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¡Si Hubo Genocidio en Guatemala!
Yes! There Was Genocide
in Guatemala

Victoria Sanford

The army came with their guns. The people they found, they
killed. The crops they came upon, they destroyed. Our clothes,
our dishes, our tools, they broke them or stole them. And all
our animals, our cows, goats, chickens and turkeys, they killed
them too. They destroyed and ate everything on the path of
their persecutions against the people.

Alejandro, Ixil massacre survivor

Introduction

The quantitative and qualitative toll of more than three decades of internal
armed conflict was largely unknown in December 1996 when the Guatemalan
army and URNG guerrillas signed the historic Peace Accords. Indeed, the
number and severity of human rights violations had been a hotly contested
issue with numbers of dead and disappeared varying widely from 40,000 to
100,000 and everywhere in between. Likewise, the number of village massacres
varied from 100 to 440. Regardless of whether one pointed to the high or low
end of these estimates, there was no doubt that grave human rights violations
had taken place in Guatemala. Ward Churchill and Ricardo Falla were among
the first to charge genocide in Guatemala and to do so with as much data as
they could gather during the conflict. Still, when the concept of genocide was
used to describe what was taking place in Guatemala, in the Cold War context,
this description, like any analysis focused exclusively on army atrocities, was
mostly dismissed as guerrilla or indigenista propaganda. Since the signing of
the Peace Accords, however, genocide is a legal term that has been used by the
Commission for Historical Clarification (CEH) (truth commission) in its report,
the Inter-American Commission and Inter-American Court in its 2004 ruling
against the Guatemalan state, and most recently by the Spanish Court in its
2006 international arrest warrant for generals implicated in the genocide.
Thus the historiography of genocide in Guatemala is one in the making. In this chapter, I draw on these documents, survivor testimonies, and other primary and secondary resources to provide the reader with an overview of the Guatemalan genocide and, thus, contribute to this burgeoning historiography.

From militarization to genocide

In 1978, the Guatemalan army garnered international attention when it opened fire on a group of unarmed Q'eqchi' Maya peasants protesting for land and killed dozens of men, women, and children in what became known as the Panzós massacre. That same year, the Guatemalan army also began a selective campaign of political disappearance and assassination in Guatemala City and other urban and rural centres. In tandem, it accelerated construction of military bases throughout rural Guatemala. Prior to 1979, the army had divided the country into nine military zones, each with a large army base in its centre. By 1982, the army had designated each of the 22 departments as a military zone accompanied by multiple army bases in municipalities and army garrisons in villages throughout the country. Forced recruitment into the Guatemalan army ensured the requisite number of troops for this extension of the military infrastructure. In 1982 troops were increased from 27,000 to 36,000. Some of these large army bases, such as those in Rabinal and Nebaj, are structures that have endured to the date of this writing. Other more temporary locations, such as the churches in San Andrés Salcabiná, Acul, Sacapulas, Joyabaj, Zacualpa, San Pedro Jocopi, Nebaj, Chajul, Cotzal, Usamantán, Chiché, Canillá, and the Marist monastery of Chichicastenango, where they were used by the army as jails, torture and interrogation centres, and clandestine cemeteries, no longer house the army. This expanded army presence was accompanied by an acceleration of army violence, from selective assassinations to disappearances to multiple village massacres. Within the United Nations system, these army operations of disappearances, extrajudicial executions, torture, inhuman and degrading treatment and punishment, and arbitrary detention violated numerous articles of the Universal Declaration of Human Rights (UDHR), the International Covenant of Civil and Political Rights (ICPDR) and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Some articles of some conventions are derogable, meaning that a signatory state party to the convention) can sign on to the convention, covenant or protocol, on the condition of not being held to the standard of particular articles which the state party identifies as derogations prior to signing. Articles 6 and 7 of the ICPDR, which guarantee the right to life and freedom from torture, respectively, are non-derogable. Articles 1 and 2 of the Convention Against Torture provide for no exceptions ever permitting torture: "No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a
justification for torture. The Guatemalan army operations also violated Articles 1, 3, 4 and 5 of the American Convention on Human Rights to which Guatemala was one of the founding signatories in 1969. Articles 3, 4 and 5, which guarantee the right to juridical personality, right to life and freedom from torture, respectively, are all non-derogable. Indeed, army operations of terror against the Maya systematically violated these international human rights contracts to which Guatemala is a signatory.

When the Guatemalan army shifted its strategy of repression from selective assassination to large-scale killings, it shifted strategy to a prolonged series of genocidal campaigns against the Maya. These genocidal campaigns began with selective massacres in Maya villages all over the country and soon shifted to massacres of entire communities. It is when this shift happens that the Guatemalan army's human rights violations are no longer limited to the above-mentioned human rights instruments. It is here that the army moves to a new level of atrocity and violates the Convention on the Prevention and Punishment of the Crime of Genocide.

Critical to understanding why these massacres constitute the beginning of the intentional genocidal campaign is the fact that massacres were not a singular tactic of the army. In fact, there were three planned army campaigns of genocide against the Maya (Sanford 2003a, b). The army's first campaign of genocide combined massacres with a scorched earth campaign strategy that included the complete destruction of the Maya - the people, the villages, their livestock, their homes and their sacred milpa. The army's second genocidal campaign centered on the relentless hunt for and slaughter of massacre survivors; this campaign included army helicopters dropping bombs upon displaced civilians in the mountains and ground troops encircling and firing upon those fleeing aerial attacks.

The third genocidal campaign was the simultaneous forced concentration of Maya survivors into army-controlled 're-education camps' and 'model villages', and the continued hunt for massacre survivors who had fled to the mountains.

In this chapter, I demonstrate how selective massacres as a strategy of state terror systematically shifted to a tripartite, decade-long campaign of genocide against the Maya. I provide evidence to prove that (1) each of the three campaigns of genocide I have identified is a clear violation of the UN Genocide Convention; (2) each of these campaigns was designed and implemented with the intention of genocide; (3) the Guatemalan army genocide was not unique, but rather fits a pattern of genocide wherein its intellectual authors and perpetrators use code words and expressions, such as 'scorched communists', in order to detract from and neutralize their genocidal activities in their attempts to 'render them acceptable domestically and internationally'; and (4) former dictators Romeo Lucas Garcia and Efrain Rios Montt in collusion with General Hector Gramajo were the intellectual authors of the massacres which they designed, implemented and supervised in army campaigns against the Maya with the intention to commit genocide.
Repression and La Violencia

At the height of La Violencia, army justification of massacres in rural Maya communities rested upon its claims that the army was, in the words of former military dictator Efraín Ríos Montt, 'scorched communists'. Moreover, the transnational nature of the Guatemalan army's campaign against the Maya was revealed in a 5 October 1981 Department of State Memorandum classified as Secret. The memorandum acknowledged that then-dictator General Romeo Lucas García believed that 'the policy of repression' was 'working', and the state department official writing the memo described the 'extermination of the guerrillas, their supporters and sympathizers' as the measure of a 'successful' policy of repression. The Guatemalan army used ground troops and aerial forces to saturate the mountains with firepower in its attempt to exterminate the unarmed Maya men, women, children and elderly who had fled the massacres and destruction in their communities.

In late 1982, prior to a meeting between US President Ronald Reagan and General Ríos Montt, a confidential US State Department document reported that in March 1982, the current President Ríos Montt came to power as expected and pointed out that 'he quickly consolidated his power' and began to implement a rigorous counterinsurgency offensive. Nevertheless, the State Department officer writing the memo acknowledged that 'Ríos Montt does not have a strong base of power ... We would like to be able, therefore to support Ríos Montt over the short term. ... At the same time, the document acknowledged 'that the military continues to engage in massacres of civilians in the countryside'.

