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Slain lawyer Rodrigo Rosenberg's video — in which he accuses the president of ordering his assassination — is shown to a crowd of demonstrators in front of the presidential palace.

Murder, Scandal, Crisis and Videotape … and Change?

By Ezra K. Fieser

On the afternoon of May 7, Rodrigo Rosenberg walked into offices of a popular daytime radio show that sit off a tree-lined boulevard not far from the U.S. embassy. A lawyer and graduate of Harvard and Cambridge universities, Rosenberg wore a suit and sky blue tie and brought with him the belief he was about to be murdered.

Rosenberg thought recording a tell-all video explaining why his life was in danger and who was behind his impending death would serve as an insurance policy to keep him alive.

In a clear monotone, Rosenberg began: "Good afternoon. My name is Rodrigo Rosenberg Marzano. Lamentably, if you're watching this message, it is because I was assassinated by President Alvaro Colom with help from [presidential secretary] Gustavo Alejos."

Three days later, on Mother's Day, Rosenberg left his house in an upscale neighborhood a few miles from the radio host's offices. Despite the threat of his murder, he left his armed driver behind and mounted a bicycle for his weekly Sunday ride.

He went about 40 yards before he was attacked, shot six times including in the head. He was dead by the time paramedics arrived.

I happened on the scene less than an hour after the shooting. My wife and I park on that same street Sunday mornings. The city closes a nearby avenue to traffic and it fills up with hun-

dreds of joggers, cyclers and dog walkers. That is where we were going and that's where Rosenberg was headed when he was shot.

The crime scene drew a small crowd and a handful of news crews.

"What happened?" we asked a news reporter. "Oh, some lawyer was shot," he said. Next to us, a woman was in near panic. "I left my kids living in Europe because you can't have a life here. You can't go outside in this city."

At the time, the shooting was unusual only because it occurred in one of Guatemala City's wealthiest neighborhoods. Otherwise, it was just another one of the country's 17 murders a day.

A sign depicting President Alvaro Colom and the first lady, Sandra Torres de Colom, with the word "assassins" is waved during a protest. The first couple is flashing the sign of their political party with their hands.

Save for Rosenberg's inner circle and the radio host, few could have seen the political crisis that was about to unfold.

The next day, 150 copies of the video were handed out during Rosenberg's funeral. His family would later tell me they had no idea about the video until a few minutes before it was distributed.

It spread on the Internet like a virus. It was posted on YouTube and newspaper Web sites. It became the most viewed video in the history of leading newspaper *Prensa Libre's* Web site. People e-mailed it thousands of times. And the nightly news broadcast it. Overnight, Rosenberg's murder sparked a national crisis.

In the video, Rosenberg warned that Guatemala's rotten power structure — from its government leaders down through the police system — would never change unless people had the courage to stand up against it. By dying and through his video, Rosenberg may have sparked that exact movement. His words inspired a generation that grew up outside of the war's grip, but in what is perhaps a more complicated country. That group has taken up the task that Rosenberg spoke of. His death may have given life to the political reform movement Guatemala has long needed. And by recording his message on video, Rosenberg pushed the country into the age of Internet politics — his video lit-up YouTube and his admirers took to Facebook in search of a place to plan their movement.

The days that followed the release of the video were filed with massive protests — tens of thousands of demonstrators took to the street demanding Colom's resignation. Colom's political advisors, meanwhile, spent millions in government money to bus in supporters who rallied in front of the presidential palace in support of Colom. The FBI sent an agent to the country to assist a United Nations-backed investigatory body probe the murder — both at the president's behest. And Colom levied his own accusations, charging that Rosenberg was the victim of a right-wing political conspiracy.

The anger was intense — and growing. Even the demonstrators felt it necessary to make clear that they were not calling for a *coup d'état*. It was clear that the country's past — a three-decades-long war that saw military dictatorships topple each other with dizzying regularity — was on everyone's mind.

