

The Crime of Defending a River: Domination, Racism, and Structural Violence in Guatemala

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Historically, Maya People have been excluded from participating in decision-making processes in Guatemala. Over the last two centuries, the state has constrained the exercise of Maya peoples' rights and denied their history (Martínez 2011), political organisation and practices (Guzmán 2016, Casolo 2020). This has been possible because the elite has built discourses that have made Maya People's lives, practices, and resistances invisible. Moreover, the elite has created a racist ideology to cement its domination and increased the gap between *Criollos*, Mestizos (Guzmán 2016) and Maya people. As a result, the Maya People have been dispossessed of their land (Castellanos 1985, Acemoglu and Robinson 2012, Casolo 2020); besides, their knowledge and practices have been undervalued and made invisible (Guzmán 2016, Casolo 2020).

Racism has played a central role in reproducing inequalities and oppression over marginalised groups from subjective means and the construction of meaning. Currently, racism as a practice is evident in the unequal life chances that the Maya population has compared with the Mestizo population. As Galtung (1969) argues, structural violence seems to be like tranquil waters, by extension, less violent than direct violence. However, it is not; maybe it does not kill or hurt people, but it makes disenfranchised social groups suffer. For instance, Maya represents 42% of all Guatemalan people (Institute of National Statistics 2018), but 39.8% is poor compared with 12.8% of Mestizo (Institute of National Statistics 2014). Therefore, before I go further on this, it is imperative to know what Galtung understands by violence. He conceptualised it 'as the cause of the difference between the potential and the actual [conditions of life], between what could have been and what is [...] and that which impedes the decrease of this [difference]' (Galtung 1969, 170).

The previous paragraph could be understood from the original conceptualisation done by Galtung (1969), in which he explains violence has six distinctions, them being:

1. The distinction between physical and psychological violence.
2. The distinction between the negative and positive approaches to influence.
3. The distinction between whether or not there is an object that wounds.
4. The distinction between whether or not there is a subject who acts.
5. The distinction between intended violence and unintended violence.
6. The distinction between two levels of violence: the manifest and the latent.

For this analysis, only distinctions numbers two, four, five, and six are used. As the reader will see later, these distinctions will help understand the link between structural violence and racism in Guatemala. In distinction number two, Galtung (1969) says people can be influenced by punishing them when they do what the influencer considers wrong and rewarding them when they do what the influencer finds right. In distinction number four, he says, 'violence is built into the structure and shows up as unequal power and consequently as unequal life chances [...] if people are [suffering] when this is objectively avoidable, then violence is committed' (Galtung 1969, 171). In distinction number

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five, Galtung (1969) establishes that analyses only focused on intended violence fail to capture structural violence, which used to be unintended. However, both are necessary to analyse whether we want to understand violent dynamics and how the latter is exerted in different contexts. In distinction number six, he makes a difference in how violence can be exerted. For him, '[m]anifest violence, whether personal or structural, is observable, although not directly, since the theoretical entity of potential realization also enters the picture. But, on the other hand, latent violence is something which is not there, yet might easily come about' (Galtung 1969, 172).

The previous distinctions make it possible to cross concepts moving beyond the analyses of why societies seem to be unable to distinguish when violence is exerted or why specific groups are suffering due to social order imposed in a given territory.

Nevertheless, Galtung (1969) does not define structural violence but develops the concept through characterisations. He says that structural violence is silent, and it has two specific features, 1) stability over time, and 2) it is not possible to track people as actors responsible for exerting violence. Furthermore, Galtung (1969) says that this kind of violence in a static society 'personal violence will be registered, whereas structural violence may be seen as about as natural as the air around us' (173). On the other hand, within a highly dynamic society, 'personal violence may be seen as wrong and harmful but still somehow congruent with the order of things, whereas structural violence becomes apparent' (173).

In that order, he continues saying whether there is no subject-verb-object in a violent action; thus, it is structural and built into the structure. This kind of violence is experienced by people who have constrained their capabilities and agency due to 'lack of access to the basic necessities of life, and lack of access to resources that maintain well-being, [such as] healthcare, education, jobs, and security' (Rylko-Bauer and Farmer 2016, 51). These people are living in poverty as a result of inequalities that have been normalised by society.

