Remember the past… But how and why? Guatemala's Post War Debates over Narrative Authority as a Case of Renegotiating Historical Responsibility and Political Rights

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A catch phrase and its contexts

A phrase heard at countless public discussions in Guatemala and that appears in introductions to political manifestos or popular scientific papers goes like this: "What has happened may not be forgotten so that it will never happen again!" With "what has happened" the speaker or author addresses the Civil War (or Internal Armed Conflict, as it is often called in Guatemala) that has taken 200,000 lives and made over one million people homeless during the thirty-six years it lasted.

Two key texts provide reference points for this programmatic declaration in Guatemala's recent history. First, the Treaty of Oslo concerns the installation of an international Historical Clarification Commission and says that the "people of Guatemala have a right to know the whole truth concerning these events, clarification of which will help avoid a repetition of these sad and painful events and strengthen the process of democratisation in Guatemala". The treaty also calls for a "promotion of a culture of harmony and mutual respect that will eliminate any form of revenge or vengeance is a prerequisite for a firm and lasting peace".

Hence, among other duties such as balanced and non-partisan clarification of the crimes and the presentation of an all-embracing report, the task of the Commission would be to "formulate specific recommendations to encourage peace and national harmony in Guatemala. The Commission shall recommend, in particular, measures to preserve the memory of the victims, to foster a culture of mutual respect and observance of human rights and to strengthen the democratic process". [1] The recommendations that led to the preservation of the victims' memory would later emerge as the second key reference for Guatemalan politics of memory.

According to these recommendations, the President of the Republic as well as the ex-commander of the guerrillas should recognise before the whole of Guatemalan society, before the victims, their relatives and their communities, those acts described in the Commission's report, ask pardon for them, and assume responsibility for the Human Rights violations attributed to their respective forces. The Congress of the Republic should issue a solemn declaration about the dignity of the victims.

As for the memory of the victims, the Commission recommended the designation of a day of commemoration for the victims (the National Day of Dignity for the Victims of the Violence), t he construction of monuments and public parks in memory of the victims at national, regional and municipal levels, and the assigning of names of victims to educational centres, buildings and public highways.

The commitment to commemoration is part of the discourse of Guatemala's post war society. But the affirmation often remains hollow, failing to explain how remembering a past stamped by violence can impede this past's repetition – namely by breaking through these confrontational patterns in the course of finding a collectively expressed history – nor proposing how such a historical consensus could be found or how the involved parties could be motivated for its quest.

The catch-phrase about the importance of commemoration is being used today by different groups with different intentions. Three different ways of using it are particularly palpable. A first group might include neo-liberal politicians, slick entrepreneurs or traditional squires, be they representatives of a future-oriented reformist state or often only group policy, or even the conciliatory bourgeois. Such a person would say "historical memory is crucially important" when she or he wants to say "memory and nothing more". This discourse means that the closing of wounds should be kept waiting by supposedly intransigent agents. Such statements, which correspond to a widespread final stroke-mentality, can be understood as the articulation of a desire not only for a *punto final* after the brutal war history but also as an end to the whole of Guatemala's history up to this point, an evisceration of an history that these circles regard as pre-modern and savage. A vision of the future should capture a new Guatemalan nation ordered according to the principles of free market economy. In this vision, there is no space for the political-cultural claims of the organized indigenous sector.

Active and retired soldiers, dropouts from intelligence services or special forces who now work as journalists, political advisers, or those who run private security firms form a second discursive sector. Forced towards a relative commitment to historical commemoration by both an international and national audience that has been morally sensitised by historical commissions and broad general debates, these people use the buzz phrase about historical memory to propose their own historic justifications. Thus, they employ the phrase to contrast the memory of the victims that is originally being referred to with a different story: the y tend to question the results of the international historical commission or similar projects, ignore the commemoration of the victims and claim the consideration of their own historical theories. These theories focus upon the threat of international communism as the main motor of the war, minimize the estimated number

of 200,000 dead to some 10,000, and point out the alleged power politics-motivation of Human Rights-organizations in their plea for a political coming to terms with the crimes of the war.

