

General Efraín Ríos Montt and the Silent Holocaust:

A Guatemalan Genocide

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by

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For my family and the thousands of Mayan people affected by the war,

May the pain and suffering you endured be remembered

There is no doubt that [the Nazi Holocaust] is... the greatest and most horrible single crime ever committed in the whole history of the world.

- Winston S. Churchill (1944)¹

Even though the Genocide Convention of 1948, created by the General Assembly of the United Nations to prevent future genocides after World War II, was convened to prevent this horrific crime from taking place in the future, genocide has been a reoccurring crime in our global community, famous examples being Rwanda, Armenia and Yugoslavia.² More than 50 million people have fallen victim to genocide in the twentieth century alone.³ Another lesser known example of genocide, what is sometimes referred to as the “Silent Holocaust,” took place in the countryside of Guatemala between 1978 and 1983. Under the reign of General Efraín Ríos Montt, the bloodiest period in Guatemala’s history was commanded from March 1982 to August 1983.⁴

During Ríos Montt’s 17-month presidency, his armies wiped out large portions of the Mayan population: an estimated 70,000 were killed or disappeared under his counterinsurgency campaigns, which systematically attacked 626 villages.⁵ More than 30 years later, Ríos Montt’s victims are finally beginning to see justice. In May 2013, Ríos Montt was sentenced to 80 years in prison in Guatemalan court by a three-judge panel for crimes against humanity and intent to

¹ Kenneth J. Campbell, *Genocide and a Global Village* (New York: Palgrave, 2001), 25.

² United National General Assembly, Paris, France, 9 December 1948. Convention on the Prevention and Punishment of the Crime of Genocide, Paris, entry into force 12 January 1951. The assembly was held after WWII and the Holocaust to discuss the prevention and punishment of genocide, a term coined by Raphael Lemkin in 1944.

³ Israel W. Charny, ed., *Genocide: A Critical Bibliographic Review* (London: Mansell Publishing Limited, 1988).

⁴ “Guatemala ‘Silent Holocaust’ The Mayan Genocide,” 1999, The Center for Justice and Accountability, cja.org/article.php?list=type&type=294, accessed Oct 2013.

⁵ “Guatemala ‘Silent Holocaust.’”

eliminate the Ixil ethnic group.⁶ After hearing from more than 100 witnesses, including psychologists, military experts and Indian survivors, Judge Yasmín Barrios claimed, “we are completely convinced of [his] intent to destroy the Ixil ethnic group.”⁷ Even more, Adama Diend, the United Nations special adviser on the prevention of genocide, said this case could serve as an example to other countries that have failed to hold individuals responsible for human rights violations accountable.⁸ It seemed Ríos Montt would finally pay for his crimes; nevertheless, only 10 days later the Constitutional Court overturned the verdict on a technicality, and the case will now resume in January 2015.⁹

Although the case is still ongoing, Ríos Montt’s crimes against the Indigenous people of Guatemala have been brought to our global community’s attention. The Guatemala genocide case emerged during a 30-year civil war in Guatemala that took place between 1966-1996, in which over 200,000 Guatemalans were killed or disappeared.¹⁰ What began as a war between the Guatemalan government and leftist guerrilla movements escalated into a bloodshed against non-combatants, claimed to be “insurgency” forces in support of the guerrilla groups. According to the UN-sponsored Commission on Historical Clarification (CEH), the Guatemalan military

⁶ Elisabeth Malkin, “Former Leader of Guatemala is Guilty of Genocide Against Mayan Group,” *New York Times*, May 10, 2013, www.nytimes.com/2013/05/11/world/americas/gen-efrain-rios-montt-of-guatemala-guilty-of-genocide.html, accessed October 2013.

⁷ Malkin, “Former Leader.”

⁸ Malkin, “Former Leader.”

⁹ “Guatemala Ríos Montt genocide Trial to Resume in 2015,” *BBC News*, November 6, 2013, www.bbc.co.uk/news/world-latin-america-24833642, accessed November 2013. Technicality claims Montt had been denied due process because on April 19th, 2013, when Montt’s lawyer had been briefly expelled from the courtroom, Montt had been left without a legal defense. The court ruled that statements delivered before this date would stand, but closing arguments must be given again.

¹⁰ Commission for Historical Clarification, *Guatemala Memory of Silence: Report of the Commission for Historical Clarification Conclusions and Recommendations*, www.hrdag.org/wp-content/uploads/2013/01/CEHreport-english.pdf, accessed November 2013. The CEH was active from 1997-1999, during which the *Memory of Silence* was written.

targeted students, professors, indigenous communities, clergy and labor leaders under the premise that they formed a subversive internal enemy.¹¹ Ríos Montt oversaw counterinsurgency forces launch a systematic campaign of genocide against the Mayan people by implementing his scorched-earth policy and “beans and rifles” campaign. As stated by the Center of Justice and Accountability’s (CJA) case summary,

the army and its paramilitary teams - including “civil patrons” of forcibly conscripted local men - attacked Mayan villages. Concentrating in the Quiché Department, the armed forces would cordon off a village, round up the inhabitants, separate men from women and kill them sequentially... Extreme torture mutilation and sexual violence became commonplace, as was violence against children. This two-year period became known as the “Silent Holocaust.”¹²

My paper will focus on how Ríos Montt was able to commit these crimes, and walk away unscathed for 30 years. What were his intentions and goals during his presidency? How much did the Reagan Administration know about Ríos Montt when he was an American ally? Even more, how did citizens of Guatemala and citizens of the world stay in denial of the crime’s existence for so long?

Because this armed conflict took place in the early 1980s, and was kept quiet by the Guatemalan government, little has been researched in terms of the events as a *genocide*. In terms of attacking non-combatants, the civil war first caught international attention after Rigoberta Menchú’s autobiography, *I, Rigoberta Menchú: An Indian Woman in Guatemala*, was released in

¹¹ Commission for Historical Clarification, *Guatemala Memory of Silence*.

¹² “The Guatemala Genocide Case: Before the Spanish National Court,” The Center for Justice and Accountability, 25 October 2013, cja.org/article.php?list=type&type=83, accessed January 2014.

1984 (first in Spanish, and then translated into English among other languages).¹³ Her work became more popular when she was awarded the Nobel Peace Prize in 1992 for her contributions to the protection of Guatemala's indigenous people. She went on to join a group of Spanish and Guatemalan non-governmental organizations to file a suit in the Spanish National Court against eight senior Guatemalan government officials for genocide, terrorism and systematic torture.¹⁴ It was not until 2005 when the Guatemalan Supreme Court gave the Spanish Courts jurisdiction over crimes of international importance prescribed by international treaties, including the Geneva Conventions.¹⁵ CJA officially joined the case in 2006, and Judge Pedraz issued international arrest warrants for the eight defendants named in the case, including Ríos Montt. The investigation opened four rounds of testimonies and evidence contained in thousands of declassified U.S. documents that relate to the civil war.¹⁶

Besides Rigoberta Menchú and the NGOs referred to above, few scholars have focused on Ríos Montt's presidency; most of the research on the topic discusses Central America's human rights violations as a whole during the Cold War, or Guatemala's 30-year civil war as a whole. Moreover, most scholars in this field focused on the revolution in Nicaragua, which also

¹³ Rigoberta Menchú and Elisabeth Burgos-Debray, *I, Rigoberta Menchú: An Indian Woman in Guatemala* (London: Verso, 1984). This is probably the most famous account of a Maya during the armed conflict in Guatemala. Menchú recounts her family's story, and some of the guerrilla groups' actions; she was a member of the Guerrilla Army of the Poor with her father. There is controversy surrounding this account because some of her stories were exaggerated and falsified. When referring to this account, I will cross reference her book with the work of David Stoll: Arturo Arias, ed, (with a response by David Stoll), *The Rigoberta Menchú Controversy* (Minneapolis: University of Minnesota Press, 2001).

¹⁴ See also, "The Pinochet Effect: Transitional Justice in the Age of Human Rights," *Choice Reviews Online* 43, no. 3 (2005): 43. The concept of the Pinochet Effect explores how the Spanish Courts' (in 1998) arrest of former Chilean dictator Augusto Pinochet gathered appeal of universal jurisdiction over crimes that disrupt international rights and peace. It brings to light how difficult it is to bring violators of human rights to justice, especially within their own countries.

¹⁵ "The Guatemala Genocide Case: Before the Spanish National Court," The Center for Justice and Accountability, 2014, cja.org/article.php?list=type&type=83, accessed January 2014.

¹⁶ Throughout this project, I will be using copies of declassified documents that helped build the case against Ríos Montt and other defendants' crime of genocide.

took place in the 1980s. Victoria Sanford is one of the few American scholars thus far who has focused her work on the human rights violations in Guatemala as a genocide. Professor Sanford received her Ph.D. in Anthropology from Stanford University where she also received training in International Human Rights Law and Immigration Law at Stanford Law School. She has worked with Central American refugees since 1986, and as a human rights activist and scholar, Sanford has focused her extensive field research with Maya communities in Guatemala.¹⁷ Sanford wrote *Buried Secrets: Truth and Human Rights in Guatemala*, in which she includes more than 400 testimonies from massacre survivors, military officers and government officials. She focuses on the experiences of Maya survivors and how they rebuild their lives. Moreover, Sanford is a co-author to the Guatemalan Forensic Anthropology Foundations's report to the Commission for Historical Clarification.¹⁸ Because Ríos Montt's case has become well known since his trial, we can expect more research to surface in the next decade.

My topic is important because little research has been done concerning the specific time period between 1982 and 1983. I will focus on how Ríos Montt committed these acts of genocide. I will even assert that the Reagan Administration was aware of the massacres occurring in Guatemala, and even provided military training and financial aid to Guatemala's government during its civil war. I will cover Guatemala's rich history of racism and class discrimination, and how and why military regimes were set in motion from the 1960s to the 1990s, prompting Guatemala's 30-year civil war. I will discuss Ríos Montt's crimes by utilizing

¹⁷ Victoria Sanford, *Buried Secrets: Truth and Human Rights in Guatemala* (New York: Palgrave Macmillan, 2003). Other works by Sanford include *Violencia y Genocidio en Guatemala*, *La Masacre de Panzós: Etnicidad, tierra y violencia en Guatemala*, and *Engaged Observer: Anthropology, Advocacy and Activism*.

¹⁸ Victoria Sanford, "Guatemala Genocide," Interview by CUNY Media, YouTube, 11 August 2011, <https://www.youtube.com/watch?v=TJFwkKQWglw&list=PLXhuzKXJ9OSv50WcdLtMKt8e8SIpuRII>, accessed October 2013.