The Impact of La Violencia

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<thead>
<tr>
<th>Known impact of La Violencia before CEH</th>
<th>Findings of CEH final report</th>
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<tbody>
<tr>
<td>440 villages massacred</td>
<td>626 villages massacred</td>
</tr>
<tr>
<td>1.5 million people displaced</td>
<td>1.5 million people displaced</td>
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<tr>
<td>150,000 people fled into external refuge</td>
<td>150,000 people fled to refuge in Mexico</td>
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<tr>
<td>100,000-150,000 dead or disappeared</td>
<td>More than 200,000 dead or disappeared</td>
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Who were the Victims of La Violencia?

The vast majority of the victims of acts of violence committed by the state were Maya. 83 percent of victims were Maya. 17 percent of victims were Ladino.

Who is responsible for these acts of violence against civilians?

93 percent of acts of violence committed by state.

3 percent of acts of violence committed by guerrilla.
Chart 21.1  Command responsibility for acts of violence

In its final report, the CEH concluded that army massacres had destroyed 626 villages, that more than 200,000 people were killed or disappeared, that 1.5 million were displaced by the violence, and that more than 150,000 were driven to seek refuge in Mexico. Further, the Commission found the state responsible for 93 percent of the acts of violence and the guerrillas for 3 percent (See Chart 21.1).

Defining Genocide

In the Genocide Convention adopted by the United Nations General Assembly on 9 December 1948, ‘genocide’ means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such:

(a) Killing members of the group;
(b) Causing serious bodily or mental harm to members of the group;
(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
(d) Imposing measures intended to prevent births within the group;
(e) Forcibly transferring children of the group to another group.25

Moreover, Article 1 clearly states that ‘genocide, whether committed in time of peace or time of war, is a crime under international law which they [the signatories] undertake to prevent and punish.’
Given that 87 percent of the victims of La Violencia were Maya (See Chart 21.2) and that all 626 massacred villages were Maya, there should be no doubt that the Guatemalan army violated the United Nations Convention on the Prevention and Punishment of Genocide. In its first campaign of massacres, the army unequivocally killed members of the group, caused serious bodily and mental harm, and deliberately inflicted conditions of life calculated to bring about the physical destruction of the Maya in whole or in part. Thus, at minimum, the Guatemalan army violated Articles 2(a), (b) and (c) of the Genocide Convention. This alone, however, is not sufficient to prove genocide. Current legal debate about what constitutes genocide resides not just in determining the acts of genocide but also in proving that the acts were "committed with intent." And, proving intent raises the question about what is acceptable as a standard of proof.

In its final report, the CEH concluded that the Guatemalan army had committed genocidal acts. However, in its discussion of genocide, the CEH wrote:

It is important to distinguish between a policy of genocide and acts of genocide. A policy of genocide exists when the goal of the actions is to exterminate a group in whole or in part. Acts of genocide exist when the goal is political, economic, military, or whoever other such type, and the method that is utilized to achieve the end goal is the extermination of a group in whole or in part.

Within the CEH interpretation, a policy of genocide has the end goal of genocide whereas acts of genocide are incidental to a plan utilizing these practices.
but with an end goal of something other than genocide. This CEH interpreta-
tion supports my earlier assertion that the Guatemalan army fits a
pattern of genocide wherein perpetrators (both individual and institutional)
use code words such as 'scorching communists' and other such expressions to
neutralize their activities. In this case, rather than genocide, the CEH finds
genocidal acts.2 A finding that is, though ambiguous, nonetheless significant.
In addition to pointing out the specific and varied roles of the executive, judi-
cial and legislative branches of the Guatemalan government in violating the
human rights of its citizens, the CEH attributed direct responsibility to the
state and its agents for the construction of the counterinsurgency state and for
the state's complete failure to comply with its obligation to investigate and
prosecute human rights violations.

At the public presentation of the CEH Report in February 1998, CEH
President Christian Tomuschat stated:

On the basis of having concluded that genocide was committed, the
Commission also concludes that, without prejudice to the fact that the par-
ticipants in the crime include both the material and intellectual authors of
the acts of genocide committed in Guatemala, State responsibility also
exists. This responsibility arises from the fact that the majority of these acts
were the product of a policy pre-established by superior order and commu-
nicated to the principal actors.29

Moreover, we can deconstruct army claims of 'scorching communists' and
'killing subversives' as the goal of the genocide by analyzing the army's own
words and interpretations of the massacres. Here I offer two declassified US
government documents that prove that the genocide was both a means and an
end as well as under command responsibility of the hierarchy of the army.
First, a Secret declassified CIA document from late February 1982, states that
in mid-February 1982, the Guatemalan Army has reinforced its existing forces
and launched a 'sweep operation in the Ixl Triangle. The commanding officers
of the units involved have been instructed to destroy all towns and villages
which are cooperating with the Guerrilla Army of the Poor (EGR) and eliminate
all sources of resistance.30 Point one of the memo claims that civilians 'who
agree to collaborate with the army ... will be well treated'. Then, in point three
despite the memo the CIA acknowledges that 'a large number of guerrillas and
collaborators have been killed.' Point three concludes with, 'COMMENT:
When an army patrol meets resistance and takes fire from a town or village it
is assumed that the entire town is hostile and it is subsequently destroyed ...

An empty village is assumed to have been supporting the EGR and it is
destroyed.' Point four cynically concludes that the Army High Command is
'happily pleased with the initial results of the sweep operation and believes it
will be successful'. The CIA then clarifies that 'the army has yet to encounter any major guerrilla force in the area', and goes on to conclude that the army's 'successes to date appear to be limited to the destruction of several EGP-controlled towns' and the killing of Indian collaborators and sympathizers. Point four concluded with 'COMMENT: The well documented belief by the army that the entire K'ii Indian population is pro-EGP has created a situation in which the army can be expected to give no quarter to combatants and non-combatants alike.' In the words of former legal counsel to the CEH, Jan Perlin, 'The historic attribution of particular characteristics to the "indigenous masses", an integral part of the racist construct [of Guatemala], determined the choice of military tactics against geographically defined portions of this group when it was determined that "they" constituted a threat.'

Second, as explained in the previously cited October 1981 declassified US Department of State memorandum, General Lucas Garcia believed that the 'extermination' was the measure of the 'success' of his 'policy of repression'. Extermination was then not simply a means, but a goal. Moreover, despite their convoluted language and censored presentation, these documents acknowledge Guatemalan army massacres of unarmed Maya and also concur with the Guatemalan army that all K'ii are 'pro-EGP'. This concurrence between the CIA, State Department, and Guatemalan army represents the official collusion of ethnicity with political affiliation. Thus, the US Embassy and its officers in Guatemala, the US State Department and the CIA justify Guatemalan army destruction of the social, political and material culture of the Maya in general and the K'ii in particular. Though this justification for genocide is based on the conflated idea that all K'ii are 'pro-EGP'; ethnicity is central to this equation. Moreover, the 1982 CIA document makes clear that the Army High Command was not only informed about the massacres, but that the 'commanding officers of the units involved have been instructed to destroy all towns and villages' and that the Army High Command was 'highly pleased with the initial results'.

