memorandum, 26 August 1993, "Death Squads", GU01759.

⁴⁰⁸ Ibid.

⁴⁰⁹ Ibid.

populations, and guerrilla demobilization. The negotiations and discussions were to be moderated by the United Nations.⁴¹⁰ The Guatemalan President praised the deal as a ““transcendental ... commitment to reach peace in 1994.””⁴¹¹ The agreement was the first of fourteen accords signed between January 1994 and December 1996.⁴¹² Subsequent agreements were reached on human rights, resettlements of displaced populations, Indigenous rights and identity, and the creation of a “Commission for the Historical Clarification of Human Rights Violations that have Caused Suffering to the Guatemalan Population.”⁴¹³ Around the same time, de León Carpio began enacting significant constitutional reforms. For example, approximately forty constitutional reforms were implemented in April 1994, including new powers for the Supreme Court and shrinking the Congress from 116 to 95 members.⁴¹⁴

Despite the positive advances under the de León Carpio government, US Ambassador to Guatemala Marilyn McAfee expressed pragmatic dissent about US policy in Guatemala, specifically concerning the cutoff of military assistance. McAfee worried that suspending military assistance was counterproductive to the interests of both the US and Guatemalan governments. She argued that the US’ assistance cutoff was leading to deteriorating relations with the Guatemalan military, which would undermine de León Carpio’s progressive goals: “We fully understand and sympathize with the problems

⁴¹⁰ Amafredo Castellanos, “Guatemalan president welcomes agreement to continue peace talks”, *United Press International*, January 11, 1994; Susanne Jonas, “Dangerous Liaisons: The U.S. in Guatemala”, *Foreign Policy* 103 (Summer 1996): 151.

⁴¹¹ Castellanos, “Guatemalan president welcomes agreement to continue peace talks.”

⁴¹² Roddy Brett and Antonio Delgado, *International IDEA: The Role of Constitution-Building Processes in Democratization – Case Study: Guatemala* (2005), 15-16.

⁴¹³ *Ibid.*, 17.

⁴¹⁴ “Guatemalan reforms take effect”, *United Press International*, April 8, 1994.

raised by Congress and NGO's, driven by very real concerns, in offering the Guatemalan army any 'aid' or training. Nonetheless, it is important to recognize we will pay a price in our ability to influence future positive change if we are unable to engage the military."⁴¹⁵ McAfee suggests that the US government seriously reconsider its suspension of US aid for the Guatemalan military. She argued that it was important to think about how policy choices "pla[y] in Washington" as well as "how it impacts here ... [and avoid] work[ing] at cross-purposes to our larger goals."⁴¹⁶

McAfee's pragmatic concerns were largely ignored. Three months after McAfee's cables, the US government sent a letter to Guatemala's Defense Minister Mario Enríquez Morales threatening to further reduce aid because of the Guatemalan government's inaction on the Devine case. According to the CIA, Enríquez Morales was enraged by the letter and remained adamant that he "ha[d] no intention of carrying out any further investigations."⁴¹⁷ Despite her pragmatic concerns about the implementation of US policy, McAfee remained a vocal proponent of human rights improvements in Guatemala. For example, McAfee told de León Carpio her apprehensions about his potential government appointees. McAfee was opposed to the Guatemalan President hiring a past military chief as vice-minister of government, and argued that he would allow significant regressions in the Devine investigation and Guatemala's human rights progress. According to an Embassy cable, "De Leon had no specific plans to offer on how he intends to ensure independent human rights investigations or continuation of the battle against military impunity, but he is at least aware of the problems. The

⁴¹⁵ McAfee to Department of State, 21 December 1993, "Death Squads", GU01786.

⁴¹⁶ McAfee to Department of State, 21 December 1993, "Death Squads", GU01787.

⁴¹⁷ Central Intelligence Agency, March 1994, "Death Squads", GU01800.

Ambassador's telephone call ... may have been an important factor in the President's decision not to make further military appointments in the ministry and to keep the police itself wholly civilian."⁴¹⁸

5.7 – Richard Nuccio and Robert G. Torricelli vs. the CIA

Perhaps the single most consequential instance of dissent of the Guatemalan Civil War came from State Department official Richard Nuccio and Congressman Robert G. Torricelli. Nuccio and Torricelli exposed a significant CIA coverup operation related to two murder investigations in Guatemala. During Clinton's first term, US-Guatemala relations strained over the disappearance of guerrilla insurgent Efraín Bámaca Velásquez in 1992. Bámaca's American wife and human rights lawyer Jennifer Harbury stated she was led to believe Bámaca was killed, but later received evidence and testimonies that he was alive and had been kidnapped by the Guatemalan military. Harbury played an important part in putting Bámaca's disappearance on the radars of the Guatemalan and US governments, and conducted hunger strikes in Guatemala and Washington to draw attention to her cause.⁴¹⁹ Ambassador McAfee took particular interest in the Bámaca case and corresponded with both Harbury and de León Carpio about developments in the investigation.⁴²⁰

The tensions surrounding the Bámaca case intensified in 1994 when Harbury was made aware that the CIA had previously written to the State Department and Embassy

⁴¹⁸ McAfee to Department of State, 25 March 1994, "Death Squads", GU01806.

⁴¹⁹ Jennifer K. Harbury, *Searching for Everardo: A Story of Love, War, and the CIA in Guatemala* (New York: Warner Books, Inc., 1997); Human Rights Watch, "Disappeared in Guatemala: The Case of Efraín Bámaca Velásquez", March 1995, <https://www.hrw.org/reports/1995/Guatemala.htm>; Sikkink, *Mixed Signals*, 192.