However, even Galtung's concept embeds two central elements: inequalities [in Galtung's frame, this means unequal life chances] and unequal power relations. It is unclear how these two concepts – which form structural violence – can expound beyond the unequal exercise of power. Thus, by analysing the structural violence category itself, it is impossible to link disfranchisement from dominant speeches and practices founded on ideas of one group's superiority over others and how these are connected to violence. Neither is it possible to look at social movements and people as active subjects. Although Galtung (1969) says, 'behind structural violence is inequality' (175), and there are efforts to change the matrix of power, as long as the distribution of power is not equally distributed, 'inequality seems to have a high survival capacity' (175). He does not talk about domination; even people suffer due to the inegalitarian distribution of power and unequal access to resources. Therefore, it is unclear why and how this inequality is [re]produced and can survive in time and space.

Before I continue going further in the absence of the domination concept into Galtung's frame, it is imperative to echo Rylko-Bauer and Farmer's (2016) explanation of how structural violence works. For them, structural violence can survive over time because it has been *normalised* through *symbolic means*, and this standardisation has made it invisible. As a result, it is unrecognisable at the social level. Drawing on this, Farmer (2004) proposes to understand structural violence as 'the concept [intended] to inform the study of the social machinery of oppression. Oppression is a result of many conditions, not the least of which reside in consciousness' (307). Farmer's conceptualisation of structural violence, based on oppression as a central concept, is essential to bring more elements to display a violent structural frame in a given territory and society. As Vela, Sequén-Mónchez et al. (2001) explain, it is necessary to analyse structural violence since society conceives its world, social values it has, and everyday practices lived in a given context.

However, to understand that kind of inequality in Guatemala, we must depart from the fact that the Guatemalan oligarchy, which presumes its Spaniard heritage (Casaús 2010), has ruled for more than 400 years (Casaús 2000, Martínez 2011, Acemoglu and Robinson 2012). Besides, across this time, it has built an apparatus that has allowed it to grab any resource, and it has subdued Maya peoples. This has been possible in part because the oligarchy has employed its own narrative from a racist stance. As a result, Cojít (2006) states, Guatemalan society and its state are racist; they are 'structured to act and be mono-ethnic, mono-legal, monolingual and monocultural' (103). Besides

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complicity with the mestizo people, the oligarchy through the state has promoted manifest and latent violence dispossession and submission of Maya peoples (Organización del Pueblo en Armas 1976, 1978).

While it is true that the dynamic of repression is no longer the same as that which disappeared, displaced, and killed thousands of Maya people over 40 years ago, the racist rationality continues making them invisible. It excludes their knowledges, desires, and everyday practices. According to Galtung (1969), this has widened the gap between the ruling elite and marginalised groups, the primary condition to talk about structural violence.

Furthermore, as Cojtí (2006) says, the Guatemala state is a racist state 'designed and structured to act against [Maya] peoples' (103). Thus, on behalf of the economic development, Maya Q'anjob'al cosmogony, knowledge and practices have been dismissed by the Guatemalan state.

Additionally, it is necessary to remember the most recent direct violent expression of state racism in Guatemala, the genocide against different Maya people in the second part of the 20th century. The Report of the Commission for Historical Clarification - CEH, acronym in Spanish (1997) - reported that Guatemala is one of the countries worldwide with the highest number of disappeared and murdered people. The CEH (1997), in its points 2894-2895, argued a high over-representation of Maya among the identified victims in this period: 83.5% are Maya, and 16.5% are Mestizos. According to the official census, this happened when Maya represented only 43% of the total population. These crimes caused a deep wound in the Guatemalan population's collective imagination (Figueroa 2019).

As a result, in Guatemala, structural violence at the social level is still discussed, because people continue talking about it, only considering direct violence as violence (Menjívar 2014). Thus, following Echeverría (1995), this position provokes that society only understands violence in part, and the state only punishes it in part without reflecting on how this is (re)produced and what motivates it. Consequently, it is challenging to address violence comprehensively.

Besides, the oligarchy has created a founding narrative (Echeverría 1995, Straus 2015, Guzmán 2016) across the time that currently hides structural violence. After all, 'whose general terms [and techniques] are familiar to and resonant with ordinary citizens' (Straus 2015, 67). This condition does not allow society to identify when the rights of the Maya people are violated. Furthermore, it also justifies the dispossession and imposition processes against Maya Peoples because, in the dominant narrative, they are considered a threat to the nation-state and that the territories they live in do not belong to them.