Indians' firsthand accounts, documentaries and other primary sources. I will also include personal interviews with my family from Guatemala. Lastly, I will focus on the definition of genocide and how this newly coined crime is so difficult to prove guilty, especially in the case of Ríos Montt. Were his crimes really acts of genocide? Why did it take so long to build his case? How do the people of Guatemala feel about Montt, especially since he was technically found guilty in May? Because I will be utilizing personal interviews with family members that lived in Guatemala City during the 1980s, my paper will be unique in that I can include my own family history. Moreover, many of the CIA documents, newspaper articles, etc. that I will be using have surfaced in the last decade, the last year even; therefore, certain aspects of my topic have barely been investigated. The "Silent Holocaust" is a complicated event; this paper will attempt to examine Ríos Montt and his crimes from multiple points of view.

Historical Context

Before we can comprehend the events that occurred under Ríos Montt, we must understand the foundation of racism and class discrimination upon the Mayan people that remained an underlying part of Guatemalan culture. Contemporary Guatemala is 42,000 square miles, comprised of 9.5 million people, of which 5 million are of indigenous Mayan ancestry.¹⁹ Since pre-colonization, the indigenous communities have been centered in the mountainous northwestern part of the country, known as the highlands. Even today, Guatemala is "figuratively,

¹⁹ Victor Perera, *Unfinished Conquest: The Guatemalan Tragedy* (Berkeley: University of California, 1993), 11.

geographically, and ethnically constructed as Indian West and Ladino East.”²⁰ This geographical distinction continues to predict cultural, political, and economic processes in Guatemala.²¹

In 1523 Cortés’ second-in-command, Pedro de Alvarado, led the expedition to Central America and established Guatemala as a Spanish kingdom.²² They burned Maya cities, and oppressed and executed their people. Nearly thirty-eight percent of Guatemala’s indigenous population died as a consequence of their conquest and disease.²³ The colonial class system was made up of Peninsulares, Creoles, Ladinos and Indigenous people. As serfs or slaves, the indigenous people were considered the lowest social class, denied political and economical influence, and inhumanely exploited on their own land.²⁴ Even when Guatemala gained independence from Spain in 1821, endemic racism and discrimination ensued. Since the first Spanish expedition, the indigenous people have been degraded and segregated from the rest of society.

Guatemala’s independence had little significance for the indigenous population. Guatemala alternated between Liberal and Conservative rule until 1871 when the Liberals took control of the nation. During the cycles of Liberal regimes, dictators aimed to accelerate capitalist transition to compete with the world market coffee boom. They confiscated Indian communal lands and exploited their labor, and plantation owners were guaranteed Maya workers

²⁰ Murdo J. MacLeod, *Spanish Central America: A Socioeconomic History, 1520-1720* (Berkeley: California University Press, 1973). Also, the civil war also followed from East to West, or from the Ladino regions to the Maya regions, and the period of genocide was aimed at the Maya population in the West, but many Ladinos were also killed.

²¹ Hinton and O’Neill, *Genocide*, 195.

²² Ralph Lee Woodward, *Central America, A Nation Divided* (New York: Oxford University Press, 1985), 31. The Kingdom of Guatemala included what is now Honduras, Nicaragua, Costa Rica, El Salvador and parts of Mexico.

²³ Perera, *Unfinished Conquest*, 5.

²⁴ Woodward, *Central America*, 55.

because the state wanted export agriculture growth.²⁵ In addition, as the world acquired a taste for coffee, foreign - particularly U.S. - interest increased within Guatemala, which would later influence Guatemala's political situation far more than could have been predicted.

The Guatemalan Revolution of October 1944 represents a short-lived beacon of hope for the Mayans. Jorge Ubico's dictatorship (1931-1944) was replaced by the liberal presidency of Juan José Arévalo Bermejo (1945-1951) and then the democratically elected government of Jacobo Arbenz Guzmán (1951-1954).²⁶ President Juan Jose Arévalo sought to transition from the political and social paternalism of a plantation-based economy to a social and labor legislation, nurtured by industrialization and export-oriented agriculture. He opposed labor extortion, dictatorial rule, and racism.²⁷ Arbenz granted new voting rights to illiterates, set up schools, and built roads in some highland communities. In June of 1952, he instated the Law of Agrarian Reform, outlawing debt peonage and regulating land rents. Radically, Arbenz provided plantation lands to be redistributed to *campesinos*²⁸ through local agrarian committees. On the accusations that Arbenz was a Communist, the U.S. orchestrated Operation PBSuccess, in which a CIA-sponsored military coup overthrew Arbenz in 1954 by spreading propaganda and false information about Arbenz all over the country.²⁹ This covert invasion fueled anticommunist elements within Guatemalan politics, yet now it is clear that PBSuccess had its ulterior motives.

²⁵ Betsy Konefal, *Every Indio Who Falls: A History of Maya Activism in Guatemala, 1960-1990* (Albuquerque: University of New Mexico Press, 2010), 16.

²⁶ Martha K. Huggins, *Vigilantism and the State in Modern Latin America: Essays on Extralegal Violence* (New York: Praeger Publishers, 1991), 79.

²⁷ Director of Intelligence, "Guatemala: Prospects for Political Moderation," August 1983, www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB32/docs/doc26.pdf, accessed February 2014.

²⁸ Latin-American Indian farmer or farm laborer.

²⁹ Nicholas Cullather, "Operation PBSUCCESS: The United States and Guatemala 1952-1954" (Washington D.C: Central Intelligence Agency, Center for the Study of Intelligence, 1994).

The United Fruit Company, Guatemala's number one land owner, was owned by John Foster Dulles, brother of CIA Director Allen W. Dulles, and the Law of Agrarian Reform threatened to redistribute some of its land.

The US coup against Arbenz led to interlocking cycles of right-wing dictatorships and guerrilla activity that became a culture of state terror, starting with the installation of Colonel Carlos Castillo Armas by the United States. Within weeks of the coup, the new Guatemalan government suspended the National Indigenista Institute.³⁰ By 1956, the first death squads were in operation.³¹ It was clear that any freedom for the indigenous people brought upon by the Revolution was over. Furthermore, given the United States' military assistance and training, the Guatemala military became a direct product of the U.S.

The first state of the insurgency began in the early 1960s after a nationalist uprising by military officers, marking the beginning of a repressive and violent conflict at the hands of seven military dictatorships. Memories of the Arevalo-Arbenz period instilled deep suspicions of anything left of center within the political right, and the Guatemala government became responsible for the murders and "disappearances" of thousands of intellectuals and opposition leaders on the premise that all communists would be punished.³² Political organizations that attracted the support of intellectuals and young professionals were barred from the ballot or intimidated by repression, and the thousands of demonstrators who protested electoral fraud were shutdown by the government. Furthermore, political awareness among lower classes of society made these classes less responsive to the economic elite, and the cultural and racial differences

³⁰ Konefal, *Every Indio*, 23.

³¹ Konefal, *Every Indio*, 25.

³² Robert P. Sautter, "The Preconditions for Genocide: Guatemala and Bolivia Compared," M.S. Thesis, San Francisco State University, Department of Social Science, 1999.

between Indians and non-Indians formed opposition against united political action.³³ Angered by social repression and Guatemala's economic decline, armed guerrilla groups emerged through the 1960s and 70s to challenge the dictatorships' leadership.³⁴ Indians were recruited by the guerrilla groups, and as the war continued they questioned their poverty and segregation from society, unable to leave their farmland lives.³⁵ In response, the ideology of anticommunism expanded to include all subversives as the enemy, and eventually it seemed that preventing communism was just an excuse used by the government to justify their quest for complete political power. By 1978 (when Lucas García was installed), the struggle between these guerrilla forces and the government led to an absolutely brutal response, including the slaughter of civilians, especially between 1978 and 1982.³⁶

The civil war's state terror has roots in both colonial power and Guatemalan independence. As Daniel Goldhagen says, genocide is a plausible crime because it is deeply embedded within the cultural archetypes of a society.³⁷ Although the colonial class system is no longer intact, the discrimination and racism it encouraged was still very prominent during the civil war, and even in today's time. Moreover, Mayan communities are separated from the rest of Guatemala because of their differing culture, and physically separated from most of Guatemala's population because the majority are located throughout the highlands and rural areas of Guatemala. It is racism and the Mayas' geographical location, combined with the struggle to

³³ Director of Intelligence, "Guatemala," 5.

³⁴ The guerrilla groups emerged from the east in the 1960s (typically concentrated with Ladinos), and in the western highlands in the 1970s.

³⁵ Majorie Miller, "Indians' Culture Torn by Guatemalan Political Strife," *Los Angeles Times*, November 29, 1985, 1.

³⁶ Konefal, *Every Indio*, 25.

³⁷ *Genocide: Worse than War*, directed by Daniel Goldhagen, 2009, PBS, 2010 aired on PBS.

maintain power over Guatemala's indigenous population and the guerrilla groups, that led to a scorched-earth campaign under the reign of Ríos Montt that took place in the Mayan communities.

Background Prevalent to Ríos Montt's Presidency

Prior to General José Efraín Ríos Montt's presidency, the citizens of Guatemala held high moral standards. On March 23, 1982, Ríos Montt was installed as head of the military and president of Guatemala by the military coup. Upon assuming power, Ríos Montt claimed he would end indiscriminate killings by government forces. In fact, according to a report by the Department of State, Ríos was expected to persuade the military to respect human rights, but still lead a fight against insurgents.³⁸ Before taking power, Ríos Montt said his primary goal was to bring the insurgency under control and gain the support of Indians.³⁹ However, as we know now, human rights abuses did continue. In fact they increased, escalating to acts of genocide and human rights violations that would take over 20 years to persecute in the court of law. Between 1982 and 1983, the Maya people were identified as the internal enemy under the assumption that they constituted a base of support for the guerrillas. Under the reign of Ríos Montt, the state of Guatemala systematically committed acts of extreme brutality, including torture, rape and other inhumane actions to terrorize the Maya population.⁴⁰ Moreover, the state destroyed the basic elements of social cohesion between Maya members, especially when they

³⁸ Department of State, "Human Rights in Guatemala," 4 August 1982, www.2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB419/docs/V.11.%20U.S.%20Department%20of%20State,%20Secret%20INR%20Report,%20Human%20Rights%20in%20Guatemala,%20August%204,1982.pdf, accessed 4 February 2014.

³⁹ Director of Intelligence, "Guatemala," 14.

⁴⁰ Daniel Rothenberg, ed, *Memory of Silence: The Guatemalan Truth Commission Report* (New York: Palgrave Macmillan, 2012), 77.

were forced to witness or commit these acts themselves.⁴¹ Ríos Montt's policies allowed him to commit scorched earth operations that systematically attacked 626 villages and affected thousands of people's lives.⁴²

Ríos Montt has a long military background that began long before his coup of 1982. His military education began with four years at the Guatemalan Military Academy and counterinsurgency training at Fort Bragg in North Carolina in 1961. Throughout the decades he rose through the ranks of the Guatemalan army.⁴³ After three months in the United States, where he was serving as director of the school run by the Church of the Complete Word, a Gospel Outreach Church of Eureka, California, he returned to Guatemala with political aspirations and ran as the Christian Democratic Party's presidential candidate in 1974. Although he lost this election, he remained a born-again Christian in the eyes of Guatemala's citizens, and was supported by evangelical Christians. He was deemed virtuous in the evangelical church, and even gained a reputation for honesty because of his defeat in the 1974 elections, which had been blatantly rigged by ballot fraud.⁴⁴ My Aunt Ligia was friends with Ríos Montt's son. In a personal interview, she told me that she visited his house on several occasions. She said, "Ríos Montt never seemed like the man he is judged to be now."⁴⁵ She believes, "religion and military power convinced him he was doing the right thing. But he is at fault. He needs to pay for the

⁴¹ Rothenberg, *Memory of Silence*, 77.