Thus far, I have demonstrated (1) that army massacres of Maya communities Violated Genocide Convention Articles 2(a), (b) and (c); (2) that though these massacres were directed at Maya communities in the name of 'searching communists', in fact, the Guatemalan army carried out its first genocidal campaign of massacres against the Maya because they were Maya; (3) further, that the army sought to cover this campaign against the Maya by conflating political affiliation with ethnic identity; (4) that because 'extermination' of the Maya was, in the words of General Lucas Garcia, a premise of the campaign's 'success', the genocide was both a means and an end goal; and, (5) based on declassified CIA and US State Department documents, that the Army High Command ordered, was informed about and 'highly pleased with' army massacres in February 1982.
Proving intent to commit genocide

This brings us back to the issues of intent and standard of proof, which are interrelated. First, intent is often confused with motive. In criminal law, intent means the deliberation behind the act regardless of the actual motive.35

Intentionality defines intent.36 Did the Guatemalan army intend to commit genocide against the Maya? Yes, because the army’s commander in chief sought to exterminate the Maya with no distinction between civilians and combatants or between democratic opposition and armed insurrection.37 Was the aim to destroy the Maya, as a group, in whole or in part? Yes, because (1) all Maya were at-risk of being ‘exterminated’ by virtue of their indigenous identity; (2) massacres destroyed 626 Maya villages; and, (3) all 626 villages were Maya.

By outlining the Guatemalan army’s intent to commit genocide, I have also alluded to available evidence that leads us to the issue of standard of proof. Dinah Shelton suggests that ‘beyond a reasonable doubt in common law court and conviction in time or its equivalent in a continental system’ are internationally accepted standards of proof. Moreover, citing the Inter-American Court judgment in the Velasquez-Rodriguez case, she is ‘fully confident that proof can be inferred from a pattern or practice’.38

Ben Kiernan points out that ‘Smoking Gun’ internal documentation is not necessary to prove intent — though the declassified US government documents do provide this. Proof of intent can be inferred by ‘a proven pattern of actions, not just from a top-down written order’.39 ‘Serial killers who are convicted by showing patterns and inferred responsibility from circumstantial evidence’40 is one such example. Kiernan adds that ‘similar actions in a pattern across a territory can be proof of command intent’.41

Declassified CIA and US State Department documents provide evidence of intent to commit genocide. I would also like to suggest that intent is found in the very language of the generals in command during the ‘scorched earth campaign’. While Lucas Garcia spoke of ‘exterminating’, General Efrain Rios Montt spoke of ‘taking the water away from the fish’ (quitar el agua del pes), the water being the Maya and the fish being the guerrilla. Even here, it is clear that the general made a distinction between the guerrilla (fish) and the Maya (water). If he truly meant to ‘scorch communists’ and ‘eliminate subversion’, the fish, rather than the water, would have been his military target. If he was unable to distinguish between the Maya and the guerrillas, the metaphor would have had no meaning. Rios Montt, like Lucas Garcia before him, wanted to eliminate the Maya. The massacres were a genocidal campaign, begun under Lucas Garcia and continued under Rios Montt, which intended to destroy the Maya because they were Maya. Seven months after Rios Montt came to power, one Maya survivor said that after the massacres, ‘All that was left was silence.’

Amnesty International issued a report condemning massacres of ‘Indian’ peasants
resulting in more than 2,600 documented deaths, 'many of them women and children', in the first six months of the Rios Montt regime. Even with incomplete information, as early as 1982, it was clear to human rights observers that the Guatemalan 'Indians' were the target of the army's campaign of terror.44

Again, citing Perlin, 'The truth of genocidal intent centres around the process of the construction of the "other" as the enemy.'44

At this point, I have demonstrated that the Guatemalan army committed genocide against the Maya with the intention to destroy the Maya in whole or in part and that genocide was both the means and the end, and furthermore, genocide was also the planned intent. Still, I want to offer further evidence of the army's strategic intent to commit genocide as well as some of the results of the genocidal campaign – both of which demonstrate that genocide was a consistent policy of the Guatemalan army through the dictatorships of Lucas Garcia and Rios Montt – each of whom had command responsibility.

Genocide as army policy from Lucas Garcia to Rios Montt

In general, the Guatemalan army has sought to evade responsibility for its genocidal campaign of massacres by claiming that massacres did not emanate from the army high command, but rather from the actions of rogue field commanders. Still, one army colonel unequivocally stated that 'a comandante could not follow his own strategy against his superiors.'44 Former General Estraida Rios Montt became president of Guatemala when he overthrew the dictatorship of Lucas Garcia in March 1982. La Violencia was at its height during these two dictatorships. Still, Rios Montt not only claims that he had nothing to do with the massacres, but that his regime stopped the massacres begun by Lucas Garcia.

General Lucas Garcia, withdrawn from the political scene for the past decade due to advanced Alzheimer's disease, died in May 2006. Rios Montt, however, continues to play a powerful role in Guatemalan politics. He is secretary general of the FRG party, which holds a significant number of seats in the Guatemalan Congress. Rios Montt has been a member of congress and president of the congress since the peace accords and his party has held the presidency as well. Indeed, Rios Montt attempted to run for president in 1995 and continues to manoeuvre for the office. In 1995, the Guatemalan Supreme Electoral Commission banned his candidacy (and his wife's) based on the Guatemalan Constitution, which prohibits anyone who came to power through a military coup from running for president. It took the FRG and Rios Montt until 2003 to stack the courts and win his right to a presidential bid. The symbol of his FRG party is a white lily on a blue background. When I asked Maya friends in rural communities about the meaning of this symbol, I was always told, 'It is the strong/tough hand' (la mano dura) and 'the white hand' (la mano blanca). Both la mano dura and la mano blanca were names of death.
squad during La Violencia and death threats were often received with hand prints or drawings of hands.  

Though current party politics are not my focus here, I do want to suggest that it is an ominous experience to be in a country of genocide survivors during an election with La mano dura plastered on every building, fence and lamp post.  

Outsiders, both non-Maya Guatemalans and internationals, often ask why and how the FRG could win an election in communities of massacre survivors.  

Though a thorough explanation requires analysis of evangelical church affiliations with Rios Montt as well as campaign practices, I want to suggest that massacre survivors have no reason to believe that the power of Rios Montt to exterminate their communities has diminished, given that he has an omnipresent political party with propaganda throughout Maya communities and that his party symbol is a signifier of terror.  

In this section, through an analysis of the pattern of massacres in El Quiché and Baja Verapaz during the last 12 months of Lucas García’s regime (March 1981–2) and the first 12 months of Rios Montt’s reign (March 1982–3), I demonstrate that (1) massacres were not the result of rogue field commanders; (2) massacres were a systematic and strategic campaign of the army as an institution; (3) Rios Montt not only continued the campaign of massacres begun by Lucas García, he actually further systematized the massacre campaign; and (4) this sustained campaign of massacres was the army’s first genocidal campaign.  

The Ixil and Ixcan areas are located in the northern part of El Quiché with the Ixcan jungle north of the Ixil mountain range. Between March 1981 and March 1983, the Guatemalan army carried out 77 massacres in the Ixil-Ixcan region. There are 3,102 known victims of these massacres. If we locate the number of massacres and victims by date on the calendar of the regimes, Lucas García is responsible for 45 massacres with 1,678 victims from March 1981 to March 1982 and Rios Montt is responsible for 32 massacres with 1,424 victims from March 1982 to March 1983 (See Chart 21.3). If we focus only on comparing the number of massacres, we find a 15 per cent drop in the number of massacres and 200 less massacre victims in the Ixil-Ixcan area during the first year of Rios Montt (See Chart 21.4). However, it would be misleading to simply conclude that the number of massacres and massacre victims decreased under Rios Montt because 1,424 Maya were killed in 32 army massacres under his regime. Moreover, rather than a decrease in genocidal activities in the area, the number of victims per massacre actually increased under Rios Montt from an average of 37 victims to 45, or an 18 per cent increase in number of victims per massacre.  