⁴²⁰ McAfee to Department of State, 2 September 1993, "Death Squads", GU01761.

about Bámaca’s capture.⁴²¹ After Harbury began another hunger strike, the Embassy requested that the CIA turn over “a summary of its holdings on the ... case.”⁴²² The Department of State told McAfee to request a full investigation from the Guatemalan government into Bámaca’s disappearance.⁴²³ De León Carpio largely supported the investigations, and even offered to meet with Clinton to determine how to proceed. However, the Guatemalan President worried about the potential effects of the Bámaca case on ongoing peace talks, and argued that the Historical Clarification Commission should handle the investigation.⁴²⁴ Despite his reservations, McAfee praised de León Carpio’s conduct during this crisis: “The President’s willingness to have complete investigations to determine Bámaca’s fate is revolutionary in the Guatemalan context. ... His commitment to achieving a peace agreement, and addressing the Bámaca case so that it would not stand in the way of an accord, was palpable.”⁴²⁵

Some American officials expressed dissenting concerns about US policy in relation to the Bámaca investigation. In early December 1994, Congressman Bill Richardson, a member of the Permanent Select Committee on Intelligence, argued that US policy was not doing enough to ensure meaningful progress in the investigation. He suggested that McAfee needed to “go public” with the Bámaca case as a means to pressure Guatemalan authorities to investigate the case to the fullest.⁴²⁶ However, Richardson’s advice was dismissed as an overly forceful approach that would result in the

⁴²¹ Human Rights Watch, “Disappeared in Guatemala”; Sikkink, *Mixed Signals*, 192.

⁴²² Central Intelligence Agency, 20 October 1994, “Death Squads”, GU01842.

⁴²³ Talbott to US Embassy in Guatemala, 9 November 1994, “Death Squads”, GU01861.

⁴²⁴ McAfee to Department of State, 23 November 1994, “Death Squads”, GU01870; McAfee to Department of State, 25 November 1994, “Death Squads”, GU01874.

⁴²⁵ McAfee to Department of State, 23 November 1994, “Death Squads”, GU01870.

⁴²⁶ Central Intelligence Agency, 6 December 1994, “Death Squads”, GU01878.

“Ambassador’s complete isolation from already resentful Guatemalan authorities.”⁴²⁷

Richardson and McAfee eventually agreed to continue the present middle-ground approach and keep pushing the Guatemalan government for meaningful progress.⁴²⁸

In 1994, State Department official Richard Nuccio discovered that Guatemalan Colonel Julio Roberto Alpírez ordered Bámaca’s murder while he was a paid informant for the CIA. Nuccio later uncovered that Alpírez was also responsible for ordering the 1990 murder of Michael Devine.⁴²⁹ In a 1997 interview with *Salon*, Nuccio described his attempts to convince the White House’s National Security Council and the State Department to meaningfully address his concerns: “I kept saying to people in the State Department, ‘This memo makes me out to be a liar, it makes the administration out to be a liar, and we’re in a vulnerable position. We need to take action.’ But again, I was overruled.”⁴³⁰

Not wanting to be complicit in the CIA’s coverup, Nuccio then delivered the incriminating evidence to Torricelli, who served on the House Intelligence Committee.⁴³¹ The Congressman provided the information to both Harbury and *The New York Times*.⁴³² In the March 1995 article that exposed Alpírez’s connections to the CIA, Torricelli proclaimed that ““This is the single worst example of the intelligence community being

⁴²⁷ Central Intelligence Agency, 6 December 1994, “Death Squads”, GU01878.

⁴²⁸ Ibid.

⁴²⁹ Jonas, “Dangerous Liaisons”, Sikkink, *Mixed Signals*, 192-193; 144; Jeff Stein, “Out in the Cold”, *Salon*, March 13, 1997.

⁴³⁰ Stein, “Out in the Cold.”

⁴³¹ Peter Kornbluh, “The CIA’s Whipping Boy”, *The Washington Post*, December 22, 1996; Stein, “Out in the Cold.”

⁴³² Harbury, *Searching for Everardo*, 313-314; Sikkink, *Mixed Signals*, 193; Stein, “Out in the Cold.”

beyond civilian control and operating against our national interest.”⁴³³ Torricelli also wrote to President Clinton to harshly condemn the CIA’s activities in Guatemala.

Torricelli called out “the deliberate attempt by the United States government to mislead the American public about the two cases”, and specifically condemned the CIA, the State Department, the National Security Council and the National Security Agency for their complicity.⁴³⁴ He called on the President to secure and observe all relevant documentation and to ask the Department of Justice to investigate and fire all officials who were complicit in the coverups. Torricelli concluded his letter by appealing to Clinton to meaningfully address his concerns:

The direct involvement of the Central Intelligence Agency in the murder of these individuals leads me to the extraordinary conclusion that the Agency is simply out of control and that it contains what can only be called a criminal element. Once again the United States is embarrassed by its Intelligence service, and once again the United States government is forced to apologize to the American public and to the world for its own actions. The Central Intelligence Agency clearly has too many resources at its disposal and too little supervision.