I spent the next days and weeks speaking to anyone I could find who knew anything about the case. I spoke with family members and political observers, politicians and police officers, demonstrators and U.S. officials. For everyone, the case was shrouded by the same darkness that obscured many of the still-unsolved disappearances from the war. The case was also symptomatic of the country's post-civil war problems, replete with allegations of drug trafficking and money laundering — both of which have proliferated since the war's end in 1996. Few knew what to believe, but almost everyone had an opinion: the death and resulting allegations are either part of a right-wing political conspiracy designed to topple the country's first leftist president elected in 50 years or they are proof of guilt for a president plagued by allegations that he is involved with drug trafficking and corruption.

For me, the case exposed the deep rifts — political, economic and even technological — that allow the country to wallow in atrophy.

In the video, Rosenberg claims that his murder was

orchestrated by Colom, the first lady, Colom's presidential secretary and a business associate because he had learned the group was behind two other murders and an intricate money-laundering scheme.

Khalil Musa, a 74-year-old, Lebanon-born businessman, and his daughter Marjorie — whom Rosenberg was allegedly dating — were shot to death in April in front of a shopping center in Guatemala City.

Colom and the others had asked Musa, according to the video and a letter Rosenberg left behind, to become a board member of Banrural, a state-owned development bank. Colom and first lady Sandra Torres de Colom were accused of using the bank to launder public money, which Rosenberg said was diverted to "nonexistent programs" run by Torres and paper firms that funded drug traffickers.

The group killed Musa, Rosenberg alleged, because he had learned of the money-laundering scheme and they were afraid he would expose it.

"I was the lawyer for … Musa and his daughter ... and I knew exactly how Colom [and the others] were responsible for this cowardly assassination, which I made known to them and anyone who could hear me," Rosenberg said.

Rosenberg claimed he had documents to support his allegations, but in the weeks that have passed, nothing that proves his case has emerged.

In denying the allegations, Colom has said that Rosenberg was the victim of a right-wing political conspiracy aimed to unseat him.

Rosenberg had enough links to the country's political right — which opposed Colom's presidential candidacy — to raise questions about his death.

For instance, the popular radio host that recorded the video? His name is Mario David Garcia, a presidential candidate in 1985 for an ultra-right wing party. Garcia's home was allegedly attacked in 1981 by guerillas at the height of the war.

The man who suggested Rosenberg record the video? His name is Luis Mendizabal, a former military advisor to several presidents. Mendizabal was also the man who distributed the Rosenberg video to journalists.

Garcia and Mendizabal have spoken openly about their participation in an attempted coup against Marco Vinicio Cerezo, the president of Guatemala from 1986 to 1991 and a sitting congressman.

They are part of the same power structure that Colom's administration has challenged.

Earlier this year, the government opened a vast police archive that contains files on dissidents who were abducted and killed during the country's 36-year civil war.

Sergio Morales, the country's human rights ombudsman, released a report based on the archives that implicated the police in the disappearance of a well-known activist. A day later, his wife was kidnapped, assaulted and released 12 hours later.

"Opening all the military files from the war was almost impossible but I did it," Colom said.

Colom, tall and balding with a marionette's build, won the presidency on his third attempt. A former engineer working on his third marriage, Colom was considered the nation's first leftist president in 50 years, since Jacobo Arbenz was overthrown in a 1954 CIA-orchestrated coup.

As a presidential candidate, Colom vowed to put in place programs that alleviate rural poverty. More than half of the country's rural population, which is largely indigenous, lives in impoverished conditions, according to UN statistics.

To that end, he slashed funds from several ministries and put them in his wife's hands. Sandra Torres de Colom, a member of a powerful family that hails from the northernmost Petén department, is rumored to be preparing for her own presidential run in 2012. (Colom is constitutionally prohibited from running again.) Under the administration, Torres directs more than $2 billion that are run through her Social Cohesion programs, designed to target rural poverty.