⁴² Rothenberg, *Memory of Silence*, 46.

⁴³ Department of Defense. "Department of Defense Intelligence Information Report." 2 April 1974. www.2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB419/docs/Efrain%20Rios%20Montt%20-%20Bio%20DOD%202%20Apr%2074.pdf. 4 February 2014

⁴⁴ Department of State. "Human Rights in Guatemala." 4 August 1982. www.2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB419/docs/V.11.%20U.S.%20Department%20of%20State,%20Secret%20INR%20Report,%20Human%20Rights%20in%20Guatemala,%20August%204,%201982.pdf. 4 February 2014.

⁴⁵ Ligia Sandoval-Moscoso, telephone interview by Ana Pereira, 21 February 2014. Original quote: "No pareció como el hombre como es juzgado ahora."

crimes he committed.”⁴⁶ In another interview with my family friend, Celeste Curley, Curley recalls the day Ríos Montt became president. She remembers feeling happy because of the fraud of the elections in that time, but speculates that his religion turned him into a “fanatically sick person.”⁴⁷ She said, “he was really crazy. The skate place turned into a church. The disco turned into a church. Everywhere the “devil was” he turned it into a church.”⁴⁸ Although at the time, many Guatemalan citizens, such as my family, did not know the repercussions that would come from Ríos Montt’s presidency, he was perceived as a strange, religious man. Eventually Ríos Montt was placed as president, succeeding Romeo Lucas García in 1982.

Fernando Romeo Lucas García led a mass opposition movement against guerilla forces that ended in the assassination of 5,000 individuals.⁴⁹ Another military man, Lucas García rose steadily in the military for years until he won the presidential election in 1978. He was an unpopular president. Each person I interviewed referred to Lucas García as “stupid.” Curley said, “Lucas Garcia was another military man who was famous of being dumb and stupid, as he had no education or instruction.”⁵⁰ During his four-year reign, Lucas García and his repressive tactics led to human rights violations, such as the indiscriminate killing of Indian peasants.⁵¹ The war

⁴⁶ Ligia Sandoval-Moscoco. Translation: Original Quote: “La religión y la milicia, convencido que lo que hacía era lo correcto. Pero tiene culpa; tiene que pagar por los delitos que cometió.”

⁴⁷ Celeste Curley, telephone interview by Ana Pereira, 6 March 2014.

⁴⁸ Celeste Curley.

⁴⁹ "Fernando Romeo Lucas García," *Encyclopaedia Britannica Online*, 2014, <http://www.britannica.com/EBchecked/topic/350502/Fernando-Romeo-Lucas-Garcia>, 05 Feb. 2014.

⁵⁰ Celeste Curley.

⁵¹ “Fernando Romeo Lucas García.”

escalated after the burning of the Spanish Embassy in 1981; Guatemalan forces raided the embassy, in which a fire broke out and killed 36 people.⁵²

Vicente Menchú, an activist in the Committee of the Peasant Union (CUC), a committee that worked to secure basic rights for the Mayan people, led a group of activists to Guatemala City to protest the violence in the highlands.⁵³ On January 31st, 1981, twenty-seven of the activists, mostly Maya members of the CUC, occupied the Spanish embassy. Guatemalan security forces reacted by firebombing the embassy.⁵⁴ Even though the fire was caused by the Guatemalan security forces, many civilians thought otherwise, such as my mom who said, “when [the CUC] took the embassy, they felt they had no way out and committed suicide by throwing a Molotov bomb.”⁵⁵ Moreover, according to testimonies received by the Commission for Historical Clarification (CEH), the national police made no attempt to assist the people inside. 37 people died that day. Even the sole CUC activist who survived the fire, Gregorio Yujá Xona, was taken to a hospital, and while being “guarded” by the national police, he was kidnapped, tortured and killed.⁵⁶ My Aunt Alma told me how she perceived the burning of the embassy,

The secretary to the Ambassador was my friend and the niece of the former vice president, Caceres Lenhoff, was my dear friend from school. Both burned during the taking of the embassy. I remember that those years the ambience was very somber. The *indigenas* were up in arms fighting against the government who were stealing their land and killing them under the umbrella that they were communists. They were only people trying to take back what was taken from

⁵² “Guatemala ‘Silent Holocaust.’”

⁵³ Vicente Menchú is Rigoberta Menchú’s father. Rigoberta’s autobiography and social justice work has raised international awareness on the acts of genocide that occurred in Guatemala.

⁵⁴ Konefal, *Every Indio*, 121.

⁵⁵ Rosamaria Pereira-Moscoco, interview by Ana Pereira, Loomis, CA, 28 November 2013. A Molotov bomb is a petrol bomb, known as a poor man’s grenade, frequently used by amateur protestors and non-professionally equipped fighters in guerrilla warfare.

⁵⁶ Commission for Historical Clarification, *Guatemala Memory of Silence*, 15 November 2013, 6: 163.

them so violently. When I first moved to California, I went to the library in Thousand Oaks, and found a book in regards to this issue that had been prohibited in Guatemala. According to the book, the *indigenas* asked Caceres Lenhoff and Molina Orantes for help. They then asked the ambassador of Spain to intercede with Lucas Garcia for a peaceful resolution. The president instead told Chupina Barahona, head of the police, and Donaldo Alvarez Ruiz, Minister of Interior, to kill the *indigenas*. They locked the embassy and set [it] on fire with Molotov incendiary bombs. They all burned. A very sad and shameful part of our history.⁵⁷

After Lucas García's presidency, the Attorney General's office in Guatemala asked courts to open a trial against him on charges of extortion and fraud; he was convicted for extortion.⁵⁸ Recently, genocide charges were filed against him in 1999, and a warrant for his arrest for the burning of the embassy in Guatemala finally went through in 2005; however, by this time Lucas García became terminally ill and was deemed not fit to testify. He died in Venezuela where he lived since his exile.⁵⁹

Ríos Montt from 1982-1983

During Lucas Garcia and Ríos Montt's presidencies, the appearance of an insurgency problem reinforced the role of the armed forces, and the role of armed forces only angered the insurgent groups, escalating the violence further and further until it reached acts of genocide. The four left-wing guerilla groups - the Guerrilla Army of the Poor (EGP), the Revolutionary Organization of Armed People (ORPA), the Rebel Armed Forces (FAR), and the Guatemalan Labor Party (PGT) - gained more popularity, and combined to form the Guatemalan National Revolutionary Unity (URNG) in 1982.⁶⁰ The government became obsessed with the connection

⁵⁷ Alma Hawley-Moscoco, telephone interview by Ana Pereira, 18 January 2014.

⁵⁸ Department of State. "Human Rights in Guatemala."

⁵⁹ "Fernando Romeo Lucas García."

⁶⁰ Jon Brunberg, "Guatemalan Civil War," The Polynational War Memorial, August 15, 2013, www.war-memorial.net/Guatemalan-Civil-War-3.205, accessed January 2014.

between the Mayans, who supported the guerrilla groups, and the URNG itself. Ríos Montt and his army perceived all Mayans as natural allies of the insurrection, and thus as enemies of the state.⁶¹ Lucas Garcia was ousted for not effectively stopping the subversive groups, so the military coup installed Ríos Montt.

Guatemalan military dictatorships waged terror campaigns to manipulate public policy, and committed brutal crimes in order to command obedience to its authority. Ríos Montt was no different. Immediately after gaining power, he established a three-member military junta.⁶² The junta suspended the 1965 Constitution and dissolved Congress, adopting the “Fundamental Government Statute,” which declared that the military would take over the responsibilities of the executive branch and legislature.⁶³ This expansion of jurisdiction helped create the infrastructure necessary to carry out scorched earth operations. Ríos Montt set up Guatemala’s government in a manner that gave him the power to do anything he wanted without facing lawful consequences by the time he launched his counterinsurgency and military campaigns. With the National Plan of Security and Development (PNSD), he created the legal framework to dissolve congress, suspend political parties and cancelled the electoral law.⁶⁴ Ríos Montt also extended the death penalty to a number of crimes once punished with prison terms, including treason.⁶⁵ By 1982, the situation was chaotic; between 400 and 500 people were killed monthly in politically related

⁶¹ “Guatemala ‘Silent Holocaust.’”

⁶² “The Trial of Efraín Ríos Montt & Mauricio Rodriguez Sanchez,” 11 November 2013, A Project of the Open Society Justice Initiative, www.riosmontt-trial.org, accessed 5 February 2014.

⁶³ Modifica Parcialmente el Estatuto de Gobierno, “Decreto Ley 24-82,” 23 April 1982, www.2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB419/docs/Estatuto%20Fundamental%20de%20Gobierno%20Decreto%20Ley%2024-82,%2027.4.82.pdf, 5 February 2014.

⁶⁴ Brunberg, “Guatemalan Civil War.”

⁶⁵ Marc Drouin, “To The Last Seed: Atrocity Crimes and the Genocidal Continuum in Guatemala, 1978-1984,” M.A Thesis, Concordia University (Canada), 2006, 90.

violence.⁶⁶ Like his predecessor, Ríos Montt continued a war against insurgents that led to the death of thousands of indigenous people.

Once denounced by Guerrilla forces, his first priority was to defeat the guerrillas with military action, economic reforms, and, as he called it, “rifles and beans.” This basically meant, as quoted in the New York Times of July 18, 1982 when Ríos Montt told an audience of indigenous Guatemalans, “If you are with us, we’ll feed you; if not, we’ll kill you.”⁶⁷ The Plan de Sánchez Massacre occurred on the same day, which will be later discussed when examining Maya survivor testimonies and the work of Victoria Sanford.

On December 7, 1982, Army Special Forces, known as *kaibiles*, committed a massacre at Dos Erres in Petén. Ordered by Montt and operated by Orantes Sosa, they wiped out the entire village, under the allegation that the non-combatants were guerrilla sympathizers, even though they never discovered guerrilla troops. As documented by the Commission of Historical Clarification in their 1999 report,

Minors were executed with blows from a sledgehammer, while the smallest ones were smashed against walls or trees. Some of the specialists raped young girls. Then the *Kaibiles* for two days killed most of the men and women with sledgehammers and firearms and threw their bodies into the well. The few left alive were held in the churches and the school. On the nights of December 7 and 8, the men who were still alive were taken to the mountain, where their throats were slit, killing the last of the inhabitants, except for one boy who had hid in the bushes and managed to save himself.⁶⁸

⁶⁶ Director of Intelligence, “Guatemala: Prospects for Political Moderation,” Aug 1983, www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB32/docs/doc26.pdf, accessed 10 Nov 2013, 14.