Mr. President, you must find those responsible for this tragedy and bring them to justice. And you must remove the capability of our government to wage war on its own citizens.⁴³⁵

Torricelli’s whistleblowing garnered swift and widespread outrage towards the Guatemalan military and US government. Devine’s wife, Carole A. Devine, blasted Alpiéz and the CIA in an interview with *The New York Times*: ““This is a total shock. ... The C.I.A. sounds like it has gotten totally out of control. ... If a death squad goes into [Alpiéz’s] base and he gives them food and says O.K. go ahead and kill Mike Devine,

⁴³³ Tim Weiner, “Guatemalan Agent of C.I.A. Tied to Killing of American”, *The New York Times*, March 23, 1995.

⁴³⁴ Torricelli to Clinton, 22 March 1995, “Death Squads”, GU01922.

⁴³⁵ Ibid.

he's as guilty as those who did the killing."⁴³⁶ In the same article, Acting Director of Central Intelligence, William O. Studeman attempted to deflect criticism of the CIA by labeling Torricelli's allegations "'completely false' ... [and] 'a great disservice' to the agency and its employees."⁴³⁷ Harbury did her own interview with *The New York Times*: "I do feel really, really pleased to finally, finally catch the C.I.A. red-handed ... They are exposed. And so is the State Department exposed. And so is the White House."⁴³⁸ By the end of April 1995, de León Carpio suspended Alpírez from the military for his involvement in both murders.⁴³⁹

The CIA reveal also had significant reverberations throughout the US government. On April 7, 1995, a group of twelve US Senators sent a letter to Clinton to corroborate Torricelli's request for documents.⁴⁴⁰ The Senators stated that Clinton needed to declassify all materials related to Guatemalan human rights abuses. They argued that document declassification would help Guatemala's peace process and encourage transparency within the US government: "[J]ust as Guatemalans need to know the truth about the crimes committed in their country to prevent their recurrence, U.S. citizens have a right to know what their own government knew about these crimes to determine if

⁴³⁶ Dillon, "On Her Guatemalan Ranch, American Retraces Slaying."

⁴³⁷ Ibid.

⁴³⁸ Catherine S. Manegold, "The World; A Woman's Obsession Pays Off -- at a Cost", *The New York Times*, March 26, 1995.

⁴³⁹ "Guatemala: Colonel Julio Roberto Alpírez Suspended", *Associated Press Archive*, April 28, 1995.

⁴⁴⁰ The twelve Senators who signed the letter were Christopher J. Dodd, Russell D. Feingold, Dianne Feinstein, Tom Harkin, James M. Jeffords, Edward M. Kennedy, John F. Kerry, Patrick J. Leahy, Carol Moseley-Braun, Claiborne Pell, Paul S. Sarbanes, and Paul Simon.

mistakes were made and, if so, to ensure that they are not repeated.”⁴⁴¹ On that same day, the Department of Defense ended its military training programs in Guatemala.⁴⁴²

According to Sikkink, several investigations occurred within the US government following Torricelli’s whistleblowing. The investigations were conducted by the House Permanent Select Committee on Intelligence, the President’s Intelligence Oversight Board and the Senate Select Committee on Intelligence. The reports corroborated Torricelli’s claims that Alpiroz orchestrated the Devine and Bámaca murders, and that “the CIA failed to notify congressional committees of the case and ... did not keep ambassadors appropriately informed.”⁴⁴³ CIA Director John Deutch later terminated two senior officials involved with the coverup, and six others were disciplined.⁴⁴⁴

Nuccio faced significant consequences in the aftermath of Torricelli’s whistleblowing. In late 1996, Nuccio was outed as Torricelli’s source after “a vengeful investigation of the leak”, and the CIA revoked his high-security clearance.⁴⁴⁵ The CIA justified their revocation of Nuccio’s clearance by falsely claiming that “he did not go through established channels before contacting Torricelli.”⁴⁴⁶ Further, Deutch argued that Nuccio blatantly “jeopardized ... the security and integrity of ... US intelligence sources, methods and activities.”⁴⁴⁷ Nuccio appeared on the US news program *60*

⁴⁴¹ Dodd, Feingold, Feinstein, Harkin, Jeffords, Kennedy, Kerry, Leahy, Moseley-Braun, Pell, Sarbanes and Simon to Clinton, 7 April 1995, “Death Squads”, GU01947.

⁴⁴² Department of State, c. 7 April 1995, “Death Squads”, GU01948.

⁴⁴³ Sikkink, *Mixed Signals*, 193.

⁴⁴⁴ “CIA’s Vengeance Against Nuccio Can’t Be Allowed to End His Career”, *South Florida Sun-Sentinel*, November 22, 1996; Stein, “Out in the Cold.”

⁴⁴⁵ Stein, “Out in the Cold.”

⁴⁴⁶ “Former aide: CIA must be reined in”, *United Press International*, February 26, 1997.

⁴⁴⁷ Kornbluh, “The CIA’s Whipping Boy.”