Therefore, racism has a real effect on how Guatemalan society, through its state, exerts structural violence over social groups considered inferior, criminal, or unworthy of being right holders. For instance, driving racist narratives and structural violence over specific groups, looking at the dominant ideas produced, and by maintaining unequal power relations which result in unequal life conditions. This is possible, echoing Quijano (2014a) because all those violent everyday social interactions are part of the racial axis that gives sense to the modern-colonial Eurocentric world. He stated, '[t]he racial axis has a colonial origin and character, but it has proven to be more durable and stable than the colonialism in whose matrix it was established' (Quijano 2014a, 777). As a result, the matrix of power imposed by the European invaders has normalised race notions (Quijano 1992).

After the previous paragraph's exposure, I argue that structural violence in Guatemala is linked with other categories, such as race as a technology of power (Casaús 2000, Valencia 2019, 2020), as an essential part of the dominant founding narrative. Therefore, the proposal is not to make the concept of structural violence broader but to make it more concrete for the Guatemalan context. Trying to understand how structural violence actually works, and how it is made perdurable in time and space.

The previous statement leads me to refer to domination as the concept that addresses this paper's central idea, while structural violence and its link with racism function as an analysis framework. It is necessary to do this because it is a fact that Guatemalan society is only seeing violence at an individual level. It is not linking it with structural violence and the disenfranchised of these group's needs and rights because the dominant ideas have led it to believe that groups must rule over others by, for instance, social class, gender and ethnic differences.

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The aforementioned is possible because domination is embedded into the colonial rationality (Quijano 2014b), which has 'not ceased to be the central character of social power today' (758).

Moreover, the fact that racism was produced in Abya Yala 'as a foundation of the specificity of power relations between Europe and the populations of the rest of the world' (Quijano 2014b, 757). It led to the elaboration of 'a colonisation of the imaginary; the dominated could not always successfully defend themselves from being led to look at themselves with the eye of the dominator' (Quijano 2014b, 760).

From the preceding discussion, in this essay, domination is understood as a 'process that not only transforms the social structure of the person but transforms the subject him/herself at the same time' (Schoungunt 2012, 52). Following Bourdieu (2000), domination is exerted by reproducing ideological ideas without any reflection about the implications that have in everyday life. Thus 'domination has an indissoluble link with violence because when it comes to controlling the subject, there are only two possible ways to exert it: [direct or indirect] violence' (Saquimux 2014, 32). As Farmer argues (2004), following Bourdieu (2000), violence is a structure and structuring frame into social reality. It constricts social relations and beliefs, also makes believe that these violent forms of interaction are *typical*.

The previous statement is linked with Farmer's analysis of structural violence that focuses 'attention on the social machinery of exploitation and oppression – the ways in which epic poverty and inequality, with their deep histories, become embodied and experienced as violence' (cited by Rylko-Bauer et al. 2016, 47). It draws on structural violence conceptualisations made by Rylko-Bauer et al. (2016) and Gupta (2012); this phenomenon is understood as a continuum of violence over marginalised groups that consequently result in the subjugation of people and cause of suffering. Here is when Galtung's (1969) frame, which understood this one as a central part of the 'unequal life chances' (171), makes sense.

Product of the crystallised ideas of superiority of one group against marginalised groups; structural violence is rooted in hegemonic ideas (or at least dominant) that shape lives through racist, sexist and colonial speeches. Consequently, this could be (or not) in public policies or national laws, but irretrievably exists in everyday life practices. It does not matter in space and time. It could happen in state office everyday duties or in a policy-making process.

However, it is imperative to be aware that marginalised people resist and organise themselves even though material living conditions are adverse and their rights are constrained. Otherwise, it would be impossible to identify how societies and their states exert violence in different ways against excluded and disenfranchised groups. Resistance makes evident structural violence and founding narratives.