As a third group, victim's representatives and human rights organizations try to rehabilitate the victims of the political violence or to provide them, for the first time, with a recognized place in national history, and thus give their relatives symbolic capital in the distribution-fights of the post-war society. This Guatemalan version of "Never forget!" intends to rehabilitate the civil victims – who have often been defamed as criminals or insurrectionists by the army or police forces who massacred or "disappeared them"[2] – as what they really are: victims of a violent system. In such a way, it also tries to restore an identity to the murdered who, in many cases, have not been recognized to date because they are disappeared persons or their corpses lie in anonymous and hidden mass graves. In this context, historical memory means first the restitution of the object of memory and then the recognition of inflicted suffering. In the second instance, this concerns an account of the tragic history in documents and monuments as well as assistance to the survivors in their often re-traumatizing dealing with their own memories.

Further complicating the matter is the fact that Guatemala's state budget largely depends on international monetary aid which is often tied to, among other things, the realization of state compensation programs, giving this dispute about the horrors of the civil war a symbolic but also material component.

Selected protagonists in the debate on contemporary history

To give a more tangible image to the discussion, it is helpful to examine three historiography projects. These differ in their purpose, their methodology, and their size but comparing them provides us with the opportunity to point out the contrasting elements of the historical views that are being put forward by those sectors financing each respective position.

REMHI

The project "Recuperation of Historical Memory" (REMHI) was organized by the Human Rights Office of the Guatemalan Arch Bishopric (ODHAG). It was one of the first two big oral history projects, conducting approximately 6500 interviews between 1995 and 1997. These testimonies were fed into a databank and evaluated statistically (types of crimes, social / ethnic belonging of the victims, responsibility). Apart from that, the ODHAG elaborated twenty-five regional and periodical studies, an inquiry about the consequences of violence on local social levels, and an analysis of historical contexts. The report of these findings was presented in April 1998 in four volumes called "Guatemala Nunca Más!". Among others, the report presented the following central data that had been projected from the crimes reported in the interviews: during the conflict, 150,000 people had been killed and 50,000 disappeared. 75% of these victims belonged to indigenous ethnic groups. Additionally, it stated that 92% of all crimes must be attributed to the

Guatemalan army or other state forces and only 6% to the guerrillas. One day after the presentation of the report, the project director, bishop Juan Gerardi, was murdered in his parish.

Summing up the message of the report one can say that it anticipated the analytic tendency of the 1999 report of the prominent international "Truth Commission" even if did not go so far as to diagnose a genocide perpetrated by the state against the Mayans. But its focus was on the victims and their testimonies and it tried to provide hard data on the human rights violations during the war and a thorough analysis of their effects. As the REMHI blamed the state and specifically the army of being responsible for most crimes, representatives of these sectors often point to the Catholic church's involvement in the conflict on the side of the politicized rural population, thus stating that the report would be obviously nothing more than a partisan justification of their own responsibility by blaming someone else.

Historia General de Guatemala

Planned and financed by the "Association of Friends of the Country" (Asociación de Amigos del País, AAP), the Historia General de Guatemala constitutes the broadest general historiography project realized by Guatemalans. The AAP is a bourgeois cultural-political association with roots in the 18 th century. Their representatives were among the signatories of the 1821 Declaration of Independence and, although politically much less influential today, the AAP has continued to gather those wealthy and educated white Guatemalan citizens that felt they ought contribute to steering the nation's fate. In the mid eighties – ten years before the peace treaty – the association decided to fund the writing of a new comprehensive national history to "rescue our national identity".[3]

The six volumes reflect the AAP's vision of Guatemala's history. After dealing with the pre-Columbian time in the first volume, the narrative of the Historia General stresses the importance of the white elite for the development of the Guatemalan nation. Although never openly depreciatory of the indigenous people, the Historia General highlights arts and white cultural achievements while neglecting the misery of the indigenous majority and the rural and urban ladino masses' everyday life over the centuries. An example of the intention to integrate Guatemalan history into a "modern" global narrative is the fact that the volume covering contemporary history begins with the year 1945 – a date that does not constitute a caesura in Guatemala or in any case a much lesser one than the 1944 revolution.