"He ran an excellent business. And in his first attempts to run for president, he was someone we supported," said Nineth Montenegro, a liberal congresswoman who, this month, denounced Colom's program for the rural poor because of its lack of transparency. "Something changed along the way. I'm not sure he could have been behind the allegations Rosenberg suggests, but there is something there with the spending on social programs."

The "nonexistent programs" Rosenberg spoke of in the video was a reference to the Social Cohesion program. Rosenberg said the money was being used for political kickbacks and to fund drug traffickers. The Coloms have denied that charge — as well as all the others Rosenberg made.

The Social Cohesion program has been controversial because many of its functions are identical to those done by the government ministries. Earlier this year, congress considered rescinding the law that created the program. Critics — other than Rosenberg — who have accused the Coloms of corruption say the heart of their scheme lies in the Social Cohesion program. The program has no financial oversight.

I spoke with a U.S. official who has tried to unravel

the program's budget. "It's impossible. The books are a mess. They're full of dead-ends. You can't see what's going on. You can't see where the money is going. How much is spent or on what." He spoke on the condition of anonymity because he was not authorized to speak with journalists.

The program has had some success. It gives poor parents cash or food packages if they send their children to school. And the education ministry estimates that attendance is up.

But many question whether it's the best use of money for a cash-strapped country. Others call the handouts a thinly veiled ploy to win political support from the poor, the country's majority. Last election, Colom was the first candidate to win the presidency while losing the Guatemala City vote, proving a politician does not need the support of the country's powerful wealthy class.

Using cash transfers is "a classic tactic employed by leftist leaders in Latin America who have splintered support," Anita Isaacs, a political science professor at Haverford (Pa.) College who specializes in democracy in Guatemala told me. She'd come to Guatemala to observe the demonstrations. "It detracts from their legitimacy and affects their ability to govern."

Colom's administration used the same tactic to amass political support in the wake of the Rosenberg video's release.

A WEEK AFTER ROSENBERG'S DEATH some 100,000 people gathered in the city in two distinct demonstrations.

Downtown, in the city's central plaza flanked by the presidential palace, the national library and the metropolitan cathedral, thousands chanted slogans in support of the president. The protestors were largely bused in from the countryside or had been offered cash or other reasons to attend.

(top) Demonstrators gather in front of the presidential palace in downtown Guatemala City calling for President Colom's resignation. (bottom) Demonstrators participate in a candlelight vigil weeks after Rosenberg's death.

Maria Rodriguez lives in an impoverished Guatemala City barrio. She told me that government officials announced their presence in her neighborhood over loudspeakers mounted on vans. The speakers encouraged people to march in favor of Colom. She was later told that she could receive a new roof on her house if she attended the rally.

"All you had to do was go and bring your cedula [identification] and then they would put you on a list for a new [laminated roof]," she said. "I didn't need a roof. And I don't like Colom. I didn't go."

Pro-Colom rallies were held throughout the week. On Wednesday of that week, the first person I saw in the march was a Colom supporter, an indigenous woman, who was screaming into the microphone: "These lies, these lies they are telling. They want our president to fail." Her screams went from forceful to painful. Doubled over, one hand on her stomach, red in the face, her voice splintered under the strain. "They want him to fall because he gave something to

us. We are poor and he gave us something and they don't like that. Colom. Colom. Colom."

The emotion in her voice overwhelmed. Several listeners stopped in a kind of pregnant pause, stunned by her resolve. And she went on, screaming into a microphone as if her children's future depended on what she was saying and how many people could hear it. She was paid and given lunch to attend and speak, she told me, refusing to provide her name.

I knew nothing about the desperation that might have motivated her to attend the rally, but leaving that demonstration that day, I felt that she was there for a reason that went beyond a few dollars and a free lunch.

The government spent nearly $2.7 million to bring people like her into the city. The amount of money spent exemplifies the government's uncoordinated response to the crisis, said Mario Polanco, of the Grupo Apoyo Mutuo, which has analyzed the amount the government spent on the rallies.