Therefore, the challenge of talking about structural violence lies in how people comprehend how the regimes 'usually [try] to maintain a status quo whether it means forceful maintenance of traditional social injustice that may have lasted for generations, or the forceful maintenance of some new type of injustice brought in by an attempt to overthrow the old system' (Galtung 1969, 184). From this theoretical stance, I argue that racism is an explanatory category to address how structural violence is comprehended and exerted in Guatemala.

Firstly, I use the category of racism following the proposal made by Casaús (2000). She understands it as an ideology crystallised in practices that (re)produce inequalities through techniques that exclude social groups by biological and cultural differences. 'The purpose of all racism is to legitimise a system of domination' (Casaús 2000, 34). Furthermore, the notion of the race here is understood as a technology of power; as Casaús (2000) says, 'racism [...] has the prerogative and the right to decide who should live or die. It exercises the right to kill or eliminate the Other in the name of sovereignty. Furthermore, it has a racial biological component' (33).

In a static society like Guatemala, racism is a relationship of domination that has built a founding narrative on behalf of the state, the nation, and development. It establishes 'the main goals and principles of the state, [...] the core mission of the political project, and who [...] rule' (Straus 2015, 64). Thus, several social groups are marginalised, disenfranchised, and excluded because they are considered unworthy or an issue for policy implementation. As a

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result, racism creates a gap, and whenever it can, it enlarges it based on fictitious biological differences that lead to social and economic inequalities.

Criminalisation in Guatemala, a Case Study

How is it possible to identify structural violence in Guatemala without leaving peoples' resistance and advocacy avoiding colonial narratives? All the above can be identified in the case of the opposition of the Q'anjob'al people to the imposition of a hydroelectric plant on a river they consider sacred, the Q'an B'alam River, located in Santa Cruz Barillas, Huehuetenango, Guatemala – the actual names of these places are: Jolom Konob', Xibanajul, Iximulew; respectively.

To proceed, it is essential to divide the analysis into two frameworks. Firstly, it is necessary to point out that in 1997, the state of Guatemala ratified the Indigenous and Tribal Peoples Convention – ILO 169 without any reservation. Thus, the state assumed all the obligations outlined in this international treaty on human rights, '[which] is subsumed within the provisions of Article 46 of the Constitution of the Republic. This article [in the Guatemalan Constitution] categorises human rights within a higher hierarchy than the rest of the country's ordinary law' (Javalois cited by Saquimux and Castillo 2018, 8). Hence, since the planning stage, the state assumed the obligation to consult the population affected by implementing extractive projects in its territories. This obligation has the purpose of ensuring that at the time of the community consultation, this is carried out by ensuring the free, prior, and informed consent of the population. Nevertheless, it is something that all the state entities involved in the process of authorising licenses for the construction and operation of projects such as hydroelectric plants, mines, and other extractive projects never did before 2021.

However, at the same time, the coffee monoculture plantations were collapsing; thus, the oligarchy took desperate measures to expand the economic matrix to maintain the macroeconomic balance. As a result, the elite started to boost the idea that extractive projects promote economic development into its founding narrative. In order to do so, it began to encourage law reforms in the late 90s' and the beginning of the 21st century. Consequently, the Guatemalan Parliament carried out reforms and promulgated laws (Saquimux, Castillo et al. 2011) to assure foreign investment in this kind of project. Therefore, several changes were made to the economic matrix of production in response to the new international trade needs (Enfoque 2010, Saquimux and Castillo 2018).

These modifications into the founding narrative were made to inculcate a vision of a developmental nation-state based on extractive projects, mainly gold and silver mining, hydroelectric plants, and other monoculture plantations (Gutiérrez 2012, Chán 2016, Escalón 2016a, Escalón 2016b). However, when this narrative began to create conflicts or worsen existing ones, the state's answer was to blame those who opposed installing or constructing extractive projects. As Galtung (2017) says, 'belief in modernisation, development or progress are seen as indisputable; not believing in them then speaks against unbelievers, not belief' (161).

Secondly, in 2007, when the Guatemalan state authorised one hydroelectric plant over the Q'an B'alam River never carried out any consultation with the communities living there. In response to this, the Q'anjob'al people, such as other Maya people, called for a community consultation based on the ILO 169. Communities carried it out using their local practices and basing their actions on the national legal framework, such as Municipality Act and Electoral and Political Party Act. These acts have several articles about who can call for consultations and how the results can be considered valid, legal, and legitimate. Community consultation can be done if a determined number of persons through their Municipality organise it. (Saquimux, Castillo et al. 2011, Saquimux and Castillo 2018).