The appointed project director, the cultural historian Jorge Lujan Muñoz, had to contract specialists for the numerous fields that an all-embracing national history would have to cover, and he tried hard to find both left-wing and conservative authors. Given the nature of the AAP, most left wing historians declined his offer saying they did not want to serve as the progressive fig leaves of a reactionary historiography. However, for the sensitive period of the twentieth century the Muñoz Team printed two articles that analyzed the two revolutionary governments and the latter's overthrow by US-paid reactionary forces under Cornel Castillo Armas from a left and a right-wing position. This way the book does not dismiss the 1940s reform politics as categorically as an Amigos del País-publications

normally might do. The same must be said about the coverage of the civil war brutalities which are the object of two articles. Nevertheless, the historical version presented in the Historia General is far less rigidly judgmental than the International Clarification Commission. Without directly exculpating the army and political leaders, these texts tend to interpret the dynamics of the civil war from the global setting of the Cold War, thus downgrading the conflict to a war by proxy in which the national actors had little to decide. This centrist discourse may try to excuse, and certainly avoids, severe judgment.

Guatemala, Testimonio de una agresión

The third analytical text to be mentioned here also has been put forward by an association, but by one far different from the AAP both in its age and in its political composition. The Association of Military Veterans of Guatemala (AVEMILGUA) was founded in the mid-1990s in the context of the peace accords to give a voice to military veterans. It does not, however, represent the whole of the officers' corps, but expresses the view of the hardliners among the higher officers. For example, AVEMILGUA has been instrumental in General Rios Montt's right wing populist FRG-party's intention to mobilize ex-paramilitaries for their election campaign. Although other prominent officers deny this, the association claims to be the most important voice of the military sector and the main guard of the "honor and dignity of the Guatemalan Army", as their heraldic motto goes.

Since the composition of the CEH became clear, AVEMILGUA has been one of its chief opponents, de-legitimating the commission's members for their alleged left-wing tendencies. Nevertheless, it was AVEMILGUA who handed over the Guatemalan army's contribution to the commission's investigation: ten volumes of newspaper clippings about alleged guerrilla activities during the thirty-six years of war. The CEH did not consider articles from a national press that backed the government's war and did not apply proper investigation techniques in those times as a primary source, thus largely neglecting the material the army had presented. Even before the CEH's report was presented, AVEMILGUA, lead by its distrust towards the commission, decided to publish a synthesis of what was to prove their moral legitimacy in a separate volume. This book, called *Guatemala, Testimony of an Aggression*, came out in September 1998 and is one of the main documents of the historical views of the military hard line sector.

The book is divided into four parts, the first of which is by far the largest and presents the reader with a history of ideologies from the beginning of the enlightenment up to the mid-twentieth century, a history as the Guatemalan Army officers – trained by US specialists in the School of the Americas – understand it. Over seventy pages, the book outlines occidental history as a continuous juxtaposition of liberalism and collectivism that has to lead to the global escalation of the Cold War. The Guatemalan conflict features in this concept as a mere aspect of this battle of giants as becomes clear by the only pages that are dedicated to the central subject under the headline "Aggression against the Guatemalan State". The chapter about the state response or "The Defense of the Guatemalan State," which would naturally be the most interesting and important contribution such a book can make to the historical debate about the war, does not exceed two pages. The only document presented is not, as expected, from military archives but

from a captured guerrilla-doctrine that is supposed to support the army-theory about international communism as the only motor responsible for the war.[4] Without even analyzing the often questionable arguments the AVEMILGUA book brings forward, it becomes clear by its structure that this is an apologetic text, an ideologically underfed attempt to legitimize thirty-six years of brutal war.

Historical rightfulness as political capital: the debate about the genocide against the Mayans

The following section will illustrate the highly political nature that certain debates about history take in Guatemala by highlighting the symbolic and material implications one historical "truth" or its respective anti-theory may have. The question of whether or not the Guatemalan State perpetrated genocide against the Mayan population majority is one of the most controversial issues of the post-war discussions. Genocide had been claimed by indigenous and human rights organizations since the early 1980s when the massacres took place and the male rural population was forced into the military structures of the Civil Self Defense Patrols and was finally diagnosed by the CEH. The commission's report explains that even though the aim of the government was not the physical extermination of the whole Mayan peoples, the army's systematic attacks against Mayan communities, their culture, and their tradition, as well as the fact that the overwhelming majority of the supposedly 200,000 dead and 1 million displaced people were Mayan, meets the UN definition of genocide. The CEH therefore accuses the state of genocidal politics and specifically recommends restitution acts for the Mayans.