"Colom has shown a lack of foresight in dealing with the crisis. You can see it in Colom's interviews with CNN where he laid out the supposed plans to destabilize his government, but does not give any clues for who is responsible. It's an unfortunate presidential image that he's displaying," Polanco said. "It's not possible that this is a plot to destabilize the government because that would imply that Rosenberg sacrificed himself to make viable the plan that the president is referencing."

At the demonstrations, anti-Colom protestors were steps away and just as loud. "What has this government given us, what have they done? Nothing, more of the same. More corruption. More impunity. What do we want? Justice. Justice. Justice." The crowd pumped fists and waved banners that showed Colom's face next to the word "assassin." They were outraged.

The groups — pro Colom on one side anti-Colom on the other — inched closer and closer to each other. A few feet of concrete separated the two. "Justice. Justice. Justice" and "Colom. Colom Colom." The screams met in the air over my head and I wondered, for a moment, if I was about to be trampled.

A handful of government officials stepped between the two groups, pushing each of them back. It all died down. The demonstrations went on, each side calling for its own idea of justice.

If I ever had a doubt that Guatemala is really a nation of two classes — the poor, most living in the countryside, and the urban rich — I needed only those few moments to remember that two Guatemalas exist.

Rosenberg's video was damning and bizarre, but the reason it pushed the country into panic was that it struck at the heart of the class divide.

IN THE DAYS AFTER THE VIDEO'S RELEASE, everyone was talking about the case. Everyone had his or her own theory on what happened. The question nobody was asking was "Could this happen in Guatemala?"

The answer was obvious.

Guatemala is no stranger to government scandal. The country's military dictatorships regularly leapfrogged each other in coups during the height of the civil war. And after the war ended, politically motivated murders continued.

Eleven years ago, Catholic Bishop Juan Gerardi was bludgeoned to death in the garage of the church where he lived and worked after delivering a damning report on abuses committed by the state during the war.

In the years since the end of the bloody civil war, gang violence and drug trafficking have racked Guatemala. Its homicide rate — of 48 murders per 100,000 residents — is more than eight-times higher than that of the U.S. And only 2 percent of crimes are brought to trial, according to the UN.

Guatemala is a dangerous place with a history of political violence. And the comparisons to yesteryear are warranted. However, in those cases leaders of the established power structure were accused of murdering dissidents or each other.

Not since before the start of the war did the country boast a leftist president — someone who was not the choice of the oligarchy. Accusations that the president murdered not one but three of the wealthy elite provoked an outcry from a minority of the country accustomed to the status quo. It reaffirmed the us v*ersus* them attitude — a divide that pervades Guatemala.

That divide cuts through everything: wealth, power, access to education, even technology.

NEWSPAPERS, MAGAZINES AND BLOGS described Rosenberg's death and the political crisis as a storyline taken straight out of Gabriel Garcia Marquez's novella "Chronicle of a Death Foretold." The case was many things. Old media was not one of them.

The Rosenberg case had everything needed to be a uniquely Web-borne crisis. The video was shocking. Watching a murdered man speak about his impending death — even in a flat monotone — carries enough emotional weight to make nearly anyone watch. And they did. By the thousands. The YouTube video tagged by *El Periodico*, one of the country's leading newspapers, registered nearly 200,000 views in the first three weeks it was posted.

In all, views of the copies of the Rosenberg video posted on YouTube easily surpassed 1 million in those weeks.

It was the classic viral video — a clip that gains popularity through e-mail and Internet sharing.

In Guatemala, the spread of such a video might not have been possible five years ago. The country didn't have the bandwidth to support it. In fact, according to the International Telecommunication Union, a United Nations agency based in Switzerland, Guatemala had virtually no broadband users in 2004. By 2007, according to ITU, it had grown substantially to 27,100. Albeit paltry compared to other countries, the broadband access was enough to allow for the video to pass among the country's upper-middle and wealthy class.