In the aftermath, in 2007, Santa Cruz Barillas's communities carried out a community consultation called by the municipality. In this consultation, 46,479 people voted, which had a participation of 209% compared to the 2007 general elections, which had abstentionism of 41.63%. The result was 100% of the people who voted said *No* to any extractive project in Santa Cruz Barillas (Saquimux, Castillo et al. 2011).

Nevertheless, the state refused to recognise the results and rejected to link it with the construction permit approval process for the hydroelectric plant, alleging the lack of legality of the results due to the absence of regulations. Even

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the Q'anjob'al people carried out, performed, and executed the community consultations fulfilling all the legal requirements; the Guatemalan state did not recognise it because Maya Q'anjob'al people are not right holders for it.

Therefore, it is possible to identify how Q'anjob'al people were made invisible in the making-decision process in this first frame. It is also notorious that it is not considered a right-holder and does not belong to the state-nation because its worldview is deemed contra-hegemonic. Thus, echoing in Gupta's (2012) proposal, structural violence was exerted through no recognition of the Q'anjob'al population living in the territory.

For that reason, here I point out distinction five; it is obvious how the state systematically excluded Q'anjob'al people. Of course, I am not saying that the state's process of making them invisible only responds to a racist notion. However, it was a powerful technique to weaken the capacity of incidence in the process of enabling extractive projects, which resulted, as Galtung (1969) states it, in the 'emergence of [overt] structural violence [because the] pattern of violence [was] challenged to the point of abolition' (180).

As a matter of fact, it is imperative to emphasize how the continuum of exclusion led to increasing tensions between communities and state/corporate entities (Bastos, De León et al. 2015) when the hydroelectric plant owner started the construction. Consequently, Q'anjob'al communities, after five years, using the formal legal framework and following state and government administrative processes to defend their territories, opted for civil resistance.

Consequently, the oligarchy through the state apparatus resorted to direct violence by repressing Q'anjob'al political-community actions arguing these discouraging capital investments in the area. Therefore, the Guatemalan state began to suppress Q'anjob'al communities through direct violence, such as states of alert and emergency (Saquimux and Castillo 2018). As a result, there were several murders in this period, and some people were forced to move (Bastos, De León et al. 2015). I am not going in-depth because it is not part of the analysis; nonetheless, I point out that the direct violence was the *intermezzo* between making invisible Q'anjob'al people and targeting it as criminal. It is an example of how structural violence evolved from latent to manifest because, in this period, all the Galtung's (1969) distinctions were presented.

Nevertheless, I emphasise how the manifest violence emerged from the Governmental Agreement 1-2012 (Presidency of the Republic 2012) when the former Guatemalan President Otto Pérez Molina decreed a state of emergency for thirty days targeting Q'anjob'al resistance actions as 'serious actions that endanger the constitutional order, governability and security of the state, affecting individuals and families, endangering life, liberty, justice, security, peace, private property and the integral development of the person.' Besides, the Guatemalan Parliament approved this presidential disposition by Decree Number 11-2012 (Congress of the Republic 2012).

From these state decisions, it is possible to identify the intended violence promoted by subjects who act through state institutions against Q'anjob'al people based on racist ideas targeting Maya political actions as criminal acts. Yet, this form of violence did not dismantle the Maya Q'anjob'al people's resistance and organization. Thus, as the state's repression was not enough, the state and enterprise began to criminalise them through manifest structural violence. In this essay, being understood as criminalisation in its two branches: symbolic and judicial violence.

The former is rooted in racist ideas and in the developmental speech that promotes extractive projects as a way to reach sustained economic growth and the promise of eradicating poverty. These discourses created a narrative that targeted Maya leaders as ignorant people, responsible for the poor country's financial performance. Their actions discouraged capital expenditures, destabilised the rule of law, and provided no guarantee of due process.

