

To the Last Seed:
Atrocity Crimes and the Genocidal Continuum
in Guatemala, 1978-1984

Marc Drouin

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ABSTRACT

To the Last Seed: Atrocity Crimes and
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Marc Drouin

Approximately 132,000 people were killed in Guatemala between 1978 and 1984 in an armed conflict which displaced as much as 20 percent of the country's total population. Of the 626 massacres documented by the Guatemalan Truth Commission and imputed to government security forces, 415 were committed in an 18-month period between June 1981 and December 1982. Based on over one hundred first-person accounts of twenty-one massacres perpetrated during that time, as well as reports from the Inter-American Commission on Human Rights concerning violations to the American Convention on Human Rights in Guatemala, this study analyses and contextualises what David Scheffer has termed *atrocity crimes*. Referring to international humanitarian law, including the Geneva Conventions and the United Nations Genocide Convention, and the growing jurisprudence emanating from the International Criminal Tribunals for the former Yugoslavia and Rwanda, crimes committed in Guatemala have been placed on what scholars have called a *genocide continuum*. Tracing the evolution of consecutive military campaigns from 1981 to 1983, which deliberately made no distinction between armed insurgents and civilian non-combatants, this study demonstrates how war crimes and crimes against humanity in Guatemala in the late 1970s evolved into full-blown genocide by 1982, decimating an entire generation of non-Indigenous urban professionals and intellectuals, as well as entire Indigenous populations in the Guatemalan highlands. Relying on Indigenous survivor's accounts, this thesis attempts to shed light on a genocide which, in Samuel Totten's words, the twentieth century chose to ignore.

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In memoriam
Caleli Castillo (1956-2000)
Joe David (1957-2004)
Jeanne-Mance Charlish (1950-2004)

CONTENTS

List of Acronyms.....	ix
Introduction	
A. Truth Commission Findings.....	1
B. Denial.....	4
C. Weighing Words.....	6
Chapter I. Historical Considerations	
A. The Two Republics.....	11
B. Indian Appointees as Agents of Social Control.....	13
C. Socioracial Stratification.....	15
D. Sixteenth-Century Demographic Collapse.....	19
E. The Destruction of Mesoamerican Indian Nations.....	21
F. <i>Congregación</i> and <i>Pueblos de Indios</i>	22
G. The Indian West and the Ladino East.....	24
H. Prevalent Opinions on the Guatemalan Indian Problem.....	27
Chapter II. Defining a Protected Group	
A. Indigenous Peoples.....	31
B. Self-Identification.....	32
C. Protected Groups Under the UNGC.....	34
D. Protected Groups in Guatemala.....	39
E. Indian on Indian Violence?.....	42
Chapter III. Guatemala in the 1960s and 1970s	
A. Guatemala's Strategic Importance.....	44
B. Armed Conflict Erupts.....	45
C. Built to Last.....	48
D. International Concern in the Early 1970s.....	50
E. General Fernando Romeo Lucas García.....	52
F. The Spanish Embassy Fire.....	54
G. The Conflict Intensifies.....	55
Chapter IV. The Lucas García Government	
A. <i>Ceniza 81</i>	57
B. Right to Life Violations and Targeted Groups.....	61
C. Rights to Justice, Due Process, Freedom of Expression.....	63
D. Press Accounts.....	65
E. The Civil Defence Patrols.....	67
F. Mixed Reviews and Setting the Stage.....	69
Chapter V. The Government of General José Efraín Ríos Montt	
A. Changing of the Guard.....	74
B. Rights in Principle, Rights in Practice.....	79

C. The Exemplary Administration of Justice.....	81
D. “Permanent War”.....	83
E. <i>Victoria 82</i>	87
F. Psychological Operations.....	92
G. IACHR Findings in Rural Areas.....	93
 Chapter VI. Keeping the Pieces Together	
A. <i>Firmeza 83</i>	98
B. The <i>Guatemality</i> Doctrine.....	100
C. Refugees, Internally Displaced Populations and Evacuated Persons.....	102
D. Ríos Montt’s Fall from Grace.....	105
E. Model Villages and Development Poles.....	107
 Chapter VII. Field Research	
A. Interview Transcripts.....	112
B. The Plan de Sánchez Massacre.....	113
C. Witness Testimony.....	116
D. Contextual Considerations.....	119
E. Civilians Defined in International Humanitarian Law.....	121
F. Findings.....	123
G. The Massacres.....	125
 Chapter VIII. Atrocity Crimes in Guatemala	
A. The Genocidal Continuum.....	129
B. War Crimes.....	131
C. Crimes Against Humanity.....	135
D. Extermination and Genocidal Massacres in Rural Guatemala.....	142
E. Selective Massacres in Rabinal, Baja Verapaz.....	145
 Chapter IX. The Guatemalan Genocide	
A. Genocidal Priming and Perpetrator Definitions.....	150
B. Contemporary Attitudes on the Guatemalan Indian Problem.....	152
C. Anticommunism and Conflation.....	156
D. Fear and Sacrifice.....	160
E. Intent, <i>Dolis Specialis</i> and Inference.....	162
F. Evidential Assistance.....	166
G. Speeches, Utterances and Statements.....	168
H. The Massacres.....	172
I. Persecution and Group Foundations.....	176
F. Inscribed Intentionality.....	183
 Chapter X. Further Considerations	
A. In Whole or in Substantial Part.....	187
B. Motives.....	192
 Conclusion.....	205

Bibliography	
A. Primary Sources.....	213
B. Secondary Sources.....	217
C. News Articles.....	224
Appendix 1. Witness testimony consulted in Guatemala from 08 February to 08 May 2006.....	230
Appendix 2. Estimates and approximate numbers for a sample of twenty-one massacres in the Guatemalan highlands, 1982.....	235
Appendix 3. General information on eyewitness accounts of a sample of Indigenous community massacres in the Guatemalan highlands, 1982.....	246
Appendix 4. Narrative of the Plan de Sánchez massacre based on eyewitness testimony.....	247
Appendix 5. Summary of events occurred during twenty-one massacres perpetrated by the Guatemalan army from December 1981 to October 1982, based on witness testimony.....	261
Appendix 6. List of acts committed based on the study of witness accounts of twenty-one massacres committed in the Guatemalan highlands and northern lowlands between December 1981 and October 1982.....	271
Appendix 7. A sample of highland Indigenous communities in Guatemala prior to massacres perpetrated in 1982.....	275
Appendix 8. Presence and activity of guerrillas in the vicinity of Indigenous communities in the Guatemalan highlands or northern lowlands, 1982.....	277
Appendix 9. Presence and activity of the Guatemalan army in the vicinity of Indigenous communities in the Guatemalan highlands or northern lowlands, 1982.....	278
Appendix 10. Army <i>modus operandi</i> in or near Indigenous communities prior to massacres, 1982.....	279
Appendix 11. Responsibility and state forces present before and during the massacres, 1982.....	281
Appendix 12. Perpetrator <i>modus operandi</i> when carrying out the massacres, 1982.....	285
Appendix 13. Army persecution of survivors, 1982 and after.....	291
Appendix 14. Direct witness references to recorded events.....	293

List of Acronyms

AJR	<i>Asociación para la Justicia y la Reconciliación.</i> Association for Justice and Reconciliation.
CALDH	<i>Centro para la Acción Legal en Derechos Humanos.</i> Center for Human Rights Legal Action.
CEH	<i>Comisión para el Esclarecimiento Histórico.</i> Truth Commission or Historical Clarification Commission.
CEM	<i>Centro de Estudios Militares.</i> Center for Military Studies.
CNT	<i>Central Nacional de Trabajadores.</i> National Workers' Union.
CUC	<i>Comité de Unidad Campesina.</i> Committee for Peasant Unity.
EAFG	<i>Equipo de Antropología Forense de Guatemala.</i> Guatemalan Forensic Anthropology Team which later became de Guatemalan Forensic Anthropology Foundation (FAFG).
EGP	<i>Ejercito Guerrillero de los Pobres.</i> Guerrilla Army of the Poor.
FAR	<i>Fuerzas Armadas Rebeldes.</i> Rebel Armed Forces.
FRG	<i>Frente Republicano Guatemalteco.</i> Guatemalan Republican Front.
FUR	<i>Frente Unido de la Revolución.</i> United Front for the Revolution.
IACHR	Inter-American Commission on Human Rights.
ICC	International Criminal Court.
ICTY	International Criminal Tribunal for the Former Yugoslavia. Formally known as the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territories of the Former Yugoslavia Since 1991.
ICTR	International Criminal Court for Rwanda. Formally known as the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994.
MR-13	<i>Movimiento Revolucionario 13 de Noviembre.</i> Revolutionary Movement of 13 November.
OAS	Organisation of American States.
ORPA	<i>Organización Revolucionaria del Pueblo en Armas.</i> Organisation of the People in Arms.
PDH	<i>Procuraduría de los Derechos Humanos.</i> Office of the Human Rights Ombudsman.
PGT	<i>Partido Guatemalteco del Trabajo.</i> Guatemalan Worker's Party.
PSD	<i>Partido Social Demócrata.</i> Social Democratic Party.
UN	United Nations Organisation.
UNGC	United Nations Genocide Convention. Formally known as the 1948 Convention for the Prevention and Punishment of the Crime of Genocide.
UNHCR	United Nations High Commission for Refugees.
URNG	<i>Unidad Revolucionaria Nacional Guatemalteca.</i> Guatemalan National Revolutionary Union.

Introduction

A. Truth Commission Findings

On 25 February 1999 a Truth Commission, known as the Historical Clarification Commission (CEH), presented a twelve-volume report on Central America's longest armed conflict. From the early 1960s until December 1996, when a peace agreement was signed, leftist insurgents and a string of right-wing military dictatorships were locked in a brutal conflict in Guatemala, the region's largest country. The Commission's final report, entitled *Guatemala: Memory of Silence*, attributed the roots of the conflict to Guatemalan society's profound divisions. Despite the cold war and the international context in which the Guatemalan conflict unfolded, its "diehard roots," writes international legal expert Jan Perlin, "were homegrown."¹

Speaking before the audience that filled Guatemala City's National Theatre on 25 February, Truth Commission moderator Christian Tomuschat said that Guatemala's

Mayan population has paid the highest cost for the irrational logic of the armed conflict, particularly during the years of heaviest violence from 1979 to 1983, when, in various regions of the country the military identified groups of the Mayan peoples as natural allies of the guerrilla. This false conviction increased the number and aggravated the nature of the human rights violations that were perpetrated against the Mayans. This fact is evidenced by the aggressive, racist and extremely cruel nature of the violations that resulted in the *massive extermination of defenceless Mayan communities*.²

¹ Jan Perlin, "The Guatemalan Historical Clarification Commission finds Genocide," *ILSA Journal of International and Comparative Law* 6, no. 2 (Spring 2000), 397.

² Christian Tomuschat, "Presentation Speech," Guatemala City, 25 February 1999, as quoted and translated in *ibid.*, 398n 38. Emphasis added. See also Christian Tomuschat, "Clarification Commission in Guatemala," *Human Rights Quarterly* 23, (2002), 233, 237. According to Paul Seils, "Reconciliation in Guatemala: the Role of Intelligent Justice," *Race and Class* 44, no. 1 (2002), 39, 56n 26, Guatemala's Truth Commission "was a hybrid of national and international members, [...] a model different from the totally national commissions in Argentina, South Africa and Chile, and the international body for El Salvador." The Guatemalan Truth Commission was presided by Christian Tomuschat, international legal expert from Humbolt University, Berlin, and Guatemalan commissioners Otilia Lux de Cotí, an academic, and legal expert Alfredo Balsells Tojo.

The Commission documented over 61,600 human rights violations committed during Guatemala's 36-year armed conflict. Eighty-three percent of the 42,275 victims identified by the Commission were of indigenous Mayan origin. The Commission estimated that over 200,000 people lost their lives, including 40,000 to 50,000 victims of enforced disappearances, one of every four victims was a woman. The Commission estimated that 91 percent of all rights violations occurred between 1978 and 1984.³ The Guatemalan conflict's estimated death-toll would appear to exceed that reached by the sum of contemporary conflicts in El Salvador, Nicaragua, Argentina and Chile.⁴ Government-supported paramilitary and state security forces were believed to be responsible for 93 percent of documented rights violations, including 92 percent of all registered arbitrary executions and 91 percent of all cases of enforced disappearance.⁵

According to Christian Tomuschat "the contribution made by the Government of Guatemala to the process of clarification [was] next to nothing," the Ministry of Defence denying "the CEH information on the conduct of operations during the worst years of the armed confrontation, when tens of thousands of Mayans lost their lives." Under normal circumstances, Tomuschat reasoned, commanders in the armed forces of any country

are required to report on any combat operations after the end of an engagement. The responsible military representatives, however, told the CEH that not a single document of that kind was on file in the military

³ Comisión para el Esclarecimiento Histórico (CEH), *Guatemala, memoria del silencio* [document on CD-ROM] (Guatemala: United Nations Operations Systems (UNOPS), 1999), chapter II, paragraph 2037, p. 406; chapter III, paragraph 212, p. 72; chapter IV, paragraphs 1 and 2, p. 21; paragraph 29, p. 28; paragraph 82, p. 42. According to Seils, "Intelligent Justice," 55*n* 5, 132,000 or sixty-six percent of Guatemala's 200,000 fatalities occurred between 1978 and 1984. According to Héctor Rosada-Granados, *Soldados en el Poder: Proyecto Militar in Guatemala (1944-1990)* (San José: Fundapen/ Universidad de Utrecht, Holanda, 1999), 162*n* 11, 150,000 Guatemalans were killed during the conflict. Of those he thinks 15,000 died in combat, the remaining 135,000 being victims of extrajudicial executions.

⁴ Seils, "Intelligent Justice," 34.

⁵ CEH, *Memoria del silencio*, chapter IV, paragraph 15, p. 24-25. At paragraph 21, p. 26, insurgents were attributed 3 percent of rights violations, including 5 percent of arbitrary executions and 2 percent of enforced disappearances.

archives. This contention was false. At the beginning of the investigation, a staff member of the CEH happened to find in the headquarters of one of the regional military zones an evaluation paper assessing *ex post* certain fighting activities of that epoch. Immediately after that discovery, the Ministry of Defense prohibited all direct assistance by regional commanders. [...] At no time was [the CEH] provided with any document in which a commander gave an account of the operations of his units during an armed confrontation.⁶

Despite such obvious obstacles, the CEH documented 669 massacres in which more than five people lost their lives simultaneously.⁷ Of those, 626 were attributed to state forces,⁸ 32 were imputed to insurgents while in 11 cases responsibility could not be assigned.⁹ According to Commission findings, 415 massacres were committed by state security forces between June 1981 and December 1982, representing 64 percent of all massacres documented during the armed conflict.¹⁰ For the critical years 1981, 1982 and 1983, considered the most violent,¹¹ the Truth Commission estimated the number of internally displaced at 500,000 to a million and a half people. Of those, at least 150,000 sought refuge in Mexico, a third of whom found themselves under the United Nations' flag. The rest are thought to have dispersed throughout Chiapas or attempted to reach Mexico City, some people making it as far as the United States and Canada.¹² Explaining, in part, such upheaval, the Truth Commission concluded that

⁶ Tomuschat, "Clarification Commission," 250.

⁷ For the total number of documented massacres see CEH, *Memoria del silencio*, chapter V, p. 100. For the Truth Commission's definition of a massacre see chapter II, paragraphs 3056-3066, p. 250-252.

⁸ *Ibid.*, chapter IV, paragraph 86, p. 43.

⁹ *Ibid.*, chapter IV, paragraph 134, p. 53-54.

¹⁰ *Ibid.*, chapter II, paragraph 3153, p. 298.

¹¹ Perlin, "Commission finds Genocide," 403.

¹² *Ibid.*, chapter IV, paragraph 66, p. 38. According to Paula Worby, *Lessons Learned from UNHCR's Involvement in the Guatemalan Refugee Repatriation and Reintegration Program (1987-1999)* (United Nations High Commission for Refugees: Regional Bureau for the Americas, and Evaluation and Policy Analysis Unit, December 1999), p. 3, 20 percent of Guatemala's total population was estimated to have been displaced by the armed conflict (one and a half million people). Of these, between 150,000 and 200,000 crossed an international border, mostly to Mexico where the UNHCR eventually registered and assisted some 46,000 persons dispersed in makeshift camps along the Guatemalan-Mexican border in rural

Agents of the Guatemalan State, as part of counterinsurgency operations carried out in the years 1981 to 1983, committed acts of genocide against groups of the Mayan people residing in four regions subject to analysis. This conclusion is based on the evidence that acts stipulated in Article II of the [UNGC] were carried out, including killing members of Mayan groups (Article II, letter a), causing serious harm to their physical and mental integrity (Article II, letter b), and intentionally inflicting on the affected groups conditions of life calculated to bring about their physical destruction in whole or in part (Article II, letter c). It is also based on the evidence that all these acts were perpetrated “with intent to destroy, in whole or in part” groups identified by their common ethnic affiliation, as such, independently of what may have been the cause, motive, or final objective of those acts.¹³

When presenting the Commission’s findings, Christian Tomuschat stated that

on the basis of having concluded that genocide was committed, the Commission also concludes that [...] State responsibility also exists. This responsibility arises from the fact that the majority of these acts were the result of a policy pre-established by a superior command and communicated to the principal actors. The state also failed to comply with its obligation to investigate and punish acts of genocide committed within the territory.¹⁴

B. Denial

According to legal expert Paul Seils, “the greatest disappointment in the story of the Guatemalan truth experience [was] the official reaction to the report.” On the day the report was presented, he writes, President Alvaro Arzú chose not to receive the document at the podium, sending a junior cabinet official in his stead.¹⁵ Historian Greg Grandin remarked that as the public greeted each of the Commission’s conclusions with clamorous applause, Arzú and his close advisors looked stunned.¹⁶ Four months later, the

and jungle regions of Chiapas. More than 85 percent of the registered refugees were from at least eight different Mayan groups.

¹³ CEH, *Memoria del silencio*, chapter IV, paragraph 122, p. 51. Emphasis added.

¹⁴ Presentation Speech, Professor Christian Tomuschat, Guatemala City, 25 February 1999, as quoted and translated in Perlin, “Commission finds Genocide,” 401*n* 50. Emphasis added.

¹⁵ Seils, “Intelligent Justice,” 42.

¹⁶ Greg Grandin, “Chronicles of a Guatemalan Genocide Foretold: Violence, Trauma, and the Limits of Historical Inquiry,” in *Nepantla: Views from the South* 1, no. 2 (July 2000), 408.

government responded officially. On National Army Day, 30 June 1999, President Arzú declared that the Commission had erred in concluding that acts of genocide had been committed in Guatemala.¹⁷ One newspaper reported that

the President denied that there was genocide during the armed conflict, disagreeing for the first time with the Historical Clarification Commission Report that affirms the opposite position. "Genocide represents the extermination of an ethnicity and that did not happen in Guatemala," he said. [...] Arzú gave his personal opinion that he "doesn't believe that there was genocide because that was not the motive for the brutal conflict that we lived through and that tore apart the social fabric of the country."¹⁸

While recognising the contribution of the Commission's work, subsequent governments since the Arzú administration (1996-2000) have adopted a similar position.¹⁹ In February 2004, on the fifth anniversary of the Truth Commission's report, President Oscar Berger apologised for civilian deaths and the state's role in the country's internal conflict while stopping short, according to *Reuters*, "of calling the widespread wartime killings of Mayan Indians genocide." The government's head of security and defence, retired General Otto Perez Molina, also denied that genocide had taken place. The counterinsurgency expert told *Reuters* that "there was no genocide because there was no attempt to exterminate a race."²⁰

Despite official denial, local and international investigations have continued into the nature and breadth of human rights violations in Guatemala in the early 1980s. Truth Commission conclusions were and are considered an important point of departure although the Commission was not permitted to assign individual responsibility for the

¹⁷ Seils, "Intelligent Justice," 43, 57n 42.

¹⁸ "Arzú Aboga por Espinoza," *Prensa Libre*, 30 June 1999, as quoted and translated in Perlin, "Commission finds Genocide," 411-412, 412n 79.

¹⁹ Grandin, "Guatemalan Genocide Foretold," 408.

²⁰ "President Apologizes for Wartime Deaths [article on-line]," *Reuters*, 26 February 2004 (accessed 9 May 2006), available from <http://www.preventgenocie.org/americas/guatemala>; Internet.

crimes committed, its mandate expressly prohibiting its report from having “any judicial purposes or effects.” In addition, the Commission could neither subpoena witnesses nor compel information to be handed over for its consideration.²¹

C. Weighing Words

In light of such limitations the Truth Commission nonetheless recommended that all crimes not covered by the 1996 Law of National Reconciliation, including genocide, enforced disappearances, and torture, be investigated, prosecuted and punished. In doing so, the Commission recommended that legal authorities in Guatemala consider “the various levels of authorship and responsibility [...] paying particular attention to those who promoted and instigated the crimes in question.”²² If the Guatemalan government has thus far failed to act upon these recommendations, some non-governmental organisations have taken the recommendations quite literally. A foundation created by Nobel Laureate Rigoberta Menchú Tum, for instance, brought Guatemalan human rights violations to the attention of Spanish legal authorities, lodging a formal complaint against eight Guatemalan military and civilian officials in December 1999.²³

In May 2000 members of ten indigenous communities began legal proceedings in Guatemala against the military high command of the government of General Fernando Romeo Lucas García (1978-1982).²⁴ A year later, in June 2001, members of eleven more indigenous communities launched a similar legal action against top-ranking officials of the former military government of General José Efraín Ríos Montt (1982-1983).

²¹ Seils, “Intelligent Justice,” 37; Grandin, “Guatemalan Genocide Foretold,” 396. On the limitations of the CEH, see Tomuschat, “Clarification Commission,” 243-247.

²² CEH, *Memoria del silencio*, chapter IV, paragraphs 47-48, p. 72-73.

²³ Seils, “Intelligent Justice,” 59n 60. The complaint presented before the Spanish National Court was published as Fundación Rigoberta Menchú Tum, *Jurisdicción universal para el juzgamiento del genocidio en Guatemala: Hacia una verdadera conciliación nacional* (Mexico City: FRMT, 2001).

²⁴ Tomuschat, “Clarification Commission,” 254.

Witnesses who survived massacres in which more than 2,700 indigenous civilians were killed have accused former senior officials of both governments of genocide and crimes against humanity as defined by the Guatemalan Criminal Code.²⁵

The cases in Guatemala are presently in the hands of that country's Ministry of Justice and have progressed very slowly. After six years of investigation formal accusations have yet to be brought against any military or government official. The case in Spain, however, after having been turned down twice by Spanish legal authorities, has moved ahead. Ruling on an appeal in December 2005, the Spanish Constitutional Court found that courts in Spain could consider cases involving the violent deaths of Spanish citizens in Guatemala, as well as the destruction of the Spanish Embassy in that country in 1980. Furthermore, it ruled that such universally repudiated crimes as genocide could also be considered in Spain even if victims were not Spanish citizens.²⁶

On 24 June 2006 a Spanish legal commission presided by National Court Judge Santiago Pedraz travelled to Guatemala in order to interview witnesses and former government officials. Guatemalan legal authorities, however, blocked scheduled proceedings by accepting to reconsider previously-rejected motions presented by former government officials contesting the Spanish judge's jurisdiction in Guatemala. On 7 July, less than a week after returning to Madrid empty-handed, Judge Pedraz issued international warrants for the arrest of former Guatemalan presidents Efraín Ríos Montt and Óscar Humberto Mejía Víctores, and six other former senior officials on charges of

²⁵ Seils, "Intelligent Justice," 50-51. For the definition of genocide and crimes against humanity in the Guatemalan Criminal Code see Gobierno de Guatemala, *Código penal, decreto número 17-73 del Congreso de la República* (Guatemala: Ediciones Alendro, 1996), Articles 376-378, p. 104-105.

²⁶ Sonia Pérez and Coralia Orantes, "Ordenan la captura de Efraín Ríos Montt: Pedido internacional de juez español Santiago Pedraz es por genocidio y otros delitos; incluye a otras siete personas [article on-line]," *Prensa Libre*, 8 July 2006 (accessed 8 July 2006), available from <http://www.prensalibre.com/pl/2006/julio/08/146335.html>; Internet.

genocide, torture, terrorism and illegal detention. The judge ordered their immediate detention without bail, their extradition to Spain, and an embargo on their properties and financial holdings. Justifying such measures, the judge cited obstruction of justice and the former officials' lack of cooperation during his fact-finding trip in June.²⁷

During a press conference in Guatemala City on 13 July 2006, former General Ríos Montt stated that the international warrant for his arrest was unfounded. As former President of Guatemala and Minister of Defence in 1982, he denied ever knowing of atrocities being committed by military officials. A senior leader of Ríos Montt's political party, the Guatemalan Republican Front (FRG), called the judge's legal action an act of political vengeance.²⁸ Lawyers for Ríos Montt have argued that Judge Pedraz lacks the authority to hold hearings on events that took place in Guatemala and have promised to investigate possible links between the judge and a Basque terrorist organisation...²⁹

Despite the official silence that shrouds Guatemala's recent past, indigenous survivors have chosen to speak of the events of a given date when their world quite literally came to an end forever. According to historian Samuel Totten, such first-person accounts are a valuable source of information when attempting to explain twentieth-

²⁷ Ibid; Coralia Orantes, "Bloqueado el interrogatorio por genocidio: Cuatro recursos de acusados entran diligencias que se iniciaban hoy," *Prensa Libre*, 26 June 2006 (accessed 26 June 2006), available from <http://www.prensalibre.com/pl/2006/junio/26/145242.html>; Internet. The eight former high-ranking military and civilian officials to be arrested are Fernando Romeo Lucas García, President from 1 July 1978 until 23 March 1982 (deceased in May 2006); Ángel Anibal Guevara Rodríguez, Minister of Defence under Lucas García; Manuel Benedicto Lucas García, Army Chief of Staff under Lucas García; Germán Chupina Barahona, Director of the National Police under Lucas García; Donaldo Álvarez Ruiz, Minister of the Interior under Lucas García; Pedro García Arredondo, Superior Official of the National Police under Lucas García; José Efraín Ríos Montt, President and Minister of Defence from 23 March 1982 until 8 August 1983; and Óscar Humberto Mejía Víctores, Minister of Defence under Ríos Montt and President from 8 August 1983 until 14 January 1986.

²⁸ Associated Press, "Montt Says He Was Unaware of Atrocities [article on-line]," *New York Times*, 13 July 2006 (accessed 13 July 2006), available from http://www.nytimes.com/aponline/world/AP-Guatemala-Former-Dictator.html?_r=1&oref=slogin; Internet.

²⁹ Sonia Pérez, "Quieren recusar a juez Pedraz: Defensa de Ríos Montt busca vínculos del español con terroristas de ETA, para desvincularlo del caso [article on-line]," *Prensa Libre*, 11 July 2006 (accessed 11 July 2006), available from <http://www.prensalibre.com/pl/2006/julio/11/146561.html>; Internet.

century genocides. Also valuable are accounts from foreign diplomats, journalists, relief workers, and missionaries, since they can provide additional evidence, corroborate survivor's accounts and are often "the first reports that the rest of the world received about specific genocidal acts." Totten recommends that survivors' first-person accounts not be used as the single or even primary source to establish the historical record, except perhaps when other sources are non-existent. One of the key limitations of first-person accounts is that they are often "bereft of vital information about the key historical and socio-political events that led up to and culminated in the genocidal act." Totten writes that to be as valuable as they can be, it is imperative for first-person accounts to be placed in an historical context and supported with sound historical documentation.³⁰

This thesis, then, is an attempt to analyse and contextualise 107 first-person accounts of 21 massacres perpetrated in the Guatemalan highlands between December 1981 and October 1982. If Totten's assessment is correct then original testimony from survivors could help resolve contradictory claims or even refute official denial regarding the nature and extent of massacres committed against entire indigenous communities in Guatemala. Furthermore, the pattern of events survivors have described may help us determine the intent, if any, underlying such acts. Chapters 1 to 6 will explain and contextualise violent events in Guatemala in the early 1980s. Chapter 7 will explain our research in Guatemala of first-person accounts of indigenous community massacres. In light of evolving international humanitarian law, chapters 8 to 10 will attempt to

³⁰ Samuel Totten, *First-Person Accounts of Genocidal Acts Committed in the Twentieth Century: An Annotated Bibliography* (New York: Greenwood Press, 1991), xxx-xxvi, xxx, xxi, xli: first-person accounts may appear in any of the following: diaries, letters, testimony given at trials and other official and/or unofficial hearings, memoirs, autobiographies, interviews, oral histories, statements, audiotapes, videotapes and films. At pages xxxviii, liii-lvii, Totten discusses methodological measures which, if taken, can improve the reliability of oral testimony and histories when used as primary sources.

determine if the events in question constitute war crimes, crimes against humanity and/or genocide. Since those who refuse to speak of Guatemala's recent past will teach us nothing about the crimes committed there in the early 1980s, this thesis is largely based on accounts from indigenous Guatemalans who have spoken and wish their words to be heard. From an historical and a social-scientific point of view, this thesis is an analytical attempt at explaining and naming the events witnesses speak of. Why is this important? For the simple reason that before anyone in Guatemala can be tried, convicted and sentenced for committing genocide, it must first be established that the crime actually took place.

Published information on the actual occurrence of genocide in Guatemala was scant in the 1980s, often too briefly explained based on cursory references to the United Nations Genocide Convention. The most credible attempt to explain genocide in Guatemala thus far undoubtedly came from the 1999 Truth Commission report. Other, including academic efforts remain inconclusive from the perspective of Genocide Studies and scholarship. This may explain why a review of 215 articles published in the *Journal of Genocide Research* since its inception in March 1999 did not find a single article on the subject of genocide, crimes against humanity or war crimes in Guatemala. Convincing genocide scholars that genocide took place in Guatemala is the primary reason why this research was undertaken, in the hope that it can contribute to a better, more precise understanding of what people have been affirming or denying in Guatemala, often with the same passionate conviction.

Chapter I. Historical Considerations

A. The Two Republics

Pedro de Alvarado headed south from Central Mexico in December 1523. Travelling along Central America's Pacific coast, Spanish conquerors reached Guatemala's *altiplano*, or highlands, in February 1524. There, they found the region's highest mountains and densest Indian populations.¹ At the time of contact the highlands were inhabited by some twenty linguistic groups, members of Mayan-speaking agrarian societies that sustained towns and cities containing as many as 20,000 people.² Unlike Central Mexico, where Spanish conquerors vanquished a highly centralised kingdom, Central America's numerous indigenous societies had to be fought "piecemeal and repeatedly" for over a decade.³

Following Alvarado's arrival in Guatemala until independence from Spain in 1821, Central America encompassed an area spanning over 1,300 kilometres from southern and eastern Mexico to Costa Rica. Known as the Kingdom of Guatemala, the region lay between two of the Spanish Empire's primary possessions in the New World: New Spain, to the north, and Peru to the south.⁴ Starting in the sixteenth century, the

¹ Christopher Lutz, *Santiago de Guatemala, 1541-1773: City, Caste and the Colonial Experience* (Norman: University of Oklahoma Press, 1994), 3, 24; Murdo J. MacLeod, *Spanish Central America: A Socioeconomic History, 1520-1720* (Berkeley: University of California Press, 1973), 31.

² Lutz, *Santiago de Guatemala*, 4; Jin Handy, *Gift of the Devil: A History of Guatemala* (Toronto: Between the Lines, 1984), 18.

³ Wendy Kramer, *Encomienda Politics in Early Colonial Guatemala, 1524-1544* (Boulder: Westview Press, 1994), 13, 15, 27, 33, 45. William L. Sherman, *Forced Native Labor in Sixteenth-Century Central America* (Lincoln: University of Nebraska Press, 1979), 142, 216, notes that the Lacandón Indians were only conquered in 1559.

⁴ Macleod, *Spanish Central America*, 23.

province of Guatemala with its capital, Santiago, became Spanish Central America's social and economic center for the next 300 years.⁵

According to historian Christopher Lutz, "the separation of Indians from Spaniards was the cornerstone of early Spanish social politics in America." A series of directives from the Spanish Crown created a bipartite system of public administration by which Indians and Spaniards were ruled and administered separately. The principle was incorporated into the Laws of the Indies, isolating Indians in separate villages, towns, and urban residential districts, or *barrios*. Known as the "two republics," each possessed its own language, religious institutions, racial identity, and governing bodies.⁶

From its founding in 1541, Central America's capital was built with the two republics in mind. Properties closest to Santiago de Guatemala's town center, or *plaza*, went to the highest-ranking Spanish conquerors, Crown and Church officials, and their descendants.⁷ In Santiago one belonged to the Republic of Spaniards "based on one's place of birth, *limpieza de sangre* (purity of blood), education, economic position, and life-style."⁸ Although no wall physically separated Santiago's Spanish core, writes Lutz, "peripheral barrios were deemed *extramuros* (outside the walls), their Indian inhabitants barred from independent residence (but not domestic service) in the central city by Spanish wealth and distrust."⁹

⁵ Oakah Jones Jr., *Guatemala in the Spanish Colonial Period* (Norman: University of Oklahoma Press, 1994), 37-38.

⁶ Lutz, *Santiago de Guatemala*, 32, 36; see also Jones, *Spanish Colonial Period*, 87-88.

⁷ Lutz, *Santiago de Guatemala*, 7, 8, 11, 15. According to Sherman, *Forced Native Labor*, 3, 8, 118-119, Santiago de Guatemala was the most important Spanish city between Mexico and Lima. The largest settlement in the Central American isthmus, it attracted and held more Spanish officials and descendants than any other city in Central America.

⁸ Jones, *Spanish Colonial Period*, 162.

⁹ Lutz, *Santiago de Guatemala*, 32.

Although miscegenation, or *mestizaje*, eventually dismembered the Republic of Indians in Santiago's peripheral barrios by the mid-eighteenth century, the Republic of Spaniards in Santiago remained thoroughly segregated in residential terms throughout the city's history.¹⁰ The farther one ventured from the capital, however, the more one encountered Indian populations that had little or no contact with outsiders, spoke a myriad of languages, wore traditional forms of dress, and lived as they always had from agriculture.¹¹

B. Indian Appointees as Agents of Social Control

The Spaniards in Central America found that they could best control the majority of Indian commoners, known as *maceguales*, through existing native social and political hierarchies.¹² Finding themselves immersed in "a sea of Indians," the Spaniards quickly put indigenous noblemen, known as *caciques* and *principales*, to work.¹³ By the mid-sixteenth century they relied heavily on loyal Indian authorities to act as intermediaries, governing and policing other Indians and non-Spaniards in their stead.¹⁴ In sixteenth-century Santiago, for instance, the Spaniards organised Indians into patrols, or *rondas*, in order to ensure law and order.¹⁵ Lutz explains that the initiative

was prompted by a growing fear that the Spanish would be easily surrounded and annihilated. [...] Like ruling European minorities elsewhere, they sensed the critical importance of any measure to disunite their subjects [...] and] to channel the hostility of the nonelites not against the Spanish who had devised these measures but against a diversity of fellow subjects who were obligated to implement and enforce them.¹⁶

¹⁰ Ibid., 48-50, 61-63.