Five years ago, Rosenberg's words might have spread as text. The video, his voice, would have been available to only a few. Video is exponentially more motivating than text in terms of political organizing, said Michael Cornfield, who studies the intersection between the Web and politics as an adjunct professor at George Washington University and as vice president at 702 Strategies, a K Street firm.

"Part of the reason that video has become so popular on the Web is its power to motivate people to act," he said. "You cannot compare it to the written word."

The availability of broadband access allowed the Rosenberg video to pass rapidly. It also set the stage for another unique Web phenomenon: Facebook.

"If video is the tool that motivates people, Facebook provides a fixed platform where they can go — people from around the world can meet there — and contribute content," Cornfield said. "In the last two or three years, we've seen that super-national quality of the Web be combined with the group communications quality. It's powerful."

In Guatemala, those with access to the Web are largely confined to the urban elite and foreigners. In the countryside, Internet cafes, complete with their aging PCs, are often times the only means for the population to access the Web.

Two key people watched the video the night it was released. One was Javier Ogarrio, a blue-eyed, fair-haired, 21-year-old who recently spent a year working as a computer programmer in Sweden and admittedly paid only passing attention to politics. The other was a 27-year-old banker named Rodrigo. He was at home with his girlfriend when the video began to spread on the Internet.

Rodrigo watched from his apartment in Manhattan and Javier from Guatemala City.

They also both turned to a familiar friend: Facebook. In the days after Rosenberg's death, the loudest calls for the president's resignation came from students contacting each other through Facebook, Hi-5 and Twitter.

"I think everyone was so shocked by this video and by his words, which were so powerful," Ogarrio told me in an interview. "It feels so good to be a part of something that can change the system. I was never really involved in these types of demonstrations before. I guess it's kind of unlikely that I would be the one helping to organize it."

If Ogarrio is an improbable choice to lead the demonstrations, Rodrigo, who goes by the Facebook handle "Justicia Rodrigo Rosenberg," is incredible.

From his apartment in New York City, he organized a Facebook group that drew more than 25,000 members in three days and was a critical link in organizing the demonstrations.

"I watched the video on Monday with my girlfriend. We were so outraged that we decided to start a Facebook group," said Rodrigo in a telephone interview. He asked that his last name not be used for fear of retaliation against friends in Guatemala. "At first, it was just a forum for people to express themselves. But after thousands started joining, I realized it was upon me to materialize their will for change."

Rodrigo graduated six years ago with a political science degree from University of Pennsylvania, where he wrote papers on the use of social media for political organizing.

"It was a bit surprising. I didn't expect it to grow this quickly," he said. "But now that I have this platform of power, I know I have to do something with it."

The power of the Web in organizing social and political movements is not new to the United States, where political candidates have turned to sites such as Facebook to court the youth vote. But trying to topple a foreign president from a New York City apartment is a different matter, particularly in Guatemala.

During the country's 36-year civil war, in which military dictators regularly overthrew each other, the youth movement was suppressed. A UN-sponsored truth commission found that an estimated 40,000 political dissidents were abducted and murdered by government forces. Many of them were student leaders.

The Web sites give youth long excluded from the political process a powerful tool for organizing.

"I am amazed at the courage of these 28,000 people on Facebook who are not using aliases and making their identities known," Cornfield said. "In the past during demonstrations, there was some safety and anonymity provided by sheer numbers. But here you have people

At one of many gatherings, demonstrators hold huge cloth banners reading "Jlustice for Rodrigo Rosenberg (bottom) and "UnitedGuate. Together for peace." (top)

using their names and posting their photos."

It was an especially brave movement, considering the nation's past.

What's surprised me about the movement was that it has been able to sustain itself and even transform itself for a political cause.

In the wake of the crisis, organizers saw an opportunity in a congress that normally moves at a glacial pace. They collected some 35,000 signatures on petitions.

The most provocative and forward thinking of the petitions had nothing to do with the Rosenberg case: it sought transparency in the system by which the country chooses its Supreme Court justices.