This increase indicates a more systematic genocidal policy which sought ‘efficiency’ in killing ever larger numbers of people in each massacre. Furthermore, if we limit the time of study from the last three months under Lucas García and the first three months under Rios Montt, we find 775 Maya
Chart 21.3 Total number of massacre victims in northern El Quiché March 1981 to March 1983

Chart 21.4 Number of massacres in northern El Quiché

victims of 24 massacres under Lucas Garcia and 1,057 victims of 19 massacres under Rios Montt. Though there is a 21 percent drop in the number of known massacres, there is a 27 percent increase in the average number of victims in each massacre under Rios Montt. In the first three months of the Rios Montt regime, the average number of victims per massacre increased from 32 to 56
Victoria Sanjulán

Chart 21.5  Average number of victims per massacre in northern El Quiché

(See Chart 21.5). Further, the qualitative difference between an average of 32 and 56 victims is not the size of the village; rather it is the systematic inclusion of women, children and elderly in the slaughters. Whereas it is during the last six months of the Lucas García regime that the army began to include women, children and elderly as targets in some massacres, it is under Rios Montt that their inclusion became a systematic practice.

If we broaden our analysis to the entire department of El Quiché, our conclusions about the strategies and patterns of massacres in the Ixil-Ixcán areas during the regimes of Lucas García and Rios Montt are systematically reaffirmed. Under Lucas García, from March 1981 to March 1982, 2,495 Maya were victims of 97 army massacres in the department of El Quiché. Under Rios Montt, between March 1982 and March 1984, 4,180 Maya were victims of 85 massacres in El Quiché. Here again, while there is a 13 percent drop in the number of massacres under Rios Montt, there is a 25 percent increase in the number of massacre victims during the first year of his regime (See Chart 21.6). Again, under Rios Montt, there is an increase in the efficiency of the massacres with 30 percent more victims per massacre, on average. And again, I want to emphasize that this 30 percent increase represents the systematic inclusion of women, children and elderly as massacre victims.

Fully 43 percent of all the Achi Maya killed in army massacres between January 1980 and December of 1982, died during the first nine months of the Rios Montt regime (See Chart 21.7). If we combine the massacres in the municipality of Rabinal and the departmental capital of Salama, we find the ladino-dominated Salama suffered 1 percent of massacres while the predominantly Achi-Maya Rabinal suffered 99 percent of the massacres (See Chart 21.8).
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Chart 21.6 El Quiche data

![Chart 21.6](image)

Chart 21.7 Regime responsibility for percentage of massacre victims Baja Verapaz, 1980-1982

![Chart 21.7](image)
In 1981, 422 Rabinal Achi were killed by the army in massacres under Lucas Garcia—an average of 35 massacre victims per month. Another 95 Achi died in massacres during the last three months of the Lucas Garcia regime in 1982—an average of 32 massacre victims per month. In just the first nine months of Rios Montt’s regime, 487 Rabinal Achi were killed in army massacres (see Chart 21.9). Averaging 54 massacre victims per month in Rabinal alone, there was a 64 percent increase in the number of massacre victims in Rabinal under Rios Montt. Between 1980 and 1983, 25 percent of massacres were committed by the army alone. Another 21 percent were committed by army troops withjudiciales—local ladinos from Salama and Rabinal vestido de civil con patucho rojos. Both Rabinal Achi and ladinos refer to these men interchangeably as ‘judiciales’ and ‘escudrones.’ Moreover, 54 percent of all Rabinal massacres were committed by the army with PAC military commissioners and/or patrulleros. Under the regime of Rios Montt, military commissioners and PACs were included in every army massacre in Rabinal.

Genocide is a gendered atrocity because its intention is to destroy the cultural reproductive capacity—with, women and children are prime genocidal targets. One way to pinpoint the height of the genocide is to look at the ratio of male to female massacre victims. In 1981, females (including women and girls) comprised...
Chart 21.9 Number of massacre victims – Rabinal, Baja Verapaz 1980-1982

Chart 21.10 Percentage of massacre victims by gender Baja Verapaz, 1980-1983

14 percent of massacre victims in Rabinal. By 1982, they made up 42 percent of massacre victims. By charting the gender composition of massacre victims over time, we see that halfway through 1982 the increase in the number of women killed in massacres rises so rapidly that the comparative percentage of men killed actually drops (See Chart 21.10).
This point of intersection represents the successful implementation of a shift in army strategy from selective massacres to genocide and is located midway through 1982 about three months after Rios Montt seized power.52

No doubt, the ever-increasing number of Maya massacre victims and the pattern from the Lucas Garcia regime to the rule of Rios Montt indicates an ongoing army strategy that was consistent in its target population (the Maya) and one which became increasingly efficient. Moreover, this improved efficiency was no accident and certainly not the random and coincidental outcome of rogue commanders in the field. It was the field implementation of the Guatemalan army’s ‘Plan de Campana Victoria 82’ (Victory Campaign Plan 82) which sought to ‘eliminate’, ‘annihilate’ and ‘exterminate’ the ‘enemy’.53

In her extensive study of the Guatemalan military based on interviews with high-ranking officers, Jennifer Schirmer concluded: ‘The concentration of energies and forces [of Plan Victoria] resulted in the most closely coordinated, intensive massacre campaign in Guatemalan history.’54 General Hector Gramajo, Rios Montt’s Deputy Chief of Staff, told Schirmer ‘proudly’ that ‘one of the first things we did was draw up a document for the campaign with annexes and appendices. It was a complete job with planning down to the last detail.’55 Gramajo also told Schirmer that he was ‘coordinator and supervisor of the military commanders of operations for the western zone (Alta and Baja Verapaces, El Quiché, Huehuetenango and Chimaltenango); he also referred to the campaign of massacres as his “baby”’.56 Less than one month after the Rios Montt coup, Plan Victoria was signed by the junta on 10 April 1982 and officially began 10 days later. Throughout the campaign,Gramajo and the army General Staff received hourly and daily intelligence reports about all the details of the campaign via radio transmissions.57 A critical component of Plan Victoria was the systematic organization of civil patrols that was begun, perhaps as a pilot campaign, under Lucas Garcia but brought to fruition under Rios Montt. Fully 64 percent of army massacres during the 34-year conflict occurred between June 1981 and December 1982.58 According to a statistical analysis of the CEH findings, 14.5 percent of Ixlil Maya and 16 percent of Achí Maya were killed during La Violencia.59

Inclusion of PACs in Guatemalan army massacres

Given that PACs were an integral component of the 1982 Victory Campaign, I want to again look at the massacres but this time analyzing the composition of the perpetrators. My questions here are (1) Who carried out the massacres? (2) Does this reveal a pattern? (3) If there is a pattern, what are its implications?

In the department of El Quiché during the last year of the Lucas Garcia regime, army platoons carried out 97 massacres but 16 of these massacres were different from the rest because, for the first time, army platoons carried out massacres with local PAC participation under army command.60 Under Lucas
Garcia, 19 percent of massacres were carried out by army platoons with PAC participation (under army command) and 81 percent of massacres were carried out by army platoons alone. Reviewing the number of victims of each massacre, one finds that 87 percent of the victims were killed in army platoon massacres and 13 percent of the victims were killed in joint army/PAC massacres (see Chart 21.11).

Each massacre was representative of a wide-scale military strategy that did not distinguish between civilians and combatants, a strategy that first used terror and psychological cruelty to force communities to accede to army control. Massacres should not be seen as discrete and one-time-only incidents of state violence but rather as integral strategic operations which in their sum form the army’s first genocide campaign. Nonetheless, each massacre is still significant in that it embodies the moment in which violence explodes into the lives of civilian villagers and forever changes the lives of citizens in Guatemalan society both locally and nationally. It is within the tension of this local and comparative national analysis of the massacres that we can best understand the meaning of the Guatemalan genocide.