⁶⁷ Brunberg, “Guatemalan Civil War.”

⁶⁸ Rothenberg, *Memory of Silence*, 51.

252 civilians were massacred even though no communist propaganda was found in the village.⁶⁹ They then killed other villagers for a three-day period during Operation Brushcutter on their return to their base of operations.⁷⁰ Hundreds of innocent people were brutally murdered, all justified as a retaliation to a guerrilla ambush, in which only 21 (armed) soldiers were killed.

The army's inability to eliminate the guerrillas definitively led to Victoria 82 issued on June 16, 1982 (Plan de Campaña), which was designed to restructure, strengthen and coordinate the military's forces. According to Victoria 82, "the population's mentality [was] the principal objective."⁷¹ This was the plan where army's strategists planned the scorched earth operations that would annihilate Mayan regions in the following months because they sought total elimination of the subversive groups. A report written by the U.S Department of Defense explained that the army...

...intended to act with two sets of rules, one to protect and respect the rights of average citizens who lived in secure areas (mostly in the cities)... and the second set of rules would be applied to the areas where subversion was prevalent. In these areas ('war zones') the rules of unconventional warfare would apply... Guerrilla would be destroyed by fire and their infrastructure eradicated by social welfare programs.⁷²

These rural areas are mostly inhabited by Indigenous people; it is evident that their communities were fatally intertwined with the insurgency.

⁶⁹ Louisa Reynolds, "Dos Erres Unearthed Again," *Latin America Press*, 3 February 2011.

⁷⁰ "The Trial of Efraín Ríos Montt."

⁷¹ Kate Doyle ed, "The Final Battle: Ríos Montt's Counterinsurgency Campaign," The National Security Archive, May 9, 2013, www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB425/#_ftn3, cited in Kate Doyle, the Ordenes Permanentes para el Desarrollo de Operaciones Contrasubversivas, "Plan de Campaña Victoria 82, Anexo 'H.'" The document is not public, but the National Security Archives possesses a copy and will post it as soon as it becomes public at the end of Ríos Montt's trial.

⁷² Department of Defense, "00794: Joint Chiefs of Staff Message Center," 7 April 1982, www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB425/docs/1-820407%20DIA%20Views%20of%20a%20Coup%20Leader.pdf, accessed Feb 2014.

Ríos Montt was also responsible for instituting the Civil Defense Patrols throughout the Mayan highlands. Most of these 1.3 million people who were ordered to patrol other indigenous communities were predominantly indigenous. This in turn weakened their own cultural identities.⁷³ This is just one example of how Ríos Montt attacked the Mayan culture and forced their political participation. It is evident that under the reign of Ríos Montt plans such as Operation Ixil and Operation Firmeza 83 were successfully executed. In just 1983, his forces “carried out 82 massacres, causing almost 1,000 deaths and disappearances.”⁷⁴

On August 8, 1983, Ríos Montt was replaced by his Minister of Defense, General Óscar Humberto Mejía Victores, who said that “religious fanatics” were abusing their positions in government.⁷⁵ Seven people were killed in the coup, but Ríos Montt survived and later founded the Guatemalan Republic Front. He was elected President of Congress in 1995 and 2000.⁷⁶

The UN-sponsored truth commission, the CEH, established in 1994, and its final report (1999) “*Memory of Silence*,” established that the

army was responsible for 86 percent of extrajudicial executions during the internal armed confrontation. The *Patrullas de Autodensa Civil* (Civil Defense Patrols, PAC) were responsible for 21 percent, military commissioners for 11 percent, and other security forces- National Police, *Guardia de hacienda* and others- for 4 percent.⁷⁷

The CEH concluded that the state committed “acts of genocide” against the Mayan population, describing the “scorched earth” strategy and massacres of rural and indigenous populations Ríos

⁷³ Sautter, “The Preconditions for Genocide,” 61.

⁷⁴ Huggins, *Vigilantism*, 76.

⁷⁵ Mejía is now also a defendant in the international genocide case.

⁷⁶ Brunberg, “Guatemalan Civil War.”

⁷⁷ Rothenberg, *Memory of Silence*, 9.

Montt used. In almost all of these cases, the army's objective was to kill the maximum possible members of the groups, and that these acts corresponded with the intention to physically and spiritually destroy the Maya groups.⁷⁸ This goes against Article II, subsection "b" of the Geneva convention.⁷⁹ These findings will be analyzed as we further investigate how Ríos Montt ordered massacres that reflect high-level, premeditated policies that were in fact acts of genocide.

Ríos Montt entered his presidency as a respected and popular leader. The citizens of Guatemala expected great things from Ríos Montt; he even stated in his inaugural address that his presidency resulted from the will of God.⁸⁰ And he continuously called himself a man of God, even on his weekly Sunday "Sermonette" on the radio and TV, in which he urged Guatemalans to substitute violence with love.⁸¹ However, as we have examined through his actual acts, he led the bloodiest period in Guatemala history, resulting in about 200,000 deaths, forced disappearances, torture of noncombatants, and a vast amount of human rights violations.

U.S. Foreign Policy in Guatemala

The United States invested a lot of time and money into Guatemala and the rest of Latin America throughout the twentieth century. The United States government supported Guatemala, so long as Guatemala openly supported the anticommunist paradigm the U.S presented after the coup of 1954. A lot of controversy surrounds the coup and its true intentions. Did the U.S. really believe Arbenz was a communist? How did Arbenz' economic reforms affect the United States

⁷⁸ Rothenberg, *Memory of Silence*, 76.

⁷⁹ United Nations General Assembly.

⁸⁰ Brunberg, "Guatemalan Civil War."

⁸¹ Alma Hawley-Moscoso.

capital investments (i.e. the United Fruit Company)? While we can never know for certain whether Arbenz was truly a communist, we do know that the CIA spread fake propaganda to make sure Guatemala believed he was. And by overthrowing Arbenz, the United States was able to force their ideas of leadership upon Guatemala.

In the early twentieth century, the United States increased internal security by establishing a police force in Latin America with primary loyalty to the United States. (Also, it is important to address that other countries trained police in Latin America during the first decades of the twentieth century, such as France and Germany.)⁸² After World War II, Washington expanded international security by forming the National Security Council and the CIA in 1947, both of which invested a lot of time into Guatemalan affairs. Moreover, their ideological centerpiece for the Cold War did influence this idea of preventing the loss of “free” countries to “communism” by training these countries’ security forces.⁸³ The U.S. argued military training and aid could prevent subversion before it could develop. After the Bay of Pigs, the Kennedy administration expanded U.S. training of foreign police. Under Kennedy, Latin America had the largest number of police training programs, and as priorly mentioned, Ríos Montt trained under the counterinsurgency training program in 1961.⁸⁴

In 1974, Congress had to ban training foreign police when mounting evidence of torture, disappearances, and killing by U.S-trained police emerged, and Congress could no longer ignore the systematic violations of human rights by these forces.⁸⁵ Their training did not prevent armed

⁸² Huggins, *Vigilantism*, 222-223.

⁸³ Huggins, *Vigilantism*, 227.

⁸⁴ Huggins, *Vigilantism*, 233.

⁸⁵ Huggins, *Vigilantism*, 219, 235.

conflict; subversion forces still fought for what they justified as political and economical freedom, and these training programs made the U.S. complicit in the repression that followed.

During the Reagan Administration, U.S. support for Guatemala's army only increased, and even though police and military training was banned, Reagan found other ways to support Guatemala and other right-wing governments in Latin America.⁸⁶ After a meeting in Honduras on December 4, 1982, President Reagan claimed Ríos Montt was "a man of great personal integrity and commitment," even calling him a democratic leader.⁸⁷ Reagan even famously complained to a reporter that Ríos Montt, the focus of criticism from human rights groups, was getting a "bum rap."⁸⁸ Keep in mind, this meeting occurred months after Montt had taken office and was already committing human violations crimes. Nevertheless, as an avowed fundamentalist Christian with prior experience and training in the United States, Ríos Montt impressed the Reagan administration and gained the United States' support in the "fight against communism."

Even though the U.S. embassy heard of accounts of Indian massacre, the embassy dismissed the reports as a communist inspired "disinformation campaign."⁸⁹ However, a CIA secret cable sent in February 1982 reports the increase of "suspect right-wing violence" focusing on the increasing number of kidnappings of students and educators. Bodies appearing in ditches

⁸⁶ Also, Reagan eventually did reinstitute foreign police training and assistance to counter Nicaraguan and Cuban "terrorism." Huggins, *Vigilantism*, 219.

⁸⁷ Ronald Reagan, "Remarks in San Pedro Sula, Honduras, Following a Meeting With President Jose Efraim Rios Montt of Guatemala," December 4, 1982, *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/?pid=42069>, accessed January 2014.

⁸⁸ Wills, "Did Reagan Finance."

⁸⁹ Robert Parry, "Ronald Reagan: Accessory to Genocide - Ex-Guatemalan Dictator Ríos Montt Guilty of Mayan Genocide," *Global Research*, 11 May 2013.

is addressed.⁹⁰ At the end of the document, Ambassador Frederic Chapin is “firmly convinced” that the recent upsurge in violence is ordered and directed by “armed services officers close to President Ríos Montt.”⁹¹ Clearly, U.S. government officials had an idea of the crimes taking place under Ríos Montt.

The U.S.-operated School of the Americas provided military training for Latin America in order to insure primary loyalty, with their own political agenda. As Huggins explains, “training one country’s police by another is carried out within an unequal international distribution of power: The recipient country always holds a subordinate position relative to the training nation.”⁹² While the schools were justified as a means to prevent subversive groups, professionalizing these dictators and providing them with more sophisticated arms and equipment did not democratize or humanize their practices. Therefore, it is possible to pursue the hypothesis that U.S. training of Latin American police was never meant to make them more democratic, but to increase U.S. control over these countries.⁹³

Despite the ban on military aid enacted by the Carter administration, Reagan continued to supply munitions and financial aid to Guatemala’s government. Economic aid went from \$11 million in 1980 to \$104 million in 1986.⁹⁴ One example of the military aid was an export license for jeeps and trucks valued at \$3.1 million for the Guatemalan army. To do so the State

⁹⁰ Central Intelligence Agency, “Ríos Montt Gives Blanche to Archivos to Deal with Insurgency,” Feb 1983, www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB32/docs/doc23.pdf, accessed 10 November 2013.

⁹¹ Central Intelligence Agency, “Ríos Montt Gives Blanche.”

⁹² Huggins, *Vigilantism*, 220.