The 13 Guatemalan Supreme Court justices make up the country's second highest court and oversee lesser criminal courts located throughout the nation.

Every five years, congress elects 13 new justices from 26 that are sent to it by a commission. That commission — made up of the Guatemalan Lawyers Association, The Deans of Law Schools of the Universities of the country and the Rectors of the Universities in Guatemala — conducts its business in secret.

That secrecy is not unusual when compared to other countries, but critics say it has allowed for corruption. With less than 2 percent of murder cases ending in conviction, few can defend the judiciary's track record. The Geneva-based International Commission of Jurists said the system's independence and impartiality was severely threatened by political influence.

Yet, reforming the way the commission nominates the judges has faced stiff opposition from members of congress and the board of directors of the law association.

However, with all eyes on the country during the Rosenberg crisis and the demonstrators pushing for the changes, Congresswoman Montenegro, a well-known human rights activist, gathered enough support to push the bill through. Colom signed it into law, although he waited until the last possible day to do so. The changes will make clear how the commission is choosing the nominees and will go into effect for the next nomination of judges, which begins in July.

The demonstrators put forth three other petitions that called for congress to strip Colom of prosecutorial immunity and for the Rosenberg case to be investigated fully.

The Rosenberg crisis also gave opportunity to another, perhaps more significant, movement. ProReforma, an independent reform group, collected more than 73,000 signatures on a petition that seeks more than 70 constitutional amendments. Congress took ProReforma's petition months ago, but sat on it. Now, the congress is taking public commentary, suggesting it might be ready to act on the proposal. What changed? The Rosenberg case shook something loose. "It put pressure on the system to change. These guys began to finally realize that the population was not going to wait," said Alfonso Abril, a 24-year-old orga-

nizer who involved himself in the group three years ago.

The comprehensive changes proposed by ProReforma would, among other things, create a bicameral legislature, which Abril said would balance legislative power. The changes would also re-write the constitution to make individual rights supersede the rights of institutions and corporations.

"The problems we have, that Latin America has, are due to the fact that individual rights are not guaranteed or respected. It's the basis for our problems," Abril said. "I think if we put this into place we could begin to see the fruits in 10 years. … It could be a model for Latin America."

Before Guatemala can remove itself from the pall Rosenberg's allegations left, his murder must be solved.

THAT DUTY LIES IN THE HANDS of the International Commission Against Impunity in Guatemala (known by its Spanish acronym CICIG), a United Nations-backed body formed to probe the country's growing organized crime problem.

A sign placed at the site where Rosenberg's body was found reads "We are no longer afraid. Thank you, Rodrigo.

CICIG, formed as a temporary agency in a 2006 agreement between the government and the UN, carries out independent investigations and turns the evidence over to the government's justice department. Its initial two-year-long stint began in 2008 under Carlos Castresana, a former prosecutor for the Spanish Supreme Court who came from the Mexico and Central America regional UN's Office on Drugs and Crime in Mexico.

The organization, funded by a handful of governments, the World Bank and Soros Foundation, won public confidence after its first high-profile case resulted in arrests. In March, CICIG identified 11 suspects it said were responsible for the murder of 16 people whose bodies were found in a burned-out bus in eastern Guatemala in late 2008. Prosecutors believed the gang intercepted the bus to steal a stash of drugs it expected to be hidden inside. It killed the passengers — 15 Nicaraguans and a Dutch man — and burned the bus after it didn't find the drugs, prosecutors said.

A month later, the Colom administration, which received international pressure to solve the case, signed a pact extending CICIG's work for two years. Criticized initially because it represented a parallel justice system, CICIG is now being lauded for bringing independence to the Rosenberg case.

"Thank god for CICIG, it's the only reason anyone has any confidence that this investigation will have any chance of succeeding," Isaacs said. "It's the only organization that has any credibility in the country. Right now, it's keeping the country together." ❑

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