Minutes to make his case: “[I am] being hounded out of government service by the CIA for telling Congress what it had a right to know.”⁴⁴⁸

Despite the protests of journalists and sixteen members of Congress who pressed Clinton and the US government to restore Nuccio’s security clearance, Deutch refused to do so.⁴⁴⁹ According to the *Los Angeles Times*, the CIA even doubled down on its stance and attempted to declare Nuccio a “security risk” to the US government.⁴⁵⁰ Nuccio was livid with the CIA’s decision, arguing that it “place[d] the CIA above the law and beyond the Constitution.”⁴⁵¹ In early 1997, Nuccio left the State Department. Torricelli, who had since become a US Senator, subsequently hired Nuccio to work on his staff.⁴⁵² Harbury praised Nuccio for his “act of courage and honesty” in her book *Searching for Everardo: A Story of Love, War, and the CIA in Guatemala*: “I can only say, Richard Nuccio, that you did the right thing and that it probably saved my life. You have my respect and thanks.”⁴⁵³

Nuccio reflected on his firing in his interview with *Salon*:

It was the first time ever in the history of the United States that there was a criminal investigation conducted against someone in the executive branch for providing truthful information to Congress. And it's the first time that the CIA has succeeded in taking away the security clearance of someone in another agency - again, for providing truthful information. ... It was most painful when I couldn't talk about it publicly, because I didn't want to embarrass the administration. That was the hardest of all, to be quiet, to not defend myself, to hope that if I remained

⁴⁴⁸ George Gedda, “CIA Refuses to Reinstate Security Clearance of Ex-White House Aide”, *Associated Press*, December 6, 1996.

⁴⁴⁹ “Clinton Urged to Reinstate Clearance for Whistle-Blower”, *The Buffalo News*, November 30, 1996; Gedda, “CIA Refuses to Reinstate Security Clearance of Ex-White House Aide.”

⁴⁵⁰ Frank Del Olmo, “Blow the Whistle, Get Blown Away”, *Los Angeles Times*, December 5, 1996.

⁴⁵¹ Gedda, “CIA Refuses to Reinstate Security Clearance of Ex-White House Aide.”

⁴⁵² Stein, “Out in the Cold”; “Former aide: CIA must be reined in.”

⁴⁵³ Harbury, *Searching for Everardo*, 329.

quiet, the administration would find a way to lend support. But they didn't.⁴⁵⁴

Nuccio's story sparked extensive outrage within the American press, who derided the US government for its harsh punishment. Nuccio became a martyr and cautionary tale for what became of US officials who dared speak out against US complicity in human rights abuses. The *South Florida Sun-Sentinel* labeled Nuccio's punishment as "a fit of revenge" from the CIA, and that "Nuccio deserves a commendation, not unconscionable harassment."⁴⁵⁵ A December 1996 editorial from *The New York Times* defended Nuccio and argued that Clinton needed to intervene and rectify the situation:

When secrecy and conscience clash in Washington, secrecy almost always prevails. Richard Nuccio is the latest idealist to discover that telling the truth in the Government can destroy a career. ... The sanctity of intelligence information is important, but secrecy must not be used to shield abuses or to deny Congress information about wrongdoing that the C.I.A. is obliged by law to provide. Mr. Nuccio acted in the public interest. If his Government cannot understand that, President Clinton ought to educate his colleagues and restore Mr. Nuccio's security clearance and good name.⁴⁵⁶

The Washington Post's Peter Kornbluh likened the Nuccio situation to "the type of smear operation ... that [the CIA] runs against enemy foreign nationals."⁴⁵⁷ Kornbluh argued that since Torricelli served on the House Intelligence Committee, he effectively had CIA clearance to examine classified information. Above all, Kornbluh condemned the CIA's attempts to evade accountability for its actions in Guatemala. He states that Nuccio's treatment by the CIA illustrates that "Those who engage in crimes of state can

⁴⁵⁴ Stein, "Out in the Cold."

⁴⁵⁵ "CIA's Vengeance Against Nuccio Can't Be Allowed to End His Career."

⁴⁵⁶ "Opinion | The Vilification of Richard Nuccio", *The New York Times*, December 18, 1996.

⁴⁵⁷ Kornbluh, "The CIA's Whipping Boy."

take retribution on those who assert the conscience of the state.”⁴⁵⁸ Writing for the *Hartford Courant*, John MacDonald emphasized the horrific precedent set by Deutch and the CIA: “Nuccio's story should send a chill through every American who believes what the civics books say about checks and balances in government. He tried to serve as a check on CIA misdeeds and was sent packing. His treatment raises a disturbing issue: Will future officials volunteer the truth if it means risking their careers?”⁴⁵⁹

According to Sikkink, the fallout of the Devine and Bámaca cases provides an interesting case study which highlights the limits of involving the CIA in foreign policymaking. Sikkink argues that the coverup undermines the assumption that the CIA is a vital source of information for human rights; in the case of Devine and Bámaca, human rights organizations and advocates like Harbury played a much larger role in raising awareness about the murders.⁴⁶⁰ Further, Sikkink states that the CIA’s deceptiveness unnecessarily confused US policy in Guatemala:

Any foreign policy is more forceful when the executive branch speaks with one voice. In the case of human rights policy toward Guatemala, the United States once again sent mixed signals. On the one hand, the embassy was stressing its support for democracy and human rights. On the other, the CIA was paying members of the Guatemalan military for information, apparently aware that these individuals were implicated in crimes against U.S. and Guatemalan citizens ... Investigations suggest that the CIA sometimes failed to keep ambassadors informed about their activities, which compromised the ambassadors' efforts to carry out coherent policy. The Guatemalan government may have interpreted this as tacit U.S. government support.⁴⁶¹

⁴⁵⁸ Kornbluh, “The CIA’s Whipping Boy.”

⁴⁵⁹ John MacDonald, “Fired for Telling the Truth”, *Hartford Courant*, March 1, 1997.

⁴⁶⁰ Sikkink, *Mixed Signals*, 193.