¹¹ Ibid., 53.

¹² Kramer, *Encomienda Politics*, 13-15.

¹³ Ibid., 271.

¹⁴ Lutz, *Santiago de Guatemala*, 35.

¹⁵ Ibid., 43.

¹⁶ Ibid., 44.

In the more structured Indian highland societies, historian Murdo J. MacLeod explains that “the invaders dismantled the national states and destroyed the royal families at the top of the social and political hierarchies.” If an indigenous king, prince, or paramount chief, known as *tlatoani*, resisted or rebelled against the conquerors, he was promptly “killed in battle, deposed, or executed soon afterwards.”¹⁷ Based on primary sources at his disposal, historian William L. Sherman describes in detail cases in which indigenous authorities in Spanish custody were brutally and sadistically killed during the first years of conquest,¹⁸ MacLeod and Wasserstrom qualifying the process as “the calculated elimination of native elites.”¹⁹

Loyal Indian chiefs were, for their part, rewarded by the Crown. By decree, land previously belonging in common to Indian communities became their private property. They also received coats of arms, their sons were offered superior Spanish schooling, and, unlike all other Indians under Spanish law, they were allowed to bear arms and ride on horseback.²⁰ More often than not, writes Sherman, “the dignified and haughty nobles of times past were reduced to pathetic sycophants,”²¹ acting under Spanish orders as agents of social control among their own people.²²

¹⁷ MacLeod, *Spanish Central America*, 136.

¹⁸ Sherman, *Forced Native Labor*, 37, 46, 263, 266-271, 288, 303. The acts causing death committed against Indian authorities in Spanish custody depicted by Sherman at 266-271, include torture, immolation, canine attacks, mutilation, starvation, clubbing, and hanging.

¹⁹ Murdo J. MacLeod and Robert Wasserstrom, eds., *Spaniards and Indians in Southeastern Mesoamerica: Essays on the History of Ethnic Relations* (Lincoln: University of Nebraska Press, 1983), xiii.

²⁰ MacLeod, *Spanish Central America*, 136-138; Sherman, *Forced Native Labor*, 276. According to Severo Martínez Peláez, *La Patria del Criollo: ensayo de interpretación de la realidad colonial guatemalteca*, 13^a ed. (México: Ediciones en Marcha, 1994), 24, Indians were prohibited from mounting horses because, from the Spaniards' point of view, “rebellious Indians with machetes on horseback would have been a constant threat.” Jean-Loup Herbert, “Expresiones ideológicas de la lucha de clases: de la discriminación racial institucional a su mixtificación; el indigenismo,” in *Guatemala: una interpretación histórico-social*, 7^a ed., Carlos Guzmán Böckler and J.-L. Herbert, eds. (Guatemala: Editorial Cholsamaj, 2002), 148, cites a formal ordinance forbidding Indians from bearing swords or riding horses in 1625.

²¹ Sherman, *Forced Native Labor*, 303; Martínez Peláez, *Patria del Criollo*, 544-545.

²² MacLeod, *Spanish Central America*, 137.

Indians allied to the Spaniards in America, of course, were an indispensable part of the conquering enterprise. In his campaigns in Mexico between 1519 and 1521, Hernán Cortés, for instance, rallied the support of thousands of Totonac, Cempoalan and Tlaxcalan warriors,²³ all openly hostile to Aztec tributes and exactions.²⁴ Others, such as the Texcocans, Xochimilcans and Huexotzincans strengthened Spanish ranks in exchange for sharing in the spoils of their defeated foes.²⁵ When Pedro de Alvarado, one of Cortés' captains, arrived in Guatemala from Mexico in 1524 he was accompanied by Tlaxcalan, Mexica, Zapoteca and Mixteca Indians.²⁶ In Guatemala, he recruited the Cakchiquel Indians against the Maya-Quiché, and when his former allies rebelled, he waged war against them.²⁷ Spanish punitive expeditions were often accompanied by thousands of Indians, as in the case of the 1558 Lacandón uprising in north-western Guatemala.²⁸ When the Lacandón escaped from early-eighteenth-century missions, armed Indians were sent to attack them and bring them in.²⁹

C. Socioracial Stratification

According to historian Severo Martínez Peláez' study of colonial Guatemala, mestizaje in Central America initially resulted from the sexual violence inflicted upon indigenous women by Spanish conquerors in the twenty years following their arrival.³⁰

²³ Hernán Cortés, *Letters From Mexico*, translated and edited by Anthony Pagden (New Haven: Yale University Press, 2001), 53; Bernal Díaz del Castillo, *The Conquest of New Spain*, trans. and introduction J.M. Cohen (New York: Penguin Books, 1978), 305.

²⁴ Henry B. Parkes, *A History of Mexico* (Boston: Houghton Company, 1960), 45.

²⁵ Sarah L. Cline, "Native Peoples of Colonial Central Mexico," in *The Cambridge History of the Native Peoples of the Americas*, ed. R.E.W. Adams and M. J. MacLeod, vol. 2, bk. 2 (Cambridge: Cambridge University Press, 2000), 190-191.

²⁶ Lutz, *Santiago de Guatemala*, 39, 40, 65.

²⁷ Sherman, *Forced Native Labor*, 21-23.

²⁸ Jones, *Spanish Colonial Period*, 90-91; Sherman, *Forced Native Labor*, 142.

²⁹ Jones, *Spanish Colonial Period*, 49.

³⁰ Martínez Peláez, *Patria del Criollo*, 261, 695n 7; Sherman, *Forced Native Labor*, 23.

Although Spanish law allowed for marriages between Indians and Spaniards in the colonies, Spanish men preferred informal unions in order “to maintain and stress differences between the two groups,” reinforcing in the process a sense of inferiority among Indian men and women. Martínez Peláez notes that the murder of Indian men and the rape of Indian women and their daughters was not explicitly prohibited in colonial Central America until 1543.³¹ Even then, such crimes continued.³²

High Spanish officials, writes Sherman, “sometimes raped Spanish women as well, though to be sure that was far less common than assaults on *indias* and other women of color.”³³ According to Martínez Peláez the historical record amply testifies to the cruelty that characterised involuntary unions between Spanish men and Indian women.³⁴ The term *mestizo* applied to the offspring of such unions, describing a person “of mixed Spanish-Indian descent, with the father almost always Spanish and the mother Indian.”³⁵ *Creoles*, or American-born Spaniards, also fathered mestizo children who, collectively, composed the first group of mixed descent in Guatemala to develop in significant numbers.³⁶

Mestizos, writes Martínez Peláez, were an odd group in early colonial society in that they neither belonged to the Spanish nor Indian republics.³⁷ “They were caught between two cultures,” according to Sherman, “and not quite acceptable in either.”³⁸ Although generally held in low esteem in sixteenth-century colonial society, mestizos

³¹ Martínez Peláez, *Patria del Criollo*, 263, 359, 696n 14.

³² Sherman, *Forced Native Labor*, 309.

³³ *Ibid.*

³⁴ Martínez Peláez, *Patria del Criollo*, 261, 359.

³⁵ Lutz, *Santiago de Guatemala*, 102. See also Sherman, *Forced Native Labor*, 319; Martínez Peláez, *Patria del Criollo*, 267.

³⁶ Lutz, *Santiago de Guatemala*, 99.

³⁷ Martínez Peláez, *Patria del Criollo*, 265, 266, 269.

³⁸ Sherman, *Forced Native Labor*, 319, 320.

were never systematically enslaved, recruited as forced labourers, nor required to pay tribute, in large part because of their biological affiliation to Spaniards or creoles.³⁹ Even if such consideration placed them above Indians and Africans, mestizos were not permitted to hold public office nor certain occupations reserved for Spaniards or creoles. “Neither serfs nor lords,” mestizos of the first generation generally became small farmers or free labourers occupying manual trades that most Spaniards disdained.⁴⁰

Following the arrival of Africans to replace freed Indian slaves under the New Laws, a third ethnic variable was introduced in the process of colonial mestizaje in Central America. If the term mestizo described the offspring of Spaniards and Indians, *mulato* corresponded to the children of Spaniards and Africans, *zambo* to the progeny of Africans and Indians, and *castizo*, those of Spaniards and mestizos.⁴¹ The infinite human variations resulting from unions among Spaniards, creoles, Indians, Africans, mestizos, mulattoes and zambos constituted an important middle strata of people known generally as *castas*.⁴²

Although informal unions and the process of miscegenation proved utterly uncontrollable, the Spaniards nonetheless imposed terms of racial categorisation throughout their colonies in order “to protect their power base and social status from the threat of dilution.”⁴³ Separate marriage and baptismal registers, for instance, were held for Spaniards, but by the second half of the seventeenth century distinctions became so

³⁹ Lutz, *Santiago de Guatemala*, 95, 99.

⁴⁰ Martínez Peláez, *Patria del Criollo*, 266.

⁴¹ *Ibid.*, 267-268, Lutz, *Santiago de Guatemala*, 165.

⁴² Martínez Peláez, *Patria del Criollo*, 268; Lutz, *Santiago de Guatemala*, 157. According to Jones, *Spanish Colonial Period*, 162, within the mentioned racial mixtures “there existed all sorts of subordinate castes identified by such terms as *pardos*, *coyotes*, *lobos*, *colores quebrados*, and *bozales*, just to name a few.”

⁴³ John B. Chance, *Race and Class in Colonial Oaxaca* (Stanford: Stanford University Press, 1978), 176, as quoted in Lutz, *Santiago de Guatemala*, 165, 309n 25.

blurred that racial designation for non-Spaniards was often omitted from parish records all together.⁴⁴

Between 1680 and 1720 the term *ladino* was used with *Indian*, as in *indio ladino*, “to describe Castilian-speaking or Hispanicized Indians.” In the eighteenth century, Crown and religious officials used the term increasingly to designate castas who had become racially indistinguishable from each other. Ladinos, then, became the dominant phenotype in Guatemala, a kind of all-inclusive, sub-Spanish category of persons no longer easily identified as belonging to one casta group or another. Exceptionally, ladinos who could pass as Spaniards, because they looked Spanish and were affluent, came to be regarded as such. Most, however, “were barred from admission into the elite.”⁴⁵ In fact, anyone considered of questionable socioracial background very rarely climbed above the lower rungs of Spanish society. While persons of mixed descent may have occasionally opened the doors to Spanish society in the late seventeenth and eighteenth centuries, writes Lutz, “rarely did they get beyond the threshold.”⁴⁶

Today, the term *ladino* is commonly used in Guatemala to describe all non-Indians, much to the dismay of a minority of Guatemalans who still consider themselves of untainted European descent. Lutz explains that in recent years “members of Guatemala’s European/ white elite have objected to being labelled *ladinos*, along with

⁴⁴ Lutz, *Santiago de Guatemala*, 60, 82, 95, 289n 96. According to Jones, *Spanish Colonial Period*, 169-170, “in the sixteenth century the term ‘Spaniard’ seems to have been applied only to those whose native country was Spain, but by the latter part of the eighteenth century it is evident in reports of officials and censuses that ‘Spaniards’ had come to mean not only those from Spain but also persons of European descent born in America and those who practiced a life-style that displayed the customs, traditions, religion, and overall civilization of Spaniards.”

⁴⁵ Lutz, *Santiago de Guatemala*, 50, 54, 103, 163, 269n 20.

⁴⁶ *Ibid.*, 108, 109, 138, 159. On how Indians adapted and sometimes prospered from Guatemala’s “ethnic divide,” see Greg Grandin’s study of Quetzaltenango, *The Blood of Guatemala: A History of Race and Nation* (Durham: Duke University Press, 2000).

other non-Indians, in national censuses and other statistics.”⁴⁷ One of Lutz’s conclusions is that

while the elite may themselves not want to be assimilated, they seem to favour the assimilation (or even, in some cases, the elimination) of the Indian. For the white elite, of course, the problem of self-identity is largely a question of status and semantics, while for the Indian majority it is far more a vital question of physical and cultural survival. It is thus that the three-tier socioracial society of mid-eighteenth-century Santiago (Indian, ladino, Spaniard) persists in a modified form in contemporary Guatemala.⁴⁸

D. Sixteenth-Century Demographic Collapse

Lutz and Lovell have estimated that two million Mayan Indians inhabited the area which corresponds to much of present-day Guatemala at the time of contact in 1524. A century later, by 1625, the Mayan population is estimated to have dropped to 128,000, an abrupt, century-long decline of 93.6 percent of the area’s total Indian population. The reasons for such demographic collapse include European diseases, but they must also take into account the cumulative effects of warfare, slavery, forced labour, and coerced resettlement. All of these factors, in fact, “hastened Maya demise and worked together in horrific, fatal unison.”⁴⁹ In the mid-sixteenth century, Crown official Alonso de Zorita

⁴⁷ Ibid., 162-163, 269n 20. According to Marta Elena Casaús Arzú, *Guatemala: linaje y racismo* (San José: Facultad Latinoamericana de Ciencias Sociales, 1995), 197-198, although used interchangeably, the terms *mestizo* and *ladino* in Guatemala designate two separate ethnic identities. *Mestizo* describes first a process of biological mestizaje between Indians and Spaniards, or Indians and members of another group. In Guatemala, where the population today is divided between Indians and ladinos, mestizos occupy an intermediate position while ladinos in behaviour and attitude correspond more accurately to those who consider themselves Caucasian or “Spanish.” While mestizos recognise the process of race mixture, ladinos tend to define themselves negatively as non-Indians, as persons devoid of indigenous blood. The distinction today, from a ladino point of view, is socioracial, not simply cultural.

⁴⁸ Ibid., 162-163.

⁴⁹ George Lovell and Christopher Lutz, “‘A Dark Obverse’: Maya Survival in Guatemala, 1520-1994,” *The Geographical Review* 86, 3 (July 1996): 399, 401. The area under consideration is all of present-day Guatemala, south of the Petén rain forest. According to the authors, “as many as eight pandemics (smallpox, measles, typhus, and plague, alone or in withering combination) lashed Guatemala between 1519 and 1632, with some twenty-five episodes relating to more localized, epidemic outbreaks recorded

described the conditions in which many Central American Indians were forced to labour on a seasonal basis:

They go to the farms and other places of work, where they are made to toil from dawn to dusk, in the raw cold of morning and afternoon, in wind and storm, without other food than those rotten or dried-out *tortillas*, and even of this they have not enough. They sleep on the ground in the open air, naked, without shelter. [...] So the Indian returns home worn out from his toil [...] famished, unhappy, distraught, and shattered in health. For these reasons pestilence always rages among the Indian [...]. The Indians will all die out very quickly if they do not obtain relief from these intolerable conditions.⁵⁰

Of the perilous labour performed by Indian men and women, writes Sherman, the most damaging was that of serving as porters, or *tamemes*, crisscrossing Central America carrying anything and everything on their backs with the help of a single trumpline. Although the carrying trade had long served native societies in the Americas, under Spanish rule loading Indians “as if they were horses in a drove” took a terrible toll.⁵¹

According to Sherman, *tamemes*

were made to haul cargoes from the Mexican port of Veracruz to Santiago de Guatemala, a distance of some nine hundred miles over rugged terrain. Journeys between 200 and 400 miles were not uncommon. Even for shorter hauls, the work could be extremely exhausting owing to the tortuous trails that ran up and down, twisting around the steep inclines and valleys that dominate the face of Central America.⁵²

Sherman qualifies such work during Central America’s rainy season as “unmitigated torture,” as carriers travelled by foot over “slopes in driving rain, bent under packs of 75 to 100 pounds, slogging through mud, slipping and sliding, goaded by a driver with a

between 1555 and 1618.” See also MacLeod, *Spanish Central America*, 19, 99-100, for epidemics and pandemics in Central America from 1519 to 1750.

⁵⁰ As quoted in Sherman, *Forced Native Labor*, 207.

⁵¹ Sherman, *Forced Native Labor*, 111, 322, 341.

⁵² *Ibid.*, 112.

schedule to meet.”⁵³ Official accounts describe human trains numbering 400 Indians in collars and chains, organised in groups of ten. If an Indian fell, writes Sherman, “his head was cut off.”⁵⁴ In the mining districts of Honduras, Indian women carried loads of maize over distances of 240 kilometres of rough terrain, “their insides literally bursting in some instances from the heavy loads.”⁵⁵ Crown official Francisco Castañeda wrote that the paths to the mines were literally “strewn with the bones of the Indians.”⁵⁶

As tamemes travelled from the Spanish ports of the tropical coasts up to the temperate colonial settlements built in the mountains, many perished because of the severe changes in climate. According to one account, half the carriers who went from one zone to the other did not survive.⁵⁷ In the 1540s Indians could be rented for one peso a day. Even over trails where pack animals could be used, no system of transportation was as convenient as the Indian’s back. “Fall as they may and die as they may,” tamemes were cheaper than paying a muleteer eight to ten pesos for a loaded mule.⁵⁸

E. The Destruction of Mesoamerican Indian Nations

Overwork, mistreatment and neglect at the hands of Spanish colonists, as well as disease, literally decimated Central America’s indigenous populations.⁵⁹ In the absence of important quantities of precious metals, Indian slaves constituted Central America’s first export staple, only later to be replaced by modest quantities of silver, and such

⁵³ Ibid., 112.

⁵⁴ Ibid., 46, 122-123, 136, 220, 222, 229.

⁵⁵ Ibid., 121, 315, 322-323, 341.

⁵⁶ As quoted in *ibid.*, 99.

⁵⁷ Ibid., 98, 111, 113, 121.

⁵⁸ Ibid., 99, 118-120, 123-125, 127.

⁵⁹ Ibid., 104, 205.

agricultural products as cacao and indigo.⁶⁰ Emancipation of Central American Indian slaves in 1549 is not difficult to understand, according to MacLeod. In the previously densely populated provinces of Nicaragua and Honduras, “there were simply no Indians left to send.”⁶¹ Spanish economic imperatives simply meant that among the Indians,

normal hierarchical and governmental patterns were disrupted, and in Guatemala at least, [...] people who could abandoned the towns and fled to the countryside, where many died of hunger or other diseases. [...] The old Indian routes and trading patterns from village to village were severely disrupted and this, together with the catastrophic mortalities [...], effectively shattered the greater political fabric of Indian society.⁶²

By the 1540s, writes MacLeod, “the Indian kingdoms and confederations had disappeared: Quichés, Cakchiquels, Nicaraos, or Chorotegas had ceased to be nations and had become linguistic classifications.”⁶³ According to the author, Central America had been militarily conquered by the mid-sixteenth century, and the vast majority of its indigenous inhabitants reduced to the status of a subject people. The inhabitants of highly complex and stratified Indian societies had become “the peasantry of a newly formed agrarian society.”⁶⁴

F. *Congregación* and *Pueblos de Indios*

Sixteenth-century demographic collapse in Central America provoked a radical reorganisation of Indian labourers. In their attempts to organize Indian society in such a way that it could be used more effectively, “shrinking or disappearing villages were forcibly or willingly combined” through a process known as both *congregación* and

⁶⁰ Kramer, *Encomienda Politics*, 2; MacLeod, *Spanish Central America*, 97; Sherman, *Forced Native Labor*, 20.

⁶¹ MacLeod, *Spanish Central America*, 54, 81; David McCreery, *Rural Guatemala, 1760-1940* (Stanford: Stanford University Press, 1994), 90. After 1549, Indian slaves were replaced by African Slaves. The trade in African slaves in Central America did not officially come to an end until 1824.

⁶² MacLeod, *Spanish Central America*, 40-41, 100.

⁶³ *Ibid.*, 100, 104.

⁶⁴ *Ibid.*, 106, 142.

reducción. Beginning in 1543, formerly dispersed Indians were resettled in villages and towns known as *pueblos de indios*, usually under Church supervision.⁶⁵ Spanish authorities supported such resettlements schemes because “they preferred to congregate the Indians near the towns or in the valleys where agricultural labor was performed.”⁶⁶ “Vastly different villages and clans,” writes MacLeod, “each with its idiosyncrasies, its religious and economic peculiarities and specializations, were forced to adapt to one another and to the Spanish friars.”⁶⁷ Lasting until 1570, the process offered the best way for the Spaniards to reorganise surviving Indians in order to Christianise them and, more importantly, to meet the colony’s needs in terms of labour and tribute. Furthermore, the congregación process essentially broke up all remnants of pre-Hispanic land occupation, freeing-up considerable areas for Spanish crops, livestock, and the first Spanish rural estates, known as *haciendas*.⁶⁸

According to anthropologist Carol Smith, the local administrative units known as *pueblos de indios* would, after independence, evolve into the modern-day *municipios*,

⁶⁵ Ibid., 120, 135.

⁶⁶ Ibid., 121, 122.

⁶⁷ Ibid., 122, 135.

⁶⁸ J.M. Fernández Fernández and J.C. Cambranes, “Aspectos socioeconómicos de la propiedad agraria en Guatemala bajo el feudalismo colonial,” in *500 años de lucha por la tierra: estudios sobre propiedad rural y reforma agraria en Guatemala*, ed. J.C. Cambranes (Guatemala: Facultad Latinoamericana de Ciencias Sociales, 1992), 158, 160-163; George Lovell, *Conquest and Survival in Colonial Guatemala: A Historical Geography of the Cuchumatán Highlands, 1500-1821* (Montréal: McGill-Queen’s University Press, 1985), 174. According to Murdo J. MacCleod, “Ethnic Relations and Indian Society in the Province of Guatemala, ca. 1620-ca. 1800,” in *Spaniards and Indians in Southeastern Mesoamerica: Essays on the History of Ethnic Relations*, ed. M. J. MacLeod and R. Wassestrom (Lincoln: University of Nebraska Press, 1983), 190, tribute was the main financial requirement levied on Central American Indians throughout the colonial period, “a capitation tax paid by the heads of families and single adults *because of their Indian status*.” Such taxation was the main, non-military coercive means used to control Indians for all of their adult lives. Lists with the names of Indian tributaries, known as *padrones*, were kept to ensure compliance with tribute requirements, the rates of which were set according to assessments called *tasación*. According to Miles Wortman, *Government and Society in Central America, 1680-1840* (New York: Colombia University Press, 1982), 105, 141; Severo Martínez Peláez, *Motines de indios*, 2nd ed. (Guatemala: Ediciones en Marcha, 1991), 38, 42-43; and McCreery, *Rural Guatemala*, 107, 132, Indian tribute constituted the Crown’s main source of revenue in Central America for well over two hundred years, contributing more to the royal treasury than any other fiscal measure.

municipalities or townships. In the meantime, the pueblos were to be off limits to non-Indians. Under the watchful eye of priests and friars, the Republic of Indians was to be administered in rural areas through Spanish-inspired Indian town councils (*cabildos*), community treasuries (*cajas de comunidad*), and religious sodalities (*cofradías*).⁶⁹ In the course of the following decades, if not centuries, these Spanish institutions would be adapted by many Indian communities to suit their purposes. Generally, Smith explains that such institutions, at the local level,

were 'brokerage' rather than 'barrier' mechanisms, established as such by the church to mediate between the communities and the state [...]. As long as the missionary church helped administer these institutions, Indians basically accepted both church and state as legitimate forces over them; and, under these circumstances, community autonomy was acceptable to the state. But when and where church power and legitimacy *vis-à-vis* Indian communities waned and the state attempted direct intervention in Indian communities, mainly to increase its revenues [...], what were once 'brokerage' institutions welded together to become 'barrier' institutions, the means by which the corporate Indian community could express its opposition to the state.⁷⁰

G. The Indian West and the Ladino East

According to MacLeod economic depression in the seventeenth-century set the modern Central American land tenure structure, the modern political and economic divisions of the area, as well as the cultural cleavage between Indian and ladino which hampers Guatemalan nationhood to this day. As the depression deepened, missionary zeal in more isolated areas declined. Socially and culturally, at least, Indian communities, according to McLeod, "were less imposed upon [...] than they had been at any time since the conquest." Some Indian towns and villages "recreated their own nativist leadership

⁶⁹ Carol A. Smith, ed., *Guatemalan Indians and the State: 1540-1988* (Austin: University of Texas Press, 1990), 15.

⁷⁰ *Ibid.*

out of adapted, transformed Spanish institutions” meant to control them. When they could, Indians in many parts of western Guatemala reverted to what were more traditional settlement patterns, breaking up congregated villages and opting for more scattered types of settlements in which disease or infection did not spread so readily.⁷¹

Because Spanish settlers preferred easily cultivated land in the lower, more fertile parts of the mountains, located near communication routes or cities, Indians in these areas felt considerable pressure, often undergoing involuntary cultural mestizaje or “ladinoisation.” Since the colder and higher areas were less attractive to Spanish settlers, a relatively large remnant of the Indian population survived in the upper reaches of Central America, including highland Guatemala and Chiapas. “The higher and poorer the land,” writes MacLeod, “the more Indians were left to themselves.”⁷² By mid-century, writes the author, “it had become apparent that certain parts of Central America were destined to be Spanish-speaking and ladino, while others, the mountain redoubts, would remain, not exactly Indian but at least modified, colonial peasant, speaking Indian languages.” In this way, Santiago and what later became Guatemala City are considered the dividing line between ladino eastern Guatemala and Indian western Guatemala.⁷³ The depression, from the 1630s to the late 1680s, was a long one and the social and economic patterns it produced, including the differences between eastern and western Guatemala, “lasted well into the twentieth century.”⁷⁴

By 1740 most of the Indians of Honduras, Nicaragua, El Salvador and Costa Rica had disappeared, leaving Spanish-speaking ladinos in their wake. In the Guatemalan

⁷¹ MacLeod, *Spanish Central America*, 229, 309, 326-329, 341, 389; Lovell, *Conquest and Survival*, 175.

⁷² *Ibid.*, 230, 291, 308; MacLeod “Ethnic Relations,” 206.

⁷³ *Ibid.*, 229, 308; Lutz, *Santiago de Guatemala*, 166.

⁷⁴ *Ibid.*, 329.

highlands and Chiapas, however, Indian communities pushed to the higher and poorer areas to regroup. According to MacLeod, a “system of conservative neo-indigenous villages resisting intrusion was to survive each succeeding boom and depression, whether it was indigo in the eighteenth century, cochineal in the nineteenth, or bananas and coffee in the twentieth.”⁷⁵ In 1747, the Spanish Crown introduced silver as a tribute requirement, forcing many Indians “out of their self-sufficient agriculture and into the market, either to sell their produce in return for cash or to sell their labor for cash wages.” According to MacLeod, historical evidence indicates “silver coinage was introduced as a tribute item for the express purpose of driving Indians to the Pacific coast, where seasonal work would earn the silver coinage needed to pay tribute at home.”⁷⁶

In the century following 1760, according to historian David McCreery, there developed a very complex struggle in Guatemala over the control of labour power. Central in this struggle was the determination of “who would decide how and where and to what purpose this work would be set in motion, and who would appropriate what portion of labor’s product.” Although Indians in Guatemala were considerably disadvantaged, they nonetheless conserved a margin for negotiation best embodied in the indigenous community itself. The Indians’ vulnerability as well as their bargaining potential resided in the fact that their communities were considered an indispensable component of Guatemala’s agrarian export economy, ensuring the reproduction and sustenance of an inexpensive and generally compliant seasonal labour force. According to McCreery, because the survival of the colony depended in large part on Indian labour

⁷⁵ Ibid., 292, 312, 385, 388, 389.

⁷⁶ MacLeod, “Ethnic Relations,” 191.

and tribute, levels of imposition had to be carefully calculated so as “not to destroy the village or provoke revolt.”⁷⁷

H. Prevalent Opinions on the Guatemalan Indian Problem

In 1761 the Audiencia de Guatemala reminded land owners that *repartimiento* (drafted wage labour) existed above all “for the well-being of the Indians, to avoid laziness to which they have a propensity.”⁷⁸ According to McCreery, many if not most Spaniards, creoles and ladinos in the late colonial period “considered the Indian to be lazy, stupid, dirty, and too much attached to his own, largely incomprehensible customs.” Such generalisations “usually preceded efforts to make the indigenous population do something it was resisting, whether to attend church, wear shoes, or provide cheap labor for the elites or the state.” According to McCreery,

the predominant, if not always openly asserted, opinion was that the Indian resisted “Spanish” values because he was not quite human, or, at least, was so backward that he could not understand his own best interest. [...] Most annoying was his apparent lack of drive to accumulate material goods. [...] For most ladinos, such an astonishing lack of acquisitive interests could only be an innate character defect and evident proof of inherent inferiority.⁷⁹

Seventy years after Independence, according to Central America’s official gazette, the *Diario de Centro América*,

the Indian is a pariah, stretched out in his hammock and drunk on *chicha*, his natural beverage. His house is a pig sty; a ragged wife and six or more naked children live beneath a ceiling grimy with smoke of a

⁷⁷ McCreery, *Rural Guatemala*, 85, 107. See also Julio Castellanos Cambranes, *Café y Campesinos: Los orígenes de la economía de plantación moderna en Guatemala, 1853-1897*, 2^a ed. (Madrid: Editorial Catriel, 1996), 19-28; and Michel Bertrand, “La lucha por la tierra en Guatemala colonial: la tenencia de la tierra en la Baja Verapaz en los siglos XVI-XIX,” in *500 años de lucha por la tierra: estudios sobre propiedad rural y reforma agraria en Guatemala*, ed. J.C. Cambranes (Guatemala: Facultad Latinoamericana de Ciencias Sociales, 1992), 71-73.

⁷⁸ McCreery, *Rural Guatemala*, 93; David McCreery, “‘An Odious Feudalism’: *Mandamiento* Labor and Commercial Agriculture in Guatemala, 1858-1920,” *Latin American Perspectives* 13, no. 48 (Winter 1986), 99.

⁷⁹ McCreery, *Rural Guatemala*, 86.

fire that burns day and night in the middle of the floor; some images of saints with the faces of demons, four chickens and a rooster and two or three skinny dogs.⁸⁰

The Ministry of Development at the time seemed to concur with such an opinion, stating that “it is necessary to make the Indian work for his own good, for the good of business and for the country because the result of his apathetic and stationary character and his few needs, he is satisfied with practically nothing.”⁸¹

Hard work in itself was perceived as a civilising influence on the Indians, especially when Indian labour “was an all-important ingredient for export agriculture and elite prosperity.” The nineteenth and early-twentieth centuries are replete with proposals to improve the Indian race and transform Indians into ladinos through a process of miscegenation. According to McCreery, however, “these made little difference in the day-to-day existence of most of the Indian population.” The author writes that “an alternative to ‘civilising’ the Indian was what was sometimes referred to as the ‘North American’ solution. This involved either physically eliminating the inferior race or ‘bleaching it out’ with superior white immigration.”⁸²

By the mid-nineteenth century, coffee began to revolutionise the Guatemalan countryside, fast becoming Guatemala’s prime economic staple. If it was to expand, writes McCreery, “the necessary labor would have to be extracted from the Indian.”⁸³ In November 1876, President Barrios, who believed that 100 foreign immigrant families, preferably German, would be more useful to his country than 20,000 Indians,⁸⁴ imposed

⁸⁰ *Diario de Centro América*, 19 April 1892, as quoted in *ibid.*, 175.

⁸¹ Ministerio de Fomento, *Memoria-1890*, annex 3, p. 29, as quoted in *ibid.*

⁸² *Ibid.*, 176, 177.

⁸³ *Ibid.*, 178.

⁸⁴ Letter from Werner von Bergen, German Consul General in Central America, to Bülow, 15 November 1877, as quoted in Cambranes, *Café y Campesinos*, 221.

forced wage labour on a national scale, ordering governors “to give all help to export agriculture.”⁸⁵ According to the president’s circular:

Because the country has extensive areas of land that it needs to exploit by cultivation using *a multitude of workers who today remain outside the movement of development of the nation’s productive elements* [...].
1. *From the Indian towns of your jurisdiction* provide the owners of *fincas* [coffee plantations] of that department who ask for labor the number of workers they need, be it fifty or a hundred, according to the importance of the enterprise.⁸⁶

In 1923 Guatemala’s future literary giant and Nobel laureate Miguel Angel Asturias wrote his undergraduate thesis in Law. Entitled *El Problema Social del Indio* (The Indian Social Problem), Asturias wrote:

the Indian has not, will not and cannot incorporate himself in a single bound into the minority’s advanced culture. [...] When a mule wastes away, the owner looks at and studies its ailment, improves its conditions and does what he can to save it. Not so with the Indian who, for years, has been deteriorating. Would it have been better for the majority of Guatemalans to have come into this world as mules? [...] The Indian race’s stagnation, its immorality, its inaction, its unpolished way of thinking, originates in a lack of vibrant blood to propel it with vigorous desire towards progress. It is a worn out race which, to be saved, more than economic, psychological or educational solutions, needs a biological solution. What the Indian needs is life, blood, youth! [...] New blood, there’s a motto.⁸⁷

As Asturias’ contemporary Luis Cardoza y Aragón later remarked, the author’s views were not disassociated from his family, social and intellectual environment. His point of view on the Indian was unoriginal, according to Cardoza, “he thought as Guatemala still thinks of the Indian, as America in its entirety thinks of the Indian.”

⁸⁵ McCreery, *Rural Guatemala*, 187.

⁸⁶ As quoted in *ibid*, 187-188, 386n 123. Emphasis added. According to McCreery, the law did not apply to ladinos.

⁸⁷ As quoted in Luis Cardoza y Aragón, *Miguel Ángel Asturias: Casi Novela* (Guatemala: Biblioteca Era, 1991), 52-53. My translation.