⁹³ Huggins, *Vigilantism*, 220.

⁹⁴ Greg Grandin, “Slaughter was Part of Reagan’s Hard Line,” *New York Times*, 21 May 2013, nytimes.com/roomfordebate/2013/05/19/what-guilt-does-the-us-bear-in-guatemala/guatemalan-slaughter-was-part-of-reagans-hard-line, accessed March 2014.

Department removed “military vehicles” from a restricted list that bars the sale of such equipment to countries considered violators of human rights under the Foreign Assistance Act.⁹⁵

Just three weeks after the CEH Report was released, in March of 1999, on a trip to Guatemala, Clinton acknowledged responsibility for U.S. actions and “complicity with human rights crimes in Guatemala over the previous forty years.” Clinton stated,

For the United States it is important that I state clearly that support for military forces or intelligence units which engaged in violent and widespread repression of the kind described in the [Truth Commission] 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.⁹⁶

President Clinton’s apology affirms that the United States’ economic and military aid in Guatemala helped Ríos Montt and his political and economic endeavors. This should lead us to question the motivations for assisting a man responsible for large massacres. Moreover, the United States’ blatant attempt to manipulate Latin America’s state economies, their covert operations to overthrow Arbenz back in 1954, and their influential military aid illustrate how the United States indirectly assisted these criminal acts.

Testimonies of the Mayan People: Victims Speak out about Human Rights Violations

The testimonies of Ríos Montt’s victims have helped us understand the hardships these Mayan people endured. According to Victoria Sanford, testimonies raise a number of issues about the limits of memory, and although we must accept that memory becomes increasingly

⁹⁵ “Around the World; U.S. Clears Military Vehicles for Export to Guatemala,” *NY Times*, 19 June 1981, nytimes.com/1981/06/19/world/around-the-world-us-clears-military-vehicles-for-export-to-guatemala.html, accessed March 2014.

⁹⁶ Samuel Totten and William S. Parsons eds, *Century of Genocide: Critical Essays and Eyewitness Accounts* (New York: Routledge Falmer, 2009), 389.

unreliable as time passes, it is also important to value testimonies as substantial first-hand material for the reconstruction of truth for such controversial events.⁹⁷ Not only did Maya testimonies help the CEH and other investigations determine that there were acts of genocide in Guatemala, they also gave hope to and a sense of peace to the survivors. In this section, we will discuss several victims' stories and how their lives have been displaced by this horrific time period, beginning with Rigoberta Menchú and her story that has touched millions of people through her 1984 autobiography, *I, Rigoberta Menchú*.

With the help of anthropologist Elisabeth Burgos-Debray, Menchú tells the story of her village and their life on the *fincas*,⁹⁸ their affiliation with guerrilla groups, and the murder of her brother, father and mother. Her beginning chapters explain the racism and class discrimination that took place on the *fincas*. Despite the unfair discrimination on the *fincas* and in the cities, at first Menchú and her family disassociate with Guatemalan politics and policies, primarily identifying with their Mayan culture. However, they eventually joined the guerrilla movement in the mid-1970s because of the unescapable violence and their economic struggles. Menchú addresses how her family was too poor to eat, and too poor to buy essential medication or other life necessities. Although in theory, political participation was voluntary, many Guatemalans had no choice but to join either the PACs or the guerrillas. While many Mayans did not join a party, others like Menchú felt obligated fight for basic rights. Some were even recruited from a young age. My Aunt Ligia recalls, “[Violence] has been provoked by both the guerillas and the army. They had to force indigenous males to enter the army, which I witnessed. They arrived in trucks

⁹⁷ Hinton and O’Neill, *Genocide*, 33.

⁹⁸ A rural property, ranch, or farm in Spain or Spanish America.

and took them. Mothers and wives and children were crying.”⁹⁹ My Aunt Ligia worked as a doctor in various Mayan villages throughout the war, which is why she witnessed these methods of recruitment.

Menchú’s story becomes increasingly heartbreaking as her family was torn apart by the violence of the 1970-80s. Her brother was tortured and killed in late 1979, and she lost her father in the burning of the Spanish Embassy of 1981. Then less than three months later, her mother was captured, raped, and killed. In Menchú’s autobiography, she goes into detail about the deaths of her family and neighbors, and the hardships Mayans faced during the civil war.

Controversy about her narrative emerged when anthropologist David Stoll protested in 1998 that Menchú misrepresented certain events for her own political agenda.¹⁰⁰ Surely, her account does seem to have added credibility to the guerrillas’ representation of Maya struggle for justice. Moreover, Arias and Stoll learned she did not witness her mother’s torture and death like claimed in her autobiography, but was told about it by her community members, meaning it was not an eyewitness testimony. Arias and Stoll claim that she dramatized her life events.¹⁰¹ Despite these fabrications, her story is true in terms of the events that took place, the methods of torture and death, the economic situation of many Mayas in the *fincas*, etc., even if her story should not taken as literally as the eyewitness accounts that will be discussed below. The point of studying her work is to understand how her story helped attract world awareness of the traumatic events that occurred in the highlands of Guatemala.

⁹⁹ Ligia Sandoval-Moscosso. Original Quote: “[Violencia] ha sido provocada por las dos partes, Guerrilla y Ejercito. Llevaban a la fuerza a los varones indígenas para que ingresaban al Ejercito, y eso lo vivi. Llegaban los camiones y corrían a los jóvenes, subían a la fuerza a los camiones y se los llevaban. Madres y esposas e hijos lloraban.”

¹⁰⁰ Arias.

¹⁰¹ Arias, 395.

Menchú returned to Guatemala in 1986 (after fleeing to Mexico) and became a national icon. Her story helped other survivors come forward with their stories, which is why she won the Nobel Peace Prize in 1992. Today, Rigoberta Menchú is a symbol of indigenous oppression and racism. She transitioned from peripheral silence to which all Mayas have been condemned by racism to a prominent role as a national leader. Moreover, her contributions to the initial suit in the Spanish National Court against Guatemalan government officials, including Ríos Montt, helped create a case of international importance that convicted several Guatemalan officials.

It is important to mention, that like Menchú, there were many Mayan activists guilty of opposing the state. Some others set out to establish a moderate platform (neither right nor left). An example of an indigenous political party is the National Integration Front (FIN), created in 1976, that sought to gain seats in Congress. However, FIN mistakenly sided with candidate Lucas García, who claimed to be compassionate to the indigenous peoples' situation.¹⁰² Later during Lucas García's reign, his name in *Ixim* became accompanied by the word *assassin*, and in the end FIN leaders did suffer at the hands of the state.¹⁰³ Apparently, Lucas García allowed FIN to submit an application for party recognition so that its members could be easily found and murdered.¹⁰⁴

As previously addressed, many other Maya survivors reached out once the case reached international awareness. The main scholar of the Guatemala genocide, Victoria Sanford, based more than a decade of field research on the exhumations of cemeteries of Maya massacre victims, and dedicated her studies to excavating individual and collective memories of the

¹⁰² Konefal, *Every Indio*, 81.

¹⁰³ Konefal, *Every Indio*, 82.

¹⁰⁴ Konefal, *Every Indio*, 82.

survivors as an act of community reconstruction.¹⁰⁵ Sanford collected hundreds of testimonies, such as Erazmo's, a man who had lost his wife, eight children and his mother in the massacre. He pointed to the open graves and said, "there, there is no lie. There you are seeing the truth."¹⁰⁶ And when asked why these events are still so important years after the massacre, Juan Manuel, who had lost his family, said, "We want peace. We want people to know what happened here so that it does not happen again - not here, not in some other village, department or country."¹⁰⁷ Sanford says that survivors come forward to unburden their pain and share their experiences in hope that their testimonies will reach others in a rippling effect.¹⁰⁸

In her essay, "What is an Anthropology of Genocide," Sanford recounts an extraordinary story of a repeated testimony in both her research, and anthropologist Ricardo Falla's. Falla lived with survivors of Guatemalan army massacres in the northern Ixcán region of Guatemala, and in 1992 published *Massacres de la Selva* based on 700 testimonies.¹⁰⁹ Examples include a couple and their 1-1/2-year-old baby girl who survived by throwing themselves into a river from a bridge. The mother was carrying the infant and the woman was shot by a bullet from the bridge, but she and the baby survived. Another example is an 8-year-old girl who survived the soldiers' torture (they tied a rope around her neck and tightened it) because they thought she died and left her. These testimonies alone have the potential to be exaggerated or limited by memory; however, that same year Sanford completed a yearlong project of taping the life history of

¹⁰⁵ Hinton and O'Neill, *Genocide*, 30.

¹⁰⁶ Hinton and O'Neill, *Genocide*, 41.

¹⁰⁷ Sanford, *Buried Secrets*, 46-48.

¹⁰⁸ Hinton and O'Neill, *Genocide*, 42.

¹⁰⁹ Ricardo Falla, *Massacres de la Selva* (Guatemala City: Editorial Universitario, 1992), as cited in Hinton and O'Neill, *Genocide*.

Mateo, a Maya child survivor of the Ixcán massacres, who gave a similar testimony regarding the two survivor stories above, but he had never met Falla or read his work.¹¹⁰ Mateo had been recruited by the guerrillas, the civil patrols and the army before turning 15. When he met with Sanford, he was a 19-year-old refugee attending high school in San Francisco. In Mateo's story he describes a narrative told by his father: The army arrived to the center close to his village. The soldiers first burned the church with people inside. They captured about 10 families and put them in a line to kill them. Mateo's father's friend was stabbed in the neck then thrown in a hole, but survived. His daughter was then tortured with a rope around her neck then thrown in the hole when they thought she was dead too. He continues by telling the story about a man and woman, decided to run for the river. The army fired at them, but they reached the other side and survived. The couple came to Mateo's father's house the next morning, and the old man came with his daughter because he was the father's friend.¹¹¹

Guillermo Moralex Pérez spoke as a eyewitness for the Permanent People's Tribunal held in Madrid in January 1983 of the massacres in Bullaj, Tajumulco during Ríos Montt's presidency.¹¹² His testimony was translated and published in English in 1984. He said, "[Ríos Montt] announced he was going to be democratic, but how long did the democracy last? Only 20 days, no more. After 20 days, he began to massacre, kidnap, and torture, according to the radio."¹¹³ Pérez explains how the army invaded his village throughout the year of 1982 and killed dozens of innocent community members. In one story that took place on November 24, 1982,

¹¹⁰ Hinton and O'Neill, *Genocide*, 30.

¹¹¹ Hinton and O'Neill, *Genocide*, 31-32.

¹¹² Samuel Totten and William S. Parsons, *Century of Genocide: Critical Essays and Eyewitness Accounts* (New York: Routledge Flamer, 2009), 390-393.

¹¹³ Totten, *Century of Genocide*, 390.