⁴⁶¹ *Ibid.*

5.8 – The Final Years and Aftermath of Civil War

On December 29, 1996, the Guatemalan government and rebel leaders signed the Final Peace Accord that effectively ended the Guatemalan Civil War. Both Guatemalan President Álvaro Enrique Arzú Yrigoyen and rebel commanders praised the agreement as a monumental step forward for Guatemala.⁴⁶² According to Jason M. Colby, in the wake of Nuccio and Torricelli's whistleblowing about the CIA, the Clinton administration played a "belated" but critical role in forcing the Guatemalan military's participation in the peace talks.⁴⁶³

Even though the war had ended, the American press and non-governmental organizations like the National Security Archive increased pressure on the Clinton government to declassify and release its documents pertinent to the conflict. An August 1997 *New York Times* editorial argued that Clinton needed to release all its documentation on the violence committed by Guatemalan security forces, especially those that were trained and financed by the US. The article stated that US documentation was vital to the success of the Historical Clarification Commission, which had recently begun its research for its report. The article concludes that "Full disclosure from the C.I.A. matters to the United States as well as to Latin America. Washington has done much lately to become a good neighbor. To consolidate that change, it now needs to open the archives on a painful era."⁴⁶⁴ In September and October 1997, both the Congress and

⁴⁶² John Ward Anderson, "Pact Signing Ends War in Guatemala", *The Washington Post*, December 30, 1996; Susanne Jonas, "Democratization Through Peace: The Difficult Case of Guatemala", *Journal of Interamerican Studies and World Affairs* 42, no. 4 (Winter 2000): 14.

⁴⁶³ Colby, "'A Chasm of Values and Outlook'", 581.

⁴⁶⁴ "Opinion | History That Remains Hidden", *The New York Times*, August 5, 1997.

the Senate passed legislation compelling Clinton to release declassified human rights documents if asked by Latin American governments to do so.⁴⁶⁵ Clinton eventually released 4,000 documents for the Historical Clarification Commission's report.⁴⁶⁶

In February 1999, the Historical Clarification Commission released its report on the Guatemalan Civil War, entitled "Guatemala: Memory of Silence." The Commission found that over 200,000 people were killed or disappeared over the course of the thirty-six-year war. The Commission found the Guatemalan state and its associates (specifically the military and the death squads) responsible for 93% of the violence and human rights abuses, while the insurgents were solely responsible for 3%. Indigenous Maya accounted for 83% of those killed in the war, and the military enacted genocide against the Maya in the Guatemalan Highlands.⁴⁶⁷ The Commission also found that the US government was not only complicit in the violence, but a key ally of the Guatemalan state. The report stated that through its provision of military tactics and training, "the United States demonstrated that it was willing to provide support for strong military regimes in its strategic backyard."⁴⁶⁸

⁴⁶⁵ "Campaign for Declassification of Documents on Human Rights Abuses in Latin America", *National Security Archive*, October 17, 1997, <https://nsarchive2.gwu.edu/news/19971017.htm>.

⁴⁶⁶ Colby, "'A Chasm of Values and Outlook'", 582; "William J. Clinton - Remarks in a Roundtable Discussion on Peace Efforts in Guatemala City - March 10, 1999", *The American Presidency Project: UC Santa Barbara*, <https://www.presidency.ucsb.edu/documents/remarks-roundtable-discussion-peace-efforts-guatemala-city>.

⁴⁶⁷ Colby, "'A Chasm of Values and Outlook'", 582; Commission for Historical Clarification, "Guatemala: Memory of Silence – Report of the Commission for Historical Clarification – Conclusions and Recommendations" (February 1999), 17, 33, 41-42, <https://hrdag.org/wp-content/uploads/2013/01/CEHreport-english.pdf>.

⁴⁶⁸ Commission for Historical Clarification, "Guatemala: Memory of Silence", 19.

On March 10, 1999, Clinton traveled to Guatemala and delivered remarks in which he publicly acknowledged and apologized for the US' extensive role in the Guatemalan Civil War:

Because of the involvement of the United States, I think it is imperative, as we begin, for me just to say a few words about the report of the Historical Clarification Commission. ... For the United States, it is important that I state clearly that support for military forces or intelligence units which engage in violent and widespread repression of the kind described in the report was wrong, and the United States must not repeat that mistake. We must and we will, instead, continue to support the peace and reconciliation process in Guatemala. ... You have come a long way, as President Arzú just said, in forging a consensus in support of democracy and human rights and in finding a way to discuss your differences openly and peaceably. I applaud the difficult but essential effort you have undertaken.⁴⁶⁹

Clinton later elaborated on his apology by stating that “[W]hat I apologized for has nothing to do with the fact that there was a difference between the policy of the administration and the Congress in previous years, going back for decades, and including administrations of both parties. It is that the policy of the Executive Branch was wrong.”⁴⁷⁰

The legacy of Clinton's apology in Guatemala has been long debated. Colby understands Clinton's apology as an indicator that the US shift to mainstream human rights policy that began under Carter in the 1970s was successful. According to Colby, “Carter's legacy may even have made it easier for Bill Clinton to apologize to the long-suffering people of Guatemala, and easier, perhaps, for some of those people to believe

⁴⁶⁹ “William J. Clinton - Remarks in a Roundtable Discussion on Peace Efforts in Guatemala City - March 10, 1999.”