Indeed, Asturias' insights seem to have struck a cord at the time, winning both the University and the Law School prizes for best thesis.⁸⁸

In 1934 General Jorge Ubico substituted long-term debt servitude with a vagrancy law specifically intended for agriculture. The law defined a vagrant as any man without sufficient property to provide for his livelihood or a contract for agricultural labour. If the man in question cultivated less than three acres of corn he owed 150 days of labour a year; if he cultivated between three and five acres, he owed 100. Although the law did not target Indians specifically, few Indians owned that much land in the 1930s, so 150,000 to 180,000 of them found themselves in the plantations as agricultural labourers every year. The vagrancy law continued unaltered until 1945, making Guatemala "the last country in the Western Hemisphere to end state-sanctioned coerced labor."⁸⁹ According to William Robinson, by 1975 some 60 percent of the economically active rural population of the Guatemalan highlands still migrated to work on the coastal plantations, making it "the world's largest migratory labor force as a percentage of total population."⁹⁰

⁸⁸ Ibid., 53, 54. See also Arturo Taracena Arriola, ed., *Etnicidad, estado y nación en Guatemala, 1808-1944*, vol. 1 (Guatemala: Nawal Wuj y Centro de investigaciones regionales de Mesoamérica, 2002), 261; Grandin, *The Blood of Guatemala*, 82-85, 199, 300n 9.

⁸⁹ McCreery, *Rural Guatemala*, 316, 317, 319, 321, 322.

⁹⁰ William I. Robinson, *Transnational Conflicts: Central America, Social Change and Globalization* (London: Verso, 2003), 347n 110, 348.

Chapter II. Defining a Protected Group

A. Indigenous Peoples in Guatemala

Guatemala is divided into twenty-two *departamentos*, or departments, that are further broken down into 331 smaller *municipios*, or municipalities. According to Carol Smith, department boundaries in Guatemala cut across basic natural divisions and serve administrative purposes, “whereas *municipios* are the locus of local power relations as well as of the Indian community.”¹ In the mid-1990s, close to 60 percent of Guatemala’s *municipios* were considered indigenous because a majority of the people living in them spoke at least one of Guatemala’s twenty-two indigenous languages.² A study published in 2003 by the Latin American Faculty of Social Sciences indicates that the highest levels of poverty in Guatemala are found among the country’s 193 predominantly indigenous municipalities.³ According to a 2003 United Nations report, 65 percent of Guatemala’s indigenous populations do not have access to stable sources of drinking water; over 80 percent do not have access to sewerage disposal; and at least half are not connected to the electricity grid. Referring to indigenous people in Guatemala specifically, the U.N. study stated that

¹ Smith, *Guatemalan Indians and the State*, 3, 8, 29n 15. The number of *municipios* mentioned by Smith at p. 29n 15 increased to 331 in November 1999 because of political and demographic considerations. See Government of Guatemala, Decree 42-99 [document on-line], 11 November 1999 (accessed 20 November 2005), available from http://www.congreso.gob.gt/gt/mostrar_ley.asp?id=571; Internet.

² Pavel Centeno, “¿Quiénes son los pueblos indígenas y dónde están?” in *El rostro indígena de la pobreza*, ed. Virgilio Álvarez Aragón (Guatemala: Facultad Latinoamericana de Ciencias Sociales, 2003), 232. Centeno, an economist, considers language as the most binding relational factor among members of Guatemala’s indigenous communities today. Language was also the second of five predominant factors defining indigenous peoples in Guatemala in the “Agreement on the Identity and Rights of Indigenous Peoples” signed by the Guatemalan government and the rebel insurgency in March 1995. This accord was part of the broader peace agreements signed in December 1996. The 22 indigenous languages of Mayan origin spoken in Guatemala today are Achí, Akateco, Awakateco, Chorti, Chuj, Itzá, Ixil, Jakalteco, Kanjobal, Kaqchikel, Kiché, Mam, Mopan, Poqoman, Poqomchí, Q’eqchí, Sakapulteco, Sikapakense, Tectiteco, Tz’utujil, Uspanteco and Xinca. See United Nations, *The Guatemala Peace Agreements* (New York: U.N. Department of Public Information, 1998), 61.

³ Centeno, “Los pueblos indígenas,” 232.

those who are poor and destitute in Guatemala live predominantly in the rural areas, engage mainly in farming, are mostly illiterate, have school attendance levels below the national average, have no access to basic services and suffer various degrees of marginalization and social exclusion. Indigenous women experience the lowest levels of economic and social well-being.⁴

B. Self-Identification

Before discussing the crimes committed against indigenous peoples in Guatemala, and their context, it is important to examine existing boundaries defining such peoples. Although no single definition of indigenous peoples exists at the United Nations, a 1986 study by the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities is often cited.⁵ According to the study,

Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal system.⁶

The study defined “historical continuity” as

the continuation, for an extended period reaching into the present of one or more of the following factors: (a) Occupation of ancestral lands, or at least of part of them; (b) Common ancestry with the original occupants of these lands; (c) Culture in general, or in specific manifestations (such as religion,

⁴ United Nations, “Report of the Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous Peoples, Rodolfo Stavenhagen, Submitted in Accordance with Commission resolution 2001/57 [document on-line],” 24 February 2003 (accessed 20 November 2005), available from [http://www.unhchr.ch/huridocda/huridoca.nsf/e06a5300f90fa0238025668700518ca4/90eb75137d0f588cc1256d1200338eb6/\\$FILE/G0311133.pdf](http://www.unhchr.ch/huridocda/huridoca.nsf/e06a5300f90fa0238025668700518ca4/90eb75137d0f588cc1256d1200338eb6/$FILE/G0311133.pdf); Internet.

⁵ United Nations Secretariat of the Permanent Forum on Indigenous Issues, “The Concept of Indigenous Peoples: Workshop on Data Collection and Dissagregation for Indigenous Peoples [report on-line],” New York: United Nations Department of Economic and Social Affairs, Division for Social Policy and Development, 19-21 January 2004 (accessed 20 November 2005), available from <http://www.un.org/esa/socdev/unpfi/documents/PFII%202004%20WS.1%203%20Definition.doc>; Internet: 1-2. Launched in 1972, the U.N. study is considered one of the most significant of its kind.

⁶ *Ibid.*

living under a tribal system, membership of an indigenous community, dress, means of livelihood, lifestyle, etc.); (d) Language [...].⁷

The study also emphasised the importance of self-identification, stating that

on an individual basis, an indigenous person is one who belongs to these indigenous populations through self-identification as indigenous (group consciousness) and is recognized and accepted by these populations as one of its members (acceptance by the group). This preserves for these communities the sovereign right and power to decide who belongs to them, without external interference.⁸

Attempts by a U.N. Working Group to define indigenous populations were inconclusive.

In 1997, the Draft Declaration on the Rights of Indigenous Peoples simply stated that “indigenous peoples have a collective and individual right to maintain and develop their distinct identities and characteristics, including the right to identify themselves as indigenous and to be recognized as such.”⁹

The 1991 International Labour Organisation (ILO) Convention Concerning Indigenous and Tribal Peoples is often cited in Guatemala in support of indigenous rights. Ratified by Guatemala in 1996 the instrument defines indigenous peoples

on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonisation or the establishment of present State boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.¹⁰

⁷ Ibid.

⁸ Ibid.

⁹ Ibid. Article 8 of the Draft Declaration. For a definition proposed by the World Bank see World Bank, “Report no. 25332 on the Implementation of Operational Directive 4.20 on Indigenous Peoples: An Independent Desk Review [report on line],” Washington: Operations Evaluation Department and Country Evaluation and Regional Relations of the World Bank, 10 January 2003 (accessed 20 November 2005), available from http://www-wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/2003/02/15/000094946_0302040401114/Rendered/PDF/multi0page.pdf; Internet: 1-3.

¹⁰ Article 1 (b) of “Convention (No. 169) Concerning Indigenous and Tribal Peoples in Independent Countries, adopted 27 June 1989 by the General Conference of the International Labour Organisation at its seventy-sixth session, entering into force on 5 September 1991 [document on-line]” (accessed 20 November 2005), available from <http://www.unhchr.ch/html/menu3/b/62.htm>; Internet.

Indigenous or tribal peoples, according to the convention, distinguish themselves “from other sections of the national community [...] wholly or partially by their own customs or traditions or by special laws or regulations.” The ILO convention also acknowledged indigenous self-identification “as a fundamental criterion for determining the groups” covered by the convention.¹¹

Meanwhile, Mayan intellectuals, such as Demetrio Cojtí Cuxil, have proposed the following International Court of Justice definition of a people when considering the indigenous peoples of Guatemala:

A group of persons living in a given country or locality [...] and united by the identity of race, religion, language and tradition in a sentiment of solidarity, with a view to preserving their traditions, maintaining their form of worship, insuring the instruction and upbringing of their children in accordance with the spirit and traditions of their race and rendering mutual assistance to each other.¹²

Finally, Articles 66 through 70 of the 1985 Guatemalan Constitution deal explicitly with indigenous communities. Under Section 3, entitled “Indigenous Communities,” Article 66 on the “Protection of Ethnic Groups” states that

Guatemala is made up of diverse ethnic groups, including the indigenous groups of Mayan ascendancy. The State recognises, respects and promotes their ways of life, customs, traditions, forms of social organisation, and the use by men and women of indigenous dress, languages and dialects.¹³

C. Protected Groups Under the UNGC

The crime of genocide has been prohibited internationally in order to protect certain human groups from extermination or attempted extermination. The 1948 United

¹¹ Ibid., Article 1, Section (a) and Article 2.

¹² Demetrio Cojtí Cuxil, *Ri Maya' Moloj pa Iximulew: El movimiento maya (en Guatemala)* (Guatemala: Editorial Cholsamaj, 1997), 70-71, also quoted in Reyes, “Perspectivas,” 61-62. The version of the quote in English is taken from Indian Law Resource Center, *Indian Rights Human Rights: Handbook for Indians on International Human Rights Complaint Procedures* (Washington: IRRC, 1984), 14.

¹³ Gobierno de Guatemala, “Constitución de la República de Guatemala (con las reformas de 1993) [document on-line]” (accessed 20 November 2005), available from <http://www.georgetown.edu/pdba/Constitutions/Guate/guate93.html>; Internet. My translation.

Nations Convention on the Prevention and Punishment of the Crime of Genocide (UNGC), ratified by Guatemala on 22 June 1949, and in effect since 12 January 1951, explicitly protects “national, ethnical, racial or religious group[s], as such.”¹⁴ According to the UNGC the crime of genocide occurs when one or a combination of prohibited acts is committed with the intent to destroy such groups, in whole or in part. An individual is a victim of genocide when he or she is targeted for extermination not because of his or her individual identity, but because of his or her membership in one of the protected groups.¹⁵ A prohibited act committed against an individual could be construed as a “step in the overall objective of destroying the group,” but the victim of the crime of genocide, and its ultimate target, is a human group not an individual. Individuals could be considered victims of homicide, but only groups can be victims of genocide.¹⁶

The UNGC itself does not define the protected groups in question. In 1988, forty years after the Convention’s adoption by the U.N. General Assembly, section 1093 of the United States Criminal Code, entitled the “Genocide Convention Implementation Act,” offered brief definitions for each of the four protected groups.¹⁷ Following the creation by

¹⁴ Frank Chalk and Kurt Jonassohn, *The History and Sociology of Genocide: Analyses and Case Studies* (New Haven: Yale University Press, 1990), 44-49; United Nations, “Convention on the Prevention and the Punishment of the Crime of Genocide” (accessed 20 April 2005), available from <http://www.treaty.un.org; Internet>.

¹⁵ United Nations, International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 (ICTR), “Prosecutor vs. Jean-Paul Akayesu, Judgement, case no. ICTR 96-4-T [document on-line],” Arusha, Tanzania, 2 September 1998 (accessed 20 April 2005), available from <http://www.ictr.org/ENGLISH/basicdocs/statute.html; Internet>: paragraph 469, p. 101; paragraph 499, p. 106; paragraph 510, p. 108; paragraph 521, p. 109.

¹⁶ United Nations, International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia Since 1991 (ICTY), “Prosecutor vs. Radislav Krstic, Judgement, Case no. IT-98-33-A [document on-line],” The Hague, 2 August 2001 (accessed 20 April 2005), available from <http://www.un.org/icty/krstic/TrialC1/judgement/index.htm; Internet>: paragraph 552, p. 193; paragraph 561, p. 196.

¹⁷ “Genocide Convention Implementation Act of 1987 (the Proxmire Act),” in Chalk and Jonassohn, *History and Sociology of Genocide*, 52-53.

the United Nations Security Council of the International Criminal Tribunal for the Former Yugoslavia (ICTY) in 1993 and the International Criminal Tribunal for Rwanda (ICTR) in 1994, scholars and legal experts studied the U.N. *travaux préparatoires* that led to the adoption of the UNGC on 9 December 1948. The ICTR in *Prosecutor vs. Jean-Paul Akayesu* determined that the drafters of the UNGC perceived the crime of genocide as targeting only stable, permanent groups, whose membership is determined by birth, excluding groups that can be joined voluntarily, such as political or economic groups.¹⁸

The ICTR concluded that

a common criterion in the four types of groups protected by the Genocide Convention is that membership in such groups would seem to be normally not challengeable by its members, who belong to it automatically, by birth, in a continuous and often irremediable manner.¹⁹

The ICTR then proceeded to define each of the four groups protected under the UNGC as follows:

A *national group* is defined as a collection of people who are perceived to share a legal bond based on common citizenship, coupled with reciprocity of rights and duties. An *ethnic group* is generally defined as a group whose members share a common language or culture. The conventional definition of *racial group* is based on the hereditary physical traits often identified with a geographical region, irrespective of linguistic, cultural, national or religious factors. The *religious group* is one whose members share the same religion, denomination or mode of worship.²⁰

In order to determine the existence of a protected group, the ICTR considered both *objective* criteria, such as legal or constitutional definitions of a group, and

¹⁸ ICTR, “Prosecutor vs. Jean-Paul Akayesu,” paragraph 516, p. 108; paragraph 701, p. 141.

¹⁹ *Ibid.*, paragraph 511, p. 108.

²⁰ *Ibid.*, paragraph 512-515, p. 108. Emphasis added. United Nations, “Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General,” Geneva, 25 January 2005, at paragraph 494, p. 125, literally combined the definitions offered in ICTR, “Prosecutor vs. Jean-Paul Akayesu,” and the U.S. Criminal Code in its own definitions of UNGC protected groups. *Ethnic groups*, for instance, are taken by the Commission “to refer to sets of individuals sharing a common language [ICTR], as well as common traditions or cultural heritage [U.S. Criminal Code].” In so doing the Commission was adhering to the principle of effectiveness whereby “the rules on genocide should be construed in such a manner as to give them their maximum legal effects.”

subjective indicators, including how members of a group defined themselves. In the case of Rwanda, although the Tutsi population did not have “its own language or a distinct culture from the rest of the Rwandan population,” the ICTR still found that the Tutsi constituted a stable and permanent group in large part because of the way the Tutsi defined themselves, and the way in which they were defined by the perpetrators of the Rwandan genocide. In terms of self-identification, the Chamber noted that “all the Rwandan witnesses who appeared before it invariably answered spontaneously and without hesitation the questions of the Prosecutor regarding their ethnic identity.”²¹

Not unlike the definitions of indigenous peoples discussed previously, which allow considerable latitude for self-identification in the ascription of group membership, the U.N. Commission of Inquiry on Darfur in 2005 also accepted subjective standards in determining the existence of ethnic groups in the Sudan.²² Anthropologist Paul Magnarella has commented approvingly that the legal precedent that regards “any stable and permanent group [...] as an ethnic group for purposes of the Genocide Convention, as long as the people of the society in question perceive that group to be different from others [...],” has considerably broadened the categories of protected peoples.²³ From an anthropological perspective, writes Magnarella, the ICTR

expanded upon the categories of protected peoples by refusing to confine itself to an objective (*etic*), universalistic definition of ethnic group. Instead it relied on the subjective (*emic*) perceptions of the Rwandan people. [...] With that approach, the chamber has linked the international law of genocide with the rich tradition of ethnoscientific inquiry.²⁴

²¹ ICTR, “Prosecutor vs. Jean-Paul Akayesu,” paragraph 170, p. 42; paragraph 702, p. 141.

²² United Nations, “Report on Darfur,” paragraph 518, p. 131-132.

²³ Paul Magnarella, “Recent Developments in the International Law of Genocide: An Anthropological Perspective on the International Criminal Tribunal for Rwanda,” in *Annihilating Difference: The Anthropology of Genocide*, ed. Alexander Hinton (Berkeley: University of California Press, 2002), 318.

²⁴ *Ibid.*

Generally, anthropologists, ethnographers and ethno-historians welcome such considerations given their respective fields' – at times controversial – contribution to the social-scientific understanding of human groups and societies.²⁵ International legal expert William Schabas, on the other hand, cautions against too broad an interpretation of the UNGC, stating that “the role of the *travaux préparatoires* is to assist in clarifying ambiguous or obscure terms, [...] not to add elements that were left out.” From a legal perspective, Schabas warns that diluting the definition of protected groups, by allowing subjective standards, could theoretically lead to the inclusion of groups such as political and social groups which, according to Schabas, have no real objective existence.²⁶

Schabas objects to the ICTR's contention that the drafters of the UNGC had intended to ensure the protection of “any stable and permanent group.” He also takes issue with the individual meaning given to the terms used to describe the four protected groups. Rather, he argues, the terms were conceptually intended to overlap and define one another. He believes they are more inclusive than we might think, interpreting them metaphorically as

four corner posts that delimit an area within which a myriad of groups covered by the Convention find protection. [...] The drafters viewed the four groups in a dynamic and synergetic relationship, each contributing to the construction of the other. [...] Deconstructing the enumeration risks distorting the sense that belongs to the four terms, taken as a whole.²⁷

While Schabas reasons that groups not expressly mentioned in the Convention could implicitly fall under its protection, including tribal or indigenous groups, he recognises

²⁵ For a better understanding of anthropology's contribution to the definition of human groups targeted for annihilation see Alexander Hinton, “The Dark Side of Modernity: Toward an Anthropology of Genocide,” in *Annihilating Difference: The Anthropology of Genocide*, ed. Alexander Hinton (Berkeley: University of California Press, 2002), 1-40.

²⁶ William Schabas, *Genocide in International Law* (Cambridge: Cambridge University Press, 2000), 110, 114, 132.

²⁷ *Ibid.*, 112.

that other groups, such as gender and political groups, would not. In essence, Schabas believes there should be practical and legal limits to the kind of groups eligible for UNGC protection lest the notion of a group become meaningless and unusable.²⁸ The 2005 U.N. Commission of Inquiry on Darfur, on the other hand, found that the “broad interpretation [of the concept of protected group] has not been contested by States,” surmising that it may very well “become part and parcel of international customary law.”²⁹

D. Protected groups in Guatemala

Borrowing from the 2005 U.N. Commission of Inquiry on Darfur, ethnic groups such as “indigenous groups of Mayan ascendancy” in Guatemala can be defined as “sets of individuals sharing a common language, as well as common traditions or cultural heritage.” In Guatemala, Article 66 of the Constitution recognizes indigenous peoples as ethnic groups and pledges to safeguard their distinct “ways of life, customs, traditions, forms of social organisation.” According to either *etic* or *emic* criteria, therefore, indigenous men, women, and children in Guatemala can be considered members of a protected group under the UNGC, as well as Chapter 4, Article 376, of the Guatemalan Criminal Code which defines the crime of genocide.³⁰

In the wake of recent efforts by the Spanish National Court to investigate charges of genocide in Guatemala, denial has resurfaced among certain sectors of Guatemalan society. Some commentators, such as Jorge Palmieri, former ambassador to Mexico in the early 1980s, vehemently deny that anything resembling genocide has ever taken place

²⁸ Ibid.

²⁹ United Nations, “Report on Darfur,” paragraph 501, p. 127.

³⁰ Gobierno de Guatemala, “Código penal,” 104-105. Guatemalan law only protects “national, ethnic and religious groups” against genocide and excludes racial groups. Someone found guilty of genocide in Guatemala can be sentenced for a maximum of 50 years in prison.

in Guatemala, as they also attempt to deny the existence of protected indigenous groups. Referring to the civilian victims of Guatemala's conflict, Palmieri asked: "What 'Mayan ethnicity' are they talking about? For your information," he wrote in one of Guatemala's dailies, "experts on the matter ensure that the Mayan race disappeared even before the arrival of Spanish soldiers captained by Pedro de Alvarado. Those who would call themselves 'Mayans' are of other ethnic origins."³¹ In a preceding opinion piece refuting charges that genocide had been committed in Guatemala, Palmieri attempted to remind his readers that in Guatemala's

fratricidal war [...] indigenous soldiers, under the orders of mestizo or ladino officers, battled subversive indigenous guerrillas under the orders of communist mestizos and ladinos, [...] the commanders of the Indians who fought in irregular forces against the indigenous soldiers of the regular army.³²

In appearance, at least, Palmieri seems to recognise the existence of indigenous people in Guatemala, since they fought on both sides of Guatemala's armed conflict, although he questions their pre-Columbian origins. But Palmieri also implies that genocide cannot be committed by members of a same group. Genocide scholars, however, seem to disagree.

A. Dirk Moses, for instance, in studying colonial Australia, found that Native Police were used as "an instruments of an extermination policy" in Queensland in the late nineteenth century, explaining that

the British selected Aborigines from different and distant areas composing the native police detachments. Because of this practice, the black troopers

³¹ Jorge Palmieri, "El caso con España (2): Es absurdo decir que 'se entretendió un plan para minimizar a la etnia maya' [opinion piece on-line]," *El Periódico*, 14 July 2006 (accessed 14 July 2006), available from <http://www.elperiodico.com.gt/>; Internet. My translation.

³² Jorge Palmieri, "No son bienvenidos: El juez y el fiscal Alonzo de la Audiencia Nacional de España [opinion piece on-line]," *El Periódico*, 26 June 2006 (accessed 26 July 2006), available from <http://www.elperiodico.com.gt/>; Internet. My translation.

had to communicate with one another in English and felt no bond to the Aboriginal people or group that they were ordered to massacre.³³

The work of Hurst Hannum and David Hawk on mass killings in Cambodia demonstrates that between 1975 and 1979 “the Khmer Rouge aimed to destroy a significant part of the majority Khmer people.” According to genocide scholar Helen Fein the work in question was of particular significance “because it made the case that genocide could be committed by perpetrators of the same ethnicity.”³⁴

In the literature, the phenomena in which members of a protected group commit genocide against members of the same group has been called “auto-genocide.” Most commonly applied to members of protected national groups, victims can include political opponents, social classes or other groups persecuted historically within a given society, including disabled persons, homosexuals, the elderly, or the mentally handicapped.³⁵

With regards to political opponents, the idea has been used, according to Schabas, by

Spanish Judge Baltasar Garzon [who] took a similar approach in two 1998 rulings dealing with the charges that genocide had been committed in Argentina during the 1970s and 1980s, and later the same year in his ruling on the Augusto Pinochet case.³⁶

Schabas, for his part, is of the opinion that “confusing mass killing of the members of the perpetrators’ own group with genocide is inconsistent with the purpose of the Convention, which was to protect national minorities from the crimes based on ethnic

³³ A. Dirk Moses, “An antipodean genocide? The origins of the genocidal moment in the colonisation of Australia,” in *Journal of Genocide Research* 2, no.1 (2000), 92, 101.

³⁴ Hurst Hannun and David Hawk, “The Case Against the Standing Committee of the Communist Party of Kampuchea (New York: Cambodia Documentation Commission, 1986), as discussed in Helen Fein, “Genocide: A Sociological Perspective,” in *Current Sociology* 38, no. 1 (1990), 20. For a brief discussion on whether the killing of Cambodians by other Cambodians constitutes genocide or politicide, see Lawrence J. LeBlanc, “United States Foreign Policy Towards Genocide and Crimes Against Humanity,” in *Encyclopaedia of Genocide and Crimes Against Humanity*, vol. 2 (New York: Macmillan Reference USA, 2004) p. 8-9.

³⁵ Schabas, *Genocide in International Law*, 110, 148-149.

³⁶ *Ibid.*, 119.

hatred.”³⁷ In the Guatemalan context, to answer Palmieri’s insinuation, the issue is not so much one of auto-genocide, in the strict sense of indigenous Guatemalans willingly perpetrating genocide against members of their own group. The situation in Guatemala, in fact, may be more akin to the Jewish Councils or the Jewish Police organised under German auspices and whose members were often forcibly recruited to manage and clear Jewish ghettos, and to perform assigned tasks in the labour and extermination camps of Eastern Europe during the Holocaust.³⁸

E. Indian on Indian violence?

In Guatemala, as Palmieri very generally pointed out, those ordering indigenous soldiers, and guerrillas for that matter, were often non-indigenous or ladino officers or superiors. The use of indigenous peoples to police or repress other indigenous peoples in Guatemala dates back to the colony, as was discussed in the preceding chapter. In the early 1980s, an Indian refusing to comply with army orders, as a civilian or a soldier, faced dire if not fatal consequences. The coercive element in the cycle of violence among Indians is therefore important in understanding the Guatemalan context. In fact, the Guatemalan Truth Commission found that turning members of indigenous communities against their own, or forcing members to commit crimes against members of the same community, were considered deliberate counterinsurgency tactics used repeatedly by the Guatemalan army.³⁹

³⁷ Ibid.

³⁸ Hannah Arendt, *Eichmann in Jerusalem: A Report on the Banality of Evil*, revised ed. (Toronto: Penguin Books, 1994), 117-125, 188-189, 196-197; Isaiah Trunk, “Ghetto Police,” in *Judenrat: The Jewish Councils in Eastern Europe under Nazi Occupation* (Lincoln: University of Nebraska Press, 1996), 475-527; Raul Hilberg, *The Destruction of the European Jews*, vol. III (New York: Holmes and Meier, 1985), 1037-1040; Lucy S. Dawidowicz, *The War Against the Jews, 1933-1945* (New York: Holt Rinehart and Winston, 1975), 225-241, 286-293, 351-353.

³⁹ CEH, *Memoria del silencio*, chapter II, paragraph 3342, p.355; paragraph 3402, p. 370-371.

Such tactics, and others discussed in the Truth Commission report, were meant to break any local initiative meant to defend community interests and often imposed new modes of community or individual conduct through coercion or threat. Pitting communities of the same ethnic origin against one another, when such communities had coexisted peacefully for years, or implicating Indians from one community in the massacre of a neighbouring community deliberately undermined the group's foundations and identity.⁴⁰ Jan Perlin considers the barbarity and deliberate public nature of exactions carried out against indigenous peoples in Guatemala as "indicators of the intent to destroy the group by causing serious physical or mental harm to members of the group." Extremes designed to attack the very foundations of indigenous groups in the early 1980s, according to Perlin, included:

The display of mutilated, tortured, and sexually violated victims; obligating members of the group to commit acts of violence against one another and in full view of the entire community; the killing of girl-children, infants, women, and the elderly; systematic, public and gang rapes of women; including girls and pregnant women; and the gauging of fetuses from women's bodies.⁴¹

Indeed, the Guatemalan Truth Commission found that such divisive and irreparable acts were indicative of an intent to destroy indigenous social cohesion and the groups themselves, especially when group members were forced to witness or take part in acts of torture, mutilation, rape or massacres. Such acts were considered by the CEH as "causing serious bodily or mental harm to members of the group," thereby constituting an act of genocide.⁴²

⁴⁰ Ibid., chapter II, paragraph 3410, p. 372 (see quote); paragraphs 3412-3414, p. 373 (see quote).

⁴¹ Perlin, "Commission finds Genocide," 408.

⁴² CEH, *Memoria del silencio*, chapter II, paragraph 3590, p. 420.

Chapter III. Guatemala in the 1960s and 1970s

A. Guatemala's Strategic Importance

Guatemala is Central America's most populous country. It has nickel and oil where Nicaragua and El Salvador have none, and it shares a long border with Mexico's significant petroleum reserves. According to George Black, former editor of the North American Congress on Latin America's *Report on the Americas*, "from 1960 to 1968 the influx of foreign capital to Guatemala had trebled," the country receiving the greatest amount of US investment in Central America.¹ In the late 1960s, however, government spending on social services ranked among the lowest of the five Central American nations, while spending on the military was the highest. Trade balances and the gross national product improved between 1950 and the mid-1960s while per capita income for 66 percent of the Guatemalan population dropped from US \$87 to \$83 annually. By the late 1960s the US State Department ranked Guatemala first on its list of countries in the hemisphere threatened with revolution.²

When the cold war in the Caribbean basin intensified with the January 1959 Cuban Revolution, anti-communism became an obsessive guiding principle for Guatemala's military and economic elite.³ The government's decision to lend Guatemalan territory for the preparation and the eventual launching of the 1961 Bay of

¹ George Black, with Norma Stoltz and Milton Jamail, *Garrison Guatemala* (New York: Monthly Review Press, 1984), 6, 27; Alan Riding, "Guatemala Votes but it Hardly Seems to Matter," *New York Times*, 7 March 1982, sec. 4, p. 4; Don Oberdorfer, "After the Killing Stops; Guatemala's New Leaders Still Face Vast Problems," *Washington Post*, 18 April 1982, p. B1.

² Walter LaFeber, *Inevitable Revolutions: The United States in Central America* (New York: W. W. Norton and Company, 1984), 167-168, 257; Patrick Ball, Paul Kobrak, and Herbert F. Spirer, *State Violence in Guatemala, 1960-1996: A Quantitative Reflection* (New York: American Association for the Advancement of Science, 1999), 19.

³ Ball et al., *State Violence in Guatemala*, 13.

Pigs invasion provoked discontent in army ranks.⁴ When resistance erupted against the government of General Miguel Ydígoras Fuentes on 13 November 1960, two army lieutenants, Marco Antonio Yon Sosa and Luis Augusto Turcios Lima, led nearly a third of the Guatemalan military in a revolt.⁵ When the attempted coup failed, Yon Sosa and Turcios Lima took to the mountains of eastern Guatemala. According to historian Walter LaFeber, both officers had trained at Fort Benning, Georgia, “one reason why the rebels fought the US-trained Guatemalan army to a draw in 1961-1962.”⁶

B. Armed Conflict Erupts

In December 1962, the Rebel Armed Forces (FAR) were created when Yon Sosa’s Revolutionary Movement of 13 November (MR-13) joined the Guatemalan Workers’ Party (PGT). Yon Sosa commanded the new guerrilla organisation in the eastern departments of Zacapa and Izabal while Turcios Lima commanded operations in the nearby *Sierra de las Minas*.⁷ According to LaFeber, while insurgent forces amounted to approximately forty regular troops operating in the Sierra de las Minas in the mid-1960s, the Guatemalan army responded by launching

an all-out, terrorist offensive. The commander, Carlos Arana Osorio, received advice from U.S. Military Attaché Colonel John Webber and nearly a thousand U.S. Green Beret Special Forces. The Pentagon spent more than \$12 million annually during the late sixties to develop Arana’s six-thousand-man force.⁸

⁴ Rosada-Granados, *Soldados en el poder*, 250; Ball et al., *State Violence in Guatemala*, 13-14.

⁵ Greg Grandin, *The Last Colonial Massacre: Latin America in the Cold War* (Chicago: University of Chicago Press, 2004), 91.

⁶ LaFeber, *Inevitable Revolutions*, 168.

⁷ *Ibid.*; Maurice Lemoine, *Amérique centrale: les naufragés d’Esquipulas* (Nantes: Librairie l’Atalante, 2002), 38-39; Ralph Lee Woodward Jr., *Central America: A Nation Divided*, 2nd ed. (New York: Oxford University Press, 1985), 242; CEH, *Memoria del silencio*, chapter I, paragraphs 368-371, p. 123-124.

⁸ LaFeber, *Inevitable Revolutions*, 169-170. On the details of US financial and military assistance to Guatemala in the 1960s in order to “help build up the most effective military machine in Central America,” see Black, *Garrison Guatemala*, 19-20.

Despite Arana Osorio's early efforts in the company of what, according to journalist Maurice Lemoine, was the continent's most important US military mission, he failed to destroy the revolutionary forces in the nickel-rich eastern provinces of Guatemala.⁹ According to LaFeber, Arana's pacification program then expanded, including the creation of armed, right-wing militias, deployed

to murder students, Indians, and labour leaders suspected of sympathizing with the rebels. At least twenty so-called anti-Communist armies appeared; the most notorious were *Mano Blanco* (White Hand), and *Ojo por Ojo* (Eye for an Eye).¹⁰

In October 1967, the US State Department reported on what it considered the Guatemalan government's successful campaign against suspected guerrillas:

Guatemala counter-insurgency operations against the extreme left during the past year have been so successful that the US embassy reports "insurgent combat involving organized guerrilla units is not a current threat to stability in any region of the country." This success has come about through a combination of overt and covert operations by the Guatemalan security forces and right wing civilian associates and auxiliaries to stamp out the insurgents. The methods employed, particularly on the covert side [...] include] kidnappings, torture and summary executions.¹¹

The report's author, State Department official Thomas L. Hughes, went on to describe the "Special Commando Unit [...] at the center of the Army's clandestine urban counter-terror apparatus." Created in January 1967 under close army supervision, the unit was composed of both military and civilian personnel whose assigned tasks included

⁹ Lemoine, *Les naufragés*, 39.

¹⁰ LaFeber, *Inevitable Revolutions*, 170.

¹¹ Intelligence Note from Thomas L. Hughes, Director of Intelligence and Research, United States Department of State, "Guatemala: A Counter-Insurgency Running Wild? [report on-line]," to Secretary of State, 23 October 1967 (accessed 29 January 2004), available from: <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB11/docs/04-01.htm>; Internet.

“abductions, bombings, street assassinations, and executions of real or alleged communist, and [...] other vaguely defined enemies of the government.”¹²

Hughes was concerned with what he believed was “accumulating evidence that the counter-insurgency machine [was] out of control.” What the US embassy called “clandestine killer units” were not only killing “known communists or communist sympathizers,” but they were also acting against

an alarmingly broad range of Guatemalans of all social sectors and political persuasions. Labor leaders, businessmen, students and intellectuals, government officials, and politicians have all been included at various times on the “target lists” of the clandestine “anti-communist organizations.”¹³

In March 1968 Viron Vaky of the US State Department’s Policy Planning Council wrote the Assistant Secretary of State for Inter-American Affairs to express his concern regarding the Guatemalan government’s indiscriminate use of “counter-terror.” Vaky, former Deputy Chief of Mission in the American Embassy in Guatemala, wrote that paramilitary groups in Zacapa under Arana Osorio’s command “operated in parts of the northeast in war-lord fashion [... where] people are killed or disappear on the basis of simple accusations.”¹⁴

Colonel Arana Osorio’s terror campaign ravaged eastern Guatemala between 1967 and 1970, killing between 7,000 and 8,000 people in order to get at an estimated

¹² Ibid.