All these topics were widespread at the local and national levels through radio and TV programmes. Opinion columns were another space to spread these speeches and create a notion of the enemy against development. For instance, some columnists wrote about how community consultations affected land tenure and created a wrong impression at the international level about Guatemala climate business. Others talked about how Maya practices are archaic and do not allow Maya people to live above the poverty line. Nonetheless, all these discourses are not new. The current founding narrative is based on the racist idea of the XIX century that says Maya people are 'the hindrance to the country's advancement' (Batres cited by Casaús 2000, 43). It is also rooted in the racist idea that Maya people

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oppose extractive projects because they are dumb, manipulated, and ignorant (Casaús 2020).

The legal criminalisation began with criminal persecution against seven community leaders in the aftermath of the state of emergency mentioned above. Seven community leaders were imprisoned for allegedly committing several crimes, such as illegal arrests, incitement to commit crimes, coercion, threats, and obstruction of justice. This kind of criminalisation was made through legal complaints that carried arrest warrants (Saquimux and Castillo 2018). All these legal complaints were related to the resistance against the hydroelectric plants' constructions in Santa Cruz Barillas and Yich K'isis (Enfoque 2018). As a result, they were in jail for more than one year, and finally, the case was processed by the First Court of Criminal Judgment, Drug Trafficking and Environmental Crimes, also known as the Highest Risk Court A.

According to the Court's sentence issued on 22 July 2016, only two of them were found guilty of the crimes they were charged of. One for obstruction of justice and another for coercion. The other defendants were found not guilty due to lack of evidence. However, the time they spent in prison was more than the time they were convicted. This happened due to the company's series of dilatory procedures, which ceased criminal prosecution at the beginning of the oral and public debate.

Moreover, echoing Saquimux (2021), it is imperative to point out that this type of Court attends criminal acts that represent a greater risk to the personal safety of judges, magistrates, prosecutors and judicial assistants and the people on trial, witnesses, and other parties involved in the proceedings who require extraordinary security measures. The crimes considered to be of most significant risk are: genocide, forced disappearance, torture, murder, femicide, kidnapping or abduction, organised crime, drug trafficking, money laundering, terrorism, among others, all of which fall under the jurisdiction of these courts. However, none of the community leaders was charged with any of these crimes.

Therefore, the intention to negatively influence public opinion regarding the Maya and community resistance by damaging the image of community organisation by considering the autonomous process of community consultation, the defence of the land and a river as criminal behaviour become evident. In this case, the state, through its institutions and the company, were the ones that intentionally generated racist violence against the Maya Q'anjob'al people. Besides, the symbolic sphere appealed to racist stereotypes that categorise the Maya people as ignorant and criminal Indians and incapable subjects who can be manipulated. Therefore, it simplified the exercise of rights to a potential threat to the state's economic development.

In both cases, Q'anjob'al demands are rendered invisible and denaturalised. For example, during the process of legal criminalisation, community authorities were removed from their territory. The legal process was in Guatemala City, more than 350 km away from Santa Cruz Barillas, Huehuetenango. In this way, the state sought to dismantle community resistance. This was also done to reduce the discussion of who exercised violence in a given context and to deform the resistance rationality and the forms of political-community participation of the Maya Q'anjob'al people and reinforce the Maya stereotype in resistance as criminal Indians. Furthermore, once again, the community consultation on the defence of the land and the river was made invisible.

Likewise, it is imperative to point out that the legal criminalisation against Q'anjob'al people was embedded into the megaprojects imposition state policy. Something that the Guatemalan State did systematically. It imposed several extractive projects, such as the hydroelectric plant projects La Cascata, Pojom I and Pojom II, and the Marlin and San Rafael mines, around the country without the population's free, prior, and informed consent. Consequently, several communities, NGOs, and law firms appealed to the Constitutional Court, forcing the state to listen to and respect community decisions.

Nevertheless, the Court only recognised the violation of the right of consultation that people must exercise their right to decide their historical future and self-determination. However, it also agreed that the Parliament must decree a law to regulate communitarian consultations after the Ministry of Work and Social Prevention proposes a law initiative. As Cetina (2020) says, this resolution 'ignores the diverse epistemologies that peoples have possessed since before the arrival of the Spaniards' (28). Besides, it 'legalised the violation of the right of consultation' (Xiloj cited by Saquimux

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and Castillo 2018). Thus, the Guatemalan State excluded Maya people from public decision making and made their political practices invisible once again. The Guatemalan State's highest institution decision reinforced the racist narrative and modern-colonial idea that ancestral knowledges and practices can be standardised, denying diversity and worldviews (Cetina 2020). As Xiloj (El Colectivo 2017) argued, the Maya political-community organization forms were reduced to an administrative procedure.