In the Ixil Area, in the last six months of 1980, 83 Maya lost their lives in army massacres in five Ixil communities. By 1981, FAs were systematically incorporated into the army’s massacre campaign. Indeed, of 79 army massacres
carried out by the army in El Quiché during 1981, local PACs participated in 12
of these massacres (or 15 percent). As by 1982, the army had committed 131
massacres in El Quiché and local PACs participated in 41 of these massacres —
doubling PAC participation in army massacres to 31 percent. No doubt, this
increase in PAC execution of army strategy represents both the expansion of
the army’s scorched earth campaign as well as the growth of army-controlled
civil patrols throughout the region.

In its comprehensive investigation, the CEH found that 18 percent of human
rights violations were committed by civil patrols. Further, it noted that 85 per-
cent of those violations committed by patrols were carried out under army
order. It is not insignificant that the CEH found that one out of every ten
human rights violations was carried out by a military commissioner and that
while these commissioners often led patrols in acts of violence, 87 percent of
the violations committed by commissioners were in collusion with the army.56
Less than one month after the army organized all the men of San José and San
Antonio Sitánchez, Zacualpa, into a PAC, army-ordered PAC violence began
within the community. On 24 May 1982 (exactly two months after the coup),
the army called all the 800 patrols to gather in front of the church in San
Antonio Sitánchez. After chastising them for failing to turn in any guerrillas in the
preceding weeks, the army lieutenant sent them on a fruitless march through
the mountains searching for guerrillas. When they returned empty-handed, the
army and patrols who had remained showed them the dead bodies of four
PAC members and two local women. After ordering the patrols to relinquish
their pales (sticks) and machetes, the lieutenant accused Manuel Tol Canil, one
of the local PAC chiefs of being a guerrilla. Two other patrols protested that
Canil was not a guerrilla and had committed no crime. The lieutenant then
accused those two patrols of also being guerrillas.57
The hands of the three men were bound behind their backs and they were
tied to a tree in front of the church. The lieutenant ordered the patrols to
form a line in front of the tree. He picked up one of the machetes, gave it to
the first man in line, and ordered him to ‘Vos matalo a éste. Si vos no lo matás,
tele mato a vos.’ Taking turns, the men were ordered not to hit the men with
machetes blows because their deaths should be slow to extend their suffering.
When the first victim died after three machete blows, the lieutenant said,
‘That’s too bad that he couldn’t tolerate more, he died with only three blows
of the machete.’58 After all three men had been killed, the patrols were
ordered to bury them. One patrol recalled returning home after killings, ‘We
came home cold, we were all frightened. The elders were crying as we walked
down the path. The thing is that we were all crying.’ An other former patroller
explained the impact of this army-ordered violence in his community. ‘We
began to drink more guano (grain alcohol) to make our hearts more tranquil to
try to pass through the pain these events brought to us.’
Plan Victoria, developed under Rios Montt, increased the centrality of the PACs to army strategy. Less than one month after Rios Montt's coup, the army began an intensified and systematic forced recruitment of Maya into the PACs. This further systematized the inclusion of civil patrols in the counterinsurgency began under Lucas García. Thus, it should not be surprising that army massacres with PAC participation more than doubled to account for 41 percent of army massacres under Rios Montt and that the number of victims of army/PAC massacres more than tripled to account for 47 percent of army massacre victims (See Chart 21.12).

This systematic pattern of incorporation of army-controlled civil patrols participating in army massacres at the same time that the army's official Plan Victoria campaign calls for increased organization of these PACs indicates 'beyond a shadow of a doubt' that (1) massacres were carried out by army platoons and army patrols with PAC participation; (2) the pattern of army and army/PAC massacres from Lucas García to Rios Montt indicates massacres as a result of widespread army strategy and command responsibility; (3) this pattern further reveals a highly coordinated army campaign which increasingly and systematically included PACs in massacre operations under army command; (4) this pattern could only have existed as the result of a widespread army strategy with incorporation of PACs as a strategic component of the 1982 Plan Victoria; and (5) both Lucas García and Rios Montt, as well as Gramajo and
other army officials in the High Command, had command responsibility and
were the intellectual authors of army and army/PAC massacres of the Maya
during their military regimes. This sustained campaign of massacres was the
army’s first genocidal campaign against the Maya.

‘Hunter Battalions’ – the Guatemalan army’s second campaign
of genocide

As the Guatemalan army moved forward with Plan Victoria’s first campaign of
genocide committing massacres against the Maya in villages throughout the
country, those who survived by fleeing into the mountains were pursued by
the army. Initially, massacre survivors fled to nearby villages in the mountains
seeking refuge from the army ground troops chasing them through the moun-
tains as well as the machine gun strafing of army helicopters and the bombs
being dropped from planes. These villages were soon attacked and destroyed by
the army, which left only the mountain itself as refuge.

In July 1981, based on an interview with an unnamed US intelligence oper-
ative who had worked in Brazil and Colombia, Everett G. Martin reported in
the Wall Street Journal that ‘the Carter Administration’s policy of turning its
back on a country that violates the human rights of its citizens during the fight
against guerrillas “is a coward’s way out.”’ Martin also reported on the indoc-
trination of Salvadorean troops at a special training school. An unnamed Green
Beret colonel explained the counterinsurgency techniques: ‘There aren’t any
such things as special forces camps or free-fire zones in irregular warfare. We are
supposed to train the local forces to play guerrilla with hunter battalions that
are moving all the time. … You make them realize their situation is hopeless
and then you offer them amnesty.’ These same techniques were taught to
Guatemalan army officials and troops at the School of the Americas.

Indeed, former soldiers involved in the pursuit of civilians in flight have
referred to these operations as ‘hunting the deer’ (cazando el venado). The tech-
nique was to use multiple platoons to encircle a large area. These troops would
be backed up by helicopter strafing and aerial bombardment. Soldiers would
begin to fire into the forested areas of the mountains on all but one side of the
circle thereby forcing the civilians to flee in the direction which appeared to be
safe for lack of gunfire. As civilians reached these areas, the soldiers would open
fire directly onto the civilian populations. This sustained ‘hunt’ of the Maya
and the intentional suffering and destruction it caused is the army’s second
campaign of genocide against the Maya.

While the army killed civilians in flight, they also forced these internal refugees
to die from hunger. Empty villages were burned and their crops were destroyed by
the army. Even those villagers who had dug huzones to hide and store corn and
clothing had fared little better than those who had not. The huzones were
most often found and destroyed or looted by the army and/or civil patrols. Civilians in flight had little more than the clothes on their back and whatever food they were able to carry; last, at best, for only a few days. Civilians fled the army sometimes for days and sometimes for a week until they found a temporary safe haven where they would stay until the next army attack or until they drifted away in search of food and water. Wherever they landed, they were constantly pursued by hunger and thirst.