¹³ Ibid. On 1960s US support for Guatemala’s “counter-insurgency machine,” death squads and the first case of mass enforced disappearance in Latin America, a number of revealing declassified primary sources are available from George Washington University’s National Security Archive at <http://www.gwu.edu/~nsarchiv/>. Among the most interesting documents are John Longan, “Report concerning plans and recommendations made to counter extortion-kidnapping in Guatemala [document on-line],” 4 January 1966 (accessed 29 January 2004), available from <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB11/docs/01-01.htm>; Internet.

¹⁴ Memorandum from Viron Vaky, Policy Planning Council of the Department of State, “Guatemala and Counter-terror [document on-line],” to Covey Oliver, Assistant Secretary of State for Inter-American Affairs, 29 March 1968 (accessed 29 January 2004), available from <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB11/docs/05-01.htm>; Internet.

500 armed guerrillas.¹⁵ In 1970 Arana became president pledging to eliminate all guerrillas in Guatemala even if it meant “[turning] the country into a cemetery.”¹⁶ Upon taking power in July, the new president suspended constitutional guarantees and declared a state of siege that would last through February 1972.¹⁷ Although the threat of leftist insurgency had been reduced considerably by 1972,¹⁸ as in neighbouring Nicaragua and El Salvador, the army in Guatemalan was not content “merely to kill those on the Left; it wanted to eliminate everyone between itself and the Left as well.”¹⁹

C. Built to Last

As the army’s influence in Guatemala grew in the 1960s, the institution became increasingly concerned with its political longevity and economic well-being. According to military analyst Héctor Rosada-Granados, Arana’s presidency fostered a structure within the military high command that would last, with minor modifications, for the next fifteen years.²⁰ The positions of Army Chief of Staff and then Minister of Defence became necessary prerequisites for any aspiring president and commander in chief of the

¹⁵ LaFeber, *Inevitable Revolutions*, 170; Victor Perera, *Unfinished Conquest: The Guatemalan Tragedy* (Berkeley: University of California Press, 1993), 41-42; CEH, *Memoria del silencio*, chapter I, paragraph 472, p. 151; Black, *Garrison Guatemala*, 22.

¹⁶ LaFeber, *Inevitable Revolutions*, 257. According to Woodward, *Nation Divided*, 243, leftist elements were excluded from the 1970 elections. Rosada-Granados, *Soldados en el poder*, 131n 37, explains that Arana won the elections with a total of 234,600 votes or 40 percent of the valid ballots cast. Less than 20 percent of eligible voters participated, representing less than 5 percent of the Guatemalan population, then estimated at 4.9 million.

¹⁷ Ball et al., *State Violence in Guatemala*, 18. On other measures taken by the Arana government, see Rosada-Granados, *Soldados en el poder*, 135.

¹⁸ Rosada-Granados, *Soldados en el poder*, 135-136. On 27 September 1972, government forces captured the Central Committee of the outlawed Guatemalan Labour Party (PGT). According to Ball et al., *State Violence in Guatemala*, 19, after being tortured, the PGT leadership were allegedly thrown into the Pacific Ocean. What is certain is that they were never seen again and the PGT as an insurgent threat was essentially disabled.

¹⁹ LaFeber, *Inevitable Revolutions*, 257.

²⁰ Rosada-Granados, *Soldados en el poder*, 131.

armed forces. All of Arana's successors, except one, would follow such a trajectory even if it meant resorting to electoral fraud in order to ascend to the presidency.²¹

It was also in the early 1970s, according to historian Ralph Lee Woodward, that the Guatemalan military

began to enter the economy in a major way. Not only did the Generals receive enormous salaries when they served as President (Ydígoras reportedly received \$650,000 per year), but they were able to use their positions to acquire private companies, large land holdings, and monopolistic concessions, amassing fortunes in the process.²²

According to Rosada-Granados,

the military strategy was oriented towards maintaining informal sources of remuneration, through such means as high level political appointments in the public sector [...], the payment of bonuses, the allocation of national lands to certain active or retired officers, especially in the Northern Transversal Strip, the granting of residential properties, and, in certain cases, tolerated levels of corruption. Such were the workings of an emolument system that sought to guarantee the loyalty of the superior officers involved.²³

By looking after and diversifying its economic interests, the Guatemalan army under Arana set the foundations of its immediate political future.²⁴ According to Amnesty International senior researcher Michael McClintock, Arana was widely quoted as having

²¹ Ibid., 133-134, 251, 251n 10; Woodward, *Nation Divided*, 245. According to Rosada-Granados, army candidates having ascended from the positions of Army Chief of Staff and then Minister of Defence were repeatedly defeated at the polls, making fraud inevitable for them to assume the presidency. Such was the case of Generals Kjell Eugenio Laugerud García in 1974, Fernando Romeo Lucas García in 1978, and Angel Anibal Guevara in 1982. In the last case, the army's chosen candidate was deposed in a coup headed by General Efraín Ríos Montt, former Army Chief of Staff under Arana Osorio, who had been deprived of an electoral victory in 1974 by his companions in arms. For a comparative table of voter abstention in Guatemalan elections from 1944 to 1978, see Woodward, *Nation Divided*, 245.

²² Woodward, *Nation Divided*, 243. According to Black, *Garrison Guatemala*, 29, the 1973 Federal Budget granted president Arana US \$12,000 a month in presidential expenses, plus a further \$1.6 million a year in confidential discretionary funds.

²³ Rosada-Granados, *Soldados en el poder*, 132. My translation. According to CEH, *Memoria del silencio*, chapter I, paragraph 489, p. 156, under the guise of promoting rural development, *the military government opened vast expanses of land, including 3,500 square kilometres of northern Alta Verapaz and Quiché known as the Northern Transversal Strip, rich in arable land, oil and nickel. The best agricultural lands in the area became the property of army officers who established estates and became willing partners in oil and mining interests. The Northern Transversal Strip became known as "the land of the Generals."*

²⁴ Ibid., 134.

defended the process, stating that “if the military are to combat subversion, they cannot be the employees of the rich, but their partners.”²⁵ Indeed, the 1970s witnessed the transformation of Guatemalan army officers “from custodians of the wealth of others to an economic power in their own right.”²⁶

D. International Concern in the Early 1970s

The number of killings and enforced disappearances of Guatemalan citizens reported to the Organisation of American States’ Human Rights Commission from 1970 to 1973 exceeded fifteen thousand. Starting in May 1971, yearly requests from the Inter-American Commission on Human Rights (IACHR) asking Guatemalan authorities to explain such occurrences went unanswered. In 1973 the Commission unsuccessfully sought permission to visit Guatemala, an OAS-member state and a signatory of the American Convention on Human Rights, in order to report on the human rights situation in the country.²⁷ Finally, on 29 January 1980, after almost a decade, the Guatemalan Minister of Foreign Affairs wrote the Commission, accepting the request that its representatives visit his country.²⁸

In early September 1980, weeks before the IACHR’s scheduled visit, the Guatemalan Ambassador to the OAS informed the Commission that the investigation to

²⁵ Hoy, 9-15 April 1980, as quoted in Michael McClintock, *The American Connection, Volume Two: State Terror and Popular Resistance in Guatemala* (London: Zed Books, 1985), 225.

²⁶ Black, *Garrison Guatemala*, 24, 27-28, 32.

²⁷ Organisation of American States, Inter-American Commission on Human Rights (IACHR), “Report on the Situation of Human Rights in the Republic of Guatemala [report on-line],” Washington: IACHR, 13 October 1981 (accessed 4 April 2005), available from <http://www.cidh.oas.org/countryrep/Guatemala81eng/TOC.htm>; Internet: introduction, p. 6; chapter I, p. 7; chapter II, p. 1, 3. Guatemala ratified the 1969 American Convention on Human Rights, also known as the Pact of San José, on 27 April 1978.

²⁸ Letter from Rafael Eduardo Castillo Valdez, Guatemalan Minister of Foreign Affairs, to Chairman of the Inter-American Commission on Human Rights, dated 29 January 1980, as quoted in IACHR, “Situation of Human Rights [1981],” introduction, p. 2.

be carried-out in Guatemala was no longer feasible, nor convenient.²⁹ Although the Guatemalan government at the time promised to provide an alternative date for the Commission's investigation, repeated requests in 1980 and 1981 to reschedule the visit were ignored. The OAS body concluded that the Guatemalan government was not interested in having the Commission visit the country.³⁰

United States military assistance to Central America became the object of congressional scrutiny for the first time in 1976, during hearings of the House of Representatives Committee on International Relations concerning human rights in Nicaragua, Guatemala and El Salvador, and their implications for US policy. According to McClintock,

[the Committee] heard extensive testimony from a broad range of witnesses who described in detail the practices of torture and extra-judicial execution, prolonged secret detention and "disappearance" as well as other gross violations of human rights in each of the three countries.³¹

When Jimmy Carter became President in January 1977 he attempted to apply US laws that conditioned security assistance to foreign countries on the respect of human rights. The State Department's first annual report on human rights in such countries was released in April 1977. While the government of Guatemala, according to McClintock, escaped sharp criticism, then-President/ General Kjell Laugerud chose to join El Salvador, Brazil and Argentina in renouncing U.S. military assistance, arguing that "the State Department's compendium of human rights information was an affront on their

²⁹ Ibid., introduction, p. 3.

³⁰ Ibid., introduction, p. 4, 5.

³¹ McClintock, *American Connection*, 184. The author cites Section 502B of the U.S. Foreign Assistance Act of 1974 which defines "gross violations of internationally recognized human rights [... as] torture or cruel, inhuman, or degrading treatment, causing the disappearance of persons by the abduction and clandestine detention of those persons, and other flagrant denial of the right to life, liberty or the security of persons."

national sovereignty.” The author believes that none of the countries in question faced serious security assistance cuts, but by officially rejecting US-imposed conditions, in accordance with their nationalist military doctrines, they “eliminated the embarrassing possibility that it might be cut off.”³²

E. General Fernando Romeo Lucas García

In July 1978 General Fernando Romeo Lucas García became the President of Guatemala following what were largely considered fraudulent elections in which 63.5 percent of registered voters abstained.³³ Nonetheless, the American Embassy in Guatemala was pleased with the results, hopeful that the new government would support Jimmy Carter’s human rights initiatives in Central America. A cable from the Embassy dated 18 July stated the need for the US to be flexible:

The new Lucas administration has publicly come out in favour of human rights [...]. Current indications are that President Lucas wants very much to have good relations with the U.S. [...] Finally, it may bear restating here that Guatemala falls into a human rights “Gray Area” which defies simple description. Civil liberties and political rights are, for the most part, respected; the press is freer from inhibition than most. [...] Violent death may be commonplace [...], but even government opponents find it difficult to substantiate most charges of direct official connivance in repression.³⁴

Despite the embassy’s optimism, the first few months of the Lucas government were plagued with selective assassinations and cases of enforced disappearances, often carried out by heavily armed men dressed in civilian clothing and acting in broad daylight. The government repeatedly denied any knowledge of such occurrences,

³² Ibid, 185-186.

³³ CEH, *Memoria del silencio*, chapter I, paragraph 588, p. 184; Hector Alejandro Gramajo Morales, *De la Guerra... a la Guerra: la difícil transición política en Guatemala* (Guatemala: Fondo de Cultura Editorial, 1995), 120.

³⁴ United States Embassy in Guatemala, “Background for Human Rights Speeches: Guatemalan Perceptions of our Policies [Document on-line],” 18 July 1978 (accessed 29 January 2004), available from <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB11/docs/10-01.htm>; Internet.

although links between urban assassination teams and the government were well-known at the time.³⁵ In the late 1970s, Elias Barahona was the trusted secretary of Guatemala's Minister of the Interior, Donaldo Alvarez Ruiz. Testifying before the Guatemalan Truth Commission in the late 1990s on the links that existed between his office and the Secret Anti-Communist Army (ESA), he said:

Regarding intelligence, the ESA's structure was manned with active and salaried army officers and soldiers who acted as private individuals. They used such state resources as vehicles and weapons. The death squad was structured within the Ministry of the Interior. Its main chief, in fact, was the Minister of the Interior and his immediate subordinate, the Director General of the National Police. There were also agents assigned to specific tasks in the police force and they also carried out planned political assassinations.³⁶

According to the Truth Commission,

During the Lucas Government, the death squads again became very prominent in acts of political violence, especially in Guatemala City. [...] The press, for example, reported that in five months in 1979, 375 people were shot to death [... including] political, union and student leaders, journalists and university professors, among others.³⁷

Relations between Guatemala and the US did not improve, at least not on the surface. Although no new military aid was forthcoming, all prior US commitments in terms of equipment, funding and training were maintained.³⁸ The Guatemalan generals, however, remained adamant, denouncing the US embassy as a destabilising influence in

³⁵ Ball et al., *State Violence in Guatemala*, 21.

³⁶ CEH, *Memoria del silencio*, chapter II, paragraph 1094, p. 114-115. My translation.

³⁷ *Ibid.*, chapter II, paragraph 1101, p. 116. My translation.

³⁸ Greg Grandin, *Last Colonial Massacre*, 188, 278n 71. On continued US military assistance despite Carter's ban, the author cites Tanya Broder and Bernard D. Lambeck, "Military Aid to Guatemala; The Failure of U.S. Human Rights Legislation," *Yale Journal of International Law* 13, no. 1 (1988), 114-145; Richard Meislin, "U.S. Military Aid for Guatemala Continuing Despite Official Curbs," *New York Times*, 19 December 1982, sec. 1, p. 1; and the United States General Accounting Office, National Security and International Affairs Division, *Military Sales: The United States Continuing Munitions Supply Relationship with Guatemala* (Washington: U.S. General Accounting Office, 1986). See also Allan Nairn, "Despite Ban, U.S. Captain Trains Guatemalan Military," *Washington Post*, 21 October 1982, p. A1.

Guatemala and President Lucas referring to his American counterpart as “Jimmy Castro.”³⁹

F. The Spanish Embassy Fire

In January 1980 a small group of Indians from the department of Quiché went to Guatemala City to denounce the kidnapping and murder of nine of their neighbours. They were denied a hearing in Congress and their legal adviser was reportedly assassinated outside police headquarters. In response, protesters from Quiché, the University of San Carlos, and the Committee for Peasant Unity (CUC) occupied the Spanish Embassy in Guatemala City on 31 January 1980. Refusing to negotiate with the occupants and ignoring the Spanish Ambassador’s plea that police not intervene, the Lucas government ordered that the premises be evacuated. In the ensuing police operation, the embassy was set on fire, killing almost everyone inside including Guatemalan and Spanish officials. While the fire’s origins are still debated, witnesses claim that police refused to let firemen control the blaze or rescue the building’s occupants.⁴⁰ Indian protester Gregorio Yuja Xona and the Spanish ambassador were the only survivors. Yuja Xona, held under guard at a private hospital, was removed by police and his tortured remains were later found.⁴¹ According to Patrick Ball, Deputy Director of the American Association for the Advancement of Science,

the massacre at the Spanish Embassy showed that the Guatemalan government would stop at nothing, not even destroying its standing in

³⁹ Gramajo Morales, *De la Guerra... a la Guerra*, 136.

⁴⁰ Ball et al., *State Violence in Guatemala*, 23. For alternative versions of the Spanish Embassy incident, see Gramajo Morales, *De la Guerra... a la Guerra*, 129-136.

⁴¹ Amnesty International, *Guatemala: A Government Program of Political Murder* (London: Amnesty International Publications, 1981), 13, 14.

the international community, to defeat its foes, armed or unarmed. The entire history of the 1980s stands as testament to that unwillingness.⁴²

In February, civilian Vice President Francisco Villagrán Kramer resigned and went into exile saying “there are no political prisoners in Guatemala, only political murders.”⁴³

G. The Conflict Intensifies

In July 1979 the Sandinista revolution in Nicaragua toppled the Somoza dictatorship. Encouraged, leftist insurgencies in El Salvador and Guatemala intensified their efforts. By 1980, four guerrilla organisations were present in Guatemala’s highlands, northern lowlands, Pacific coastal areas, and capital. Unlike their predecessors of the 1960s, the latest generation of leftist insurgents did not concentrate its efforts in eastern Guatemala.⁴⁴ According to George Black, guerrillas organised several regional fronts and were said to be present in more than half of the country’s twenty-two departments.⁴⁵

Estimates of the number of armed combatants in Guatemala in the early 1980s vary according to the sources. Scholars such as anthropologist Shelton Davis have quoted US State Department figures estimating the guerrilla’s strength at 3,500 combatants;⁴⁶

⁴² Ball et al., *State Violence in Guatemala*, 23.

⁴³ Amnesty International, *Government Program*, 4; Black, *Garrison Guatemala*, 44-45.

⁴⁴ According to CEH, *Memoria del silencio*, chapter II, paragraph 1636, p. 299; Black, *Garrison Guatemala*, 106-107; Lemoine, *Les naufragés*, 39-40; Rosada Granados, *Soldados en el poder*, 152-153, the Guerrilla Army of the Poor (EGP) was active in the highland departments of Quiché, Huehuetenango, Alta and Baja Verapaz; the Organisation of the People in Arms (ORPA) was present in the Pacific piedmont of San Marcos, Quetzaltenango, and the mountains of Sololá; the Rebel Armed Forces (FAR) were present in Guatemala City, Chimaltenango, and the Petén. Though few in number, members of three factions of the Guatemalan Workers’ Party (PGT) also advocated armed struggle. Government forces were estimated by Raymond Bonner, “The Mayan War God in Under New Management,” *New York Times*, 14 March 1982, section 4, p. 4, at 20,000 to 22,000, although these were said to be increasing to 35,000 under the Lucas government.

⁴⁵ Black, *Garrison Guatemala*, 103.

⁴⁶ Shelton H. Davis, “Introduction: Sowing the Seeds of Violence,” in *Harvest of Violence: The Maya Indians and the Guatemalan Crisis*, ed. Robert Carmack (Norman: University of Oklahoma Press, 1992), 24; U.S. State Department figures in Black, *Garrison Guatemala*, 104.

New York Times and *Washington Post* estimates ranged between 3,000 and 6,000;⁴⁷ and army estimates placed the number of armed leftist insurgents at 10,000 to 12,000.⁴⁸ While numbers may vary, what seems abundantly clear since the 1960s, however, is that the presence in any given region of the country of armed insurgents attracted a swift, often disproportionate, response by the Guatemalan military.⁴⁹

In May 1981 the new Reagan administration in Washington sent retired General Vernon Walters, former deputy director of the Central Intelligence Agency, as a special envoy to hold talks with General Lucas García in an attempt to renew relations with the Guatemalan army. The talks were apparently about restoring US military assistance to the Guatemalan government in exchange for improvements in the human rights situation. As a show of good faith, the US agreed for the first time since 1977 to export \$3.2 million in army jeeps and trucks.⁵⁰ Such vehicles would, in fact, prove useful in mobilising troops to the Guatemalan countryside on an unprecedented scale.

⁴⁷ Alan Riding, "Guatemala Votes but it Hardly Seems to Matter," *New York Times*, 7 March 1982, sec. 4, p. 4, quotes army estimates of 6,000 guerrillas; Bonner, "Mayan War God," *New York Times*, 14 March 1982, sec. 4, p. 4, writes of 4,000 to 6,000 guerrillas; Oberdorfer, "After the Killing," *Washington Post*, 18 April 1982, p. B1, claims that "full-time guerrilla combatants have increased from about 1,500 less than two years ago to an estimated 3,000 today. More ominous is that at least 80 percent of the guerrillas in the Indian highlands, the main area in the conflict, are reported to be Indians."

⁴⁸ Gramajo Morales, *De la Guerra... a la Guerra*, 154.

⁴⁹ Ball et al., *State Violence in Guatemala*, 25-26.

⁵⁰ McClintock, *American Connection*, 226; Riding, "Guatemala Votes," *New York Times*, 7 March 1982, sec. 4, p. 4. According to Black, *Garrison Guatemala*, 151, in May 1981, the Reagan administration "side-stepped Congress by reclassifying military items and approving their sale through the Department of Commerce. A semantic subterfuge, changing 'Crime Control and Detection' equipment to 'Regional Stability Controls,' allowed \$3.2 million worth of Army trucks and jeeps to slip through the net."

Chapter IV. The Lucas García Government

A. *Ceniza 81*

In June 1981 the Guatemalan government launched an offensive against suspected insurgents in Guatemala City and a network of guerrilla safe houses.¹ Based in part on intelligence gathered from its efforts, the Guatemalan army then initiated a four-month long scorched earth campaign in rural areas suspected of supporting guerrilla insurgents.² The initiative, according to secondary sources, was called *Ceniza 81* (Ashes 81).³ The operation's name, writes Patrick Ball, "clearly stated the campaign's intent, suggesting how the army planned to deal with villages in the guerrilla zone of activity."⁴ Launched in August 1981, according to Michael McClintock, the operation was directed by the Army's new Chief of Staff, General Manuel Benedicto Lucas García, the president's brother who, in the 1950s, had trained in counterinsurgency at the St-Cyr Military Academy in France, and in Algeria.⁵

The operation, involving 4,000 to 5,000 troops, backed by the air force, moved first "against suspected guerrilla supporters in the Pacific coast region, with new tactics involving large scale massacres by regular army troops in communities believed to be

¹ McClintock, *American Connection*, 219.

² Black, *Garrison Guatemala*, 120; McClintock, *American Connection*, 220.

³ Ball et al., *State Violence in Guatemala*, 26-27; CEH, *Memoria del silencio*, chapter I, paragraph 636, p. 197; chapter II, paragraph 3165, p. 301; chapter II, p. 298n 835. Although the Truth Commission cites the operation's name as *Ceniza 81*, it states that the army never provided a written description of the campaign plan at the time it carried out its investigation. Efforts to find such a copy were unsuccessful.

⁴ Ball et al., *State Violence in Guatemala*, 26-27.

⁵ McClintock, *American Connection*, 220, 227. According to Black, *Garrison Guatemala*, 135, Benedicto Lucas trained "at France's famous St-Cyr military academy, and had been put to good effect in the counterinsurgency war in Algeria." Redacción, "La CIA implica a Benedicto Lucas en masacres," *El Periódico*, 4 May 2000, p. 4, reported that Benedicto Lucas received a scholarship to study at France's St-Cyr Academy in the mid-1950s, "where he learned counterinsurgency techniques which were later applied in [Guatemala]." Observers, including journalist Loren Jenkins, "Strong Force Used to Maintain Support; Guatemala Seeks to Pacify Indians; Guatemala Mounts Campaign for Indian Support Against Rebels," *Washington Post*, 7 March 1982, p. A1, believe Benedicto was the architect of Guatemala's counterinsurgency strategy.

sympathetic to the guerrilla opposition.”⁶ From the economically-important south coast, the campaign made its way to the central highlands. Ball writes that “the army first committed mass killings and burned villages to take control of the Pan-American Highway running through Chimaltenango and southern Quiché.”⁷ According to George Black, the campaign

had a new kind of aggressiveness; in a marked change of strategy, the Army went after the guerrillas’ civilian support base; large-scale killing of real or suspected guerrilla sympathisers began to characterize military operations. For the first time, field commanders [...] glimpsed the full extent of what they were up against, both socially and militarily. A majority of the officer corps grew convinced from what they witnessed that a radically new solution was necessary at both levels.⁸

McClintock estimated that by November 1981 killings among the Indian peasants of the highlands had surpassed the bloodshed of the Zacapa campaign of 1967-69,⁹ when 7,000 to 8,000 civilians, mostly non-indigenous farmers, lost their lives in eastern Guatemala.¹⁰ Church and other sources, according to the author and the US press, put the toll of the government’s counterinsurgency operations at 11,000 to 13,500 deaths in 1981 alone.¹¹ Most, according to the *New York Times*, “were Indians and peasants.”¹²

An important component of the 1981 campaign was the creation and deployment of strategic, highly mobile units called strike or task forces. Operating out of larger army brigades, they were first deployed in the coffee growing regions of the coastal mountains

⁶ McClintock, *American Connection*, 220.

⁷ Gabriel Aguilera Peralta, “El proceso del terror en Guatemala,” in *Estudios Sociales*, 4 (Guatemala: Universidad Rafael Landívar, Instituto de Ciencias Políticas, 1971); Jonathan Fried, Marvin Gettleman, Deborah Levenson and Nancy Peckham, *Guatemala in Rebellion: Unfinished History* (New York: Grove Press, 1983), as quoted in Ball et al., *State Violence in Guatemala*, 27.

⁸ Black, *Garrison Guatemala*, 120.

⁹ McClintock, *American Connection*, 220.

¹⁰ LaFeber, *Inevitable Revolutions*, 170; Victor Perera, *Unfinished Conquest: The Guatemalan Tragedy* (Berkeley: University of California Press, 1993), 41-42; CEH, *Memoria del silencio*, chapter I, paragraph 472, p. 151; Black, *Garrison Guatemala*, 22.

¹¹ McClintock, *American Connection*, 226; Riding, “Guatemala Votes,” *New York Times*, 7 March 1982, sec. 4, p. 4; Jenkins, “Guatemala Seeks to Pacify Indians,” *Washington Post*, 7 March 1982, p. A1.

¹² Riding, “Guatemala Votes,” *New York Times*, 7 March 1982, sec. 4, p. 4.

and then in the indigenous municipality of San Martín Jilotepeque, department of Chimaltenango, west of the capital.¹³ According to Ball, such forces

moved to isolated areas with a more extensive guerrilla presence and with less agro-industrial investment. The government's greatest destructiveness would reflect these different conditions. What followed was a series of well-planned military campaigns, part of an army strategy calculated to defeat the insurgency by terrorizing the civilian population.¹⁴

According to General Hector Alejandro Gramajo Morales, a top-ranking Guatemalan military strategist in the 1980s, the military offensive began in the central highlands on 1 October 1981. Task forces were organised by gathering and redeploying troops from other areas of the country.¹⁵ An army officer testified before the Truth Commission that in October 1981 the Army General Staff recalled troops from most garrisons in north-western Guatemala, concentrating them at the Aurora Air Force base in Guatemala City. While senior officers planned their strategy, the troops trained for an offensive whose launch date and target area was kept secret. The officer recalled that

one morning we were given orders to move our units to Chimaltenango immediately, and prohibited from telling our families where we were going. In Chimaltenango they filled us in on the operation to be carried out and the Iximché Task Force was the most important gathering of troops in Guatemala: 2,800 men from all the forces, armed for combat. [...] There was a lot of combat, many people died; we took many casualties, and many excesses were committed as part of the military operations [...].¹⁶

General Gramajo explained that by saturating areas of the central highlands with foot soldiers, the army wanted to isolate the insurgents from the population and destroy them:

task force commanders organised patrols based on infantry companies (170 men) that were in charge of specific localities. Intelligence activities were

¹³ Ball et al., *State Violence in Guatemala*, 26.

¹⁴ Ibid.

¹⁵ Gramajo Morales, *De la Guerra... a la Guerra*, 156; Rosada-Granados, *Soldados en el poder*, 160-161.

¹⁶ CEH, *Memoria del silencio*, chapter II, paragraph 866, p. 49. My translation.

reinforced with the objective of knowing where the armed groups were and where their support came from.¹⁷

In October 1981 a US State Department memorandum assessed Guatemalan government repression in the following terms:

In conversation with General Walters, President Lucas made clear that his government will continue as before - that the repression will continue. He reiterated his belief that repression is working and that the guerrilla threat will be successfully routed. He prefers U.S. assistance in this effort but believes that he can succeed with or without U.S. help. General Walters' efforts to persuade President Lucas that the repression will only spread the guerrilla contagion were evidently unsuccessful.¹⁸

In November, President Lucas praised the counterinsurgency operation, explaining it as part of a strategy in which the "army is acting on a large scale to annihilate subversion in Guatemala in a short time."¹⁹ After three months of what Gramajo called "a very Guatemalan variation of conventional warfare," the insurgent threat in the central highlands had apparently been dissipated and civilians suspected of collaborating with the guerrillas had been dispersed in the region's hills and ravines.²⁰

Despite Guatemalan government obstruction, the Inter-American Commission on Human Rights (IACHR) nonetheless assessed the situation in Guatemala with respect to rights guaranteed under the American Convention on Human Rights, publishing its findings on 13 October 1981.²¹ In its report, the IACHR deplored the "alarming climate of violence" prevailing in Guatemala, the "excessive loss of life," and "the widespread deterioration of human rights."²² The Commission found that most violent deaths in

¹⁷ Gramajo Morales, *De la Guerra... a la Guerra*, 156. My translation.

¹⁸ Robert L. Jacobs, "Guatemala: What Next? [memorandum on-line]," 5 October 1981 (accessed 29 January 2004), available from <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB11/docs/13-01.htm>; Internet.

¹⁹ *Inforpress*, 26 November 1981, as quoted in McClintock, *American Connection*, 220.

²⁰ Gramajo Morales, *De la Guerra... a la Guerra*, 156, 157.

²¹ IACHR, "Situation of Human Rights [1981]," introduction, p. 5-6; chapter 1, p. 7.

²² *Ibid.*, conclusions and recommendations, p. 1.

urban Guatemala resulted from extrajudicial executions and enforced disappearances carried out by state security forces or paramilitary organisations acting in collaboration with government authorities.²³ The sectors of Guatemalan society most affected were opposition party leaders, trade unionists, priests, lawyers, journalists, professors and teachers, as well as thousands of peasants and Indians.²⁴

B. Right to Life Violations and Targeted Groups

Among the cases of extrajudicial executions and torture reported to the Inter-American Commission in the early 1980s, a majority of victims were associated with the University of San Carlos (USAC).²⁵ Paul Kobrak, a consultant with the Science and Human Rights Program of the American Association for the Advancement of Science, analysed 492 documented cases of murder and enforced disappearance perpetrated against USAC students, faculty and administrators between 1954 and 1996. According to his findings, the year 1978 marked a significant increase in attacks against the national university, considered a centre of opposition by the Lucas government. Minister of the Interior, Donaldo Alvarez Ruiz, believed the university and the organisations of armed insurgents “were the same thing,” thereby justifying what Kobrak termed “the Lucas government’s systematic campaign against the student movement.” By 1984, writes Kobrak, “most of the country’s progressive faculty were dead or in exile, and few politically-committed professionals emerged to take their place.”²⁶

²³ IACHR, “Situation of Human Rights [1981],” chapter II, p. 13-14.

²⁴ Ibid.

²⁵ Ibid., chapter II, p. 5, 7. Article 4 of the American Convention on Human Rights protects the Right to Life, as do Articles 43 and 54, among others, of the 1965 Guatemalan Constitution in effect until 1985.

²⁶ Paul Kobrak, *En Pie de Lucha: Organización y Represión en la Universidad de San Carlos, Guatemala, 1944 a 1996* (New York: American Association for the Advancement of Science, 1999), 5-6, 60-61, 75, 83, 91. Also available in English as *Organizing and Repression in the University of San Carlos, Guatemala, 1944 to 1996* [book on-line] (New York: American Association for the Advancement of Science, 1999),

Other sectors of Guatemalan society targeted for their real or perceived opposition to the government included members of political parties. In 1980-1981 the Christian Democratic Party reported the deaths of 238 of its leaders. According to writer and photographer Jean-Marie Simon, in 1980 alone 1,000 union members and organisers were reportedly assassinated.²⁷ With regards to what the IACHR termed the “slaughter of members of Indians communities,” the Commission reported the 29 May 1978 massacre of Q’eqchi’ Indians in Panzós; the December 1979 and March 1980 massacres of Ixil Indians in Chajul and Nebaj; the March 1980 massacre of Achí Indians in Río Negro; and the 31 January 1980 Spanish Embassy massacre in which 37 people lost their lives, including 21 indigenous *campesinos* [farmers].²⁸ The IACHR also noted the increasingly frequent discovery of clandestine cemeteries in rural indigenous communities, commonly referred to as “body dumps,” where authorities were suspected of attempting to conceal the remains of persons shot *en masse*.²⁹

According to the IACHR the enforced disappearance of Guatemalan citizens ranked among the most serious problems afflicting the country under the Lucas García government, due in large part to the scale of the phenomena and its systematic nature.³⁰

accessed 10 May 2006; available at http://shr.aaas.org/guatemala/ciidh/org_rep/index.html. See also IACHR, “Situation of Human Rights [1981],” chapter VII, p. 3; and Amnesty International, *Government Program*, 14-15.

²⁷ Jean-Marie Simon, *Guatemala: Eternal Spring, Eternal Tyranny* (New York: W. W. Norton and Company, 1987), 73; Loren Jenkins, “Guatemalan Promises Fair Election as Interest in Voting Grows,” *Washington Post*, 5 March 1982, p. A19.

²⁸ IACHR, “Situation of Human Rights [1981],” chapter II, p. 8, 10-13.

²⁹ *Ibid.*, chapter II, p. 15; Amnesty International, *Government Program*, 14.

³⁰ IACHR, “Situation of Human Rights [1981],” chapter II, p. 13-14. According to Simon, *Eternal Spring*, 14, “the term *desaparecido* (literally ‘disappeared’, referring to government kidnappings), acquired its grammatical versatility as both verb and participle (‘to be disappeared’, ‘he was disappeared’) in Guatemala almost a decade before the term was exported to Chile and Argentina.” According to Amnesty International, “*Disappearances: A Workbook* (New York: Amnesty International, USA, 1981) 17-18, as quoted in Simon, *Eternal Spring*, 24, “The Guatemalan case is among the most serious in terms of the number of victims [of disappearances]. It is also unique, because in no other country have ‘disappearances’ occurred so regularly for such a long period of time.” Kobrak, *Pie de Lucha*, 81, estimates the number of

The Commission also found that the application of physical and psychological torture in Guatemala had gone from a violent and illegal means for obtaining information and inflicting punishment to a “horrendous system of killing citizens [...] with the apparent intention of having this serve as a warning to the population.”³¹

C. Rights to Justice, Due Process, Freedom of Expression...

Among the actions of repression affecting the rights to justice and due process, the IACHR took note of the 1980-1981 murder of 15 Guatemalan lawyers, judges, law school faculty, as well as the enforced disappearance of 35 other legal professionals. Such incidents, considered “almost without precedent in Latin America,” most affected lawyers practicing labour law and working with Legal Aid Offices representing *campesino* and Indian organisations. The assassination of legal professionals, according to the IACHR, suggested a premeditated effort meant to deprive certain sectors of Guatemalan society from exercising their constitutional rights.³² The IACHR also found that priests were “subject to increasing risk of danger,” especially those working in the

disappeared in Guatemala at 40,000 and 15,000 in Argentina. The term *enforced disappearance* seems widely used today to describe politically-motivated kidnappings, as in United Nations, “Report on Darfur”; and ICC, “Rome Statute for the International Criminal Court [document on-line],” Rome, 17 July 1998 (accessed 20 April 2005), available from http://www.icc-cpi.int/library/about/officialjournal/Rome_Statute_120704-EN.pdf, Internet: Article 7 (1)(i).