Pérez recalls that the army “cut off the head and arms, and then cut open [Luisa Martín’s] chest with a knife... and in this manner, they finished off all members of four families, 18 in all.” In his testimony he talks about Ríos Montt’s “Beans and Guns” campaign and says, “There in our village, we see very clearly what the army does- bombard, shoot, burn houses, kill people, and destroy all the food supplied in the village. We have never seen this offer of beans that the news speaks of.”¹¹⁴

In terms of finding the truth, especially in the court of law, collective memories help establish accurate memories of events and help develop a genuine political process of collectivity. One example is a testimony collected by a boy named Pablo. The army occupied his newly repopulated village of Plan de Sánchez in 1984. Two years earlier, the army had massacred 188 people, and in 1984 they returned, even forcing the village’s men to participate as patrollers for the army.¹¹⁵ In his testimony, Pablo refused to collaborate with the army, for he had once been in the army, told he would be defending his *patria*, his family, his land, and in the end his family was killed by the army. Pablo was only 16, but his brave refusal to consent to cooperating with the army led to the village’s collective refusal to consent to the army.¹¹⁶ It is shared memories like this one that give us multiple perspectives. Instead of just having Pablo’s testimony, we have his entire village’s testimony; this helped the Commission for Historical Clarification build a case against the Guatemalan state for carrying out a premeditated campaign of violence against its own citizens.

¹¹⁴ Totten, *Century of Genocide*, 392.

¹¹⁵ Hinton and O’Neill, *Genocide*, 38.

¹¹⁶ Hinton and O’Neill, *Genocide*, 39.

The testimonies of survivors and the forensic analysis of the remains of massacre victims in Plan de Sánchez provided evidence for a petition filed by survivors with the Inter-American Commission on Human Rights in 1995, requesting that the commission pass the case on to the Inter-American Court of Human Rights.¹¹⁷ While cases in the Inter-American Court of Human Rights can take up to ten years, finally on April 29, 2004, the Inter-American Court issued its condemnation of the Guatemalan government for the July 18, 1982, massacre of 188 Achi-Maya in the village of Plan de Sánchez. This was the first ruling by the Inter-American Court against the Guatemala state for any of the 626 massacres carried out by the army in the early 1980s.¹¹⁸

This ruling is important because the following key points were included in the judgement:

(1) there was a genocide in Guatemala; (2) this genocide was part of the framework of the internal armed conflict when the armed forces of the Guatemalan government implemented its National Security Doctrine in their counterinsurgency actions; and (3) these counterinsurgency actions carried out within the Guatemalan government's National Security Doctrine took place during the regime of General Efraín Ríos Montt...¹¹⁹

Since this case, the FAFG (Forensic Anthropology Foundation), an NGO based in Guatemala, has carried out more than 200 exhumations of clandestine cemeteries of massacre victims in Guatemala.

Novelist Tim O'Brien wrote in 1990, "in a true war story, if there's a moral at all... it comes down to gut instinct. A true war story, if truly told, makes the stomach believe.... a true

¹¹⁷ Hinton and O'Neill, *Genocide*, 48.

¹¹⁸ Corte Interamericana de Derechos Humanos, "Caso Masacre Plan de Sánchez Vs. Guatemala," 19 Nov 2004, www.corteidh.or.cr/docs/casos/articulos/seriec116_esp.pdf, accessed 16 Mar 2014.

¹¹⁹ Hinton and O'Neill, *Genocide*, 49.

war story is never about war.... it's about love and memory. It's about sorrow."¹²⁰ These painful memories help survivors reconstruct their histories and communicate these events to outsiders.¹²¹ As researchers, we must seek to extract the truth, but at the same time understand and respect the memories shared with us.

Aftermath of the War and the Initial Case Against Ríos Montt

As part of the Peace Accords of 1996 that ended the civil war, the UN-Sponsored Truth Commission (CEH) was established to investigate the human rights violations in Guatemala. The CEH, headed by German human rights expert Dr Christian Tomuschat, released a twelve-volume formal report called *Guatemala: Memory of Silence* on February 25, 1999. The report was submitted to the Guatemalan people, the government of Guatemala, and the United Nations.¹²²

The CEH used 9,000 testimonies from war victims and a very detailed, confidential database to conclude that 200,000 people had been killed or disappeared during the war.¹²³ Ninety-three percent of the 626 massacres “had been carried out by state security forces and paramilitary groups linked to them;” the URNG was responsible for 3 percent and the remaining 4 percent remained unidentified. Eighty-three percent of the war's victims were Maya. Some examples of the database used to conclude the war's outcomes are the National Security Archive created by Kate Doyle, which presents Operation Sofia, 359 pages of documents, telegrams, maps, and hand-written reports which documents secret military files on the counterinsurgency

¹²⁰ Tim O'Brien, *The Things They Carried* (New York: Houghton Mifflin, 1990).

¹²¹ Hinton and O'Neill, *Genocide*, 34.

¹²² Rothenberg, *Memory of Silence*, xvi.

¹²³ Commission for Historical Clarification, *Guatemala Memory of Silence*.

campaign that resulted in massacres of the Mayan civilians. It references the killing of unarmed civilians, burning of homes, destruction of crops and aerial bombing of refugees trying to escape the violence.¹²⁴ Doyle also presented the Guatemalan military's "death squad diary." The military kept detailed records of its death squad operations. The army log reveals the fate of the Guatemalan citizens who had "disappeared" at the hands of security forces during the 1980s. These victims included peasants, social and student leaders, professors, political leaders, members of religious groups etc. Replete with photos of 183 victims and coded references to their executions, the 54-page document was smuggled out of the Guatemalan army's intelligence files and provided to human rights advocates in February, just two days before the CEH released *Memoria*.¹²⁵

The truth commission investigated human rights abuses and formulated recommendations that would assist in Guatemala's healing process; however, "as a consequence of intense military pressure, the commission was denied powers of prosecution and was forbidden to publish the names of accused violators."¹²⁶ Even though the CEH was not allowed to publish offenders' names or prosecute the guilty, its findings raised awareness that acts of genocide were potentially committed in Guatemala under Ríos Montt.

Nunca Más, written by Bishop Gerardi and released on April 24, 1998, represents an attempt to surpass the limitations imposed upon the Commission.¹²⁷ A project by Guatemalans for Guatemalans to understand their history and clarify how to proceed into the future with the

¹²⁴ Kate Doyle, ed, "The Final Battle: Ríos Montt's Counterinsurgency Campaign," 9 May 2013, The National Security Archive, accessed 15 Mar 2014.

¹²⁵ Doyle, "The Final Battle."

¹²⁶ Sautter, *The Preconditions for Genocide*, 151.

¹²⁷ Sautter, *The Preconditions for Genocide*, 151.

painful memories of the past. However, just two days after the report's release, Bishop Gerardi was assassinated.¹²⁸ Moreover, because the Guatemalan government at first seemed apathetic in pursuing a criminal investigation of the assassination, it appears to have been politically motivated.¹²⁹

Both the Truth Commissions' findings and *Nunca Más*, helped pave the path for justice. At first lawyers were not confident the crimes could be defined as genocide. They would need to demonstrate that the Guatemalan state *intended* to kill Mayans *as* Mayans, not because indigenous communities were organizing against the state.¹³⁰ They needed to explain how the army redefined indigenous populations as the enemy. They needed to address how entire communities and areas were defined as bad, and what it has to do with racism in Guatemala.¹³¹ In 1999, the Spanish National Court began to build the official case against Ríos Montt.¹³² Due to the "Pinochet Effect" mentioned above, other cases were being filed against former Latin American dictators by the Spanish National Court. The Court struggled to build the case because the Supreme Court only recognized cases that showed a close tie to Spain; however, finally in 2005, the Constitutional Court reversed the Supreme Court's decision, saying Spain observes "universal jurisdiction" for certain crimes of international importance prosecutable in any

¹²⁸ Sautter, *The Preconditions for Genocide*, 153.

¹²⁹ In June 2001, three officers were sentenced to 30 years in prison for the murder. The prosecutor was forced to go into exile after repeated death threats.

¹³⁰ Elizabeth Oglesby and Amy Ross, "Guatemala's Genocide Determination and the Spatial Politics of Justice," *Space and Polity* 13, no. 1 (2009).

¹³¹ Oglesby and Ross, "Guatemala's Genocide," 9.

¹³² "Guatemala 'Silent Holocaust.'"

jurisdiction as prescribed by international treaties.¹³³ The CJA joined the case in 2006. They brought 40 individual witnesses to testify in Spain, including Rigoberta Menchú.

In July 2006, the Spanish court Juzgado Central de Instrucción No 1, Audiencia Nacional, Ministerio de Justicia, Madrid, issued international arrest warrants for seven former military officials, including Ríos Montt, for genocide, terrorism, torture, assassination, and illegal detention.¹³⁴ Despite the arrest warrant, Ríos Montt fought his extradition to Spain through appeals in local Guatemalan courts.

The amount of support and evidence against Ríos Montt has only accumulated since the CEH. Support includes hundreds of testimonies used in the trial against Ríos Montt, such as one with Juana Sanchez Toma. She said, “they raped us in groups repeatedly. A mountain of women, so many women. They raped us all but none of us women said anything because we were terrified. The pain never ended. I began to hemorrhage from all the rapes.”¹³⁵ Death Squads such as Mano Blanca, Ojo por Ojo, and NOA were all military units, who aimed to eliminate allies of “subversion.” My Aunt Alma was best friends with the wives of some of the Mano Blanca members; their names were Liselotte Lemmherhofer, Alicia Rivera, Regina Lainfiesta and Rosa Barillas. She recalls,

These were very wealthy and influential people. They used to get together and make plans. I know that Liselotte’s husband was the one who kidnapped the German Ambassador. Liselotte told me that her husband took her kids out to the zoo while having the ambassador in the trunk of his car. She also said that they did not want to kill him, only kidnap him in exchange for money, but they did not count on his heart condition and he died.” My aunt continues, “The members of the Mano Blanca were involved in the torture of civilians to find the rebel who

¹³³ *CJA.Org*.

¹³⁴ Sanford, *Buried Secrets*.

¹³⁵ *From Guatemalan Soil, Unearthing Evidence of Genocide*, narrated by Miles O’Brien, PBS News Hour, 8 May 2013, www.youtube.com/watch?v=dOIJ1-7LDQs. Interview translated by the documentary.

murdered the US Ambassador, [John Gordon Mein] in 1968. As far as I know, he was caught.¹³⁶

The military and secret police murdered, tortured, and raped women and children, clearly noncombatants and in no way “in support” of insurgency groups. Children were even kidnapped by the army. My Aunt Alma also remembers witnessing the Guatemalan army kidnap young soldiers,

I remember one time [my family and I] went to a far village beyond Solola [a city slightly west of Guatemala City], and saw a military truck with lots of soldiers grabbing every child over the age of 12 or 13. They were practically kidnapping them to join the military. They were very mean and forceful. My father was very sad and I did not understand why until now.¹³⁷

In an interview with Sanford, she explains that under Ríos Montt there was a systematic change in the massacres: they shifted from selective to massive, destroying entire villages and their crops in repeatedly organized massacres.¹³⁸ In an interview with Pamela Yates for her documentary *Where the Mountains Trembled*, she captured live footage of the Maya communities and the aftermath of these systematic massacres. She also captured Ríos Montt giving verbal confirmation that he commanded his army during his entire presidency. Ríos Montt said, “our strength is in our capacity to make command decisions. That’s the most important thing. The army is ready and able to act, because if I can’t control the Army, then what am I doing here?”¹³⁹ This interview became the centerpiece for her documentary, *Granito: How to Catch a Dictator*, and was used in court against Ríos Montt.