⁴⁷⁰ Mark Gibney and David Warner, “What Does It Mean to Say I'm Sorry? President Clinton's Apology to Guatemala and Its Significance for International and Domestic Law”, *Denver Journal of International Law & Policy* 28, no. 2 (January 2000): 223.

him.”⁴⁷¹ An article by Mark Gibney and David Warner has a more cynical interpretation of Clinton’s apology. Gibney and Warner argue that “What is not so clear in the Guatemala apology, however, is whether or not he considers his statement to have a binding effect, creating a legal obligation on the United States, or whether the statement is some kind of moral pronouncement.”⁴⁷² They suggest that the apology was insufficient and that the US government needed to face significant legal repercussions for their role in the conflict.⁴⁷³ While there is merit to Gibney and Warner’s argument that Clinton’s apology could have been more substantive, the apology was nonetheless a notable step that no other US President was willing to take. Clinton was not compelled to apologize for the US role in Guatemala, and his apology is particularly remarkable given the gravity of the admission: US complicity in egregious human rights abuses, resulting in 200,000 deaths and disappearances over thirty-six years.

Clinton’s apology was also an important and monumental step in the President’s already strong declassification policy. A November 2000 *United Press International* article by Eli J. Lake commended Clinton for his commitment to transparency by declassifying Cold War documents that highlight illicit US conduct. Kornbluh argued that “Bill Clinton will be known as the openness president when it comes to the declassification of history.”⁴⁷⁴ Clinton’s attitudes towards transparency and declassification have direct roots in Nuccio and Torricelli’s whistleblowing. Lake’s article cites Nuccio and Torricelli as two individuals who directly influenced Clinton’s

⁴⁷¹ Colby “A Chasm of Values and Outlook”, 584.

⁴⁷² Gibney and Warner, “What Does It Mean to Say I’m Sorry?”, 227.

⁴⁷³ Ibid.

⁴⁷⁴ Eli J. Lake, “Clinton’s declassification legacy secure; policies may not be”, *United Press International*, November 14, 2000.

decision to declassify documents related to the US' role in the Guatemalan Civil War.⁴⁷⁵

Clinton's later emphasis on declassification and openness highlight the tangible effects of dissent and whistleblowing on both US policy in Guatemala and its broader policy choices.

5.9 – Conclusion

During the Bush and Clinton presidencies, the US government cemented its return to human rights-based foreign policy choices in Guatemala. Due to the end of the Cold War and the institutionalization of human rights issues within US policymaking, the new policy direction faced relatively little resistance from US governmental officials. While overall levels of dissent remained low during these administrations, this period illustrates how governmental dissent and whistleblowing led to decisive and significant changes in US policy choices. In 1990, Stroock and Aronson advocated for the US to take a stronger, more consistent position against the Guatemalan state in light of its human rights abuses. Following their criticisms, the US fully cut off its military assistance programs and renewed its human rights-based policy. Further, Nuccio and Torricelli's whistleblowing shed light on the US government's willingness to coverup incriminating information. The resulting backlash sparked conversations about the US government's lack of transparency, and contributed to Clinton's later emphasis on document declassification. The Stroock/Aronson and Nuccio/Torricelli cases are two examples of dissent which had profound effects on future policy choices.

⁴⁷⁵ Lake, "Clinton's declassification legacy secure; policies may not be."

CHAPTER 6: CONCLUSION

This research project examined American diplomats, policymakers and officials who criticized US policy choices during the Guatemalan Civil War as counterproductive and contrary to American values. It analyzed the volume and spread of voices of dissent within the US government and the grounds on which dissent was based. It explored whether Jimmy Carter's human rights-based foreign policy impacted the nature of governmental dissent during the remainder of the Civil War. Finally, it determined whether the creation of the Dissent Channel meaningfully impacted US officials concerned with American actions, and whether dissenters (both those who did and did not use the Dissent Channel) meaningfully impacted US policy choices.

American voices of dissent were significantly more prominent in both number and scope in the latter half of the Guatemalan Civil War (1975-1996). In the first fourteen years of the conflict (1960-1974), dissent was sporadic and mostly confined to the State Department and the US Embassy in Guatemala. The increase in the 1975-1996 period may be attributed to the US Congress, which took on a greater role in checking the executive branch's policies. Spurred by larger political conversations occurring in the early 1970s, several officials within the US Congress began questioning and criticizing the US government's ambivalence towards and complicity in global human rights abuses. Congressional dissent remained high for the remainder of the Civil War, even when dissent levels declined elsewhere in the US government.

Most dissenting opinions between 1975-1996 were based on moral grounds. Officials voiced concerns about the US' continued support of the Guatemalan state

despite its continuous and egregious human rights abuses. Several officials outlined the hypocrisy of the US publicly professing commitment to democratic ideals while also supporting Guatemala's military dictatorships. When the US pursued human rights-based foreign policy choices, other categories of dissent emerged, including reactionary dissent (pragmatic concerns about human rights emphasis), progressive dissent (calls for stricter enforcement of human rights policies), and intermediate dissent (a combination of pragmatic and progressive concerns).

A key conclusion of this research project is that the volume and spread of dissent depended heavily on an administration's specific social context. The broader social context of the Cold War between the US and Soviet Union and the resulting social conditions helped inform the types of discourses that were considered permissible. Human rights discourse flourished in periods of détente between the two superpowers, and it was during these periods that higher levels of dissent emerged (the Carter administration), as well as dissent that led to significant and sustained policy changes (the Bush and Clinton governments). Conversely, when tensions escalated between the US and Soviet Union during the Reagan presidency, the resulting limitations in human rights discourse led to both plummeting dissent levels and dissenters who were unable to affect meaningful change. This conclusion is consistent with Foucault's concept of biopolitics: opportunities for meaningful dissent were only possible when the perceived existential communist threats to the US were eliminated or neutralized in periods of détente.