³¹ IACHR, “Situation of Human Rights [1981],” chapter IV, p. 1-2, 6n 1, 7n 2. Article 5 of the American Convention on Human Rights guarantees the Right to Humane Treatment, as do Articles 45, 51, 55 and 56 of the 1965 Guatemalan Constitution in effect until 1985.

³² *Ibid.*, Chapter II, p. 8. According to the Geneva-based Centre for the Independence of Judges and Lawyers, the 15 cases of murder and disappearance quoted in the IACHR’s report “occurred during the day, almost always in very open places, and the methods used are almost always the same.” No one in these cases was ever brought to justice, leaving the impression that security forces consented to or collaborated with the violence.

rural and Indian areas.³³ Attacks against the clergy included kidnapping and murder, thereby constituting serious breaches to the freedom of religion.³⁴

Freedom of thought and expression were also found to be under attack. In February 1981 international news agencies reported the murders of seventeen journalists in less than a month.³⁵ The IACHR also reported the murder in 1980 alone of “226 elementary school teachers, 389 high school and university students and 89 university professors.”³⁶ According to the IACHR the daily occurrence of politically-motivated murder and kidnapping “make it clear that it is impossible to exercise with full guarantees the other rights inherent to human beings, such as the right to due process, freedom of religion, freedom of association, and freedom of expression, among other rights.” The Commission concluded that the systematic violation of the right to life “dominates the entire problem of human rights” in Guatemala.³⁷

What Rosada-Granados termed a policy of state terrorism under the Lucas government sought to eliminate centrist positions in the Guatemalan political spectrum, as evidenced by the assassinations of the country’s most relevant social democratic leaders. The process eliminated any reformist solution to the country’s political crisis, and the non-violent left as a political option. The center, writes Rosada-Grandos, was deliberately taken out of the political equation. As polarisation swept the country, Lucas

³³ Ibid., Chapter VI, p. 1. Freedom of Conscience and Religion is protected under Article 12 of the American Convention on Human Rights, and Articles 66 and 67 of the 1965 Guatemalan Constitution, in effect until 1985.

³⁴ Ibid., Chapter VI, p. 3, 6, 7.

³⁵ Ibid., Chapter VII, p. 1, 2. Article 13 of the American Convention on Human Rights protects Freedom of Thought and Expression. Guatemalan constitutional provisions include Articles 45 and 65.

³⁶ Ibid., Chapter VII, p. 3.

³⁷ Ibid., Chapter II, p. 5, 16.

García won greater support from the country's economic elite and the insurgents won over disillusioned moderates.³⁸

D. Press Accounts

In January 1982 the *New York Times* reported US State department figures to the effect that 300 people a month in Guatemala were dying violent, often atrocious deaths.³⁹ The *Washington Post*, quoting US intelligence sources, estimated the number may have been closer to 500, two-thirds of whom were thought to be Indians. "Foreign officials concerned with human rights problems," reported the *Washington Post*, "believe [...] that these figures are low."⁴⁰ According to human rights scholar Jennifer Schirmer the figure may have been closer to 800 violent deaths a month.⁴¹ An editorial in the *New York Times* entitled "Guatemala Amok" began with the following statement:

a diplomat recently called Guatemala "a bloodbath waiting to happen." It's happening. Violence is hardly new there. The unceasing war between Guatemala's right and left has claimed perhaps 30,000 lives in 15 years. What is different is the tempo of the killing – and the new contempt for American opinion by a hard-nosed regime.⁴²

The same month a *Washington Post* reporter had the good fortune of riding shotgun with Army Chief of Staff General Benedicto Lucas García as he flew his helicopter over indigenous highland villages, writing about his experience in the following terms:

³⁸ Rosada-Grandos, *Soldados en el poder*, 150-151.

³⁹ Associated Press, "50 Kidnapping Victims Found Dead in Guatemala," *New York Times*, 11 January 1982, p. A3. The figure is from the US State Department's 1981 annual human rights report.

⁴⁰ Christopher Dickey, "Escalating Violence Besieges Central America; Guatemalan War Grows Fiercer," *Washington Post*, 22 January 1982, p. A1; Jenkins, "Guatemala Seeks to Pacify Indians," *Washington Post*, 7 March 1982, p. A1.

⁴¹ Jennifer Schirmer, *Las intimidaciones del proyecto político de los militares en Guatemala* (Guatemala: Facultad de Latinoamericana de Ciencias Sociales, 1999), p. 46.

⁴² Editorial Desk, "Guatemala Amok," *New York Times*, 13 January 1982, p. A22.

the general's helicopter banked hard over the clouded forest. Mist beaded on the windows and wet the face of the starboard gunner as the door was thrown open and his M60 machine gun blasted away at the trails beneath us, hammering 30-caliber bullets into fire-scarred Indian settlements and small plots covered with broken cornstalks.

"Dales! Dales! Dales!" – Give it to them! – the general shouted like a huntsman above the din of the engines and the crack of bullets.

Two or three leftist rebels had attacked a small government patrol not far from the Pan American Highway, and Gen. Benedicto Lucas García's helicopter, with two journalists aboard, had moved into action. [...] As the helicopter whirred over the treetops, its gunners, one in uniform, another a major in civilian clothes, blasted at anything and everything beneath them. A small dog scurried, frantic and alone, down a narrow, winding trail. As Guatemalan troops deployed beneath us, the rest of the forest seemed still. Nobody else could be seen. Not guerrillas, not the peasants who once worked these fields. No one.⁴³

The general explained to the journalist that guerrillas had indoctrinated the Indians, forming what he called

familial nuclei, where the husband acts as the combatant, the wife as collaborator in all that the term implies – supply, preparation of food and everything – and the children from 8 to about 15 are agents of theirs who harass the Army with homemade grenades. [...] Then there are irregular local forces that also aid the guerrillas and warn them of the Army's coming. [...] Of course, these people are difficult to distinguish from most of the rest of the local population, but these organizational bases have to be won over or wiped out. Because of that, well, the population suffers.⁴⁴

Two days later, the *Washington Post* ran its own editorial, calling President Romeo Lucas García "the bloodiest leader ruling in the hemisphere."⁴⁵ Journalist Marlise Simons spent a week interviewing Guatemalan refugees pouring across the Mexican border into Chiapas at a rate of 2,000 a week in early 1982. In an article published in February, a massacre survivor named Pascual explained to her that

"I'm not afraid of death. I've lived my time. But I'm afraid of the way the *pintos* [camouflaged soldiers] kill. They first cut off the ears, then the nose,

⁴³ Dickey, "Guatemala War Grows Fiercer," *Washington Post*, 22 January 1982, p. A1.

⁴⁴ Ibid.

⁴⁵ Editorial Desk, "Hands Off Guatemala," *Washington Post*, 24 January 1982, p. D6.

with a machete. They cut out the eyes and the tongue. I heard them say they don't want to waste their bullets."

[...] Women express the same fears: being raped by the soldiers and being burned alive in their huts. [...] One widow [...] said she could no longer sleep when at home: "I've seen the fires at night. The soldiers bar the doors [of the huts], throw gasoline and burn everyone inside."

Candido, a wounded Catholic lay preacher [...] said he had been dumped from an Army truck a few days earlier after faking death. Soldiers had tied his brother behind the truck, "pulling him at great speed until he died," he said.

A Mexican nurse, who said she has extracted "many a bullet" from the refugees, angrily recalled an incident two months ago when a woman from Nenton brought her badly burned 9-month-old granddaughter for treatment.

Government soldiers had come to the woman's house seeking her son. When she told them she did not know his whereabouts, she said, they held the baby's feet over burning coals in the fireplace. "Its feet were burned to the bone," said the nurse. "I saw it with my own eyes."⁴⁶

Based on such press accounts and independent investigations, international human rights organisations, such as Survival International and Amnesty International, began to ring alarm bells, denouncing the Lucas Garcia government's "genocidal attacks" against indigenous communities before the United Nations.⁴⁷ Human rights among Guatemalan officials were, of course, a mute subject. A senior Western diplomat told the *Washington Post* that "Human rights – if you say the words here they go crazy and you can't talk."⁴⁸ On 11 March 1982 the UN Human Rights Commission expressed its "profound preoccupation" for the deteriorating human rights situation in Guatemala.⁴⁹

⁴⁶ Marlise Simon, "Guatemalan Indians Crowd into Mexico to Escape Widening War," *Washington Post*, 19 February 1982, p. A23.

⁴⁷ Associated Press, "Denuncian Genocidio," *El Universal*, 4 January 1982, n. p.

⁴⁸ Christopher Dickey, "Moment of Terror Comes Stalking Guatemalan Nun; Murky Guatemalan Political Violence Hides Nun's Fate," *Washington Post*, 24 January 1982, p. A1.

⁴⁹ "Preocupo Guatemala a la ONU," *El Excelsior*, 13 March 1982, n. p. My translation.

E. The Civil Defence Patrols

Another of General Benedicto Lucas' innovations was the creation of rural militias. In November 1981 the general announced that the new measure, meant "to annihilate subversion operating especially in the country's western regions." Eight-hundred men were being trained in the municipality of Joyabaj, department of Quiché, and another one thousand in the municipality of Rabinal, department of Baja Verapaz. The general expected many more civilians to fight subversion in the company of regular soldiers.⁵⁰ Although arming civilians was prohibited by the Guatemalan Constitution, the general explained that it was legal to do so "if such groups are integrated into the Army."⁵¹ The first militias were said to be composed of mostly non-indigenous men living in indigenous areas, former servicemen who patrolled in their home areas under local army orders.⁵² One report explained that

the organization of a home guard *in situ* will release regular soldiers for duty elsewhere, military experts say, [...] the new units organized as part of the reserves will be assigned militia type tasks – guard duty, local logistics and communications, etc.⁵³

In January 1982 General Benedicto Lucas also announced the highland offensive's second phase. According to the Mexican and Guatemalan press, counterinsurgency as it had been carried out in the central highlands of Chimaltenango and Sololá by 5,000 troops would now spread to the western highlands of Quiché, San Marcos and Huehuetenango. An additional 15,000 troops were expected to take part in these efforts, fanning out, in the general's terms, from central Guatemala all the way to

⁵⁰ "Ejército entrena campesinos para defensa de departamentos," *Prensa Libre*, 21 November 1981, p. 66.

⁵¹ "El Ejército dará armas a los campesinos para su defensa," *Prensa Libre*, 19 November 1981, p. 1. My translation.

⁵² McClintock, *American Connection*, 220-221.

⁵³ "Homeguard is Organized," *This Week*, 30 November 1981, as quoted in *ibid.*, 222.

the Mexican border. The general also remarked that men in rural areas were signing up in droves to learn how to handle weapons, "ready against any stranger attacking their villages."⁵⁴ January press accounts also reported the first casualties among the civilian militias. By then the Civil Self-Defence Patrols, as they were known, had spread to highland municipalities in San Marcos and Baja Verapaz.⁵⁵ According to McClintock in the course of 1982 the militias "placed the men of the Indian communities themselves under army orders," adding that at first

only the army's ladino auxiliaries [...] were armed and given discretionary power to pursue counter-insurgency warfare. Conversely, the compulsory [Indigenous] Civil Defense Patrols were armed with sticks, and directed at gunpoint by members of the army itself.⁵⁶

F. Mixed Reviews and Setting the Stage

The army's success in the highlands, however, was short-lived in part because troops had abandoned other strategic areas in order to constitute the Iximché Task Force, causing consternation among officers left with too few troops to carry out their responsibilities. Morale and discipline in some areas, wrote General Gramajo, were severely affected.⁵⁷ Critics of the counterinsurgency campaign found that the main victims were not armed guerrilla combatants, but indigenous peasant farmers who may have "supported the guerrillas but were rarely armed." According to McClintock, although observers found the offensive ineffective, it was "indicative of a new strategy that, in the long term, might erode the guerrillas' popular support by physically

⁵⁴ "Segunda fase de operación antiguerrillera," *El Gráfico*, 5 January 1982, p. 5; "Incrementen el número de efectivos en Occidente," *Prensa Libre*, 6 January 1982, p. 2; "Habrá ofensiva antiguerrillera en El Quiché, Guatemala: Al anunciarla B. Lucas dijo que Chimaltenango ya fue 'limpiado'," *El Excelsior*, 5 January 1982, p. 13. My translation.

⁵⁵ "14 muertos en enfrentamientos armados," *El Gráfico*, 4 January 1982, p. 3.

⁵⁶ McClintock, *American Connection*, 223.

⁵⁷ Gramajo Morales, *De la Guerra... a la Guerra*, 156.

eliminating suspect social sectors.”⁵⁸ General Benedicto Lucas’ innovations in the indigenous countryside “largely set the pattern for the coming years.” McClintock writes that the policy was meant “to annihilate the guerrillas’ social base across the board in the most seriously ‘infected’ areas and to establish mechanisms for population control throughout the rural areas in order to strangle the guerrilla movement.”⁵⁹ In March 1982, the *New York Times* described Guatemala as a country

ruled by right-wing nationalists who strongly resent outside interference by Washington or anyone else. They dismiss criticism by Amnesty International, the Inter-American Human Rights Commission and even the State Department as part of a Communist-inspired plot to destabilize the country. They do not accept the notion that poverty and repression could have fed insurgency and helped radicalize many of the long-passive Indians who comprise half the 7.5 million population. Rather, they believe their problems come from abroad and, during the Carter administration, specifically from Washington.⁶⁰

A reporter for the *Washington Post* was taken to the department of Quiché in early March 1982, accompanied by then-Minister of Defence René Mendoza Palomo and Army Chief of Staff Benedicto Lucas. In San Juan Cotzal, the town’s 3,000 Ixil Indians were presented “as a showcase of the sort of pacification effort” the Guatemalan army hoped to reproduce elsewhere in the Guatemalan countryside. There, the reporter saw

A dozen straw-hated Indians with new 12-gauge shotguns [standing] at attention around the church steps, a contingent, the defence minister is told, of a 120-man militia set up to help the village security and to aid the Army patrol against guerrilla infiltrations.⁶¹

The reporter also described

A primary school lodged in two ramshackle buildings where three teachers are busy with about 360 children learning to speak Spanish, a tongue spoken

⁵⁸ “Counter-insurgency at the crossroads,” *Latin American Regional Reports*, 4 June 1982, as quoted in McClintock, *American Connection*, 220.

⁵⁹ McClintock, *American Connection*, 221.

⁶⁰ Riding, “Guatemala Votes,” *New York Times*, 7 March 1982, section 4, p. 4.

⁶¹ Jenkins, “Guatemala Seeks to Pacify Indians,” *Washington Post*, 7 March 1982, p. A1.

by only a minority of the Ixil. The Indians here, like other Guatemalan tribes, descended from the ancient Mayans and doggedly have preserved their traditional culture and language. [...] “We know we have a lot of problems, and need social reforms,” the defense minister admits. “But if we can end the guerrilla threat, *we can change this country from day to night.*”

Yet it is security, more than any social action, that remains the ultimate concern of the pacifiers. “*we must pacify the village before we can develop,*” says Gen. Lucas, who is in battle dress with an automatic pistol strapped to his belt on one side and two giant hunting knives in scabbards on the other.

While Mendoza describes how the Indians are content with the security the Army has brought them, Lucas says it is only the Army’s show of superior force here that has cowed them.

Peasants “in the country are timid and fearful by nature,” Lucas says. “They side with whoever is the strongest. Before we moved in here in force, they went with the guerrillas and now that we are here they are with us.” [...] Waiting for the helicopter with its two .30-caliber machine guns on each side to fly out of Cotzal, Lucas ventures that to succeed against the guerrilla war the country is facing, he needs a minimum of 100,000 soldiers.”⁶²

On 23 March 1982 an army coup replaced the Lucas García government with a dictatorship headed by Brigadier General José Efraín Ríos Montt.⁶³ Former President Romeo Lucas eventually left the country for Venezuela, while his brother was removed from his post as army chief of staff. According to McClintock, however, a year later General Benedicto Lucas “was reportedly in charge of counter-insurgency operations in the Petén. The policies he introduced in the Indian highlands, moreover, remained in force under his brother’s successor in the Presidency.”⁶⁴ Although the general’s wish for 100,000 soldiers to pacify the entire country would not materialise, the number of troops would eventually climb to 48,000, while the number Civil Defence Patrollers would reach one million by the end of the year,⁶⁵ involving more than ten percent of

⁶² Ibid.

⁶³ Ball et al., *State Violence in Guatemala*, 27.

⁶⁴ McClintock, *American Connection*, 227.

⁶⁵ CEH, *Memoria del silencio*, chapter III, p. 264.

Guatemala's population in a counterinsurgency campaign that would one day "horrify the moral conscience of the civilised world."⁶⁶

In the meantime, the coup that ousted the Lucas government came two weeks after presidential elections resulted in the unsurprising victory of the president's hand-picked candidate, Minister of Defence Angel Anibal Guevara.⁶⁷ Reasons for the Lucas government's overthrow included electoral fraud, the lack of response to US overtures, and Guatemala's growing international isolation. Internally, the government lost support from the private sector and army officers disillusioned with Lucas' ineffectual economic management, rampant corruption, and his failure to crush leftist insurgents.⁶⁸

According to the *Washington Post*, Guatemala's foreign exchange reserves, estimated at US \$830 million practically vanished under Lucas, as international financial institutions refused to renew outstanding loans.⁶⁹ Corruption and enrichment at the top of the army hierarchy under Lucas had demoralised "young officers in the field, fighting and dying in a bitter – perhaps unwinnable – war against an ever more popular revolutionary movement."⁷⁰ According to McClintock, junior officers "considered the extraordinary levels of corruption reached in the 1970s [interfered] with their own safety and with the conduct of the counter-insurgency war."⁷¹ McClintock writes that

⁶⁶ Ibid., chapter IV, paragraph 85, p. 35.

⁶⁷ Loren Jenkins, "Dissident Officers Claim Control in Guatemala Coup; Officers Seize Power in Guatemala; Junta Led by Ex-General," *Washington Post*, 24 March 1982, p. A1.

⁶⁸ Black, *Garrison Guatemala*, 48, 51, 55. On growing discontent within army ranks under Lucas see also Oberdorfer, "After Killing Stops," *Washington Post*, 18 April 1982, p. B1.

⁶⁹ Oberdorfer, "After Killing Stops," *Washington Post*, 18 April 1982, p. B1. Loren Jenkins, "Guatemalan Officers, Civilians Press Junta for Prompt Elections," *Washington Post*, 26 March 1982, p. A24, reported that "sources close to the young officers said they had staged their coup in the hope of 'wiping clean' the Guatemalan political slate, so that their nation, and Army, could receive renewed U.S. economic and military aid that had been suspended on human rights violations grounds [...]."

⁷⁰ Black, *Garrison Guatemala*, 55; McClintock, *American Connection*, 224.

⁷¹ McClintock, *American Connection*, 224.

young officers had born the brunt of casualties in clashes with the guerrillas, with, according to officers interviewed unofficially in July 1981, 23 officers and 250 soldiers killed in the first four months of 1981 alone, and, by the end of June, a total of some 1,000 army personnel. The unhappy course of the war was believed to be partly due to the army high command's excessive skimming of arms procurement funds for their personal profit, and the consequent acquisition of inadequate arms and equipment.⁷²

The loudest rumblings of discontent, according to Black, came from an Air Force hard hit by the suspension of US spare parts and equipment for its disabled helicopters, considered "crucial to the aerial counter-insurgency war."⁷³ According to the author,

Army losses in combat ran unacceptably high [...]. In a political and military quagmire, internationally isolated, senior officers began to mutter despondently about inevitable defeat within three years. [...] The Lucas fraction of the Army had certainly proved dysfunctional in every sense. But what would come next? Business men were pitted against the military, the private sector and each other. What new program could hope to rally and unify the battered forces of the Guatemalan Right?⁷⁴

⁷² Ibid., 225.

⁷³ Black, *Garrison Guatemala*, 121.

⁷⁴ Ibid., 120, 122.

Chapter V. The Government of General José Efraín Ríos Montt

A. Changing of the Guard

The 23 March 1982 military coup brought 55-year-old retired Brigadier General José Efraín Ríos Montt to power as the head of a military triumvirate. Upon taking power Ríos Montt denounced the previous government's practice of enforced disappearances and promised to investigate thousands of cases of unresolved kidnappings.¹ Describing the new military government as moderate, Washington denied any involvement in the coup although it admitted being aware of rumours since January.² A few weeks before the coup, Secretary of State Alexander Haig

called Guatemala "strategically the most important Central American republic because of its size, population and raw materials, oil included." While going on to say that Guatemala is clearly "the next target" of revolutionary forces, Haig added with dismay that nothing could be done by the United States without a clearcut change in Guatemalan internal policy, especially on human rights.³

On the day of the coup, according to the *New York Times*, "a senior United States official was in the plaza in front of the National Palace during the negotiations and was kept informed of their progress by representatives of the junior officers who executed the coup." Washington officially recognised the new government a week later.⁴ Described as

¹ Kobrak, *Pie de Lucha*, 92; Raymond Bonner, "Guatemala Junta Suspends Charter and Bars Politics," *New York Times*, 25 March 1982, p. A1. The triumvirate included retired Brigadier General Ríos Montt, as head of the junta and Minister of Defence; General Horacio Maldonado Schaad, as Minister of the Interior; and Colonel Francisco Luis Gordillo, as Minister of Communications and Public Works. According to Black, *Garrison Guatemala*, 122-124, "Maldonado Schaad, whose name had often been linked to the death squads, had been commander of Lucas García's Guard of Honour Regiment. [...] Gordillo, even closer to the Lucas camp, [...] had been an energetic director of counterinsurgency operations in El Quiché and Chimaltenango." By June, there would be "Lucas supporters left at all ranks, many of them in key barracks."

² Associated Press, "Army Rebels Oust Guatemala Regime and Set Up Junta," *New York Times*, 24 March, 1982, p. A1; Bonner, "Junta Suspends Charter," *New York Times*, 25 March 1982, p. A1.

³ Oberdorfer, "After the Killing," *Washington Post*, 18 April 1982, p. B1.

⁴ Bonner, "Junta Suspends Charter," *New York Times*, 25 March 1982, p. A1; Raymond Bonner, "Behind the Guatemala Coup: A General Takes Over and Changes its Course," *New York Times*, 29 March 1982, p. A12.

a rigid disciplinarian and born-again Christian,⁵ President Ríos Montt, who trained under US instructors at Fort Gulick in the Panama Canal Zone and at Fort Bragg, North Carolina,⁶ was considered

an up-from-the-ranks military officer who rose to head the country's military academy as well as to become armed forces chief of staff [under Arana Osorio (1970-1974)]. In 1974 he was tapped to run as a moderate candidate for president with the support of the Christian Democratic Party against the government's handpicked general.⁷

Electoral fraud cheated Ríos Montt out of the presidency in 1974, the government declaring its own candidate, General Kjell Eugenio Laugerud García, the winner and sending Ríos Montt into exile as a military attaché in Madrid. Returning to Guatemala in 1978, Ríos Montt, according to journalist Lauren Jenkins,

soon became affiliated with the California-led Church of the Complete Word, or *El Verbo*, as it is known in Guatemala. [...] So total was Ríos Montt's conversion [...] that he virtually dropped out of sight in Guatemala City to devote himself to running the church's grammar school and Bible classes [...]. Called by radio broadcasts to come forward to lead the coup, Ríos Montt [...] first met fellow elders of his church, at least several of them Americans, to pray and ask for the Lord's guidance. "We prayed, and when we felt a sense of peace, we agreed that it was God's will and that he should go," recalled Elder Richard Funnel, formerly of Belair, Md.⁸

Two weeks after the coup an American reporter took part in a prayer meeting in which one of Ríos Montt's spiritual councillors spoke very highly of Guatemala's new ruler:

"God has raised up a leader of this nation," said Jim Durkin, the founder and presiding elder of Gospel Outreach, an evangelical movement based in

⁵ Loren Jenkins, "Decree Rule Begun in Guatemala; Leaders of Coup Drop Mention of Election Goals; Leaders Proclaim Decree Rule After Guatemalan Coup," *Washington Post*, 25 March 1982, p. A1.

⁶ Black, *Garrison Guatemala*, 128.

⁷ Loren Jenkins, "Leader's Faith Puzzling; Guatemala's Evangelicalism May Temper Rule," *Washington Post*, 6 April 1982, p. A1. For more biographical information on Ríos Montt, see Bonner, "Junta Suspends Charter," *New York Times*, 25 March 1982, p. A12; Black, *Garrison Guatemala*, 128; David Stoll, "Evangelicals, Guerrillas, and the Army: The Ixil Triangle Under Ríos Montt," in *Harvest of Violence: The Maya Indians and the Guatemalan Crisis*, ed. Robert Carmack (Norman: University of Oklahoma Press, 1988), 90-116; Jennifer Schirmer, "Ríos Montt, Efraín," in *Encyclopaedia of Genocide and Crimes Against Humanity*, vol. 2 (New York: Macmillan Reference USA, 2004), 913-915.

⁸ Jenkins, "Leader's Faith Puzzling," *Washington Post*, 6 April 1982, p. A1.

Eureka, Calif., “a man of destiny, a man of God.” Under Ríos Montt’s leadership, Durkin said, Guatemala would be lifted above “all nations of the world” by its example of righteousness and justice.” [...] “There’s not an army in the world, not all the power that the devil has at his disposal, that can stop you now from going to your destiny,” Durkin told Ríos Montt and his congregation of about 400 worshippers.⁹

Despite Ríos Montt’s messianic outbursts and pleading for the guidance of God in steering Guatemalan affairs,¹⁰ by mid-April “U.S. Ambassador Frederic Chapin was sufficiently impressed by the new [government] to declare that Guatemala had ‘come into the light’ and that he would support restoration of military assistance.”¹¹ Testifying before the Senate Foreign Relations Committee, Deputy Assistant Secretary for Inter-American Affairs, Stephen Bosworth, spoke favourably of the March coup, stating that \$250,000 in military training funds had been requested for fiscal year 1983 “in the expectation that conditions [in Guatemala] may improve sufficiently.”¹² Before the House Subcommittee on Latin American Affairs, Assistant Secretary of State Thomas Enders also praised the coup that brought Ríos Montt to power. “Since last month’s coup,” said the US government official, “violence not directly connected to the leftist insurgency has been brought virtually to an end.”¹³

Upon taking power, the three-man military junta announced the suspension of the constitution, the dissolution of the National Congress, and rule by decree.¹⁴ A fourteen-

⁹ Ibid.

¹⁰ Jenkins, “Press Junta for Prompt Elections,” *Washington Post*, 26 March 1982, p. A24; “Guatemala: An Another Coup,” *New York Times*, 28 March 1982, sec. 4, p. 1; Loren Jenkins, “Whispers of New Plots Surround Guatemala’s New Triumvirate,” *Washington Post*, 8 April, 1982, p. A24.

¹¹ McClintock, *American Connection*, 228.

¹² Alan Riding, “U.S. Seeks to Improve Ties with Guatemala,” *New York Times*, 21 April 1982, p. A13. According to Raymond Bonner, “Some Rights Gains Seen in Guatemala,” *New York Times*, 3 June 1982, p. A9; and Raymond Bonner, “Giving is No Picnic in Guatemala,” *New York Times*, 6 June 1982, section 4, p. 2, the Reagan aid package in early June included “\$2.5 million in spare parts for helicopters, \$300,000 for military training and at least \$50 million to aid the country’s crippled economy.”

¹³ Robert G. Kaiser, “Decision Possible Within 10 Days Reagan May Lift Ban on Military Sales to Guatemala,” *Washington Post*, 22 April 1982, p. A22.

¹⁴ Jenkins, “Decree Rule in Guatemala,” *Washington Post*, 25 March 1982, p. A1.

point proclamation defined the military government's priorities and objectives, four points of which referred specifically to the nation in crisis:

4. Recapture individual and national dignity; 5. Achieve a nationalist spirit and create the basis for the integration and participation of the different ethnic groups which comprise our nation; 6. Achieve the recovery of the national economy within the free enterprise system subject to the controls demanded by the country's present situation; [...] 9. Stimulate within the different [...] national sectors, a new line of thought based on development, reform and nationalism.¹⁵

In early April, the government issued a Plan of National Security and Development. Described by Black as an update "of the recent innovations of General Benedicto Lucas García," the plan placed all government functions under military control, making counterinsurgency the state's number one priority.¹⁶ To best achieve its counterinsurgency objectives, according to the Plan,

Guatemala will promote and undertake, in the short and medium term, administrative, functional, and judicial reforms of the structure and functioning of the organs of the state, employing the relevant branches of public authority, *and will coordinate and integrate anti-subversive programmes at the level of all bodies of the nation.* [...] Finally, efforts will be made to improve the image of Guatemala abroad, based on clearly defined and aggressive diplomatic action.¹⁷

¹⁵ Inter-American Commission on Human Rights (IACHR), "Report on the Situation of Human Rights in the Republic of Guatemala [report on-line]" (Washington: IACHR, 5 October 1983), accessed 4 April 2005, available from <http://www.cidh.oas.org/countryrep/Guatemala83eng/TOC.htm>; Internet: Introduction, p. 4-5. Fourteen-point proclamation is found at p. 4-5. According to the IACHR, the proclamation was made public on 23 March 1982, while Gramajo Morales, *De la Guerra... a la Guerra*, who also reproduces the plan at p. 179-180, states that it was presented in May. For its part, Agence France Presse, "Guatemala: la junta dio a conocer un plan para disminuir las contradicciones sociales," *El Excelsior*, 6 April 1982, n. p., quotes the fourteen-point plan.

¹⁶ Black, *Garrison Guatemala*, 125; CEH, *Memoria del silencio*, chapter II, paragraphs 3156-3163, p. 298-301.

¹⁷ Ejército de Guatemala, Comisión de Trabajo Estado Mayor General del Ejército - Centro de Estudios Militares, "Plan Nacional de Seguridad y Desarrollo," Guatemala, 1 April 1982, p. 2. According to CEH, *Memoria del silencio*, chapter II, p. 299n 836, the plan was presented to government ministers on 5 April. Emphasis added.

Travelling down the road toward what Black called a “full-blown counterinsurgency state,”¹⁸ on 26 April the military junta replaced the Guatemalan Constitution with a Fundamental Statute of Government, substituting itself for the established legislative and executive branches of government. The new regime promised “to lead the country down the path of honesty, stability, legality and security, circumstances necessary for the happiness of the population and the Nation’s progress.”¹⁹

Individual rights, according to the Fundamental Statute, were now “the basis for the internal organization of the Nation and its international relations.”²⁰ Protected rights and guarantees included the right to life, physical integrity, and protection from discrimination. The statute also upheld freedom of movement, thought, expression, conscience and religion. It specified that all authorities were to protect citizens from arbitrary arrest, “physical and mental torture, cruel treatment, infamous punishment or acts, hardships or coercion.” Furthermore, any government agent or employee issuing or executing orders contravening such provisions were to be dismissed from their positions, permanently barred from public office, and prosecuted.²¹

In general, such measures were perceived as signals of appeasement directed at the international community, and the United States in particular.²² They were also very characteristic of Guatemalan society and politics, a situation best summed-up by Mexican writer Carlos Fuentes when, in the mid-1980s, he warned that, in Latin America, one must never forget to distinguish between the *real country* and the *legal country*.²³ Jean-

¹⁸ Black, *Garrison Guatemala*, 125.

¹⁹ IACHR, “Situation of Human Rights [1983],” Introduction, p. 1.

²⁰ *Ibid.*, chapter I, p. 4.

²¹ *Ibid.*, chapter I, p. 5; chapter III, 1.

²² *Ibid.*, chapter I, p. 11.

²³ As quoted in Lutz and Lovell, “Core and Periphery in Colonial Guatemala,” in *Guatemalan Indians and the State: 1540-1988*, ed. Carol A. Smith (Austin: University of Texas Press, 1990), 49.

Marie Simon quoted a Swedish representative to the United Nations who, in April 1982, compared the situation in Guatemala to George Orwell's novel *1984*. "When they mean war, they speak of peace," said the official referring to the novel's protagonists, "and when they mean repression, they speak of freedom... Guatemala is the same."²⁴

B. Rights in Principle, Rights in Practice

While signals of moderation were being sent to the international community, other measures inside Guatemala were introduced to deal with subversion. As the military repositioned itself after the coup, the junta announced a thirty-day amnesty beginning 1 June 1982. The amnesty law pardoned "political and related common crimes" committed by guerrillas or members of state security forces.²⁵ According to the Inter-American Commission on Human Rights (IACHR) few guerrillas actually turned themselves in. In fact, those who seem to have benefited most from the measure were perpetrators under the Lucas government who "took refuge under the law and were automatically benefited without discrimination." In terms of human rights violations, "the law became a cloak of immunity [...] from investigations and sanctions."²⁶ It also sent a clear signal that eventual human rights violations could just as easily be pardoned.

On 9 June Ríos Montt dissolved the governing junta, personally assumed the legislative and executive functions of government as President of the Republic, and named himself Commander in Chief of the Army.²⁷ It became his responsibility to

²⁴ Simon, *Eternal Spring*, 114.

²⁵ IACHR, "Situation of Human Rights [1983]," chapter I, p. 7.

²⁶ *Ibid.*, chapter I, p. 7-8; chap VII, p. 2, 3; conclusions, p. 1. According to the IACHR, Ríos Montt neither tried nor punished a single official for the rights violations carried out by the previous administration.

²⁷ UPI, "Guatemalan Assumes Sole Power, Ousting Other Members of Junta," *New York Times*, 10 June 1982, p. A8. According to Black, *Garrison Guatemala*, 124, Colonel Ricardo Méndez Ruíz, a Lucas loyalist, was appointed Minister of the Interior; General Mario López Fuentes, Army Chief of Staff; and General Oscar Humberto Mejía Víctores, Minister of Defence.