From a technical point of view, army or ex-governmental officials would argue whether or not an army consisting of over 80% Mayans can perpetrate genocide against Mayans. Or, they would explain the nature of the massacres (even though they often deny even the existence of massacres) as single excesses of racist officers. But this again is the army's defense strategy when faced public accusations. To understand the political dimensions of the debate beyond the mere acceptance or denial of historic guilt one has to look deeper.

The defensive position of representatives of the political system is an understandable effect of labeling the massacres a genocide: If the CEH's diagnosis became a national consensus, those responsible – the army commanders – would have to face trials in Guatemalan and international courts because the crime of genocide has been explicitly excepted from the amnesty law passed just before the signing of the peace accords, the Law of National Reconciliation. The fact that such trials have already started both in Guatemala and in Spain makes the issue even hotter.

Furthermore, an admitted genocide would also imply an ethnically specified restitution program that would be problematic to accept for the politically influential white or Ladino entrepreneurs. By mentioning of genocide among the list of crimes committed during the war in the National Research program, this group, whose ancestors have been ruling the country ever since Guatemala's independence in 1821, would, in a way, sign a historic

verdict according to which the 1980s massacres constitute the infernal escalation of a 500 year old structural racism and ethnic politics that the modern, enlightenment-born Guatemalan state has continued to exercise over the past 160 years.

The traditional racism of the Guatemalan economic elites may no longer be sociable. Even when the die-hards of this Criollo-sector are among each other, they might not talk about the mass murdering of Mayans with the same twinkle of an eye that would accompany one of their remarks about the alleged inalienable dishonesty or ignorance of the "indios". They are, however, not sufficiently consequent in this limited sensitivity to accept that the seemingly neglected racism can lead to genocide. This means, on the one hand, that not all structural racists end up planning and executing genocides, but, on the other, it keeps these resentments from being wiped out with the necessary decisiveness.

Finally, the question of genocide touches another debate in which the intellectual leaders of the Mayan movement find themselves faced with the denial of whites and Ladinos – the discussion about the composition of the Guatemalan nation. The negative response to the constitutional reforms proposed in a national referendum in 1999 impeded the establishment of the multiethnic composition of Guatemala in its constitution. But, with more than half of the population belonging to one of the two dozens of non-ladino/-white peoples, the discussion about what the Guatemalan nation actually is has naturally not died with the negative referendum. It continues to agitate the politics of culture and education as well as economics. The term "multiculturalism" that had first been en vogue was soon dismissed as dangerous by ladino sociologists such as Mario Roberto Morales. According to Morales, the term "multi" implies a competing simultaneousness of different cultures and has to be replaced by "interculturalism".

This phrase, also, has been criticized by Mayan leaders as an instrument of integrationism as it allegedly departs from the idea that no strong ethnic particularities exist, only shades in a general ethnic mix in which – as the smallest ethnic/cultural denominator – all Guatemalans should embrace each other as sisters and brothers. Since it is logical that such a concept cannot be welcomed by indigenous ideologists, it is clear that its defenders will not accept the idea of a genocide against the Mayans. Genocide always implies a plurality of strongly identified ethnicities, and therefore its Guatemalan historical case is mostly questioned by the advocates for an intercultural concept of nation. It does not seem a coincidence then that these same intellectuals assisted the US-author David Stoll after 1999 when he tried to prove Nobel Peace Price winner Rigoberta Menchú's interpretation of the indigenous people's role during the internal war to be nothing more than Marxist guerrilla propaganda.

Can Guatemala's historical debates be understood as political re-negotiation in the sense of Elazar Barkan?

The example of the discussion about genocide shows the political importance that historical questions have in post-war Guatemala. Their impact goes far beyond the "academic" interest in historical truth but rather shapes the arguments of those who try to defend group interests in the national arena that is about to reshape itself after 500 years

of social and ethnic injustice and the recent civil war. In this context, the theoretical considerations of the American anthropologist Elazar Barkan are helpful to interpret the exploitation of history by a transitional society.