Carter's human rights-based foreign policy had more pronounced long-term impacts on US governmental dissent rather than short-term effects. Carter's policies

initially led to high levels of dissent that had very little impact on US policy choices. In the long-term, however, there were lower levels of dissent that had significant impacts on US policy choices.

During Carter's presidency, the US government experienced an immediate increase in the volume of dissent concerning Guatemala policy, more than at any other point of the Civil War. A variety of factors accounted for the large increase in dissent, including the novelty of Carter's human rights approach and the broader social conditions caused by the 1970s détente. Further, the content of dissenting opinions during the Carter administration was the most diverse of the Civil War, and encompassed reactionary, progressive and intermediate dissent. While dissent was much higher in the Carter government than in subsequent administrations, it did not lead to significant policy changes in the short term.

Despite the lack of short-term impact, Carter's policies meaningfully influenced the success rate of US governmental dissent over time, even as the overall volume of dissent declined. Dissent levels dropped significantly in the Ronald Reagan and George H. W. Bush governments, albeit for different reasons. Reagan deliberately stifled human rights discourse by resuming traditional anticommunist foreign policy and escalating Cold War tensions. In Bush's government, the institutionalization of human rights into foreign policymaking meant that US officials were no longer as skeptical about human rights considerations as they were during Carter's presidency. While Carter did not initially see much tangible success in Guatemala, his policies nonetheless played a significant role in legitimizing human rights within the US government. The groundwork

laid during the Carter presidency enabled later dissenters to achieve meaningful results, including the December 1990 cut-off of US military assistance to the Guatemalan state and the resumption of human rights-based foreign policy choices.

The creation of the Dissent Channel had minimal impact on US officials who disagreed with policy choices in Guatemala. Apart from one anonymous official during the Reagan administration, officials and policymakers ignored the Dissent Channel. The Dissent Channel did not lead to any conclusive policy changes when it was used, as the anonymous dissenting official was told that the US would not be changing its policy positions. The inefficacy of the Dissent Channel in the context of the Guatemalan Civil War is consistent with the views of Hannah Gurman and Kishan S. Rana, who argue that the Dissent Channel is a symbolic mechanism meant to give off the appearance that the US government is friendly to dissenters, despite the opposite being true.⁴⁷⁶

The Dissent Channel's lack of use illustrates two key points concerning dissent about Guatemala policy. First, it demonstrates that officials who disagreed with policy positions overwhelmingly opted to dissent by other means rather than go through the formal procedure outlined by the US government. The second and more interesting conclusion is that most officials who dissented chose not to do so anonymously. This contrasts Harry W. Kopp and John K. Naland's suggestion that most officials are generally unwilling to speak out against policy choices for fear of ostracization or losing their jobs.⁴⁷⁷ In the context of the Guatemalan Civil War, US dissenting officials not only refused to hide behind anonymity, but also put their concerns in writing and signed their

⁴⁷⁶ Gurman, "The Other Plumbers Unit", 341; Rana, *The Contemporary Embassy*, 66.

⁴⁷⁷ Kopp and Naland, *Career Diplomacy*, 121-122, 133-134.

names to them. Richard Nuccio was initially an exception to this, as he opted to provide his incriminating evidence to Congressman Robert G. Torricelli instead of going to the press himself. However, once he was outed as Torricelli's source, Nuccio held his position and strongly defended it in the press. Despite his initial desire to conceal his identity, Nuccio eventually became an important advocate and symbol for government transparency.

Overall, dissenting opinions had a notable impact on US policymaking during the Guatemalan Civil War. The Congress' general discontent with US policy choices in the Ford administration contributed to both the legitimization of mainstream human rights policy choices and Carter's election in 1976. Carter's presidency was plagued by dissent on all fronts, from officials who outright opposed human rights emphasis to those who desired more forceful application of his policies in Guatemala. The significant reactionary dissent to Carter's human rights policies contributed to Reagan's resumption of traditional anticommunist policy choices during his administration. In the Bush presidency, dissenting opinions once again helped accelerate the US government's return to human rights-based policy choices in Guatemala. The impact of dissent culminated in Clinton's administration. Nuccio and Torricelli's whistleblowing generated awareness of the US government's lack of transparency over its complicity in human rights abuses, and contributed to Clinton's declassification of Cold War documents, many of which formed the basis of the research for this thesis.

Two main conclusions can be drawn about the success of dissenting opinions in influencing Guatemala policy. The first is that dissent was most successful when

conducted through informal procedures rather than through formal bureaucratic mechanisms. This is best evidenced by Nuccio and Torricelli's whistleblowing about the CIA coverup. Nuccio was unable to make his concerns heard by appealing to his superiors in the US government and going through bureaucratic procedures. By disclosing the coverup to Torricelli, who in turn leaked it to the US press, Nuccio's dissenting concerns had significant consequences. The revelations about the CIA coverup forced legitimate systemic changes and inspired Clinton's dedication to document declassification in his second term. The second main conclusion is that dissent was also more effective when it came from senior officials within the government. Aronson and Stroock are good examples of this conclusion. Even though it took the better part of a year, Aronson and Stroock's advocacy led to the US' cut-off of military assistance in Guatemala and a more consistent and cohesive application of human rights policy than during the Carter presidency.