“provide for the defence of the national territory and to maintain public order.” To do so Ríos Montt could “restrict temporarily, partially or completely, and as long as the situation demands, the individual guarantees outlined in the Fundamental Statute of Government.”²⁸ The day after the amnesty law expired, 30 June 1982, Ríos Montt did just that, declaring a national state of siege for thirty days, extending the measure over a nine-month period until 23 March 1983. During that time, many if not all of the rights and guarantees provided for under the Fundamental Statute were simply suspended, including the writ of habeas corpus. Authorities could, from then on, arbitrarily arrest anyone “suspected of conspiring against the government” or “of disturbing the public order.”²⁹

Among other laws and decrees enacted on or prior to 1 July 1982, Ríos Montt ordered the substitution of the country’s 324 elected mayors and proceeded to name their replacements. Decrees, including a Public Order Law, allowed the President to militarise all public services including schools. Furthermore, the Public Relations Office of the Presidency became the government’s only official source of news and information, and the publication of any news concerning the armed conflict was prohibited unless it originated from that office.³⁰ According to the IACHR’s second report on the human rights situation in Guatemala in two years, control of the mass media gave the Ríos Montt government “full authority to conduct its anti-guerrilla activities without public opinion being able to comment on it, much less debate or criticize specific measures.”³¹

²⁸ IACHR, “Situation of Human Rights in Guatemala [1983],” chapter I, p. 2.

²⁹ *Ibid.*, chapter I, p. 2, 5, 8-9, 10; chapter III, p. 1. Although the state of siege was officially lifted on 23 March 1983, thereby marking the first anniversary of Ríos Montt’s ascension to power, a state of alarm was re-imposed starting on 29 June, lasting until Ríos Montt’s overthrow on 8 August 1983.

³⁰ *Ibid.*, introduction, p. 5; chapter I, p. 8; chapter III, p. 2; chapter V, p. 1. On the role of military intelligence in naming local mayors see CEH, *Memoria del silencio*, chapter II, paragraph 3161-3162, p. 300, 300n 842.

³¹ *Ibid.*, chapter V, p. 3. The IACHR carried out its first on-site visit to Guatemala from 21 to 26 September of 1982 and published its second report on human rights in Guatemala on 5 October 1983. The IACHR sent

According to the IACHR, Guatemala under the Lucas García government was a country “where total disregard for human life predominated.”³² But as Paul Kobrak observed, although Lucas García “used death squads to terrorize the political opposition” he never suspended the Constitution, declared a state of siege, nor formally shut down the press.³³ According to the IACHR the coup of 23 March not only suspended political rights, but it also “abrogated the laws that recognized and regulated such rights and the political institutions through which they are exercised, protected, oriented and implemented.”³⁴

C. The Exemplary Administration of Justice

In an affront to the rule of law and the right to due process, Ríos Montt created Courts of Special Jurisdiction meant “to guarantee a fast and exemplary administration of justice” for offences against “the legal, political, social and economic institutions of the nation.”³⁵ The special tribunals, prohibited by Guatemala’s suspended constitution, extended the death penalty to a number of crimes once punished with prison terms, including treason and “attempts against the integrity or independence of the state.”³⁶ According to the *New York Times*, General Ríos Montt announced on 30 June that “anyone convicted of subversive acts will be shot immediately.”³⁷

In reviewing court-ordered executions carried out in September 1982 and March 1983, the IACHR found that persons condemned in secret proceedings by the Courts’

a twelve-member delegation to investigate the human rights situation in Guatemala and also visited refugee camps in Mexico.

³² Ibid., introduction, p. 7-8; chapter II, p. 2.

³³ Kobrak, *Pie de Lucha*, 92.

³⁴ IACHR, “Situation of Human Rights [1983],” chapter VII, p. 2.

³⁵ Ibid., chapter I, p. 9.

³⁶ Ibid., chapter II, p. 1.

³⁷ UPI, “Guatemala’s President Declares a State of Siege,” *New York Times*, 1 July 1982, p. A5.

anonymous judges “had no right to be defended by counsel of their own choosing with whom they could communicate freely and privately.” Furthermore, the IACHR found that “the right not to be compelled to testify against one’s self was not respected, and confessions [...] were obtained through coercion.”³⁸ Members of the September 1982 IACHR delegation to Guatemala met with Ríos Montt to express their concerns regarding the courts and recent executions by military firing squad.³⁹ According to the Commission, the general’s response was that

they are not the last ones (the shootings by firing squad). They are the first ones. [...] I am the one who makes the laws. I guarantee the people a just use of force. Instead of bodies on the streets, we are going to shoot those committing crimes. I am a President, although *de facto*; but I say that I am the butler, because now, my job is to clean the house [...].⁴⁰

Despite IACHR concerns executions continued in the complete absence of due process, the government stubbornly upholding its right to defend itself and its “obligation of maintaining the public order in the manner in which the national circumstances demand.” To this end, wrote the IACHR, “illegal arrests, abductions, and disappearances that can be attributed to the government’s security forces” continued. The Commission found that the methods used to perpetrate such acts were the same as those used before the March coup.⁴¹

Despite state-sanctioned executions the IACHR nonetheless found that levels of urban violence had diminished in the first few months of the Ríos Montt government.⁴² To support its findings the Commission looked at statistics compiled by Guatemala City’s Chief of Forensic Medicine. During 1981, until March 1982, his service carried out 230

³⁸ IACHR, “Situation of Human Rights [1983],” chapter VI, p. 9.

³⁹ Ibid., chapter II, p. 3.

⁴⁰ Ibid., chapter II, p. 3-4.

⁴¹ Ibid., chapter II, p. 9, 14; chapter III, p. 4, 5-7.

⁴² Ibid., chapter II, p. 2.

to 250 autopsies a month, numbers which began to diminish in April 1982, reaching the monthly figure of 200 in September.⁴³ The fact that urban violence previously attributed to right-wing death squads diminished upon Ríos Montt's ascension to power also confirmed the Commission's suspicion that such organisations were, in fact, associated to the government.⁴⁴ Political violence, however, had not altogether disappeared in Guatemala, the Commission finding only what it called "a change in the strategy of terror in terms of methods or systems used."⁴⁵

D. "Permanent War"

The Reagan administration, for its part, was set on refurbishing Guatemala's tarnished image because of what it perceived as a growing leftist threat that could only be rolled-back with American assistance. "We are cautiously optimistic about the current government," said Michael Ledeen, special advisor to Secretary of State Alexander Haig. "We view Ríos Montt in a positive light."⁴⁶ Besides, Guatemala City was only two hours from Miami by plane and as an American in Guatemala told the *Washington Post*: "Between here and Texas there is only Mexico, and it's shaky."⁴⁷ The sense of urgency was supported by what officials in the US hailed as improvements in Guatemala's human rights situation. Dell Shaffer, director of the State Department's Human Rights Office told reporters that "the old right-wing-style killings are down, and abductions are, too.

⁴³ Ibid., chapter II, p. 2, 3.

⁴⁴ Ibid.

⁴⁵ Ibid., chapter II, p. 2, 3.

⁴⁶ Ricardo Chavira, "Guatemalan Refugees: They Talk of Death; Refugees Describe Terror in Guatemala; Guatemalan Human Rights Record Seen Improved, U.S. Considers Resuming Aid," *San Diego Union*, 5 May 1982, p. 1, 6.

⁴⁷ Don Oberdorfer, "New Dangers, Opportunities to the South; As U.S. Attention Shifts, Central America Seethes," *Washington Post*, 9 May 1982, p. A21.

There haven't been the massacres in the country like we had before."⁴⁸ Some journalists seemed to agree with the administration. A diplomatic reporter for the *Washington Post* wrote in April that

a six-day visit to Guatemala – my first to any Central American country – has left me convinced there is a new spirit here and new potential for positive change. [...] Officially sanctioned murder and terror by police and plainclothes goon squads has stopped [...] and [...] there is no doubt among all those queried that the carnage has been sharply reduced.⁴⁹

Other journalists, however, contradicted such optimism. While killings declined in relative terms in the cities, sparing middle-class students, politicians, foreign correspondents and priests, the *New York Times* reported that diplomats and many Guatemalans “assert that Government forces are killing more peasant Indians, who make up about sixty percent of the population.”⁵⁰ In May the *San Diego Union* reported chilling stories gathered from indigenous refugees fleeing Guatemala into Mexico. According to eyewitness accounts, “Guatemalan troops were indiscriminately killing village residents – including women and infants – and burning bodies and houses.” According to the newspaper,

survivors of massacres this year in Quiché and Huehuetenango say that the troops opened fire on villagers, and beat people to death with clubs. Soldiers, they say, took some infants and small children by their feet and dashed their heads against rocks or trees. Others were hacked with machetes or burned inside their grass huts.

In case after case, refugees told of soldiers stacking bodies and setting them ablaze. Piles of bones, some half charred, dot the villages that have been attacked, say the refugees.⁵¹

The *San Diego Union* reporter wrote that

⁴⁸ Chavira, “They Talk of Death,” *San Diego Union*, 5 May 1982, p. 1, 6.

⁴⁹ Oberdorfer, “After the Killing,” *Washington Post*, 18 April 1982, p. B1. Oberdorfer, “New Dangers and Opportunities,” *Washington Post*, 9 May 1982, p. A21, reports US Embassy and State Department claims “that political killings of non-combatants by government and rightist forces have fallen off almost to zero since the coup and that some 2,000 bodyguards and private soldiers are now unemployed.”

⁵⁰ Raymond Bonner, “Guatemala Leader Reports Aid Plan,” *New York Times*, 20 May 1982, p. A6.

⁵¹ Chavira, “They Talk of Death,” *San Diego Union*, 5 May 1982, p. 1, 6.

U.S. officials did not deny that mass killings were taking place [in Guatemala], but denied having knowledge of them. They conceded that the recently ousted government of Gen. Romeo Lucas García practiced genocide against the Mayans, but said the new junta [...] seems intent on improving the country's human rights record.⁵²

A refugee from the cooperative of Santa Maria Tzejá in the Ixcán told the reporter

"I guess the government does not want any more Indian race." [...] Rodriguez carefully pulls a color photo from a nylon bag by his side. [...] My wife here, they shot her twice in the back when she tried to run away," he says, pointing to the image [...]. "This little one," he says, pointing to the smaller girl, "they shot her here." His finger rests just below his eye. "All of this," Rodriguez continues, placing the palm of his hand at the back of his skull, "got blown away. My other little one, they beheaded her."⁵³

In June the *New York Times* was reporting on the contents of mass graves in Quiché. According to a Western European diplomat quoted by the daily, the Indians were "systematically being destroyed as a group." The *New York Times* reported that

among 21 peasants identified in a mass grave, four were said to be infants from 7 months old to 5 years; five others were 13 and younger; one man was 75, another 58. In Saquilla, a village about seven miles from a major military base, the dead were said to be 26 children, three men and 14 women, four of whom were pregnant.⁵⁴

According to a senior Guatemalan army commander in Quiché, the guerrillas were to blame for the killings, telling the *New York Times* that "'subversives' had disguised themselves in army uniforms 'to deceive the people, to deceive the United States.'"⁵⁵ Jorge Carpio Nicolle, editor and publisher of the conservative newspaper *El Gráfico*, harshly condemned the violence in May at the risk of his own life in two signed editorials. "The assassination of defenceless children and pregnant women is stupid, bestial," wrote Carpio, adding that the "genocidal annihilation that is taking place in the

⁵² Ibid.

⁵³ Ibid.

⁵⁴ Bonner, "Rights Gains Seen," *New York Times*, 3 June 1982, p. A9; Bonner, "Giving is No Picnic," *New York Times*, 6 June 1982, sec. 4, p. 2.

⁵⁵ Bonner, "Rights Gains Seen," *New York Times*, 3 June 1982, p. A9.

Indian zones of the country is truly horrifying.”⁵⁶ When pressed about whether government forces continued to violate human rights in rural areas, Ríos Montt answered “yes” to the *New York Times*, adding quickly, “as in all parts of the world.” Asked about reports of unarmed women and children being killed, he simply said: “It is a war, a permanent war.”⁵⁷

Another *New York Times* article in mid-July reported allegations of army attacks against Indian villages, including the killing of “women, children and unarmed men on the suspicion of being guerrilla supporters,” stating that Guatemala “continues to be a country deeply polarized between city and countryside and between non-Indian Spanish speaking ladino and Indian.”⁵⁸ The same article quoted Ríos Montt as saying in an interview that:

“If we find guerrillas fighting against us, and if they are killed, they’re dead,” the president said. “And if we capture them and they don’t repent, we shoot them. But it is a matter of legal, ethical and moral procedures. It is not caprice.” Ríos Montt made a fervent denial that women and children “or even men” had died in army massacres since he took office. “I am telling you the truth [...] we are not burning villages, we are not raping women, we aren’t burning houses. We are trying to bring security, not violence,” he said. [...] Ríos Montt portrayed most of the conflict as between ladinos and Indians. [...] “What we want to do is reconcile ourselves with the Indians,” he said. “We have to create a national unity within our diversity. We have to make them feel secure in being Indians” to prevent the current flow of peasants from the disputed areas into the crowded cities.⁵⁹

⁵⁶Ibid.; Bonner, “Giving is No Picnic,” *New York Times*, 6 June 1982, sec. 4, p. 2; McClintock, *American Connection*, 232; According to Simon, *Eternal Spring*, 110, Carpio wrote two editorials on 17 and 20 May 1982, “jolting middle-class Guatemala from its desire to believe that the situation was getting better. ‘How is it possible,’ Carpio asked, ‘to behead an eight or nine-year-old-child? How is it possible for a human adult to murder in cold blood a baby of less than a year-and-a-half?’” Although Carpio, presidential candidate in 1985 and 1992, survived his outspoken criticism of the Ríos Montt government, according to CEH, *Memoria del silencio*, chapter II, paragraph 2845, p. 167, he was finally gunned-down in July 1994.

⁵⁷ Bonner, “Aid Plan,” *New York Times*, 20 May 1982, p. A6.

⁵⁸ John Dinges, “Guatemala Still Divided Under New President,” *New York Times*, 17 July 1982, p. A1.

⁵⁹ Ibid.

Despite Ríos Montt's talk of national reconciliation, on 23 July 1982, a Mexican newspaper reported that, according to the UN High Commission for Refugees (UNHCR), more than 3,000 Guatemalans had crossed the border into Mexico in four days.⁶⁰ Days later, on 26 July, Ríos Montt told foreign journalists he felt "obliged and moved" to know that the US government had earmarked US \$11 million in economic assistance for Guatemala under President Reagan's Caribbean Basin Initiative. The general is reported to have said that "it is a change in attitude that fills us with gratitude."⁶¹

In early September the US State Department modified its warning to Americans travelling to Guatemala, stating that violence in the country had diminished since General Ríos had come to power. According to the *New York Times*, although strongly worded, "asking travellers to exercise 'extreme caution'," the new travel advisory "was issued as the Reagan administration closely monitored events in the Central American nation where civil rights abuses have blocked resumption of United States military aid." According to the State Department, because of "a well organized insurgency in the countryside, especially in the western highlands," US citizens in the country were "advised to avoid interurban travel by night or travelling west of the former Guatemalan capital of Antigua at any time."⁶²

E. *Victoria 82*

The exceptional measures taken by the government starting 1 July 1982 were laid out in the Guatemalan army's *Victoria 82* (Victory 82) campaign plan, officially dated 25

⁶⁰ "Escapan a México en 4 días 3 mil Guatemaltecos," *El Excelsior*, 23 July 1982, p. 9.

⁶¹ Agence France Presse, AP, ANN, "Ríos Montt 'conmovido' por la ayuda de Washington," *Uno Más Uno*, 27 July 1982, p. 15.

⁶² Reuters, "Guatemala Travel Caution Eased," *New York Times*, 8 September 1982, p. A6.

June 1982.⁶³ The plan's main objective was to "eliminate" armed subversives and "annihilate" their local support bases. Orders from the new Army Chief of Staff, General Mario López Fuentes who, with his predecessor Benedicto Lucas had allegedly presided over the army's scorched earth campaign the year before,⁶⁴ were for all military commandos to engage in "counter-subversive and ideological war operations," aiming at "finding, capturing or destroying subversive groups or elements in order to guarantee the peace and security of the Nation."⁶⁵ Among priority targets were members of a broad category called "Support Bases," including "collaborators, sympathizers, etc." Of particular concern were organisations working with the general population, such as church organisations, unions, and cooperatives, as well as refugees. Tactics to reach the plan's objectives included searching out guerrilla forces by saturating suspected areas with foot soldiers in order to annihilate them.⁶⁶

Captured subversives, if any, were to undergo "tactical interrogation" before being transferred to a detention center. The Second Section of the Army's General Staff, known as S-2, was to be notified at all times of such transfers. Civilians belonging to "support bases" or "other subversive organisations" were to be dealt with "according to established procedures" to be supervised by an officer, although such established procedures are not specified.⁶⁷ In terms of challenges, the campaign plan also recognized

⁶³ The date for the Victoria 82 campaign plan, which is not indicated on the copy at our disposal, was obtained from CEH, *Memoria del silencio*, chapter, II, p. 301n 845.

⁶⁴ McClintock, *American Connection*, 238.

⁶⁵ Ejército de Guatemala, Plan de Campaña "Victoria 82" 3-"M". 000007, Guatemala, [25 June 1985]. From photocopy of numbered typescript copy, II. Propósito: A. Propósito General: 2, 3; IV. Misión, p. 1, 2. My translation.

⁶⁶ Ibid., Anexo "B" (Inteligencia) a la 0/0 No. 001 (Plan Victoria), II. EEI y ONI: A. EEI: 1, f; 2, c; 5, p. 17; Anexo "H" (Ordenes Permanentes para el Desarrollo de Operaciones Contrasubversivas) al Plan de Campaña "Victoria 82," D. Táctica a Utilizar, 104, p. 48.

⁶⁷ Ibid., Anexo "B": IV. Instrucciones para manejo de personal, documentos y material: A, D, p. 18. My translation.

the complexity of counterintelligence efforts due in large part to the “necessary level of confidence in local organisations and individuals, the difficulty in distinguishing between friendly and enemy members of the population and the political considerations which frequently impede carrying out adequate counterintelligence.”⁶⁸

To achieve its counterinsurgency objectives Victoria 82 called for the increase and the redeployment of troops throughout the highlands and northern lowlands. Over 5,300 soldiers who had previously completed their thirty-month obligatory military service were to be remobilised. Organised into thirty light infantry companies numbering 177 men each, they were to be redeployed among pre-existing units, newly created task forces and military bases in the departments of Huehuetenango, Quetzaltenango, Petén and Quiché.⁶⁹

If the Iximché Task Force was the first to be created under Lucas Garcia’s Ceniza 81 campaign, a year later Victoria 82 mentions three additional task forces. The largest, called *Gumarcaj*, was to be composed of ten companies and one platoon, for a total of 1,800 soldiers.⁷⁰ It was to operate in the Gumarcaj Area of Operations, located in the highland department of Quiché.⁷¹ The two other task forces in the highlands were the Iximché Task Force in Chimaltenango and the Tigre Task Force in a northern lowland area of Quiché, near the Mexican border, known as the Ixcán. Each were to be made up of 920 troops.⁷² The fourth task force, called *Quirigua*, called for the deployment of 885

⁶⁸ Ibid., Appendice “III” (Contraineligencia) al Anexo “A”. Contraineligencia: III., p. 19. My translation.

⁶⁹ Ibid., VII. Distribución de las compañías de fusileros de la movilización parcial, p. 6.

⁷⁰ Ibid., VI. Organización, p. 4.

⁷¹ Ibid., VIII. Misiones Específicas, p. 11.

⁷² Ibid., Organización, p. 5. According to Carmack, “Santa Cruz,” 61, “headquarters of a military zone had been situated in Santa Cruz [del Quiché, capital of the Quiché department] since the past century, but it was a small contingent of about four hundred soldiers and seemed relatively inactive in the 1970s. [...] By 1982 there were fifteen to twenty thousand soldiers in the Quiché Department as a whole, and three thousand soldiers were based in Santa Cruz Quiché itself.”

men in the coffee-growing piedmont and tropical coast of Quetzaltenango and San Marcos.⁷³ Seventy-five percent of all task force troops in the highlands were to be sent to Quiché, permanently roaming the countryside and carrying-out search and destroy missions with specific orders to eliminate armed insurgents and annihilate their suspected support bases. Interestingly, the Guatemalan Truth Commission found that of the 626 documented massacres attributed to the army during the armed conflict, 327 of them were perpetrated in the department of Quiché.⁷⁴

Of interest are some of the troops' origins. Victoria 82, for instance, called on the transfer to the rural indigenous highlands of troops recalled or active in Guatemala City and the predominantly non-indigenous eastern departments of Zacapa, Jutiapa, Izabal, as well as Escuintla, located on the Pacific coast. Officers and soldiers from the capital, for instance, were to increase army ranks in Quiché, Chimaltenango, and the Ixcán; soldiers from Zacapa were sent to Quetzaltenango and the Ixcán; soldiers from Jutiapa were sent to Quiché and the Ixcán; and soldiers from Izabal and Escuintla were redeployed in Quiché. For transfers involving 885 to 1,240 troops in Petén, Huehuetenango and Quetzaltenango, the campaign plan stipulated a six-month minimum assignment. The plan also provided air support for all ground troops, including helicopters, C-47 and Arava aircraft.⁷⁵

⁷³ Ibid., Anexo "K" (Organización de la Fuerza de Tarea "Quirigua") al Plan de Campaña "Victoria 82," 51-52.

⁷⁴ CEH, *Memoria del silencio*, chapter II, p. 519.

⁷⁵ Ejército de Guatemala, Plan de Campaña "Victoria 82", VIII. Misiones Específicas: B. Brigada Militar "Guardia de Honor": 4, 5, p. 6; C. Brigada Militar "Mariscal Zavala": 4, p. 7; D. Brigada Militar "GMLB", Quetzaltenango: 5, p. 7; E. Brigada Militar "CGRC", Zacapa: 3, p. 8; F. Brigada Militar "GLGL", Poptún, El Petén: 3, p. 8; G. Zona Militar "MGS", Huhuetenango: 3, p. 8; I. Zona Militar "GASM", Jutiapa: 3, 4, p. 9; J. Zona Militar "GMGG", Puerto Barrioe, Izabal: 2, p. 9; K. Base Militar T.P. "GFC", Puerto San José, Escuintla: 7, p. 9-10; N. Agrupamiento Táctico de Seguridad de la FAG [Fuerzas Areas Guatemaltecas]: 4, 5, p. 10; O. Fuerza Area Guatemalteca: 1, 2, 3, 4, 5; Anexo "K" (Organización de la Fuerza de Tarea "Quirigua") al Plan de Campaña "Victoria 82," p. 51. Task forces explicitly mentioned by name in the

Although not all troop transfers were from the non-indigenous east to the western highlands, a quick tally demonstrates that of the thirty new companies to be deployed in the indigenous highlands or northern lowlands, half came from the capital or the eastern departments,⁷⁶ indicating a change in attitude among military decision makers. In the 1970s, according to General Gramajo Morales, only non-indigenous ladino troops from the east were sent to the highlands. One inconvenience, however, was that soldiers could not understand the local languages. By March 1982, according to Gramajo, at least one officer in charge of the army base in the municipality of Chajul spoke Quiché fluently. Although the remaining troops in Chajul were from Jutiapa, the redeployment ordered in Victoria 82 heralded a new approach.⁷⁷ According to Gramajo,

in the military installations of the highlands the increase in troops was particularly beneficial, although resistance was at first difficult to overcome. Military commanders in the highlands would have preferred troops from the eastern areas of the republic, considering them more loyal [...]. It was thought risky to accept [inhabitants of the highlands] into the regular forces, not only in the sense of arming a potential opponent, but also providing him with knowledge of our installations and routines. The decision taken by the Army's General Staff was risky, but judicious.⁷⁸

campaign plan, at p. 11-12, are "Gumarcaj" Task Force, Santa Cruz del Quiché; "Iximche" Task Force, Chimaltenango; "Tigre" Task Force, Playa Grande, Ixcán.

⁷⁶ Ibid., VII. Distribución de la Compañías de Fusileros de la Movilización Parcial: A, p. 6; VIII. Misiones Específicas: B. Brigada Militar "Guardia de Honor": 4, 5, p. 6, 7. p. 7; C. Brigada Militar "Mariscal Zavala": 4, 6, p. 7; D. Brigada Militar "GMLB", Quetzaltenango: 6, p. 7; E. Brigada Militar "CGRC", Zacapa: 3, p. 8; F. Brigada Militar "GLGL", Poptún, El Petén: 3, p. 8; G. Zona Militar "MGS", Huehuetenango: 4, p. 8; I. Zona Militar "GASM", Jutiapa: 3, 4, p. 9; J. Zona Militar "GMGG", Puerto Barrioe, Izabal: 2, p. 9; K. Base Militar T.P. "GFC", Puerto San José, Escuintla: 7, p. 10; N. Agrupamiento Táctico de Seguridad de la FAG [Fuerzas Areas Guatemaltecas]: 4, 5, p. 10; P. Fuerza de tarea "Gumarcaj", Santa Cruz del Quiché: 2a, b, c, d, p. 11; Q. Fuerza de Tarea "Iximché", Chimaltenango: 2a, e, p. 12; R. Fuerza de Tarea "Tigre", Playa Grande: 2a, b, c, p. 12; IX. Instrucciones de Coordinación: V, 1-5, p. 15. The quick tally in question is based on the following figures: from the capital, 1,593 soldiers and officers were to be sent to Quiché, Chimaltenango, and Ixcán; from Zacapa, 354 men were to be sent to Quetzaltenango and the Ixcán; from Jutiapa, 354 men were to be sent to Quiché and the Ixcán; from Izabal, 177 men were to be sent to Quiché; from Escuintla, 177 men were to be sent to Quiché; and from Huehuetenango, 354 men were to be sent to Quiché. The total in troop transfers from eastern Guatemala (including Escuintla) to the western highlands, minus troops sent from Huehuetenango to Quiché, is 2,655. This figure represents 50% of the total transfer of 5,310 soldiers stipulated in Victoria 82.

⁷⁷ Gramajo Morales, *De la Guerra... a la Guerre*, 122, 183-184.

⁷⁸ Ibid., 196. My translation.

The risk, in fact, was carefully calculated. Each highland commander was to manage

a risk quota, allowing fifteen incidents for every one hundred soldiers from the local area during the first three months of their enlistment. To be more explicit: I personally communicated with the base or task force commanders of the western highlands, telling them that for every 100 guns that we distributed, we should be willing to lose fifteen weapons, through desertions and theft from infiltrators; if sixteen cases arose, we would then start considering it a problem.⁷⁹

General Gramajo mentions only two incidents in which enlisted Indians turned against the army. All in all, however, local draftees, he writes,

were of considerable assistance to the Army's endeavours. In a first phase, combined with regular ladino troops, they contributed their knowledge of the land, the dialect and of local customs and protocol [...]. Local soldiers were of particular benefit in the Ixil Triangle [...] providing confidence and security as members of military units stationed in their own communities [...]. Finally, once they had complied with their responsibilities as citizens and had served the armed forces, they became members of the civil self-defence organisation, protecting their communities [...].⁸⁰

Created under the Lucas Garcia government, Ríos Montt formally institutionalised the Civil Defence Patrols in April 1983.⁸¹

F. Psychological Operations

Psychological operations were an important component of the Victoria 82 campaign plan. Directed at civilians in areas of conflict, civic action programs were to assist local populations in terms of their immediate needs, *"as well as the ideological preparation [necessary] for the social incorporation of the different ethnic groups affected."* In its efforts to "win hearts and minds," the armed forces were to "elevate the national spirit within the context of an anticommunist ideology." According to the

⁷⁹ Ibid. My translation.

⁸⁰ Ibid., 196-197. My translation.

⁸¹ Procuraduría de los Derechos Humanos (PDH), *Los Comités de Defensa Civil en Guatemala* (Guatemala: PDH, 1994), 33, 33n 9.

campaign plan, massacres in rural areas were the responsibility of subversive groups using military uniforms with the objective of disparaging the army. Civilians gathered for ideological orientation were to have this explained to them, as well as the contrast between life in communist countries, and life in such democratic countries as Guatemala...⁸²

Psychological operations were also to be directed at regular troops and the reserves in order to maintain their “combative spirit.” Troops, in fact, were to be convinced “*of the necessity of exterminating the enemy.*” Such persuasion was to be based, among other considerations, on a keen understanding of the international communist threat, on “how subversives deceive our people, especially the peasants,” and how such subversive deception had “*penetrated [...] among the peasants.*”⁸³ Means were also to be taken in order to maintain morale among the troops. In terms of recreation, for instance, areas were to be created where

the soldier can spend [...] three days following a period of operations which exceeds one month, areas providing adequate bathing and laundry facilities, a store, contact with the female sex and other services. In this area he will also be exposed to ideological orientation and music adequate for the repudiation of subversion.⁸⁴

⁸² Ejército de Guatemala, Plan de Campaña “Victoria 82”, Anexo “F” (Plan de Opsic) a la Orden de Operaciones “Victoria 82,” I. Situación: A. Fuerzas Enemigas: 2. Situación General Psicológica: a, p. 29; III Ejecución: A. Concepto de la Operación: 3. Tercera Fase, p. 32; D. Objetivos: 2d, p. 35; Apéndice “B” (Plan de Operaciones Psicológicas para las Tropas) Plan de Operaciones Psicológicas “Victoria 82,” III. Ejecución: D. Temas para concentraciones y mítines: 2, 5, p. 41. My translation. Emphasis added.

⁸³ Ibid., Apéndice “B” (Plan de Operaciones Psicológicas para las Tropas) Plan de Operaciones Psicológicas “Victoria 82,” III. Ejecución: A. Concepto de Operación: 1. Primera Fase: a. Mantener el espíritu combativo de las Tropas: 1. Convencimientos a nuestras tropas, p. 39. My translation. Emphasis added.

⁸⁴ Ibid., 3. Recreación, p. 39. My translation.

G. IACHR Findings in Rural Areas

In its 1983 report the IACHR found that such rights in rural areas as the right to life, to personal liberty, to security and physical integrity, had been and continued to be under serious attack. According to the Commission, in rural areas of conflict

military patrols burst into the villages and take out of their homes those persons they accuse of being subversives and torture them to death at the nearest detachment, with their mutilated bodies turning up in rivers, ravines, and roads. [...] In light of the evidence on hand, the Commission cannot reach a conclusion other than that the police and army in Guatemala constantly violate the right to personal security and integrity.⁸⁵

Particularly hard hit by government threats and intimidation, according to the IACHR, were Church organisations, such as social action centers, whose main mission was to “work in social action programs to help the poor and Indian communities.”⁸⁶ In May 1982 the Catholic Church denounced the abuses being committed against Indian communities, including “the massacre of numerous peasant families.” According to Guatemala’s Episcopal Conference,

numerous families have been viciously murdered. Not even the aged, pregnant women and innocent children have been spared. The consequences of this irrational violence on the survivors cannot be more tragic: orphans, premature widows, insecurity, terror, hunger because of uncultivated land and towns destroyed or abandoned. [...] Never in our national history has there been such grave extremist behaviour. *These murders have now reached the level of genocide.*⁸⁷

According to information at the Commission’s disposal, “in the forest area of El Quiché, almost all of the chapels, schools, cooperatives and clinics have been destroyed by the

⁸⁵ IACHR, “Situation of Human Rights [1983],” chapter III, p. 8.

⁸⁶ Ibid., chapter VI, p. 2.

⁸⁷ Ibid., chapter VI, p. 2. Emphasis added.

army.” Furthermore, the Commission deplored what it perceived as the “use of religion as an element of political confrontation.”⁸⁸ According to the IACHR report,

it would appear that polarization of religious faith has occurred between the Catholic Church and the traditional Protestant churches on one hand and the fundamentalist sects, especially the Church of the Word, which was beginning to occupy a preponderant place in Guatemalan society. This was reflected in the common practice, among the rural poor of *converting to one or another fundamentalist Protestant sect, because of the desirability of demonstrating their faith through identity cards*. [...] The practice of the sect members of carrying identity cards with them had the obvious purpose of obtaining some degree of security for the bearers in the event of interrogation by military personnel.⁸⁹

According to George Black,

since 1978, when state violence began to rise rapidly, fundamentalist Church membership has been growing by 23.6% each year. In ten years their strength had quadrupled, and by 1982 there were 6,767 Protestant congregations and temples in Guatemala divided between 110 different sects. Pentecostalist lead the way; dozen of micro-sects like Rios Montt’s Church of the Word [...] bring up the rear. Rallies in December 1982 to mark the 100th anniversary of evangelism in Guatemala were attended by half a million people.⁹⁰

If a growing number of Guatemalans were looking for spiritual salvation as a way out of an earthly apocalypse, ever-growing numbers took what they thought was a safer route to Mexico.⁹¹ In its 1983 report the IACHR took special note of the increasing number of Indian refugees crossing the border into Mexico as an indication of the breadth of the crisis shaking the Guatemalan countryside, and especially the western highland departments of Huehuetenango, Quiché, and San Marcos. By January 1983, Mexican and UN agencies had counted 33,000 refugees, an estimated half of whom had fled

⁸⁸ Ibid., chapter VI, p. 4-5.

⁸⁹ Ibid., chapter VI, p. 5. Emphasis added.

⁹⁰ Black, *Garrison Guatemala*, 133.

⁹¹ IACHR, “Situation of Human Rights [1983],” introduction (a), p. 3; conclusions, p. 1.

Guatemala since the March 1982 coup.⁹² By September 1982 the Inter-American Commission found “whole towns of men, women, children and old people” who had fled to Mexico and who invariably said that they had left their homes because “of the mass attacks launched by government officials.” According to the Commission, many refugees had “witnessed massacres and the destruction of their homes, churches, community buildings, animals, crops and other private property through air and artillery attacks.”⁹³

Once in Mexico, however, the refugees’ worries were not over. Duncan Earle is an anthropologist who worked in Guatemala’s highlands in the late 1970s until the violence in the area provoked his departure. He eventually wound up in Chiapas where, in 1983, he began to document patterns of social and cultural interaction between the Indians of Chiapas and those of Guatemala. There, he quickly became aware of the conditions awaiting the refugees in the lowland jungles of Mexico. Between June and September 1982, for example, 400 Guatemalan families (approximately 1,800 people) arrived in a Mayan community called Río Azul fleeing massacres that were occurring across the border. Earle writes that the refugees were

malnourished, ill, and traumatized when they arrived, *they lost between five and six hundred people in the first months, mostly children*, owing in large part to medical complications related to malaria, which spread rapidly because of the weakened condition of the people, who were unaccustomed to the heat of the tropical rain forest.⁹⁴

In terms of malnutrition, according to Earle, some refugees in the camps along the Lacantún River were making due with

⁹² Ibid., chapter VIII, p. 1, 2.

⁹³ Ibid., chapter VIII, p. 2-3.