Elazar Barkan elaborated his ideas in his book *The Guilt of Nations: Restitution and Negotiating Historical Injustices*[5]. Drawing from the histories of restitution for the victims of the Holocaust, Japanese restitution for Korean "comfort women", and Australian compensation for Aborigines, as well as from the discussions about possible US reparations for the African American descendants of the victims of slavery, the Tel Aviv born anthropologist intends to approximate a theory of restitution as a means of reshaping group relations in post-conflict societies. He understands restitution in a very broad sense, embracing all forms of compensation both material and symbolic such as asking forgiveness, erecting monuments or naming public streets, squares, etc., after victims. Barkan points out how the convergence of two seemingly incompatible versions of the same course of events "leads to a reconfiguration of both sides. While the perpetrators hope to purge their own history of guilt and legitimize their current position, the victims hope to benefit from a new recognition of their suffering and to enjoy certain material gains."[6]

What makes this negotiation of opposed historical views possible is the dynamics of the positions of suffering on the one hand (victims) and what Barkan calls "performative guilt"[7] on the other (perpetrators). The whole process depends on the perpetrators' relative willingness to accept their guilt which under currently established moral-political standards favoring individual and group rights may seem more reasonable to them than clinging to strict ideological positions. This (not always entirely voluntary) readiness of states or powerful groups to enter into dialogue about historical responsibility for human rights abuses enables victims to not only insert their narrative into national history but also to increase their political influence. "Victimization empowers", as Barkan bluntly puts it.[8] Victims groups that have not managed to improve their political representation during the transition process may get the possibility to do so by the public recognition of their historical role obtained by the process of history and restitution negotiation. The perpetrators, especially responsible governments, on the other hand, can legitimize their current position by (vaguely) admitting historical guilt.

The case of Guatemala, although still in development, provides examples for various aspects of Barkan's ideas. The negotiations preceding the peace accords already provided victims groups that were previously "voiceless" in Guatemala a platform to articulate their interests. Even though most of the agreements reached in these negotiations still await their implementation, the admittance of social and historical injustice by the powerful gave to the marginalized a political point of departure that in itself can hardly be challenged. It is now rather a question of how to find political representation that enables these sectors to satisfy their demands.

As far as specific compensation for human rights violations during the armed conflict is concerned, the situation in Guatemala is more complicated than the two-sided scenarios that Barkan describes. To be sure, most victim groups can be clearly identified. Even if apologists of the 1980s army strategies still describe the Mayan population as prone to

communism and therefore responsible for their own fate, the victim status of massacred or violently displaced civil communities cannot be seriously challenged. It is, however, more difficult to define the perpetrators. If it is rather unproblematic to label high level army and government officials as responsible for atrocities perpetrated under their command and even point out the approving and profiting position of the economic elite, the borderline between victim and perpetrator becomes somewhat more blurred when we approach the army soldiers or the army controlled Civil Self Defense Patrols (*Patrullas de Autodefensa Civil*, PAC). To what degree are they responsible for their actions? Does forced recruitment turn them into victims?

Even though the problem of unclear victim/perpetrator identification has not been worked out by Barkan, the example of the PAC's post-war history illustrates the usefulness of his approach for the Guatemalan case – a demonstration that hopefully provides a helpful explanatory model for a complex aspect of the country's historical politics.

Who were or are the PAC? The PAC were first conceived and formed by the government of general Lucas García in 1981, legalized by a government accord in April 1983 by the next chief of state, general Ríos Montt, in whose scorched earth strategies they played a key role. The strategy to force the majority of the male rural population into badly armed and unpaid paramilitary forces came as a response to the guerrilla's success in mobilizing the indigenous communities politically. What started as a way of depriving the guerrilla of its civil support, however, immediately developed military aspects. The army, always stressing the supposedly voluntary character of the PAC, forced their members to patrol communities and take part in military operations which made them the object of guerrilla retaliation. While many PAC only complied with their duties and hardly ever came into contact with the insurgent groups, those PAC groups in the central highlands where the main focus of the war events took place played a major role in the violence. The CEH reported over 11,000 cases where PAC members – alone or together with army or military police units – committed human rights abuses, from massacres and arbitrary executions to torture and rape. Some PAC leaders took advantage of their powerful positions to denounce or kill personal enemies and acquire riches in their communities. Apart from that, forcing approximately 50% of the male population into paramilitary units lead to a deep seeded militarizing of the civil population and continues to affect Guatemala's society even after their dissolution and the start of peace accords. It especially – and intentionally – affected the social structures of the indigenous communities.