This thesis makes a worthwhile contribution to both scholarship on US policy in Guatemala and the emerging field of dissent literature. It has examined the relatively understudied subject of US policy choices during the second half of the Guatemalan Civil War. The framework of dissent has allowed for a more nuanced analysis of US Cold War foreign policymaking, which is often assumed to be a unitary and unanimous process. In the context of the Guatemalan Civil War, US policymakers were rarely in agreement and intensely debated the merits of centering human rights in mainstream foreign policy choices. The study of governmental dissent more generally is highly relevant to present-day discussions about whistleblowing. We are living through an era where the world is

acutely aware of rampant societal injustices and unethical government officials who look the other way. Recent examples of government whistleblowers, such as Chelsea Manning, Edward Snowden, Reality Winner, and Daniel Hale have reignited questions about the ethical obligations of government officials to criticize illegal and immoral policy choices. These questions have only intensified as websites like WikiLeaks have provided new avenues for dissent and whistleblowing. Through its examination of dissent at the time of the Guatemalan Civil War, this thesis highlights the power of dissent and its profound ability to impact policymaking in both the short and long term.

Appendices

Appendix 1: Guatemalan Leaders

Jacobo Arbenz (1951-1954) [overthrown by CIA-orchestrated coup]
Carlos Castillo Armas (1954-1957) [assassinated while in office]
Miguel Ydígoras Fuentes (1958-1963) [overthrown by military coup]
Enrique Peralta Azurdia (1963-1966)
Julio César Méndez Montenegro (1966-1970)
Carlos Manuel Arana Osorio (1970-1974)
Kjell Eugenio Laugerud García (1974-1978)
Fernando Romeo Lucas García (1978-1982) [overthrown by military coup]
José Efraín Ríos Montt (1982-1983) [overthrown by military coup]
Óscar Humberto Mejía Víctores (1983-1986)
Vinicio Cerezo Arévalo (1986-1991)
Jorge Antonio Serrano Elías (1991-1993)
Gustavo Adolfo Espina Salguero (1993)
Ramiro de León Carpio (1993-1996)
Álvaro Enrique Arzú Yrigoyen (1996-2000)

Appendix 2: US Presidents

Harry S. Truman (1945-1953)
Dwight D. Eisenhower (1953-1961)
John F. Kennedy (1961-1963) [assassinated while in office]
Lyndon B. Johnson (1963-1969)
Richard Nixon (1969-1974) [resigned]
Gerald Ford (1974-1977)
Jimmy Carter (1977-1981)
Ronald Reagan (1981-1989)
George H. W. Bush (1989-1993)
Bill Clinton (1993-2001)

Appendix 3: US Ambassadors to Guatemala

Francis E. Meloy, Jr. (1974-1976)

Davis Eugene Boster (1976-1979)

John Tescan Bennett (1979) [Interim Embassy leader following Boster's resignation]

Frank V. Ortiz (1979-1980)

Frederic Chapin (1981-1984)

Alberto M. Piedra (1984-1987)

James H. Michel (1987-1989)

Thomas F. Stroock (1989-1992)

John F. Keane (1992-1993) [Chargé d'Affaires]

Marilyn McAfee (1993-1996)

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The primary source documents for this thesis were obtained through the National Security Archive found at George Washington University in Washington, D.C., and the US National Archives and Records Administration in College Park, Maryland. Restrictions caused by the COVID-19 pandemic required that the documents be accessed through online resources. A key resource for US governmental documents was the Digital National Security Archive database “Death Squads, Guerrilla War, Covert Ops, and Genocide: Guatemala and the United States, 1954-1999”, which was accessible through the ProQuest website. This collection contains approximately 2,100 documents related to US activity in Guatemala during the Cold War. The available documents include daily cables, memorandums, human rights reports, intelligence reports and biographic sketches. Numerous US government departments are represented in this collection, including the Army Intelligence and Security Command, Central Intelligence Agency, Defense Intelligence Agency, Department of Defense, Department of State, Department of Treasury, Executive Office of the President, National Security Council, Southern Command, Transportation Command and the US Embassies in Guatemala, Mexico and Spain. The various Bureaus, Directorates and Offices within these departments are also represented within this collection. Embassy reports from Guatemala City, as well as Department of State messages, were particularly insightful for understanding the day-to-day considerations for US policy choices in Guatemala. Also available from the National Security Archive was “Briefing Book #620”, published in March 2018 on the National Security Archive’s website. “Briefing Book #620” contains Dissent Channel cables and responses obtained through the Freedom of Information Act, including the one analyzed in this thesis.

Another important resource for primary source documents was the National Archives and Records Administration Access to Archival Databases (NARA AAD). NARA AAD contains photographs and textual records from the US National Archives dating from 1800 to the present day. The files cover a variety of topics, including genealogy, government spending, international relations, and wars. The collection that

was most useful for this thesis was “Central Foreign Policy Files, created, 7/1/1973 - 12/31/1979, documenting the period ca. 1973 - 12/31/1979 – *Record Group 59*”, which contains diplomatic records from the Department of State and various US Embassies. Much like the “Death Squads” database, documents from the US Embassy in Guatemala and the Department of State were especially helpful. This collection was also useful for accessing a greater number of documents from the Gerald Ford presidency, which were less prevalent in the “Death Squads” database.

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