⁹⁴ Duncan Earle, “Mayas Aiding Mayas: Guatemalan Refugees in Chiapas, Mexico,” in *Harvest of Violence: The Maya Indians and the Guatemalan Crisis*, ed. Robert Carmack (Norman: University of Oklahoma Press, 1988), 263, 265. Emphasis added.

as little as four pounds of corn meal per person for a two week period, while one pound a day is only half of what is typically eaten by adults on a corn-based diet. Health workers in the hospitals, including the director of the public hospital in Comitán, reiterated the concern for sufficient and consistent food supplies, stating again and again that the most serious health problem for refugees was lack of food. One seven-year-old boy arrived in the hospital at Comitán weighing 7 kilograms (about 15.4 pounds); another boy, three years old, weighed 3 kilograms (about 6.6 pounds).⁹⁵

Disease, malnutrition, the shock of dislocation, emotional trauma, inadequate medical attention were, according to Earle, not the only threats to Indians' lives or well-being in Chiapas. From 1981 on, the Guatemalan army made numerous incursions into Mexico to attack the refugees. In fact, more than sixty incursions, between 1982 and 1984, were documented by human rights organisations.⁹⁶ Of the 626 massacres documented by the Guatemalan Truth Commission and attributed to government security forces, five of them were committed in Mexico between 1982 and 1983.⁹⁷ In 1984 the Mexican government forcibly relocated some of the camps away from the Chiapas border to the Yucatan states of Quintana Roo and Campeche. Some refugees refused to leave and the Mexican military's response, according to anthropologist Beatriz Manz, present at the time as a human rights observer, was to burn at least one camp, which had housed more than 5,000 refugees, to the ground.⁹⁸

⁹⁵ Ibid., 265.

⁹⁶ Ibid., 263.

⁹⁷ CEH, *Memoria del silencio*, chapter II, paragraph 3077, p. 256.

⁹⁸ Beatriz Manz, "The transformation of La Esperanza, an Ixcán Village," in *Harvest of Violence: The Maya Indians and the Guatemalan Crisis*, ed. Robert Carmack (Norman: University of Oklahoma Press, 1988), 80.

Chapter VI. Keeping the Pieces Together

A. *Firmeza* 83

By December 1982 Ríos Montt had achieved much of what he had intended on two important fronts. After what commentators called a “scorched earth policy” in the highlands falling, according to Anthony Lewis, “somewhere between a pogrom and a genocide,” leftist insurgents were scattering.¹ On the diplomatic front, General Ríos had had the opportunity to converse warmly with Ronald Reagan during the US President’s 4 December stopover in Honduras, on his way back to Washington after a tour of South America, his first trip to the third world.² On the heels of State Department attempts to discredit human rights reports on violations in Guatemala,³ Reagan “told reporters that Gen. Efraín Ríos Montt was getting a ‘bum rap’ and ‘is totally dedicated to democracy in Guatemala.” According to Reagan, Ríos Montt was “a man of great personal integrity.”⁴ At a news conference after his talk with Reagan,

the general was asked to comment on reports that the Guatemalan Army was pursuing a scorched-earth policy in areas where the guerrillas have been active by destroying villages suspected of harbouring the rebels. “*We have*

¹ Anthony Lewis, “Abroad at Home; Howdy, Genghis,” *New York Times*, 6 December 1982, p. A23. Lewis credits the *Boston Globe* for the comparison. See also Richard Meislin, “Guatemalan Chief Says War is Over,” *New York Times*, 11 December 1982, sec. 1, p. 7.

² Steven Weisman, “Latin Reality Intrudes on Reagan’s Dream of Unity,” *New York Times*, 5 December 1982, sec. 4, p. 1.

³ Terri Shaw, “Embassy Sees ‘Disinformation’ on Guatemala; US Report Says Rights Groups Are Used,” *Washington Post*, 4 December 1982, p. A19.

⁴ Lou Cannon, et al. “Reagan Praises Guatemalan Military Leader; Indicates He Will Support Resuming U.S. Arms Aid,” *Washington Post*, 5 December 1982, p.A1. See Ronald Reagan, “Remarks in San Pedro Sula, Honduras, Following a Meeting With President Efraín Ríos Montt of Guatemala [document on-line],” 4 December 1982 (accessed 27 April 2004), available from <http://www.reagan.utexas.edu/resource/speeches/1982/120482f.htm>; Internet; Ronald Reagan, “Question-and-Answer Session With Reporters on the President’s Trip to Latin America [document on-line],” 4 December 1982 (accessed 27 April 2004), available from <http://www.reagan.utexas.edu/resource/speeches/1982/120482g.htm>; Internet. Reagan exact words referring to the Guatemalan military and human rights were “And frankly, I’m inclined to believe they’ve been getting a bum rap.”

*no scorched-earth policy,” the general said. “We have a policy of scorched Communists.”*⁵

The Guatemalan army’s campaign plan for 1983 called for the normalisation of the institution’s functioning. Distributed in December 1982 among the Army General Staff, the plan, known as *Firmeza 83* (Firmness 83), advocated continued counterinsurgency in the highlands,⁶ while priority tasks to be carried out included the razing of crops belonging to any civilian community remotely considered sympathetic to the insurgency.⁷ Beyond military considerations, such as field operations, the plan also revealed the need, among its authors, to address important issues to have arisen as a consequence of the breath and intensity of the previous year’s efforts.

The first major preoccupation was something akin to battle fatigue. In order to “maintain combat efficiency,” the plan called for the “retraining, ideological preparation and the adequate rotation of personnel and units.”⁸ Interestingly, 80 percent of psychological operations for 1983 were to be directed at army personnel,⁹ in order to deal with “deviations generated by the actions or conditions of combat.”¹⁰ Among immediate measures to be taken, a greater sense of nationalism was to be fostered among Indigenous cadets, enlisted men, and civil defence patrollers. Because the army continued to question

⁵ Reuters, “Guatemalan Vows to Aid Democracy,” *New York Times*, 6 December, 1982, p. A14. Emphasis added.

⁶ Ejército de Guatemala, “Plan de Campaña “Firmeza 83-I”: Directiva de Estado Mayor para la Normalización Institucional Militar,” II Fase, Guatemala, 22 December 1982. From photocopy of numbered typescript copy. Sección II. Misión, p. 2.

⁷ Ibid., Sección III. Ejecución: C. Objetivos Específicos: 1. Maniobra: a. Primera Fase: 1, p. 4; Sección IV. Misiones Específicas: Instrucciones de Coordinación: 18, p. 21.

⁸ Ibid., Sección III. Ejecución: A. Concepto Estratégico Militar, 2, p. 2; see also Anexo “B” a la Directiva de Estado Mayor para la Normalización Institucional Militar, Sección IV. Estrategia Militar: A. Enunciado, p. 9. My translation.

⁹ Ibid., Sección IV. Misiones específicas, 26. Estado Mayor de la Defensa Nacional: b. Dirección de Inteligencia: 5, p. 15.

¹⁰ Ibid., Sección IV. Misiones específicas, 26. Estado Mayor de la Defensa Nacional: b. Dirección de Inteligencia: 6, a, 4, p. 16. My translation.

Indian loyalties,¹¹ they were to be made to “collaborate to the utmost in the destruction and annihilation of subversive groups.”¹²

B. The *Guatemality* Doctrine

The *Guatemality* doctrine is invoked in the campaign plan as a means to win the civilian population over to the government’s cause.¹³ Although not defined in Firmeza 83, the concept is discussed in an article published by the Guatemalan Centre for Military Studies in which Gabriel Angel Castañeda praises the organisation of Civil Defence Patrols in the Ixil municipality of San Juan Cotzal, department of Quiché. The author describes the creation of the patrols there as a fervently patriotic act taken in defence of Ixil identity and values. Castañeda praises all things Indian, from classical Mayan architecture to the contemporary private ownership of small farm plots and the bearing of arms to defend the country against international communism.¹⁴

Guatemality, as described by the author, is the contrived convergence of Indian culture and martial anticommunism, the Indian militia in San Juan Cotzal constituting the ultimate rampart against foreign influence, as well as a source of dignity for the downtrodden Indian and a significant step in his integration into the Guatemalan national fabric. As the antidote to subversion, both Castañeda and Firmeza 83 call on “extending the cause of *Guatemality*” to all Guatemalans.¹⁵ According to Castañeda,

¹¹ Ibid., Apéndice “1” (Inteligencia) al Plan de Campaña “Firmeza 83,” Sección I. Situación General, p. 14.

¹² Ibid., Anexo “G” (Plan de Asuntos Civiles) al Plan de Campaña “Firmeza 83-I,” Sección I. Situación: D. Instituciones de Coordinación: 5, p. 35. My translation.

¹³ Ibid., Apéndice 3 (Operaciones Psicológicas) al Anexo “B” (Plan de Campaña “Firmeza 83,” Sección III. Ejecución: 3. Población in general, c, d, e, p. 43.

¹⁴ Gabriel Angel Castañeda, “La Guatemalidad y la Autodefensa Civil,” *Revista Militar* 27 (Fall 1982), 6-13.

¹⁵ Ejército de Guatemala, “Plan de Campaña “Firmeza 83-I,” Apéndice 3 (Operaciones Psicológicas) al Anexo “B” (Plan de Campaña “Firmeza 83,” Sección III. Ejecución: 3. Población in general, c, d, e, p. 43. My translation.

the guatemalizing labour must be carried out on a superlative level, from the schoolroom, from the newspaper, from the tribune, from the pulpit... All Guatemalans must be convinced that the culture which fills guatemality, infinitely superior to all other cultures in many respects, is the same culture that emboldened [...] San Juan Cotzal, in all its purity [...].¹⁶

In a closing address before a meeting of representatives of Guatemala's private sector, reprinted in the official *Diario de Centro America* on 1 February 1983, President Ríos Montt twice referred to Guatemality when speaking of his vision of an emerging new Nation amidst the tensions of the cold war. Calling on a renewed partnership between his government and business, Ríos Montt believed that from the prevailing social and economic crisis in Guatemala came opportunity: "the wonder of nations [*pueblos*]," he said, "is that they can rise from ruin." As the war at the capital's doorstep subsided, the conditions that had provoked it remained, and he called on his audience to act as beacons in "490 years of darkness," as the new "founding fathers of Independence." Referring to the "seed of nationality" he told his audience that "the time to sow is coming" in order "to later harvest a Nation." "We want to change man as such," adding that the time for the country to rise from a solid foundation had come. Perhaps referring to his scorched earth policy in terms of the new rising Nation, he said, in jest, "balloons rise too. You know what balloons are, right? You stick a bit of fire underneath them and they rise."¹⁷

Author George Black explains that Guatemality was a strategic part of Ríos Montt's Plan of National Security and Development which called for "building up nationalism as a doctrine opposed to international communism." In ethnic terms, Defence

¹⁶ Catañeda, "Guatemalidad," 10. My translation.

¹⁷ Efraín Ríos Montt, "Hacer una Nación es hacer hombres a los hombres y no esclavos," *Diario de Centro America*, Guatemala, 1 February 1983, n. p. "A litre of sweat is worth a drop of blood," Ríos Montt told his audience, but the problem in Guatemala is that "a litre of blood is worth a drop of sweat." My translation.

Minister Mejía Victores was even more explicit about the doctrine's purpose, reportedly telling Guatemalan broadcast reporters that "we must do away with the words 'indigenous' and 'Indian'. Our mission requires the integration of all Guatemalans."¹⁸

C. Refugees, Internally Displaced Populations and Evacuated Persons

The second major preoccupation for the Army General Staff in late 1982 were the 75,000 families, according to army estimates (approximately half a million people), who managed to escape the previous year's counterinsurgency campaign.¹⁹ Firmeza 83 explains that the areas most affected by the conflict were the predominantly indigenous departments of Quiché, Huehuetenango, Sololá, Chimaltenango, Alta and Baja Verapaz, and Sacatepéquez.²⁰ According to the army, the destruction of anything indigenous in these highland departments was the work not of the army, but of leftist insurgents whose actions included

the massacre of entire villages, the destruction of crops, the taking of large nuclei of population as hostages, maintaining part of the population in jungle or mountainous areas, or moving them to municipal or departmental capitals or urban areas, actions which have motivated the government to establish camps for refugees, the displaced and the evacuated.²¹

The campaign plan indicates a clear concern with what the army considered an international smear campaign organised by "political groups and subversive organisations."²² Guatemalan refugees in Mexico and Honduras were thought to be

¹⁸ Radio Televisión Guatemala, 0400 GMT, 2 September 1982, as quoted in Black, *Garrison Guatemala*, 131, 143n 42.

¹⁹ Ejército de Guatemala, "Plan de Campaña "Firmeza 83-I," Apéndice No. 3 (Plan de Desarrollo Socioeconómico en Apoyo de las Operaciones contra Subversivos) al Anexo "G" (Asuntos Civiles) al Plan de Campaña "Firmeza 83-I." Sección I. Antecedentes: C, 1, p. 45.

²⁰ *Ibid.*, Sección I. Antecedentes: C, 2, p. 45.

²¹ *Ibid.*, B, p. 45. My translation.

²² *Ibid.*, Apéndice No. 3 (Plan de Desarrollo Socioeconómico en Apoyo de las Operaciones contra Subversivos) al Anexo "G" (Asuntos Civiles) al Plan de Campaña "Firmeza 83-I." Sección I. Antecedentes: A, 3, p. 45.

largely to blame for “harming our country’s image, Government, Army and Institutions.”²³ Army intelligence believed that “pro-communist Mexican and international organisations were providing medical assistance, food, shelter, and other attention” to the refugees, claiming that their representatives were being trained in Mexico to speak to foreign journalists and “discredit our government and Army.” The army also believed that the internally displaced were busy carrying out similar efforts within Guatemala as well.²⁴

What the plan does not explain, however, is why refugees in Mexico and Honduras, or internally displaced persons in the highlands, would collaborate let alone stay with those responsible, according to the army, for massacring their families and destroying their communities. Unless, of course, one believes army claims to the effect that half a million people were being held against their will, as hostages of what remained of the armed combatants. The logistical considerations of such an endeavour for an institution like the Guatemalan army would be staggering. For the retreating armed combatants, whose numbers were estimated by the army at approximately 1,500, it would be close to impossible.²⁵

Firmeza 83 set a course of action to improve Guatemala’s image internationally and at the same time control what was considered the source of the international smear

²³ Ibid., Directiva de Estado Mayor para la Normalización Institucional Militar, II Fase. Sección III. Ejecución, B. Objetivos: 1. Objetivo General, c, p. 2.

²⁴ Ibid., Apéndice “I” (Inteligencia) al Plan de Campaña “Firmeza 83,” Sección I. Situación General, p. 13-14. My translation.

²⁵ Ibid., p. 14-23. The army’s approximate breakdown in numbers of potential armed insurgents in late 1982 include 500 to 600 EGP combatants; 300 to 400 ORPA combatants; and 500 to 600 FAR combatants. PTG combatants are not mentioned and since they operated mostly in urban areas, their suspected influence on refugees or the internally displaced in rural areas would be minimal.

campaign.²⁶ In 1982 the Ríos Montt government had introduced a “Bullets and Beans” food-for-work programme, known in Spanish as *Fusiles y Frijoles*. Considered the first phase of a broader civic action plan in the highlands, Firmeza 83 now proposed phase two, known as “3Ts” or *Techo, Tortillas y Trabajo* (Shelter, Tortillas and Work), and phase three, called *Paz, Seguridad y Desarrollo* (Peace, Security and Development).²⁷ Furthermore, the army was especially anxious to see displaced populations resettled, thereby avoiding labour shortages in the agricultural industry and maintaining adequate levels of agricultural production for export.²⁸ Increased unemployment among Indigenous agricultural workers, the army feared, could facilitate guerrilla recruitment in the highlands.²⁹

The IACHR report in 1983 mentioned the creation of army-controlled camps and villages under what it called a strategic hamlet program. Known as new villages, the settlements were under constant armed guard, located in remote areas inhabited by Indians “who had been compelled by force to change their residence.” These new villages, according to the Commission, were “surrounded and administered by government troops and by civil defense patrols.” Not unlike many counterinsurgency initiatives in the highlands, the IACHR found that both the “Guns and Beans” and “3Ts” programs had been conceived under Lucas García, and later intensified and further

²⁶ Ibid., Apéndice No. 3 (Plan de Desarrollo Socioeconómico en Apoyo de las Operaciones contra Subversivos) al Anexo “G” (Asuntos Civiles) al Plan de Campaña “Firmeza 83-I.” Sección IV. Áreas Estratégicas, p. 46; Sección V. Concepto Estratégico Básico, p. 46.

²⁷ Ibid., Apéndice No. 3 (Plan de desarrollo Socioeconómico en Apoyo de las Operaciones contra Subversivos) al Anexo “G” (Asuntos Civiles) al Plan de Campaña “Firmeza 83-I,” Sección VII. Acciones Específicas: A, B, C, p. 47.

²⁸ Ibid., Apéndice No. 1 (Directiva para Manejo de Desplazados y Refugiados) al Anexo “G” (Asuntos Civiles) al Plan de Campaña “Firmeza 83-I,” Sección II. Objetivos: D, E, p. 38.

²⁹ Ibid., Apéndice 3 (Operaciones Psicológicas) al Anexo “B” al Plan de Campaña “Firmeza 83,” Sección I: 3. Puntos Fuertes y Vulnerables, a. Puntos fuertes, 4, p. 40.

developed under Ríos Montt.³⁰ The IACHR believed there were some 80 camps in all through which the government managed food-for-work programmes.³¹ One effect of such camps on local populations, according to the IACHR, was that

they no longer live on their own land, and if they own no land, they are separated from the place where they were born and raised. For rural inhabitants, separation from the plot of land, their people, and their habitat represents a great loss that frequently proves traumatic.³²

Firmeza 83 set specific guidelines on how displaced civilians and refugees were to be treated. First, they were to be thoroughly identified, then organised according to family groupings. The sick and the psychologically traumatised were to be quarantined. The camps were to be under the close watch of intelligence personnel whose task it was to organise networks of informants among the camp population, indoctrinating such informants on a daily basis.³³ Finally, army-appointed leaders were to take care of food distribution, camp maintenance, and 24-hour-a-day surveillance.³⁴ New villages fell under the authority of the army.³⁵ Civil Defence Patrols controlled camp entrances and exits and watched over the population from watchtowers. Procedures were established allowing the authorities to identify and detain anyone in the camps at any time. Printed materials and transistor radios were controlled and confiscated.³⁶

³⁰ IACHR, "Situation of Human Rights [1983]," chapter I, p. 11.

³¹ *Ibid.*, chapter VIII, p. 3; conclusions, p. 2.

³² *Ibid.*, chapter VIII, p. 3.

³³ Ejército de Guatemala, "Plan de Campaña "Firmeza 83-I," Apéndice No. 1 (Directiva para Manejo de Desplazados y Refugiados) al Anexo "G" (Asuntos Civiles) al Plan de Campaña "Firmeza 83-I", Sección IV. Acciones: B. Procedimiento Operativo Normal para la Atención de Personas Refugiadas y/o Desplazadas, 3 a-g, p. 40-41.

³⁴ *Ibid.*

³⁵ *Ibid.*, Sección IV. Instrucciones de Coordinación: B, E, p. 44.

³⁶ *Ibid.*, Sección III. Acciones y Operaciones: C, F, G, H, K, L, p. 44.

D. Ríos Montt's Fall from Grace

Ríos Montt's time as head of state came to an end sooner than he had expected, given his success both in routing the guerrillas and in shaking hands with Ronald Reagan. In fact, according to Patrick Ball, Ríos Montt had managed to pacify nearly the entire Guatemalan countryside in less than six months by combining massacres "with highly effective forms of population control, such as food for work programs, militarized 'model villages' to process refugees displaced by state violence, and the civil patrol system in which the army forced rural villagers to purge their own communities of government opponents."³⁷ McClintock writes, however, that "too much had been broadcast and published on his extermination policies in the Indian highlands, and his loquacious eccentricity had lost much of its charm." More importantly, Ríos Montt "no longer served to unite a divided officer corps, and he had antagonized the civilian political leaders with whom he should have been governing." In addition, Ríos Montt had opted for a policy of non-involvement in Central America's armed conflicts at a time when the United States had called on the region's countries to unite against Nicaragua.³⁸

Because of earlier attempts to remove him, Ríos Montt could not have been surprised when on 8 August 1983 members of the Army General Staff and senior officers from a number of important military bases separated him from his functions.³⁹ Quite expectedly, next in line for the presidency was Ríos Montt's hand-picked Minister of Defence, 52-year-old Brigadier General Oscar Humberto Mejía Víctores. Army Chief of

³⁷ Ball et al., *State Violence in Guatemala*, 27-28.

³⁸ McClintock, *American Connection*, 237.

³⁹ CEH, *Memoria del silencio*, chapter II, paragraph 648, p. 201.

Staff Colonel Héctor Mario López Fuentes supported the coup and retained his position at the top of the army command.⁴⁰ According to McClintock,

both General Mejía and Colonel López Fuentes [...] were described in one account following the coup as ‘the leading figures of the core of higher-echelon survivors from the Lucas García days’. More to the point, they had presided over the army’s scorched earth, mass counter-terror campaign during the previous 16 months.⁴¹

In his initial statements, according to the IACHR, the new Chief of State promised to call elections, announced the suspension of the Courts of Special Jurisdiction, and lifted the state of alarm which had replaced the state of siege on 29 June 1983.⁴² In terms of foreign policy, Mejía Victores pledged his “support for the struggle against the Sandinistas in Nicaragua.”⁴³ According to Ball, “by the second half of 1983 and into 1984, the military intelligence apparatus again turned its focus to the city, wiping out remaining expressions of support for the revolutionary movement as well as attempts to recreate a militant popular movement.” Death squad killings and disappearances continued: “extra-judicial state violence had become part of the political culture.”⁴⁴

E. Model Villages and Development Polls

By June 1984 the Mejía Victores government had implemented a Maximum Priority Action Plan, reorganising destroyed and dispersed Indigenous communities in the highlands.⁴⁵ The plan included the creation of four development poles in the departments of Quiché, Huehuetenango and Alta Verapaz, three departments where

⁴⁰ McClintock, *American Connection*, 237.

⁴¹ *Ibid.*, 238.

⁴² IACHR, “Situation of Human Rights [1983],” chapter IX, p. 1.

⁴³ McClintock, *American Connection*, 239.

⁴⁴ Ball et al., *State Violence in Guatemala*, 28.

⁴⁵ Consejo de Ministros, “Acuerdo Governativo Número 801-84, Guatemala, 12 de septiembre de 1984,” in Gobierno de Guatemala, *Polos de Desarrollo y Servicios* (Guatemala: Editorial del Ejército, 1984), 9.

recent army violence had been particularly severe.⁴⁶ The creation of development poles was part of a larger security and development strategy already under way in regions the army had pacified and considered under its control.⁴⁷ The strategy's development pole component alone counted on the support of no less than sixteen government ministries and agencies, all under the close supervision of the Army General Staff.⁴⁸

In what was essentially an army civic action program meant "to counter the refugee's horrifying testimonies of violence with a well-publicized campaign to fulfill people's most desperate needs,"⁴⁹ new human settlements were built on the ashes and ruins of what once had been Indian towns and villages.⁵⁰ One, two or as many as nineteen new villages, now called model villages, were built in a given area, thereby constituting a development pole which, by its very existence and the inter-institutional attention it received from the government, was to foster local rural development. According to the army, the poles were meant to improve conditions in the country's "most impoverished areas" and "correct socio-economic underdevelopment."⁵¹

The development poles were especially meant to stamp out any influence leftist insurgents could have had on highland Indians. Journalist Alex Michaels visited model villages in Guatemala in the mid-1980s. According to Michaels, "the names *Yahani* – a development pole in El Petén – and *Ac'txumbal* – a model village in the Ixil – mean 'New

⁴⁶ CEH, *Memoria del silencio*, chapter II, p. 519: Número de Masacres por Departamento Perpetradas por Fuerzas del Estado (1962-1996). The fourth department was Chimaltenango. The CEH estimated that of the 626 massacres imputed to the Guatemalan army and other state forces, 327 took place in Quiché; 83 in Huehuetenango; 63 in Chimaltenango, and 56 in Alta Verapaz.

⁴⁷ Gobierno de Guatemala, *Polos de Desarrollo*, 23.

⁴⁸ Consejo de Ministros, "Acuerdo 801-84," 9, 11.

⁴⁹ Alex Michaels, "The New Lives of Guatemala's Development Poles," in *Report on Guatemala* 8, no. 5 (Nov.-Dec. 1987), 8.

⁵⁰ Victor Perera, *Unfinished Conquest: The Guatemalan Tragedy* (Berkeley: University of California Press, 1993), 111; Michaels, "New Lives," 9.

⁵¹ Gobierno de Guatemala, *Polos de Desarrollo y Servicios* (Guatemala: Editorial del Ejército, 1984), 73.

Life' in the local indigenous languages." In Alta Verapaz, another model village signpost read: "Welcome to *Saraxoch*, a totally ideologically new community."⁵² According to Michaels, the army was indoctrinating Indians in the model villages. The army specialist in charge of a number of villages, including Acamal, Saraxoch, and Chituj, told him: "*The people in these villages have a bad cassette in their heads, put there by the subversives. We have to change the cassette and put in ours.*" During ideological training, writes Michaels, "the people are reminded that anyone collaborating with the guerrillas *will be finished off to the last seed.*"⁵³

Writer and journalist Victor Perera visited an army camp for civilians called Xemamatzé in the late 1980s where two hundred displaced or recaptured Indians were "being put through a harsh ninety-day 'repatriation'" before being permitted to resettle elsewhere. In the meantime, they lived in three overcrowded barracks "where their names were checked against lists of subversives."⁵⁴ The author writes that

in late afternoon, about one hundred and fifty men, women, and children were lined up outside their barracks to salute the lowering of the flag. [...] "*Buenas noches, Guatemala,*" the residents shouted in unison, raising their fists in patriotic salute. The civilian affairs officer, who spoke fluent Ixil, lectured them [...] on the danger of allowing "subversives" to re-enter their villages.⁵⁵

⁵² Micheals, "New Lives," 8, 10; Alex Michaels, "Poverty and Despair Prevail in Guatemala's 'Model Villages,'" *The Guardian (London)*, 16 September 1987, 11, quoted in Victoria Sanford, *Violencia y Genocidio en Guatemala* (Guatemala: F&G Editores, 2003), 102.

⁵³ Michaels, "New Lives," 10. Emphasis added. References to seeds are also mentioned in Perera, *Unfinished Conquest*, 161. According to the author, during the 6 July 1982 massacre in the village of Puente Alto, in the department of Huehuetenango, an army officer "screamed at the villagers [...] '*Voy a acabar hasta con la semilla aqui.*' (I will rid this place even of its seed!)." An estimated 90 percent of Puente Altos' 400 Kanjobal inhabitants lost their lives that day (appendix 3 and 5). Falla, *Masacres de la selva*, p. 100n 12, also mentions that army officials in Huehuetenango prior to the July 1982 scorched earth offensive threatened Indians with terminating them "to the last seed." In the three massacres in this study which occurred in Huehuetenango in July 1982, including Puente Alto, the army did just that. Referring to the total destruction of his village in Rabinal, including stored harvests, witness CHI-XPC-03A, notes p. 183, said: "as they destroyed the seeds, well, they want to destroy us, so that not one of us is left."

⁵⁴ Perera, *Unfinished Conquest*, 115-116,

⁵⁵ *Ibid.*

Perera explains that the fifty or so remaining internees inside the barracks were “lying on their cots, too sick to answer roll call.”⁵⁶ When the author entered the barracks with a photographer,

we were met by the hollow-eyed faces, reddish hair, and distended bellies of acute malnutrition. Approximately half of the residents were afflicted with bronchial pneumonia. A couple near the entrance sat in glazed silence, mourning a seven-month-old child, their first, who had died of dehydration the previous evening. [...] A CEARD doctor [...] said most of the sick people had contracted pneumonia and other infectious diseases after they arrived in the camp.⁵⁷

Michaels observed that the new centralised villages, allowing for greater control over the population, were “a far cry from the previously scattered somewhat isolated settlement patterns of Highland Indian villages.” Traditional systems of land tenure, settlement, decision making, bonds of trust among neighbours, all were disrupted first by the destruction of the original villages, then with the imposition of the development pole model in which there is “no room for the emergence of local leaders or for bottom-up decision-making.”⁵⁸ Michaels quotes a Guatemalan working for the US Agency for International Development (USAID) who said: “using the word development in any description of the poles is pure propaganda. They have no social, economic or cultural base. They have no way of prospering.”⁵⁹ Perera, for his part, called the model villages and development poles “a grotesque public relations *façade*.” Of the internment camp of Xemamatzé, he wrote that “in physical appearance and the conditions of existence, it was

⁵⁶ Ibid., 116.

⁵⁷ Ibid., 116-117.

⁵⁸ Michaels, “New Lives,” 8, 9.

⁵⁹ Ibid., 8.

more like a concentration camp than any of the refugee settlements I had visited in Guatemala and Mexico.”⁶⁰

In 1986 the first civilian government in Guatemala in twenty years suspended financial and material aid to the development poles. Michaels estimates that by 1987 approximately 60,000 Indigenous civilians still lived in 30 model villages located in six development poles throughout the highlands and northern lowlands.⁶¹ In the Ixil area alone, Perera estimated that “model villages accounted for a total of 26,000 residents, or roughly a third of the population of the Ixil Triangle.”⁶²

⁶⁰ Perera, *Unfinished Conquest*, 111, 117.

⁶¹ Michaels, “New Lives,” 8. From the original four development poles announced by the Mejia Victores government in 1984, there were six by 1987: the Ixil Triangle (Quiché), Yanahi (Péten), Playa Grande (Quiché), Chisec (Alta Verapaz), Chacaj (Huehuetenango), and Senahu (Alta Verapaz).

⁶² Perera, *Unfinished Conquest*, 112.

Chapter VII. Field Research

A. Interview Transcripts

In the winter of 2006 I spent three months studying eyewitness accounts of massacres perpetrated in Guatemala's highlands and northern lowlands in 1981 and 1982. The testimony in question was gathered by the Center for Human Rights Legal Action (CALDH), a Guatemalan non-governmental organisation that has begun legal proceedings in Guatemala against the high command of two military governments for genocide, crimes against humanity, and war crimes. In May 2000 the first formal complaint was addressed to legal authorities against the former President General Fernando Romeo Lucas García, former Army Chief of Staff General Benedicto Lucas García, and former Minister of Defence General René Mendoza Palomo. In June 2001 a similar legal action was directed at five members of former General José Efraín Ríos Montt's government. Ríos, at the time, was president of the Guatemalan Congress and Secretary General of the governing party.¹

Witnesses involved in these legal proceedings are members of the Guatemalan Association for Justice and Reconciliation (AJR). They were interviewed individually by CALDH investigators between 1996 and 2001. Interviews were carried out following a standard format, providing information on the massacres themselves, as well as contextual details regarding the communities, their level of development; guerrilla and army presence in the communities' vicinity; and information concerning victims or potential witnesses. In all, hundreds of primary and follow-up questions were asked in an

¹ Centre for Human Rights Legal Action, "Justice for Genocide: Prosecuting Ríos Montt and Lucas García in Guatemala," Guatemala, June 2001.

attempt to reconstitute the massacres and the contexts in which they took place.² In general, interviews lasted two to three hours, taking place in one or more encounters. Most were carried out in Spanish although many were conducted in the interviewee's first language and translated consecutively by an interpreter. All interviews were tape-recorded and later transcribed in Spanish.

In all, I consulted 107 transcripts in CALDH's Guatemala City offices from February to May 2006, as well as forensic investigation reports confirming the massacres' occurrence. Since I was asked not to copy the documents in question, I took extensive hand-written notes detailing witness recollections. Time in Guatemala was also spent consulting primary and secondary sources in research institutes, public archives and the University of San Carlos. Some of the materials consulted include documents from the armed forces, press accounts, legal proceedings and opinions, contextual and regional studies, and field investigations.

B. The Plan de Sánchez Massacre

The first case I studied in detail was the Plan de Sánchez massacre which occurred on 18 July 1982, in the municipality of Rabinal, department of Baja Verapaz. On 2 September 1996, the Office of the Guatemalan Human Rights Ombudsman (PDH) issued its findings concerning massacres perpetrated in the early 1980s in the Maya-Achí communities of Plan de Sánchez, Chichupac and Río Negro, located in the municipality of Rabinal. The Ombudsman held the Guatemalan government and army responsible for

² CALDH, "Manual de Investigación en el caso de genocidio, crímenes de lesa humanidad, violaciones de derecho humanitario," Guatemala, septiembre 1999.

the three massacres, stating that they had been committed as part of a state policy.³ On 25 October 1996, CALDH brought the Plan de Sánchez massacre to the attention of the Inter-American Commission on Human Rights (IACHR) in Washington, the Commission accepting to hear the case in March 1999.⁴

On 9 August 2000 then-President Alfonso Portillo admitted the state's responsibility for the massacre.⁵ Following the Guatemalan government's failure to investigate and prosecute the massacre's perpetrators, however, the IACHR referred the case to the Inter-American Court on Human Rights. Located in Costa Rica, the Inter-American Court is the legal body of the Organisation of American States charged with enforcing the American Convention on Human Rights. Violations to the Convention in states that have adhered to the instrument can be brought to the Court's attention if redress is not first obtained before the Inter-American Commission on Human Rights. In its petition to the Court, the Commission charged that the Plan de Sánchez massacre was part of a genocidal policy and asked the Court to consider that policy in its deliberations.⁶

On 23 April 2004 the Guatemalan government again recognised its responsibility for the massacre.⁷ The Inter-American Court accepted the state's admission, condemning Guatemala on 29 April 2004 for violations of the American Convention on Human Rights. On 19 November 2004 the Court issued a reparations ruling totalling US \$7.9

³ Corte Interamericana de Derechos Humanos, "Caso Masacre Plan de Sánchez vs. Guatemala, Sentencia [document on-line]," San José, Costa Rica, 29 de Abril de 2004 (accessed 15 June 2004), available from http://www.corteidh.or.cr/seriecpdf/seriec_105_esp.pdf; Internet: paragraph 42.37, p. 15.

⁴ Ibid., paragraphs 5-7, p. 2.

⁵ Ibid., paragraph 8, p. 2-3; paragraph 34, p. 6.

⁶ Ibid., paragraphs 1-2, 13, p. 1-3.