¹³⁶ Alma Hawley-Moscoco.

¹³⁷ Alma Hawley-Moscoco.

¹³⁸ *From Guatemalan Soil*, O’Brien.

¹³⁹ *Granito: How to Nail a Dictator*, directed by Pamela Yates, 2011, Skylight Pictures, aired on PBS.

Ríos Montt still denies he committed any human rights violations, and is still backed by his few standing supporters. His daughter claims there was not a genocide in Guatemala. She even said that the testimony witnesses are not credible; they invented stories taught to them by the guerrilla groups in exchange for compensation. But scientists who have investigated the deaths in the villages provide physical evidence using the bone remains that match the testimony stories. Moreover, they are able to identify the DNA for the survivors and help piece together the details of their stories. Still, his supporters insist that the scientists are wrong, such as his former advisor, Harris Whitbeck, who asked, “how can they prove who shot the bullet? Do they know exactly how they were killed?” But the evidence is stacked highly against Ríos Montt using both testimonies and scientific data to support their claims. Moreover, Patrick Ball, a statistician who compared homicide rates in Guatemala, said about 5.5 percent of the Indigenous people alive died during his presidency.¹⁴⁰ The case also includes data from the US satellite Landsat, which shows that huge areas of land that were highly vegetated in 1979 were completely bare in 1986; the aftermath of Ríos Montt’s fire scorching policy.

Through the piling evidence presented in the trial against Ríos Montt, it is evident that these were more than acts of war, they were systematically planned human rights violations, all of which have been documented by the secret Guatemalan Intelligence and survivor testimonies, then further supported by scientists, anthropologists and other professionals and their investigations. It is clear that Ríos Montt committed horrific human rights crimes.

¹⁴⁰ “From Guatemalan Soil,” O’Brien.

Definition of Genocide

Coined by Raphaël Lemkin in 1944, genocide is defined as an effort to destroy the “essential foundations of the life of national groups” whose objectives “would be disintegration of the political and social institutions of culture, language, national feelings, religion and the economic existence of national groups, and the destruction of the personal security, liberty, health, dignity and even the lives of the individuals belonging to such group” in whole or *in part*.¹⁴¹ It is important to address that genocide is an extremely complex series of events, which requires various perspectives and must be examined from multi-causal patterns.

In the twentieth century alone, 65,000 Hereros, 1 million Armenians, 6 million Ukrainians, 6 million Jews, 3 million Bangladeshis, almost 1 million Indonesians, 100,000 Hutus, 2 million Cambodians, 200,000 East Timorese, 200,000 Guatemalans and countless numbers of indigenous peoples have been annihilated.¹⁴² So many people have died in these crimes against humanity, yet why have they not been stopped? This question motivated Lemkin to coin the term *genocide*, a hybrid word taken from the Greek *genos* (race, tribe) and the Latin *cide* (killing), in order to prosecute the mass murderers after firsthand observing the catastrophes of the Nazi Holocaust.¹⁴³ Two years later, the Genocide Convention of 1948 established the rules that defined the difference between acts of genocide and other human rights violations. The United Nations General Assembly says genocide occurs when one or a combination of prohibited acts occurs with the intent to destroy such groups. When an individual is targeted because of his or her membership in one of these groups, the crime committed can be construed as a “step in the

¹⁴¹ Charney, *Genocide: A critical Bibliographic Review*, 2.

¹⁴² Hinton and O’Neill, *Genocide*, 1.

¹⁴³ Hinton and O’Neill, *Genocide*, 2.

overall objective of destroying the group.”¹⁴⁴ Individual Mayans were targeted for being associated with their Mayan communities under the premise that all Mayans are part of the internal enemy because they support the guerrilla.¹⁴⁵ Under the UNGA, genocide has been prohibited internationally to prevent groups from extermination or attempted extermination; these groups should be protected.

The legal definition of genocide was written right after World War II during a highly politicized atmosphere, leaving the destruction of political groups written out for the convention.¹⁴⁶ However, according to Chalk and Jonassohn, genocide is defined as “a form of one-sided mass killings in which a state or other authority intends to destroy a group as that group and membership in it are defined by the perpetrator.”¹⁴⁷ Their definition is useful because it allows the inclusion of victim groups that fall outside the UN’s definition, such as groups targeted because of their political opposition to a regime or due to their class or social status. In addition, their definition focuses on the physical extermination of a group, while recognizing the crime of ethnocide.¹⁴⁸ The killings that occurred throughout the highlands were executed by the military; these massacres can be interpreted as one-sided programs designed to destroy the foundation of the “communist insurgency.”¹⁴⁹ Moreover, the absence of democratic institutions

¹⁴⁴ United Nations General Assembly.

¹⁴⁵ Rothenberg, 76.

¹⁴⁶ Hinton and O’Neill, *Genocide*, 3.

¹⁴⁷ Chalk and Jonassohn.

¹⁴⁸ Ethnocide is the cultural, linguistic, or religious suppression of a group that results in their disappearance, so it can be different from actual murder.

¹⁴⁹ Sautter, *The Preconditions*, 53.

and simultaneous concentration of power in one group is a frequented structural condition for genocide.¹⁵⁰

The case has come to be viewed as genocide following the results of the Commission for Historical Clarification. The divisions in Guatemalan society at the root of its civil war were based in subordination of Mayas and the poor.¹⁵¹ The CEH and case against Ríos Montt has come to the conclusion that he committed acts of genocide, but can his intent to destroy the Mayas be proved in the court of law? Also, the case has taken so long to prove because there is so much research and investigation that goes into a crime of such magnitude. In the case of the Guatemala genocide, it took years to gain global attention. Then it took hundreds of testimonies, forensic analysis of the remains, the CEH's findings, classified documents that resurfaced over the years, dozens of lawyers to put the information together, and the support of Guatemala, who lived in denial for a long time, to finally make a case for genocide. This amount of work takes time, and fabricates a series of complicated theories of Ríos Montt's intent and goals versus his crimes and their aftermath.

Were Ríos Montt's Crimes Acts of Genocide?

Some theorize that state terror was solely used to eliminate guerrilla activity, and that the Mayan people lived in the departments with the most intense guerrilla activity. However, the government's terror waves have been linked both to guerrilla successes and have also occurred in the absence of it.¹⁵² Moreover, as discussed in previous sections, the Guatemalan army attacked

¹⁵⁰ Robert P. Sautter, *The Preconditions*, 53.

¹⁵¹ Konefal, *Every Indio*, 14.

¹⁵² Huggins, *Vigilantism*, 77.

thousands of non-combatants. Another explanation for state terror in Guatemala is that it results from “institutionalization, consolidation, and the crisis of a counterinsurgent model,” proposing that the program of genocide in Guatemala results because the state and government are weak and incapable of confronting social contradictions by any other means besides terror.¹⁵³ The disadvantage of this explanation is that it does not explain the sources of weakness; the argument is circular saying, terror exists because there is an unavoidable need to use terror.¹⁵⁴

By examining the historical and structural roots of violence, one can see that state terror in Guatemala has continued and grown from a cycle of unstable governments whose policies continued to promote the discrimination of Mayans. After centuries of discrimination and lack of basic human rights, a civil society emerged in the 1960s (the guerilla groups) who refused to accept their policies. The army responded with brutal violence that continued to escalate on both sides until Ríos Montt’s presidency, in which he utilized his scorched earth policy and “beans and rifle” campaign to eliminate anyone who posed a threat to his government. By nature, this meant any and all Mayan groups. Rothenberg wrote in his 2012 examination of the CEH’s *Memory of Silence*, “The elimination of leaders and criminal acts against minors cannot be understood to serve a military objective, demonstrating that the only common factor among all victims was their membership in an ethnic group.”¹⁵⁵ The massacres revealed to the CEH that intelligence services planned them, meaning the Mayan people were targeted for simply belonging to a group identified as an internal “enemy.”¹⁵⁶ These inhumane acts were carried out

¹⁵³ Huggins, *Vigilantism*, 77.

¹⁵⁴ Huggins, *Vigilantism*, 78.

¹⁵⁵ Rothenberg, 76.

¹⁵⁶ Rothenberg, 47.

with the intent to destroy, in whole or in part, the Maya groups, as stated in Article II, first paragraph, of the Geneva Convention.¹⁵⁷

Ríos Montt dehumanized the Mayan peoples. He increased the violence of an already brutal counterinsurgency campaign and depopulated the area by burning entire villages and causing large-scale forced relocations. He destroyed the very bases of communal structures. As was openly acknowledged, the goal of the army was to literally “drain the sea” in which guerrilla movement operated, eradicating any and all civilian support.¹⁵⁸ Doing so, he killed thousands of Mayans, destroyed their culture, and threatened to destroy their very identities. The destruction of communities not only led to material devastation, but to the desecration of victims’ corpses, the ban on burying relatives, and the impossibility of conducting burial ceremonies used by Mayan communities to honor the life cycle.¹⁵⁹ His Civil Defense Patrols are an example of how he worked to destroy Mayan culture because he saw it as a barrier to government victory. He sought to turn the indigenous communities against each other.¹⁶⁰ In a testimony by Victor Montejo, a Jacaltecan Mayan and school teacher in the town of Huehuetenango in the early 80s, Montejo says,

The military indoctrination was the last step in a process that had gradually undermined the foundations of indigenous culture, causing the Indian to act against his own will and best interests and destroying what is most sacred in his ancient Mayan legacy: love and respect for one’s neighbors.¹⁶¹

¹⁵⁷ Rothenberg, 77.

¹⁵⁸ Totten and Parsons, *Century of Genocide*, 381.

¹⁵⁹ Rothenberg, 48.

¹⁶⁰ Sautter, *The Preconditions*, 61.

¹⁶¹ Victor Montejo, *Testimony: Death of a Guatemalan Village* (Willimantic, CT: Curbstone Press, 1987), 56.

The Guatemalan army organized an attack on the cultural, spiritual, and religious elements of life for the Mayan people.

Ríos Montt also used several forms of terror for his counterinsurgency strategy. Forced disappearances were a prevalent element of the counterinsurgency strategy. The CEH documented that eighty percent of the disappearances were responsible by the Guatemalan army, military commissioners, the *Guardia de Hacienda* (Treasury Police), the *Policia Nacional*, and death squads, twelve percent were at the hands of the PAC, and eight percent by other security forces, mainly the National Police.¹⁶² These disappearances created an atmosphere of apprehension and uncertainty for their families, political parties, and other organizations.