Writing of survival in Auschwitz, Primo Levi wrote: "the physiological reserves of the organism were consumed in two or three months, and death by hunger, or by disease induced by hunger, was the prisoner's normal destiny, unavoidable only with additional food." Indeed, in the hundreds of testimonies I have taken from massacre survivors, the power of the hunger, thirst and illness of life in flight from army troops overwhelmed even the event of the massacre because life in flight went on for years and during the rains in flight an average of 30 percent of massacre survivors died from army attacks, hunger and illnesses associated with hunger and exposure to the elements.15 It was the desperation of hunger that drove massacre survivors to forage for edible roots, weeds and bark in the mountains and also to search for any abandoned crops of milpa missed by the army's scorched earth campaign. Don Silverio recalls, "It had been more than eight days without food. We were far in the mountain, but we could see the milpa. The soldiers had left. There was a youth who was very brave, he said he was going to investigate and bring back maize for all of us. We heard the explosion. Poor youth. The army had mined the milpa. In other places where we found milpa, the soldiers had shit on our sacred milpa."16 'Thirst', wrote Levi, 'does not give respite. Hunger exhausts, thirst enrages.'17 When not cold and wet from the constant rain of winter, massacre survivors in flight were hot and in search of water in the unrelenting heat of summer. Without water, there can be no life. What kind of life is there when water is so limited that one does not know from one day to the next if there will be water enough to drink? What does it mean to bring new life into the world in such dire conditions? Doña Juanaite gave birth in the mountains when there was no water: 'My son was born in the mountain. He was born without clothes. He was born without food. We didn't even have any water. When my son was born, I couldn't even change because I had no other clothes and I had to stay in my own filthy because there was no water. We suffered greatly in the mountains.'18 Even when there was enough water for bathing, there was never any soap. In place of soap, people used ashes when they bathed.

Just as massacres were not the result of rogue army commanders, the hunt for Maya civilians in flight in the mountains as well as all the resulting death, privation and suffering were the systematic enactment of the Guatemalan army's second campaign of genocide against the Maya. The goal of this campaign,
which was supported by the US government, was to eliminate those Maya who
survived the hundreds of army massacres.

1. Forced concentration of massacre survivors into army-controlled
2. 'model villages'

3. The third army campaign of genocide is the forced concentration of Maya
4. massacre survivors into army-controlled camps which the army called 'model
5. villages.' In *Survival in Auschwitz*, Irmin Levi writes of his arrival to the camp:
6. 'we saw a large door, and above it a sign, brightly illuminated (its memory
7. still strikes me in my dreams): Work Gives Freedom.'59 In keeping with the
8. Nazi fantasy of work and freedom in concentration camps, the Guatemalan
9. Army named roads within its model villages 'Avenue of Development',
10. 'Avenue of Security',60 'National Army Avenue' and 'Road of the Fallen',61
11. and signposts at the entries had slogans such as: 'Guatemala is peace and
12. development.'62 'Welcome to San Sanch, a totally ideologically new community',
13. 'Anti-Subversive Village, Ideologically New'63 and 'Only he who fights has the
14. right to win. Only he who wins has the right to live.'64

16. Bios Montt was carrying out a 'methodical counterinsurgency program'
17. began when Bios Montt imposed a state of siege in July and which included
18. military operations of 25,000 army soldiers 'aided by some 25,000 members
19. of a newly created Civil Defense Force.' Further, she wrote that the
20. 'government's new strategy ... includes herding thousands of Indians villagers
21. into army-controlled zones.' Simon visited displaced survivors of the army
22. massacre of Las Pacayas village; she wrote: 'Since the massacre, the army has
23. returned 150 villagers to Las Pacayas, where they now live in rows of military
24. tents and improvised huts. In the presence of an army captain, the Indian
25. men repeated the official version that the 'subversives' had attacked them.'
26. Outside the surveillance of the army, several sources confirmed the massacre
27. was committed by the army.65

28. Model villages such as Las Pacayas were an integral part of the Army's 'Poles of
29. Development' campaign which theoretically provided for rural development. In
30. reality, the model villages, like the poles of development, were army-controlled
31. resettlement work camps developed as a means of maintaining absolute control
32. over communities of displaced Maya massacre survivors. The construction of
33. the model villages was among the first 'food for work' projects, which returning
34. massacre survivors were forced to build. Most of these villages were built upon
35. the buried remains of villages razed by the army. Indeed, massacre survivors
36. often returned to their villages of origin to rebuild under army order. Because
37. the composition of villages was determined by the army, many villages were
38. rebuilt with Maya from different villages as well as other ethnolinguistic
communities. Thus, many Maya today describe their communities as *revuelto* [scrambled]. In addition to the villages, survivors were also forced to build access roads for army vehicles.

Just as hunger had driven massacre survivors to surrender from the mountains, hunger also drove them to work for food. 'No work projects, no food. A great way of doing things', said Sergeant Corsartes, one of the commanders at the Sanaoch model village. Indeed, the 1980 Santa Fe Committee's *A New Inter-American Policy for the *80s* served as a blueprint for the Reagan administration's Latin American policies, cynically stated 'Food is a weapon in a world at war.' The Guatemalan army journal *Revista Militar* noted, 'In twenty four hours, it is possible to assemble 3,000 or more voluntary workers to undertake construction of a road, a school, irrigation projects, a whole city...'

Within the model villages, residents were called to line-ups in formation and register in the morning, the afternoon, and the evening. Each day at midday, residents were also required to participate in anti-guerrilla, pro-army communal rituals in which several local men would recount how they had been betrayed by the guerrilla and helped by the army. Residents were not allowed to leave model villages without army permission.

The construction of model villages was reminiscent of the strategic hamlets developed in Vietnam by the United States and the South Vietnamese army during the Vietnam War. Model villages included at least one, and often two, military detachments of 150 soldiers who were permanently housed in army garrisons built within the village. These garrisons were most often located close to the village entrance allowing soldiers to monitor daily activities within the village. Model villages each had army/PAC patrol posts at the entrance and exit of the village. A soldier in the model village of Chisoc explained, 'We have a list of names. If their names appear on the list, we take them.' Responding to a question about the fate of those taken away, the soldier said, 'They die.' Thus, the grid-pattern construction plan of model village housing and its garrison layout, and land distribution was designed for army surveillance and control of the population, not for the functional development of productive agrarian communities as the army claimed in 'Poles of Development' propaganda. The model village plan destroyed the traditional village layout of scattered housing, a layout that allowed for cultivation of crops and care of livestock, replacing it with rows of tightly packed housing placed in an urban grid pattern, thus destroying agrarian production.

Genocide, terror and the sacred milpa

In his theorizing on cultures of terror, Michael Taussig wrote that the cultural elaboration of fear was integral to controlling massive populations. The loss and destruction of milpa is present in every testimony not simply because it is...
the principle food source of the Maya, but because maize is sacred. Nobel Prize
winning Guatemalan writer Miguel Angel Asturias wrote: 'The maize
improves the earth and makes no one rich. Neither the boss, nor the men,
Sow to be eaten it is the sacred sustenance of the men who were made of
maize. Sow to make money it means famine for the men who were made of
maize.' The Maya are the 'Men of Maize' and Maya origin stories begin with
the birth of the Maya through maize.31 Thus, Guatemalan army destruction of
maize was a recurring ritual destruction of the Maya both physically and
spiritually. This ritual destruction has new meaning under genocide law fol-
lowing the decisions of International Criminal Tribunal for the former
Yugoslavia (ICTY) in its Rule 61 decision which identified three new (and more
expansive) categories for consideration in the interpretation of the intent
requirement for genocide: (1) the genocidal political doctrine of the aggressor;
(2) the repetition of discriminatory and destructive acts; and (3) the perpetra-
tion of acts which violate or are perceived by the aggressor as violating the
foundations of the group, whether or not they constitute the enumerated acts
prohibited in the genocide definition, and so long as they are part of the same
pattern of conduct.'32
As Perlins points out in her insightful work, the third category allows for the
consideration of violations historically considered to be 'cultural genocide',
violations previously excluded from legal consideration under the definition of
genocide which was limited under the genocide convention to 'the construct
of physical or mental destruction'.33 Thus, in the CEH's analysis, acts of cultural
destruction were considered to be 'signposts of the subjective intent of the
attackers when they were committed together with the acts of physical destruc-
tion specifically proscribed in the Genocide Convention'. In the ICTY's broad-
ened categories of intent, 'the bombing of sacred Maya lands used for religious
worship ... the burning of huipiles ... the prohibition of ritual burial of the
dead', and the destruction of other ritual icons 'were indicative of an intent to
destroy the group, as such'. Perlins specifically notes that the 'religious and cul-
tural significance that the Maya attribute to the cultivation of the land, and
particularly of maize' was central to the CEH's conclusion that the army com-
mited acts of genocide.34
For massacre survivors, the sacred milpa was prominent not only in testi-
monies of community loss and destruction, but also a potent symbol of com-
unity regeneration. The endurance and reinvention of ritual belief systems is
an indication of their ongoing social and cultural significance. In the case of
the Maya survivors, this significance is found not only in what was lost to the
violence but also in what has been reconstructed in its aftermath. Just as the
destruction and desecration of the milpa became a metaphor for army viola-
tion of the integrity of Maya communities, the resurrection of the milpa is a
living metaphor of community rebirth.
Don Justicio, an elderly community leader recounted the suffering and rebirth of his community through a story of the milpa:

In the time of the violence, a moment arrived in which the sacred milpa, which gives us life, disappeared. From so much destruction of its very roots, it disappeared. Because the maize disappeared, there was a time in which the people had to live without maize. This was a time when many people died, many children died, because the sacred maize had been exterminated. But there was an elderly man who had a buzón and even though he had to displace himself many times fleeing the army, a buzón remained untouched. The sacred maize in his buzón was untouched. A moment arrived when he was able to return to his buzón to see what there was, to see if anything remained. He found a little bit of maize. And though he was hungry, he didn’t eat this little bit of maize. No, he carried it back to the communities and handful by handful, he gave it to his friends, neighbours, and computeros. Everyone had just a little bit because there wasn’t very much. This was how we once again began to cultivate the sacred maize.

After it was planted, we had our first harvest and once again we were able to make tortillas. After so many deaths, so much sadness, we were still able to cultivate our sacred milpa.97

Justice after genocide?

On 29 April 2004, the Inter-American Court issued its condemnation of the Guatemalan government for the 17 August 1982 massacre of 198 Achi-Maya in the village of Plan de Sánchez in the mountains above Rabinal, Ríos Verapaz.

The Inter-American Court attributed the massacre to Guatemalan Army troops. This is the first ruling by the Inter-American Court against the Guatemalan state for any of the 626 massacres carried out by the army in the early 1980s. The Court later announced the damages the Guatemalan state will be required to pay to the relatives of victims at $7.9 million.98

Beyond the importance of this judgment for the people of Plan de Sánchez, the Court’s ruling is particularly significant because the following key points were included in the judgment: (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 applied their National Security Doctrine in its counterinsurgency actions; and (3) these counterinsur-
genecy actions carried out within the Guatemalan government’s National Security Doctrine took place during the regime of General Efraín Ríos Montt who came to power through military coup in March of 1982.

Further, regarding the massacre in Plan de Sánchez, the Court indicated that the armed forces of the Guatemalan government had violated the following
rights, each of which is consecrated in the Human Rights Convention of the
Organization of American States: (1) the right to personal integrity; (2) the
right to judicial protection; (3) the right to judicial guarantees of equality
before the law; (4) the right to freedom of conscience; (5) the right to freedom
of religion; and (6) the right to private property. 39
The Plan de Sánchez case was considered by the Inter-American Court at the
request of the Inter-American Commission which had received a petition from
surviving relatives of the massacre victims. These survivors requested consider-
ation within the Inter-American Court because of the lack of justice in the
Guatemalan legal system. Since the Plan de Sánchez case was initiated in 1995,
the Guatemalan Forensic Anthropology Foundation (FAFG) has carried out
more than 300 exhumations of clandestine cemeteries of massacre victims in
Guatemala. Each of these exhumations has included the filing of a criminal
case with forensic evidence against the Guatemalan army and its agents. To
date, only the Rio Negro case has been heard in a Guatemalan court and no
army officials were included in the case which found three civil patroliers
guilty. 40 Survivors continue to seek justice in local, national, regional and
international courts.
In July 2006, the Spanish Court issued an international arrest order charging
various former generals and military officials with genocide, terrorism, torture,
assassination and illegal detention. Those charged include: General Efrain Rios
Montt (head of state through military coup from March 1982 to August 1983);
General Oscar Humberto Mejía Victores (head of state through military coup
from August 1983 to January 1986); General Fernando Romeo Lucas García
(president of Guatemala from 1978 to March 1982); General Angel Amíbal
Guevara Rodríguez (Minister of Defence under Lucas García); Donaldal Alvarez
Ruiz (Minister of Interior under Lucas García); Colonel German Chapú
Batalhão (Director of the National Police under Lucas García); Pedro García
Arendondo (Chief of Command 6 of the National Police under Lucas García);
and General Benito Lucas García (Army chief of staff during his brother’s
reign). 41 As of March 2007, none of these military officers have been extra-
dited and each has filed numerous appeals to slow the process. 42 Moreover,
they continue to make public justifications and/or deny any knowledge of
human rights violations. While none of them have been jailed, the country of
Guatemala is now their jail because INTERPOL agreements bind any country
receiving a visitor on INTERPOL’s international arrest order list as being imme-
diately extraditable. Still, they continue to argue that self-granted amnesties
give them immunity from prosecution as they live with impunity in
Guatemala.

Moreover, the evidence suggests that we can and should make connections
between practices and discourses of violence in the past and present. In the his-
torography of Guatemala, there is a particular lexicon that we can trace from
the 1980s (and probably earlier). In the 1980s, the military regimes blamed the 
victims by calling them subversives; threatened anyone who opposed the 
repression; claimed amnesty for any crimes committed by the army; blamed 
the guerrilla for any killings or disappearances; and pleaded ignorance to the 
violence engulfing the country. In the 1990s, the army: blamed the massacre 
victims for causing the massacres; claimed the victims and survivors were sub-
versives; threatened anyone who sought explanations; claimed amnesty for 
any crimes committed; blamed the guerrilla for all violence; and pleaded igno-
rance for obvious army violence. After the Spanish Court issued its arrest war-
rant, the generals: claimed the Spanish judge was an ETA terrorist; threatened 
witnesses; claimed amnesty for any crimes committed; blamed the guerrillas 
for massacres; and pleaded ignorance. In the contemporary cases of feminicide 
(the killing of women), extrajudicial executions and social cleansing, the jus-
tice system in general and the prosecutor's office in particular have: dismissed 
the victims as less than worthy by calling them gang-members; blamed gangs 
for all the violence; claimed social cleansing does not exist; claim witnesses will 
not come forward; and, continue to plead ignorance about all aspects of vio-
ence even though there are more murders per day now than there were in the 
late 1980s.195 It is impunity – the violation of the law by those charged with 
upholding it – that connects the genocide of the past with the violence of the 
present. Keeping those connections clear and dissecting institutional responsi-
bility for violence remain the tasks confronting contemporary and future 
scholarship on Guatemala.