In its assessment of the patrols' part in the atrocities of the war, the CEH always stresses the basic responsibility of the army for their creation, the corruption of their members, and the crimes committed by them. The coercive nature of the patrollers' participation and the general lack of benefit from it does not qualify the PAC as a criminal organization as such but it can not relativize the thousands of human rights violations attributable to them.

The question whether the patrollers are to be seen as victims with a right to compensation for their unpaid and risky forced labor or as perpetrators of horrible crimes is a difficult one. On an official political scale, it has been answered in their favor during the 2003

parliamentary election campaign. The topic of compensation for former PAC members was first brought up by Efrain Ríos Montt – one of the two "fathers" of the PAC – in the 1999 election campaign in order to mobilize one of his FRG party's obvious core voter sectors. Although the FRG won an absolute congress majority, it did not follow through on its promise and faced various protest marches and stronger measures such as the occupation of oil platforms by the angry ex-PAC, proving the degree of organization they maintained despite their legal disintegration. It was not until shortly before the 2003 elections that the government started implying the promised payments, obviously as election propaganda. However, all major competing parties soon agreed with the FRG's position and promised to continue the payments should they win the election. Considering that the ex-PAC and their families form a huge percentage of the voting population, the fact that the FRG lost these elections and the new government was formed by the multi-party coalition GANA proves that the former patrollers trusted this promise. In any case, the assessment of the PAC as exploited servants of the fatherland and thus victims of the war rather than as human rights criminals has become a widespread political consensus.

From a pragmatic point of view of reconciliation it may be welcomed that the "official" opinion about the PAC is not a categorical condemnation. If one takes into account that the power structures of the PAC continue to exist in the highland communities and that it is there where victims and victimizers literally live door to door, to avoid a radical and collective labeling of the patrollers as war criminals may be crucial in preventing a further splitting of the concerned communities. And such a relived confrontation would most probably be to the disadvantage of the victims as these are less organized and violent than the PAC. On the other hand, it is of course nothing less than a provocation to those who suffered persecution, massacres and torture that the ones who – even if not voluntarily – participated in the organizations that perpetrated those crimes are being compensated and considered victims.

However, by fading out the question of moral right or wrong it can be stated that the historical perception of the PAC as a "guilty group" has been revised in a political process rather than by historiography and that this new picture is probably more accurate than the old one was. The question remains if the re-negotiation of the victims' historical and political role will be equally successful.

Notes:

1. Agreement on the Establishment of the Commission to clarify past human rights violations and acts of violence that have caused the Guatemalan population to suffer. English version to be found in: http://www.usip.org/library/pa/guatemala/guat_940623.html (downloaded on 06. 19. 2004).

2. This intransitive use of the verb is a direct translation from the Spanish equally neologistic form that describes the kidnapping and murdering of civilians whose bodies never turned up. The number of these *desaparecidos* is estimated at some 10,000s.

3. Presentación de la Historia General de Guatemala. Asocaciación de Amigos del País / Fundación para la Cultura y el Desarrollo, Guatemala 1999, p. 1.

4. “The revolutionary process in Guatemala can not be considered […] as motivated by unfair social structures or the lack of possibilities of political expression”, it says in the introduction. Asociación de Veteranos Militares de Guatemala, Guatemala – Testimonio de una Agresión. Guatemala1998, p. 2.

5. Elazar Barkan, The Guilt of Nations: Restitution and Negotiating Historical Injustices. New York 2000.

6. Barkan 2000, p. 321.

7. Barkan 2000, p. 323.

8. Barkan 2000, p. 317.

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