The aforementioned reflections adhere to Valencia's (2020) necropolitics theory which is understood 'as a form of continuum of colonial control that seeks to exterminate racialised people who appear redundant to the neoliberal project' (7). In this context, this form of governance is based on 'racism [...] as a technology of governance that allows the extraction of material and social capital through the inflexion of violence towards marginalised populations from non-marginalised populations' (Valencia 2020, 7).

Conclusion

In this chapter, I have shown how the imposition of a megaproject in Guatemala exacerbated historical conflicts in a given territory and reinforced the structural violence against people or social collective. However, structural violence is an analytical category that falls short of identifying the causes of the unequal opportunities of life and power.

In the specific case developed in this paper, I start from the premise that structural violence cannot be understood from a modern academic and political point of view because it leaves aside domination as the primordial form of violence. While it is true that over time some authors have included oppression as a concept to identify and understand the dynamics of structural violence, it cannot explain how this type of violent dynamics can be sustained in time and space. On the other hand, domination as a concept does allow for this by connecting narratives with practices that, by endowing them with meaning, make the connection between rationality and practice evident. In the Guatemalan case, the Guatemalan State's racist and developmental rationalities, and the systematic exclusion of the Maya Q'anjob'al people in decision-making processes and its unequal chances of life. Therefore, structural and racist violence make invisible Maya political-community dynamics.

The fact that all the state institutions involved – starting with the authorisation of the licence for the construction of the hydroelectric plant and the Constitutional Court ruling recognising the violation of the right to consultation – have never considered Maya cosmogonies and rationalities in decision-making and political participation was due to the lack of questioning against the Guatemalan oligarchy's narrative, especially considering that it is the dominant foundational narrative in the country. Therefore, it was the one that sustained the symbolic and judicial criminalisation of the Maya Q'anjob'al people by demanding the right to be part of the decision-making process and to decide on their historical future.

However, I recognise the historical structural violence against the Maya Q'anjob'al people, since the Spanish invasion and the continuous dispossession of their territory by the oligarchy, has resulted in the Q'anjob'al limitation of life opportunities and constriction of their needs and rights. As mentioned above, this has been possible because the Guatemalan oligarchy for 200 years has maintained control of the state institutions that are a legacy of the colony (Acemoglu and Robinson 2012). This has been achieved through a racist foundational narrative that has allowed it to monopolise resources and subjugate Maya peoples by arguing a biological difference between *Criollos* and Maya through the crystallisation of racist ideas in the social imaginary. This has resulted in structural violence being normalised and the processes of dispossession being considered part of state policy.

The aforementioned brings me to the last point of this paper, domination as the nodal point of state action and the promotion of violent acts through direct or structural means against the Maya Q'anjob'al people. This last point is evidenced in the criminalisation process in its two branches: the racist narrative that reduced community resistance to criminal action, which made the Q'anjob'al Maya rationality invisible throughout the process of symbolic and judicial criminalisation. Besides, the normalisation within the judicial process of the criminalisation processes for opposing the imposition of the hydroelectric plant. As a result, there was never any discussion of the motivations for opposition or the systematic denial of the rights to self-determination and consultation. Nor was there any discussion of the effects on the communities of the states of alert and emergency decreed in Santa Cruz Barillas, which

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triggered structural violence against the Maya Q'anjob'al people.

For these reasons, I affirm that, although structural violence as an analytical category allows for the identification of systematic violence against a people or a social group, if lacking domination and racism as guiding concepts, cannot explain how specific patterns of violence can be continuous in time and space. At the same time, it provides meaning to the subjective and objective actions that crystallise racism in state actions. Therefore, in order to have a comprehensive understanding of structural violence, it is imperative to understand the processes from the rationalities that motivate the imposition of ways of life that lacerate historical processes and reduce non-Western lifeworlds to criminal actions. Despite all the historical structural violence against the Q'anjob'al people, a historic triumph stopped the hydroelectric plant's construction on their sacred Q'an B'alam River.

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