Notes

1. This chapter draws on Violencia y Genocidio en Guatemala (Guatemala City: FGE 
Editors, 2003) and Buried Secrets: Truth and Human Rights in Guatemala (New York: 
Pelgrave Macmillan, 2003). Special thanks to Dan Stone for his patience and for 
including my work on Guatemala in this volume, to Raul Figueroa Sarti for his 
unconditional love and support, and to Valentina for teaching me that I could 
write and be a mother at the same time. This chapter is dedicated to the survivors
of the Guatemalan genocide. Any errors are mine.
2. All names of massacre survivors are anonyms.
3. URG: Union Revolucionario Nacional Guatemalteca – Guatemalan National 
Revolutionary Union.
4. See Amnesty International (hereafter AI), Guatemala: Massive Extrajudicial 
Executions in Rural Areas Under the Government of Efrain Rios Montt, Special Briefing 
(New York: AI, 1982); AI, Guatemala: Lack of Investigations into Past Human Rights 
Abuses: Cladeoite Cemeteries (London: AI, 1993); AI, Human Rights Violations 
Against Indigenous Peoples of the Americas (New York: AI, 1992); AI, Guatemala: All 
the Truth, Justice for All (New York: AI, 1998); American Watch (hereafter AW); 
Little Hope: Human Rights in Guatemala, January 1984 to January 1985 (New York: 
AW, 1985); AW, Guatemala: A Native of Prisoners (New York: AW, 1984);
5. R. Carnack, Harvest of Violence: The Maya Indians and the Guatemalan Crisis

13. Specifically violated were Articles 3, 5, 6, 9, 12, 17.2 and 20.1 of the UDHR; Articles 6, 7 and 9 of the ICPR; and, Articles 1 and 2 of the Convention against Torture.


15. Guatemala became a signatory to the UDHR in 1948, the same year it was adopted by the UN. The Genocide Convention was adopted by the UN in 1948 and has been in effect since 1951. Guatemala approved signing the Genocide Convention in Decree 794 on 11 November 1949 and became an official signatory on 1 June 1950. The ICPR was adopted by the UN in 1965 and has been in effect since 1976; adopted by the UN in 1984, the Convention against Torture has been in effect since that same year. While Guatemala did not sign the ICPR until 1992 and the Convention against Torture until 1990, each of these conventions has been adopted and come into force with a majority of state signatories. When a majority of states agree to an international convention or protocol, it can be argued that the majority commitment represents a new standard of international customary law to which all states can be held accountable.

16. Specifically violated were Articles 3, 5, 6, 9, 12, 17.2 and 20.1 of the Universal Declaration of Human Rights (UDHR); Articles 6, 7 and 9 of the International Covenant of Civil and Political Rights (ICPR); and, Articles 1 and 2 of the Convention against Torture.

17. This shift from crimes against humanity to genocide is not unique to Guatemala. Indeed, the Nazi death camps were preceded by the brutal wave of selective killings by the Einsatzgruppen (mobile killing units) from 1941 to late 1942, which took the lives of approximately 1.5 million Jews as well as communists, partisans and Polish intellectuals, among others. See R. Rhodes, Masters of Death: The SS-Einsatzgruppen and the Invention of the Holocaust (New York: Knopf, 2002). For an excellent analysis of genocide in Bosnia and Rwanda, see E. Neuffer, The Key to My Neighbor’s House: Seeking Justice in Bosnia and Rwanda (New York: Picador, 2001). On Rwanda, see also M. Memmi, When Victims Become Killers: Colonialism, Nativism, and the Genocide in Rwanda (Princeton, NJ: Princeton University Press, 2003) and P. Gourevitch ‘We Wish to Inform You That Tomorrow We Will Be Killed With Our Families’: Stories from Rwanda (New York: Farrar, Straus & Giroux, 1999).


21. Unclassified US Department of State, Confidential Action Memorandum To The Secretary of State; Subject: US Guatemala Relations: Arms Sales. No month or day specified but text indicates it was written before 4 December 1982 and after 2 November 1982, p. 1.


23. Ibid., p. 3.

24. For known impact of La Violencia before CEEH report, see n.4 above.

32. Ibid., pp. 2-5.
35. See B. Kieran, Genocide_Studies@Topica.ca. 8 March 2002.
36. Kieran (Genocide Studies) points out that intention is determined by acts carried out deliberately rather than simply the motive behind them. Likewise, Shetron (email correspondence with author) argues that if genocide is the method to obtain land, the goal of obtaining the land does not preclude the intentionality of genocide.
38. D. Shetron, email communication with author, 12 March 2002. For more on the Velasquez-Rodriguez case, see Shetron, Remedies in International Human Rights Law, p. 221.
39. Kieran, Genocide_Studies@Topica.ca.
40. Shetron, email communication with author, 12 March 2002.
41. Kieran, Genocide_Studies@Topica.ca.
43. Ibid.
46. In the summer of 1993, I witnessed a FRG campaign tactics firsthand in the Kiche’ communities of San Andrés Sajcabzá. A group of party officials came to town with some ‘engineers’, who were ostensibly taking census information in order to bring electricity to these villages. As the ‘engineers’ wrote down the information and took measurements for the power lines, they explained that only houses with a blue flag (like the blue background of FRG) would receive electricity and that to obtain a blue flag, adults in the household needed to present their culonas (national
Identification cards and sign a document. The document turned out to be FRG party registration. Given that the majority of local community members signed the document with their thumbprint, only those who were literate were able to see that they were not signing up for electricity, but rather for the FRG party.

47. Analysis on massacres in El Quiché in this section is based on massacre data presented in CEH, Vol. 10.

48. Ibid.

49. Analysis on massacres in Baja Verapaz in this section is based on massacre data presented in CEH, Vol. 8.

50. Analysis on massacres in Baja Verapaz in this section is based on massacre data presented in CEH, Vol. 8.

51. Analysis on massacres in Baja Verapaz in this section is based on massacre data presented in CEH, Vol. 8.

52. Analysis on massacres in Baja Verapaz in this section is based on massacre data presented in CEH, Vol. 8.


55. Ibid.

56. Ibid., p. 45.

57. Ibid., pp. 46-7.


59. Ibid., 411.


61. Schimter writes *The Guatemalan Military Project*, p. 453: “No distinction is made between combatant and noncombatant...”


63. CEH, Vol. 10.


65. Ibid., p. 181.


67. Ibid., p. 165.

68. Ibid., p. 166.

69. Ibid., p. 164.


Operations Against Guerrilla Units, 1-23. "Your objective is to KILL GUERRILLAS, NOT to hold terrains" [emphasis in original].


75. This 30 percent draw on testimonies from massacres survivors in Ixil, K'iche', Achi, Rej'ch'ina, and Requiquel communities.


77. Levi, The Drowned and the Saved, p. 79.

78. Nebaj testimony CA 18.82/12, 14 March 1997, p. 1 of 1. b.


82. Ibid.

83. A. Michaels, 'Poverty and Despair Prevail in Guatemala's 'Model Villages'', The Guardian, 16 September 1987, 11.


85. M. Simon, 'Massacres Spreading Terrors in the Villages of the Maya', New York Times, 15 September 1982, 4. This article by Simon and articles by other journalists previously cited indicate there was international knowledge of the massacres and the incarceration of survivors by the Guatemalan army as the events unfolded - despite President Reagan's support of the regime. Indeed, a coalition of Native American organizations, Oxfam, and Cultural Survival, among others, ran a full-page advertisement in the New York Times denouncing the massacres. See 'Help Stop the War Against the Mayan Indians of Guatemala', New York Times, 3 January 1984, 9.

86. Central America Report, 29 (July/August 1986), 12.


88. Central America Report, 29 (July/August 1986), 12.

89. San Francisco Chronicle, 23 January 1985, FS. In numerous testimonies in the Ixil area as well as other Mayan communities throughout the country, survivors consistently gave testimony to the need for permission from the army for any movement between or outside of villages and towns. Moreover, these authorizations quickly became a source of income through illegal taxing by military commanders.


91. Tausig, 'Culture of Terror', 469.


95. Ibid.

96. Ibid, 402-3.


100. For more on the Rio Negro Trial, see Sanford, Burned Sevets.
101. El Periódico (Guatemala), 8 July 2006, 1.
102. General Fernando Romo Lucas García appears to have died in Venezuela shortly before the arrest order was issued. The Spanish Court included his name in the Arrest Warrant because no death certificate was provided to them to demonstrate his death.