Other strategies of terror include forced displacement, rape and torture. Approximately 11,598 victims were tortured during the war, and eighty-eight percent of reported cases were carried out by the Guatemala Army. Tortures reached their highest under Ríos Montt's Victoria 82 plan. Rape was committed in a methodical and widespread manner. The CEH registered 9,411 female victims and 1,465 cases of rape. Eighty-nine percent of identified victims of rape were Mayan. And forced displacement, in which 500,000 to 1.5 million Guatemalans were forced to flee as a direct consequence of repression, was especially high during the 1980s.¹⁶³ Selective repression led to mass displacement beginning in 1981 when the repression became indiscriminate. Soldiers who could not find who they were looking for would kill their targets' relatives no matter their age or situation.¹⁶⁴

¹⁶² Rothenberg, 15.

¹⁶³ Rothenberg, 27, 54, 33.

¹⁶⁴ Rothenberg, 34.

Guatemala is a plural society, divided into two hierarchically arranged ethno-cultural groupings (Indian and *ladino*).¹⁶⁵ And if one looks at Guatemala's population, the East-West divide illustrates that mostly Maya population is in the West and the Ladino population is in the East. The West is considered the Indian domain, a land where the Maya still practice their ancient ways and speak their own indigenous languages. Although these regions are more diverse in reality, these regional and ethnic constructions add to the reaffirmation of racism during the civil war, "as the Maya West was targeted for genocide and the supposed superiority of the Ladino East was used to support that genocide."¹⁶⁶ Even now, Ladinos tend to resonate with their Hispanic heritage, separating themselves from Guatemala's large Maya population. During the war, the indigenous people were seen as second-class citizens, and sadly much of Guatemalan society felt indifferent about the war. An example of indifference is a story my Aunt Alma told me. She said,

I was living in San Cristobal, a suburb by Tia Ligia's home. It was, at the time, very new, and very hard to get to if you did not have a car. Hector [her son] was 2 or 3 years old. One morning I went for a walk with him in his stroller. I saw a lot of commotion, few policemen, some patrols and when I got closer I saw 2 human heads by the curve. I now look back and can feel the indifference, I just thought 'poor people' and continued to walk. They were later identified as two *estudiantes* de la Universidad de San Carlos that had disappeared after the parade the day before that protested for better waged and working conditions.¹⁶⁷

When I asked my Aunt Alma if she ever felt in danger, she answered, "Never,"¹⁶⁸ yet she experienced terrorist bombings, and lost friends and family members to the war. My mom's also felt indifferent to the war. She said,

¹⁶⁵ Robert P. Sautter, *The Preconditions for Genocide* Senior Project, 53.

¹⁶⁶ Hinton and O'Neill, *Genocide*, 196.

¹⁶⁷ Alma Hawley-Moscoso.

¹⁶⁸ Alma Hawley-Moscoso.

Nothing in my life stopped. I was going to school as usual. I did not understand a lot [about the war] at the time. I knew that there was a lot of violence. I knew of kidnappings and people were disappearing, and university professors and writers were being prosecuted... The first time I heard about violence in the Mayan villages was from a Catholic Priest. I was in a bar and he was there, drunk and crying. He told me a lot of horrible stories. Now I know that terrible things happened.¹⁶⁹

Racism may not have been the only reason behind the massacre, but the genocide of the Maya was no mere coincidence. This underlying discrimination seems to have been an expression of hundreds of years of suppression of the Maya people, and may be why it was so easy for Guatemalans to deny these crimes, and for the government to justify their actions. My Aunt Alma said,

I used to see the *indigenas* as beneath me. The maids were treated like third-class citizens. We are all guilty of discrimination. I am ashamed of how I acted when I was young, but to my defense I did not know better. We were indifferent to their suffering and never once defended [the indigenous people]. They were ignored by society.¹⁷⁰

Even today, many people of Guatemala remain prejudice against the Mayan people. In each interview I conducted, the interviewees affirmed today's racism in Guatemala with their own examples and stories. For example, my mom explained the term *indio* is used as a derogatory word to insult indigenous people.¹⁷¹

The topic of genocide and human rights violations is still a sensitive subject for Guatemalans. Most citizens truly had no idea of the horrors occurring in the highlands. Ríos Montt and his administration did everything in their power to hide the proportion of violence; however, the city civilians chose to act indifferent. They ignored the war going on around them

¹⁶⁹ Rosamaria Pereira-Moscoso.

¹⁷⁰ Alma Hawley-Moscoso.

¹⁷¹ Rosamaria Pereira-Moscoso.

and went on with their lives. In fact, every person interviewed did not even consider the violence a “war” while it was happening; it was the normalities of living in Guatemala. My mom even said, “The world says that it was a Civil War, but I did not feel like it was. To me, it was just the government trying to get rid of the guerillas.”¹⁷² Even current governments have postponed taking political action because they have been in denial. President Alvaro Arzú chose not to receive the the CEH’s report, *Memory of Silence*, when it was first released. It took the government four months to respond.¹⁷³ Furthermore, the CEH concluded that the state of Guatemala violated Articles IV and VI of the Convention for the Prevention and Punishment of the Crime of Genocide, which requires that those persons who have committed genocide should be tried by a competent court of the state.¹⁷⁴

The height of genocidal activity “was concentrated in the departments of Huehuetenango, El Quiche, Baja Verapaz, and Chimaltenango regions that have large concentrations of Maya.”¹⁷⁵ If one examines the four main regions the violence took place, one would find that the violence overwhelmingly impacted the Mayan people. In region one (municipalities of San Juan Cotzal, Santa María Nebaj, and San Gaspar Chajul, Quiché), where Maya Ixil People reside, all Ixil people were considered subversive. There was no attempt to distinguish between members, so the Ixil became targets as a result of their own identity, even if the motivation was military nature.¹⁷⁶ The CEH determined that the combination of brutal, inhumane actions against the Maya Ixil

¹⁷² Rosamaria Pereira-Moscoco.

¹⁷³ Drouin, “To the Last Seed,” 14.

¹⁷⁴ Rothenberg, 78.

¹⁷⁵ Hinton and O’Neill, *Genocide*, 195.

¹⁷⁶ Rothenberg, 68.

population from 1980 to 1983 constituted acts of genocide. In region two (municipality of Rabinal, Baja Verapaz), where the Maya Achí people reside, military groups assassinated at least 4,111 people (twenty percent of the population) between 1981 and 1983, even though this region was not a combat zone. The CEH determined that during the years of 1980-1983 acts of genocide were committed. In region three (municipality of Zacualpa, K'iché), where the Maya K'iche' people reside, over ninety-nine percent of the victims in the area were Maya, and less than one percent were Ladino. The CEH found that the Ladino population was actually warned to flee before the massacres began.¹⁷⁷ The CEH found that the crimes committed in this region from 1981-1983 were acts of genocide. And in region four (municipalities of Nentón, San Mateo Ixtatán, and Barrillas, Huehuetenango), where the Chuj Maya and Q'anjob'al Maya peoples reside, the CEH recorded that most communities suffered forced displacement. And when examining these four regions together, the CEH founded that "in the Ixil area, 98 percent of the victims were Maya. In the northern Huehuetenango, the proportion of Maya victims was 99 percent, while in Rabinal it was nearly 100 percent, and in Zacualpa 98 percent."¹⁷⁸ It is clear that the Mayan people were the Guatemalan army's primary targets.

At an international conference in Rome on July 17, 1998, the Statue of the International Criminal Court outlined several objective elements to the definition of genocide, including that the motive to destroy a group of people does not have to be pure racism, but can also be part of a military objective.¹⁷⁹ To prove that the acts were genocide, the CEH used the legal framework of

¹⁷⁷ Rothenberg, 73.

¹⁷⁸ Rothenberg, 75, 76.

¹⁷⁹ Rothenberg, 62.

the Genocide Convention of 1950, analysis of the general policies of the state, and understanding of the context of which the acts were committed.¹⁸⁰

To this day, Ríos Montt says he is innocent, and never personally ordered the extermination, yet as we have examined, he admitted to having complete control of the army in an interview with Pamela Yates. Ríos Montt did in fact order the Guatemalan army to attack non-combatants. His obsession with religious and military power fueled his desperation to rid the internal enemy, the Mayan people. These acts required coordination of the military system at a national level, meaning these were not isolated acts or out-of-control army troops. In Goldhagen's documentary, he confronts Ríos Montt about the genocide at one of his trials. Ríos Montt said, "the UN laws and international codes have a concept of genocide... When you're going to eliminate an ethnic group, a religious group, or a specific group of people, the definition clearly states eliminating something." Goldhagen corrected him and said, "the UN law says "in whole or in part, which the Mayan people were." Ríos Montt only responds, "if I was responsible of it I would be in jail."¹⁸¹

Conclusion

During the entire 30-year conflict, the Center for Legal Action in Human Rights (CALDH), a Washington D.C based organization that promotes human rights in Guatemala, found that 200,000 people died, 45,000 were missing, and a million were displaced.¹⁸² Just to reiterate, although Mayas make up a little over half of the Guatemalan population, they accounted for over 80 percent of the war's dead and disappeared, and estimated 93 percent of

¹⁸⁰ Rothenberg, 62.

¹⁸¹ Genocide: *Worse than War*.

¹⁸² Amnesty International, "History on Hold for Victims of Guatemalan Genocide," October 25, 2013, www.amnesty.org/en/news/history-hold-victims-guatemalan-genocide-2013-10-25.

them were killed at the hands of the state.¹⁸³ Ríos Montt was finally found guilty by a three-judge panel in for these crimes May of 2013; however, there were setbacks of a prolonged trial as discussed above.

It seems that in efforts to modernize, Guatemalan economy had a fragile position within the world economic order. This only led to civil unrest, and eventually opposition to the repressive government. Even now, after the Peace Accords of 1996, Guatemala suffers from political corruption. Perhaps, Guatemala is in need of constructing a harmony between civil society and state. Democracy will only come to Guatemala after social and economic issues have been addressed and resolved. Until then the State will recourse to terror.¹⁸⁴ Guatemala still has a lot to gain from this case and the awareness it has created concerning political corruption and its affects on civil harmony.

Guatemala is not the only country in the past few decades to have human rights violations occur without any consequences. This trial is an example to other countries who have failed to hold individuals responsible for human rights violations. We can only hope that by addressing such human rights violations, we can prevent more in the future. The genocide that Ríos Montt carried out against the Mayan people was named the “Silent Holocaust” by the CJA because it went unknown for years by Guatemala and the world; let us not allow another tragedy to take place in silence.

¹⁸³ CEH, *Guatemala Memory of Silence*.

¹⁸⁴ Huggins, *Vigilantism*, 81.

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