⁷ Ibid., paragraphs 35-36, p. 7.

million.⁸ It was the highest financial penalty ever awarded by the Court, setting a precedent in the Inter-American system for massive human rights violations.⁹

The Court, however, avoided the IACHR's allegations of genocide, arguing that the crime fell beyond its jurisdiction and the scope of the American Convention on Human Rights.¹⁰ The Plan de Sánchez case nonetheless remains of particular interest since the Guatemalan government twice acknowledged its responsibility and defence lawyers did not contest the facts as presented orally and in written form by massacre survivors before the Court. According to the Court's procedural regulations, the witnesses' version of events, supported by expert testimony, stands as fact.¹¹ Furthermore, the Court placed particular value on the survivors' testimony, stating that their accounts were "of special value, since they can provide the most information on the consequences of the violations perpetrated against them."¹²

Witnesses of the Plan de Sánchez massacre who testified before the Inter-American Court are also litigants in the two cases brought against military authorities in Guatemala. Since the Court admitted the facts in this case, I elaborated a written narrative

⁸ Corte Interamericana de Derechos Humanos, "Caso Masacre Plan de Sánchez vs. Guatemala, Reparaciones [document on-line]," San José, Costa Rica, 19 de Noviembre de 2004 (accessed 20 May 2006), available from http://www.corteidh.or.cr/seriec/pdf_ing/seriec_105_ing.pdf; Internet.

⁹ Reuters, "Court Orders Record Payout for Guatemalan Massacre [article on-line]," 9 December 2004 (accessed 4 January 2005), available from

<http://archive.wn.com/2004/12/10/1400/centralamericadailyhttp://www.reuters.com/prnterFriendlyPopup.jhtml?type=worldNews&storyID=7045296>; Internet. According to Corte, "Plan de Sánchez, Sentencia, Voto Razonado del Juez A.A Cançado Trindade [document on-line]," (accessed 15 June 2004), available from http://www.corteidh.or.cr/seriec/index_c.html; Internet, paragraph 1, p. 1: "it is the first time in the Inter-American Court's history that a massacre of this size is brought to its attention."

¹⁰ Corte, "Plan de Sánchez, Sentencia," paragraph 51, p. 21; "Voto Razonado del Juez A.A Cançado Trindade," paragraph 7, p. 3; paragraph 24, p. 9.

¹¹ Inter-American Court on Human Rights, "Rules of Procedure of the Inter-American Court on Human Rights [document on-line]," San José, Costa Rica, November 2000 (Reformed December 2003) (accessed 20 May 2006), available from http://www.corteidh.or.cr/general_ing/rules.html; Internet: Article 38 (2), Article 49 (1) (3); Corte, "Plan de Sánchez, Reparaciones," paragraph 12, p. 4; paragraph 15, p. 4-5. Version of events acknowledged by the Court at paragraphs 49-49.9, p. 25-28.

¹² Corte, "Plan de Sánchez, Reparaciones," paragraph 40, p. 23; paragraph 46, p. 24.

of events before, during and after the massacre based on fourteen eyewitness accounts (appendix 4).¹³ From this narrative, I then identified thirty-four separate acts carried out by Guatemalan government forces in Plan de Sánchez. These acts were incorporated in an analytical grid designed to compare the Plan de Sánchez massacre with twenty other massacres committed between December 1981 and October 1982. While reading eyewitness accounts I found that certain acts which did not take place in Plan de Sánchez nonetheless took place in other villages. Since these acts were added to the grid as I went along, my preliminary findings were incomplete. The first grid included a total of thirty-nine separate acts.

Based on these preliminary findings, I then elaborated a detailed list of events and acts that transpired during many of the twenty-one massacres, including Plan de Sánchez (appendix 6). From this list I designed a second and final grid comprising a total of 171 comparative elements (appendices 7 to 13). When one or more witnesses mentioned an element, the event or act in question was identified on the grid with a four-digit number. That number was then used to reference the witness or witnesses in question and the corresponding page number in my notes where the event or act was reported (appendix 14). The objective of this comparative exercise was to determine and analyse recurring patterns, if any, in the ways the massacres were carried out thereby indicating levels of perpetrator preparation, organisation and deliberation.

¹³ A brief summary for each the twenty-one massacres was also written, focussing on the events that occurred on the day the massacre took place (appendix 5). In many cases, the massacre under consideration was preceded or followed by one or more massacres in neighbouring communities, often committed by the same perpetrators. These additional massacres are not part of this study and were not usually identified, for space considerations, in the summary.

C. Witness Testimony

For security reasons, witnesses in this study are identified using alpha-numerical codes, while I have recorded the corresponding names of the witnesses, omitted from appendix 1, and securely filed them. CALDH asked that witnesses not be named in this study following an arson attack against one of the communities that brought charges against the Lucas García government in May 2000,¹⁴ and death threats received by Plan de Sánchez witnesses after the 29 April 2004 Inter-American Court ruling,¹⁵ among other incidents.¹⁶ For similar reasons, when referring to witnesses, such international bodies as the International Criminal Tribunal for Rwanda (ICTR) have used letters of the alphabet as pseudonyms in order to protect witnesses during hearings and in their written decisions or documentation.¹⁷

Witness credibility was also an issue that the ICTR addressed in *Prosecutor vs. Jean-Paul Akayesu* when the defence alleged apparent discrepancies between pre-trial statements given to prosecution investigators and the evidence presented at trial. On this matter the Tribunal considered inconsistencies and contradictions in light

of the time lapse between the statements and the presentation of evidence at trial, the difficulties of recollecting precise details several years after the occurrence of the events, the difficulties of translation, and the fact that several witnesses were illiterate and stated that they had not read their written statements.¹⁸

¹⁴ The attack is mentioned in Hinton, "Dark Side of Modernity," 25.

¹⁵ Because of these threats the Inter-American Court asked the Guatemalan government in July 2004 to take steps in order to protect witnesses and their families in Plan de Sánchez. See Corte Inter-Americana, "Solicitud de Medidas Provisionales Respeto a Guatemala: Caso Plan de Sánchez," San José, Costa Rica, 30 July 2004.

¹⁶ A 2001 stabbing incident against the president of the Association for Justice and Reconciliation is reported in Amnesty International, "Guatemala: Fear for safety [... document on -line]," London, 30 July 2001 (accessed 28 January 2006), available from <http://web.amnesty.org/library/Index/ENGAMR340272001?open&of=ENG-2M2>; Internet.

¹⁷ International Criminal Tribunal for Rwanda (ICTR), "Prosecutor vs. Jean-Paul Akayesu, case no. ICTR 96-4-T, Judgement [document on-line]," Arusha, Tanzania, 2 September 1998 (accessed 13 April 2005), available from <http://69.94.11.53/default.htm>; Internet: paragraph 18, p. 14.

¹⁸ *Ibid.*, paragraph 137, p. 35.

This alone, according to the Tribunal, was not ground for believing that witnesses gave false testimony. Indeed, reasoned the ICTR,

an often levied criticism of testimony is its fallibility. Since testimony is based mainly on memory and sight, two human characteristics which often deceive the individual, this criticism is to be expected. Hence testimony is rarely exact as to the events experienced. To deduce from any resultant contradictions and inaccuracies that there was false testimony, would be akin to criminalizing frailties in human perception. [...] Memory over time naturally degenerates, hence it would be wrong and unjust for the Chamber to treat forgetfulness as being synonymous with giving false testimony.¹⁹

The ICTR found that the “inability to recall dates and times with specificity,” particularly in the light of witnesses’ traumatic experiences, was not a basis for discrediting particular witnesses.²⁰ If numerous inconsistencies plagued witness accounts at trial, however, such accounts would have to be corroborated with other testimony and evidence.²¹

Historian Deborah Levenson-Estrada based her study of the Guatemalan labour movement on interviews with over one hundred trade unionists and over forty tape-recorded life histories. “Oral histories,” she writes, “present problems.”²² According to the author,

they are subjective, their form is spoken word, the particular present from which informants speak colors their memory and their presentation of the past, what is remembered and what is forgotten abound with meaning, informants have their own reasons for telling their stories [...].²³

From her experience, however, Levenson-Estrada does not believe “that the authority of oral sources is qualitatively different from that of other sources.” Any source is subjective, she writes, and all sources are “produced for reasons, purposes, and persons,

¹⁹ Ibid., paragraph 140, p. 35-36. See also paragraph 455, p. 98.

²⁰ Ibid., paragraph 299, p. 66.

²¹ Ibid., paragraph 408, p. 86.

²² Deborah Levenson-Estrada, *Trade Unionists Against Terror: Guatemala City, 1954-1996* (Chapel Hill: University of North Carolina Press, 1994), 11.

²³ Ibid., 11-12.

as are scholarly works based on primary sources. Like oral histories, primary sources and scholarly works are part of a complex set of generative social relations.²⁴

D. Contextual Considerations

Guatemala's Truth Commission documented 669 massacres committed between 1960 and 1996,²⁵ 415 of which were committed in an eighteen-month period, between June 1981 and December 1982.²⁶ The sample in this study represents 5 percent of the estimated number of massacres perpetrated during that period. Of the testimonies from which the information could be derived, all of the witnesses except one identified themselves as belonging to one of Guatemala's twenty-two indigenous ethnic groups, as defined by that person's place of residence (i.e. territorial occupation) and first language. Witnesses belong to at least seven of these identifiable groups. The massacres in question occurred in twenty-one rural communities located in the highland departments of Quiché, Alta Verapaz, Baja Verapaz, Chimaltenango, and Huehuetenango. Thirty percent of the witnesses were women, the rest were men. The average number of witnesses per massacre, from a minimum of two to a maximum of fourteen, is five (appendix 3).

According to witness accounts, both the Guatemalan army and leftist insurgents were present in the vicinity of all twenty-one communities prior to the massacres. While in 76 percent of the communities witnesses admitted to feeding guerrillas on occasion, in 28 percent of the communities witnesses mentioned feeding army troops as well (appendices 8 and 9). In twelve of the twenty-one communities, witnesses said that two to fifteen members of those communities had joined the guerrillas, although in no case did

²⁴ Ibid., 12.

²⁵ CEH, *Memoria del silencio*, chapter V, p. 100.

²⁶ Ibid., chapter II, paragraph 3153, p. 298.

more than 5 percent of the population ever take up arms against the government (appendix 3). In attempting to determine the civilian nature of the communities a number of factors were examined. Could the communities, for example, be considered guerrilla encampments or bases and thus legitimate military targets? And, could the dates and circumstances of their founding shed light on their vocation or civilian nature?

Some communities, like Río Negro and Ilo, are of pre-Hispanic origin in terms of settlement and occupation.²⁷ Other communities, in Quiché and Huehuetenango for instance, could probably trace their origins to the *pueblos de indios* established in the mid-sixteenth century, while others still in Chimaltenango may have been constituted in the nineteenth century as *fincas de mozos*, or labour estates, whose inhabitants served as pools of seasonal workers for the estates' owners.²⁸ Even if communities of recent origins predated Guatemala's internal armed conflict, the interviews offered little or no information on most of the communities' dates or circumstances of establishment and this factor proved inconclusive. Witnesses, however, did explicitly attest to the agricultural vocation of eighteen of the twenty-one communities, often detailing their efforts in terms of community development prior to the massacres, including animal husbandry, primary education, youth and adult literacy, and cooperative forms of organisation. In the three communities whose agricultural vocation could not be determined, interviews offered no information at all on any other aspect of their development (appendix 7). Despite such shortcomings in the interviews (i.e. the interviewers skipped the relevant questions because of time constraints), testimony does point to the civilian, non-combatant nature

²⁷ CEH, *Memoria del silencio*, anexo 1, p. 46, 74.

²⁸ MacLeod, *Spanish Central America*, 120-122, 125; McCreery, *Rural Guatemala*, 39; McCreery, "Debt Servitude in Rural Guatemala, 1876-1936," in *Hispanic American Historical Review* 63, no. 4 (1983), 739-740.

of the indigenous communities under consideration, especially in light of international humanitarian law.

E. Civilians Defined in International Humanitarian Law

Article 50 of additional Protocol I to the 12 August 1949 Geneva Conventions defines a civilian as any person not belonging to established armed forces, militias, or resistance movements in which members are formally subordinated to a command structure, display a distinctive sign recognizable at a distance, and openly bear arms. Article 50 also stipulates that in case of doubt, any person shall be considered a civilian. While all persons who are not combatants are considered civilians,²⁹ the presence of a number of non-civilians (i.e. combatants) within a predominantly civilian population does not deprive that population of its civilian character.³⁰ The International Tribunal for the Former Yugoslavia (ICTY) has also found that armed combatants, once captured, detained or otherwise rounded-up and placed *hors combat*, cannot be said to be taking an active part in hostilities and are thus considered civilians and should be treated accordingly. Furthermore, members of resistance groups can also be victims of crimes

²⁹ ICTR, "Prosecutor vs. Clément Kayishema and Obed Ruzindana, case no. ICTR-95-I-T, Judgement [document on-line]," Arusha, Tanzania, 21 May 1999 (accessed 28 July 2006), available from <http://trim.unict.org/>; Internet: paragraphs 127-128, p. 10; paragraphs 179-181, p. 22; See also International Criminal Tribunal for the Former Yugoslavia (ICTY), "Prosecutor vs. Dusko Tadic a/k/a "DULE," case no. IT-94-1-T, Opinion and Judgement [document on-line]," The Hague, 7 May 1997 (accessed 15 February 2006), available from <http://www.un.org/icty/tadic/trialc2/judgement/tad-tsj70507JT2-e.pdf>; Internet: paragraph 639, p. 230.

³⁰ United Nations Office of the High Commissioner for Human Rights, "Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) [document on-line]," Geneva, 8 June 1977 (accessed 31 July 2006), available from <http://www.icrc.org/ihl.nsf/7c4d08d9b287a42141256739003e636b/f6c8b9fee14a77fdc125641e0052b079>; Internet; "Third Geneva Convention relative to the Treatment of Prisoners of War [document on-line]," Geneva, 12 August 1949 (accessed 31 July 2006), available from <http://www.icrc.org/ihl.nsf/7c4d08d9b287a42141256739003e636b/6fef854a3517b75ac125641e004a9e68>; Internet. Guatemala ratified all four Geneva Conventions in 1952 and Additional Protocols I and II in 1987.

against humanity if those crimes “are committed in furtherance or as part of an attack directed against a civilian population.”³¹

Apart from defining civilians, international humanitarian law also sets out to protect them. According to the United Nations Commission of Inquiry on Darfur, Article 3 common to all four Geneva Conventions defines customary rules of international humanitarian law to be observed in any internal armed conflict at all times. These principles, according to the Commission, are considered binding upon all states as well as any insurgent group that has attained some measure of organised structure and control over part of a national territory. According to the International Court of Justice, common Article 3 provisions “constitute a [compulsory] minimum yardstick”³² and include the following provisions:

1. Persons taking no active part in the hostilities including members of armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth [...]. *To this end the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons: (a) Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture; (b) Taking of hostages; (c) Outrages upon personal dignity, in particular, humiliating and degrading treatment [...].*³³

Part IV of additional Protocol II to the Geneva Conventions further sets out to protect civilian populations, stating in Article 13 that:

³¹ ICTY, “Prosecutor vs. Tadic, Opinion and Judgement [document on-line],” The Hague, 7 May 1997 (accessed 15 July 2006), available from <http://www.un.org/icty/tadic/trialc2/judgement/tad-ts70507JT2-e.pdf>; Internet: paragraph 616, p. 220; paragraph 639, p. 230. The ICTY at paragraph 640, p. 231, goes on to quote a Commission of Experts’ finding that “a head of a family who under such circumstances tries to protect his family gun-in-hand does not thereby lose his status as a civilian.”

³² United Nations, “Report on Darfur,” paragraphs 156-157, p. 44; According to ICTR, “Prosecutor vs. Kayishema and Ruzindana,” paragraph 164, p. 18, Common Article 3 provisions “represent a compulsory minimum.”

³³ United Nations Office of the High Commissioner for Human Rights, “Geneva Convention relative to the Treatment of Prisoners of War [document on-line],” Geneva, 12 August 1949 (accessed 15 February 2006), available from <http://www.unhchr.ch/html/menu3/b/91.htm>; Internet. Emphasis added.

1. The civilian population and individual civilians shall enjoy general protection against the dangers arising from military operations. [...] 2. The civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited [...].³⁴

Articles 14 to 18 go on to protect objects considered indispensable to the survival of the civilian population, protection of public works and installations, protection of cultural objects and places of worship, prohibition of forced movement of civilians, etc.³⁵ According to the ICTR, individual members of any party in a conflict can be held accountable under international humanitarian law for the violation of such provisions and should be prosecuted.³⁶

F. Findings

Based on witnesses' descriptions of their communities, twenty times out of twenty-one (appendix 7), the communities in question could be considered civilian (i.e. their vocation was not military). (Interviews with members of the remaining community were inconclusive on this subject because the interviewer did not broach the subject.) Based on the principles of international humanitarian law these communities remained civilian even if some of their members fed the guerrillas, even if others carried guerrilla supplies, informed on government troop displacements or even joined the insurgency as armed combatants, as the army has repeatedly alleged. (Residents of all these communities were accused not only of supporting the guerrillas, but of being guerrillas (appendix 10).) Witnesses, in fact, explained that members of twelve communities were

³⁴ United Nations Office of the High Commissioner for Human Rights, "Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) [document on-line]," Geneva, 8 June 1977 (accessed 15 February 2006), available from <http://www.unhchr.ch/html/menu3/b/94.htm>; Internet.

³⁵ Ibid.

³⁶ ICTR, "Prosecutor vs. Kayishema and Ruzindana," paragraphs 174-176, p. 21; paragraph 184, p. 23.

threatened by the guerrillas, and in nine cases villagers were killed by guerrillas (appendix 8).

No witnesses blamed the guerrillas for cases of enforced disappearance, and in eight cases insurgents warned the communities of impending government violence, recommending measures to detect army displacements and therefore flee the villages before government soldiers arrived (appendix 8). In seven of those cases, a majority of villagers were able to escape as soldiers approached their community (appendix 11). In only one case did witnesses speak of an attempt by guerrillas to defend the community from an army massacre, although the information is ambiguous (i.e. it is not clear whether the guerrillas attacked the army because of the massacre). In eleven communities witnesses described insurgent actions that placed the population at risk, attracting unwanted attention from the military (appendix 8). In ten instances such actions included armed attacks against the army in the community's vicinity (appendix 10). Correspondingly, the army set up temporary or permanent encampments in eleven of the communities, attracting unwanted attention from the guerrillas (appendix 9).

In 100 percent of the cases witnesses identified government soldiers and paramilitary forces as responsible for the massacres. In 52 percent of the cases government soldiers were identified because of their camouflaged uniforms, and in 76 percent of the cases by their Galil automatic rifles (appendix 11). Surveillance was conducted in 90 percent of the communities prior to the massacres, usually by foot soldiers although witnesses also reported the use of planes and helicopters. Eighty-one percent of the communities were attacked by the army prior to massacres. In 67 percent of cases government soldiers threatened and intimidated members of the community; in

71 percent of cases they killed and kidnapped villagers, usually community leaders; in 33 percent of the communities soldiers tortured villagers; and sexual harassment and rape were reported in 19 percent of the communities (appendices 9 and 10).

G. The Massacres

Approximately 11,230 people lived in the communities under consideration prior to the massacres. Of that estimated total, approximately 2,713 inhabitants were killed for an average death toll of 23.3 percent (appendix 3). In 43 percent of cases, government soldiers acted alone, while in 67 percent of cases they acted jointly with paramilitary forces, including members of the civil defence patrols. In 86 percent of the communities, perpetrators arrived on foot and began their operation in the morning. In 76 percent of cases, community members were gathered in one place and the community was cordoned off. In 71 percent of cases, soldiers went house-to-house looking for villagers. Once gathered, women and young girls were separated from the main group in 43 percent of the communities and later raped, often repeatedly, in 48 percent of the communities. In 57 percent of cases perpetrators stopped their deadly endeavours in order to have a meal before resuming, later leaving the scene of the massacre the same day (appendix 11 and 12). In a limited number of cases, soldiers remained at the scene of the massacre to celebrate their accomplishments with food, drink and music. The raping of women and girls set aside for the occasion was sometimes part of these celebrations, although no figure was tallied for this occurrence.

Men only were killed in 33 percent of cases while in 62 percent of the communities, men, women, pregnant women, children, infants and elders were killed. In 5 percent of cases, women, pregnant women, children and infants only were killed. In 81

percent of cases, perpetrators used ropes to immobilise or kill their victims. Perpetrators tortured and mutilated their victims, sometimes to death, in 86 percent of cases. Firearms were used in 95 percent of cases to kill victims; knives and machetes in 62 percent of cases, grenades in 48 percent of cases. Victims were burned to death in 43 percent of cases; strangled, hung or bludgeoned to death in 38 percent of cases. Bludgeoning, when it occurred, was often reserved for children. In 67 percent of cases when victims attempted to flee, they were pursued and killed 100 percent of the time. In 71 percent of cases, victim's bodies were left to the animals or otherwise desecrated (appendix 12).

Following the massacres, victim's houses were pillaged in 71 percent of the communities, and destroyed in 81 percent of the communities. In 71 percent of cases, the community was razed to the ground, usually by fire. Stored harvests and crops were destroyed or stolen in 67 percent of cases, and livestock and farm animals were killed or stolen in 62 percent of cases (appendix 12). In eighteen communities out of twenty-one, survivors were forced to live in the mountains or flee into neighbouring Mexico. In 62 percent of cases what was left of the community was turned into an armed camp and in the weeks and months following the massacre survivors in 81 percent of cases were pursued by the army on the ground or bombed from the air. In 76 percent of cases survivors died in the ensuing displacement, including women, children, infants, and elders (appendix 13).

The massacres under consideration all occurred between December 1981 and October 1982, an eleven-month period that corresponds to the four last months of the Lucas Garcia government and the first seven months of the Ríos Montt regime. Of the twenty-one massacres under consideration, ten occurred under Lucas Garcia and eleven

under Ríos Montt. In the first three massacres perpetrated in December 1981 and January 1982 in Panacal, Pichec and Chichupac, under Lucas García, killings by soldiers acting in tandem with civil defence patrollers were limited to men who had been selected according to informants or pre-established lists (appendices 11, 12). In all three cases ropes were used to immobilise victims who were brutally tortured then strangled to death using garrotes. Witnesses from all three communities spoke of repeated selective massacres, while only one of the three communities, Chichupac, was razed to the ground (appendix 12).

Starting in February 1982, the *modus operandi* in the sample changes. A month before General Ríos Montt came to power, government forces were burning communities to the ground and targeting men, women, pregnant women, children, infants and elders in fourteen cases out of eighteen. Perpetrators tortured and mutilated victims in fifteen out of eighteen cases, and women and young girls were raped systematically between March and August 1982 (appendix 12). Approximate killing rates in the communities under consideration range from 3 to 57 percent of the estimated total population before March 1982, climbing to between 83 and 96 percent by July and August 1982, when the Plan de Sánchez massacre takes place. In that massacre an estimated 89 percent of the population was killed. Other massacres in July and August 1982 in Puente Alto, Petanac, San Francisco Nentón and Rancho Bejuco indicate estimated killing rates of 88, 84, 96 and 83 percent respectively (appendix 3).

Furthermore, army *modus operandi* in distinct areas of the highlands and different areas of military operations, such as in Plan de Sánchez, Baja Verapaz, and San Francisco Nentón and Petanac, Huehuetenango, are very similar if not identical (appendix 5). In

seven cases during the eleven months under consideration in which killing rates ranged between 1 and 33 percent, the community had been warned of impending violence, was aware of massacres in neighbouring communities, and a majority of villagers were able to escape. In such places as Santa María Tzejá, Xix and Vivitz, anyone found in the community when soldiers arrived, regardless of age, gender, social or political standing was killed, often after having been tortured and mutilated. Six of the seven communities where inhabitants escaped were razed (appendices 3 and 11).³⁷

³⁷ The seven communities from which a majority of inhabitants were able to escape are Santa Maria Tzejá, Xix, San José Río Negro, La Plazuela, San Francisco Javier, Vivitz and Chipastor (appendices 3 and 11).

Chapter VIII. Atrocity Crimes in Guatemala

A. The Genocidal Continuum

When addressing such offences of international concern as war crimes, crimes against humanity and genocide, Law Professor David Scheffer, former US War Crimes Ambassador under President Bill Clinton, has promoted the use of the term *atrocity crimes*. Although the offences described by the term are very distinct concepts, he believes the term adequately summarises the offences that are of greatest interest to international criminal tribunals and the International Criminal Court (ICC). When attempting to advance such issues as prevention and punishment, Professor Scheffer has also found the term helps focus the discussion with policy-makers and the general public.¹ Historian Frank Chalk of the Montréal Institute for Genocide and Human Rights Studies represents atrocity crimes graphically using a Venn diagram in which three intersecting circles represent war crimes, crimes against humanity and genocide, respectively. The points of intersection among these circles, or nexuses, illustrate the notion of atrocity crimes, where war crimes, crimes against humanity and genocide at times overlap according to contextual and definitional considerations.²

A. Dirk Moses contributes temporal and spatial elements to this discussion when he expounds upon the inherent dynamic nature of genocide and genocidal processes. In explaining the conquest of indigenous populations in colonial contexts, for example, Moses states that ethnocide (cultural genocide) at times escalated into genocide (physical extermination) when the former was successfully resisted by indigenous populations, or

¹ David J. Scheffer, "Presentation before the January 2004 Stockholm International Forum on Genocide Prevention," in *Preventing Genocide: Threats and Responsibilities* (Stockholm: Regeringskansliet, 2004), 131-133.

² Frank Chalk, "Mass Atrocity Crimes," Venn Diagram (Montréal: Montréal Institute for Genocide and Human Rights Studies, 25 October 2005).

de-escalate when indigenous resistance had been overcome. Colonialism and genocide, argues Moses, are dynamic, not static processes:

The fact is that genocide was not an inevitable consequence of European [...] settlement of the New World. Certainly [...] colonial regimes could be discriminatory, slaveholding or apartheid-like in character without resorting to extermination. And yet, sometimes [genocide] became a policy option.³

Moses explains that colonialism could and did periodically resort to genocide according to specific circumstances he calls *genocidal moments*.⁴

Frank Chalk and sociologist Kurt Jonassohn preceded Moses, reasoning along similar lines when discussing the nineteenth-century American frontier. Although few American leaders wanted to physically annihilate the American Indian, according to the authors, the

federal government stood ready to engage in genocide as a means of coercing tribes when they resisted ethnocide or resorted to armed resistance. [...] Tribes that resisted with arms or were thought to be considering resistance were subjected to terrorizing genocides and genocidal massacres intended to teach the lesson that resistance was futile.⁵

The nineteenth-century case of the Yuki Indian genocide in northern California is one which evolved very quickly. Chalk and Jonassohn explain how Indians in California could legally be kept as indentured servants for fifteen years by settlers who wantonly seized Yuki women and children. Abuses, such as rape, could not be tried unless a white eyewitness was willing to testify against a white aggressor. Such acts were followed and compounded by epidemics and starvation among the Yuki and by 1856 expeditions were being organised to hunt the remaining Indians down. In 1859 California Governor John B. Weller rewarded such action, granting “state commissions to companies of volunteers

³ A. Dirk Moses, “Conceptual blockages,” 27. Emphasis in text.

⁴ Ibid.

⁵ Chalk and Jonassohn, *History and Sociology of Genocide*, 195, 203.

that excelled in the killing of Indians.” As a result of such deliberate, state-sanctioned measures, Yuki population figures between 1848 and 1880 fell from 5,000 to 400.⁶

Nancy Scheper-Hughes believes that genocides can evolve, proposing the notion of an incremental “genocide continuum.” Genocides are often preceded, she writes, “by social upheavals, a radical decline in economic conditions, political disorganisation, or socio-cultural changes leading to a loss of traditional values and anomie.”⁷ In *Prosecutor vs. Radislav Krstic*, the International Criminal Tribunal for the Former Yugoslavia (ICTY) found “that although the intention at the outset of an operation was not the destruction of a group, it may become the goal at some later point during the implementation of the operation.” The ICTY was also of the opinion that the crime of genocide need not require the element of premeditation.⁸ Genocide scholar and sociologist Helen Fein alluded to the idea when she sought to identify “the earlier stages of genocide,” measuring acts of violence against specific groups “on a continuum of state authorization and continuity.”⁹

B. War Crimes

Keeping the notions of atrocity crimes and genocidal continuum in mind, we turn our attention to war crimes, a category of international crimes defined as “any serious violation of international humanitarian law committed in the course of an international or

⁶ Ibid, 197-201.

⁷ Nancy Scheper-Hughes, “Coming to Our Senses: Anthropology and Genocide,” in *Annihilating Difference: The Anthropology of Genocide*, ed. Alexander Hinton (Berkeley: University of California press, 2002), 368-369.

⁸ International Criminal Tribunal for the Former Yugoslavia (ICTY), “Prosecutor vs. Radislav Krstic, Judgement [document on-line],” The Hague, 19 April 2004 (accessed 15 July 2005), available from <http://www.un.org/icty/krstic/Appeal/judgement/krs-aj040419e.pdf>; Internet: paragraph 572, p. 201; paragraph 711, p. 249.

⁹ Helen Fein, “Genocide: A Sociological Perspective,” *Current Sociology* 38, 1 (1990), 13, 17.

internal armed conflict (whether against enemy civilians or combatants) [...]”¹⁰ Acts contravening the Geneva Conventions are considered war crimes and include indiscriminate attacks against civilians, such as rape, torture, and killing; the ill-treatment or torture of prisoners of war or detained enemy combatants; and the extensive destruction and appropriation of property.¹¹ Such crimes, especially when committed as part of a large-scale plan or policy, are considered matter for the International Criminal Court,¹² although most country’s domestic courts are considered competent to try them.¹³

In the case of an armed conflict that is not of an international character, like the conflict in Guatemala, war crimes are defined as serious violations of Article 3 common to the four Geneva Conventions, enumerated in part in the previous chapter. Additional violations of the laws applicable to non-international conflicts include:

(i) Intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities; [...] (v) Pillaging a town or place, even when taken by assault; (vi) Committing rape [...] and any form of sexual violence also constituting a serious violation to article 3 common to the four Geneva Conventions; [...].¹⁴

The Guatemalan Penal Code does not define war crimes specifically, although article 378 does sanction “any inhuman act against [a] civilian population.”¹⁵ Article 11 of the Rome Statute stipulates that the ICC can only exercise its jurisdiction with respect

¹⁰ United Nations, “Report on Darfur,” paragraph 177, p. 52.

¹¹ Ibid.; ICC, “Rome Statute,” Article 8 (2)(a)(i)(ii)(iii)(iv). Article VI of the 1948 UNGC dealt with the prosecution of persons charged with genocide, to be tried either by a competent tribunal in the country where the act was committed, or by a duly constituted international penal tribunal. The first permanent international criminal court, the ICC, was created on 1 July 2002. See Schabas, *Genocide in International Law*, 92, 95; ICC, “About the Court [document on-line]” (accessed 20 April 2005), available from <http://www.icc-cpi.int/about.html>; Internet.

¹² Ibid., Article 8 (1).

¹³ According to legal scholar Michael Byers, “Not enough to say Israel has the right to defend itself,” *Globe and Mail*, 5 August 2006, p. A13, states having ratified the Geneva Conventions are bound by their obligations, including the prosecution of violations. As customary international law, the Geneva Conventions also apply to non-state belligerent groups.

¹⁴ ICC, “Rome Statute,” Article 8 (2)(e)(i)(v)(x).

¹⁵ Gobierno de Guatemala, *Código penal*, Article 378, p. 105. The inhuman acts in question are not defined.

to crimes committed after its entry into force in July 2002, thereby excluding any crimes committed in Guatemala in the early 1980s. The Rome Statute, however, is based on the principles of international humanitarian law set out in the four Geneva Conventions that Guatemala adhered to on 14 May 1952. Considered as the customary rules of war, the Conventions were applicable to all parties involved in Guatemala's armed conflict in the early 1980s.¹⁶ Two widely distributed articles published in the Guatemalan Center for Military Studies' *Revista Militar* in the fall of 1982, after most of the massacres in this study had taken place, repeatedly recognised and emphasised the importance of adhering to the rules of war, stating that

the Army General Staff recommends the observance of the laws of war in reference to the civilian population although, in fact, in no way does it accept the existence of a state of war in the national territory. [...] The judicial system is in crisis but there are superior instructions to comply with the laws of war and it must not be forgotten that the rule of law continues inalterably in force in Guatemala. [...] Combat personnel [...] will comply with the laws of war when treating with the non-combatant civilian population in all cases in which doubts may exist regarding the national legislation.¹⁷

The previous chapter discussed the civilian nature of the twenty-one communities in this study, and how the populations of those communities were therefore protected under the Geneva Conventions. Furthermore, as Christian Tomuschat has stated, the Guatemalan Truth Commission was never provided with a single official account of an

¹⁶ See United Nations, "Report on Darfur," paragraphs 156-157, p. 44. According to the Commission, the customary rules of international humanitarian law enshrined in Article 3 common to the Geneva Conventions are considered a "minimum yardstick" binding upon all states as well as any insurgent group that has attained some measure of organised structure and control over part of a national territory. According to ICTY, "Prosecutor vs. Radislav Krstic," paragraph 481, p. 172, "an armed conflict exists whenever there is a resort to armed forces between States or protracted armed violence between governmental authorities and organised groups or between such groups and the State."

¹⁷ Ejército de Guatemala, Centros de Estudios Militares (CEM), "Apreciación de Asuntos Civiles (G-5) para el área Ixil," *Revista Militar*, no. 27 (Sept.-Dec. 1982), 29, 39; Ejército de Guatemala, Centros de Estudios Militares (CEM), "Operación Ixil: Plan de Asuntos Civiles," *Revista Militar*, no. 27 (Sept.-Dec. 1982), 64.

armed confrontation between the army and insurgents.¹⁸ Logically, in the case of armed combat in any of the communities, army field reports would have included information on the number of fatal casualties and wounded, the number of prisoners taken on both sides and, in the case of insurgents, the number of arrested, accused and eventually convicted for crimes against the state. One would also think that any guerrilla taken prisoner would have been searched and relieved of his or her weapons and that an inventory of such equipment would have been noted. The fact that no such reports have ever surfaced casts doubt on any outstanding claim that members of the communities in question died as a result of armed combat. In fact, the state of human remains in mass graves found today throughout the Guatemalan highlands would seem to indicate the contrary: women, children, babies buried along with men with their hands and feet tied or ropes around their necks, all indicate the state of defencelessness in which victims found themselves when they were killed.

Based on witness testimony discussed in chapter 7, civilians were attacked by members of the Guatemalan armed and paramilitary forces prior to the massacres in seventeen of the twenty-one communities under consideration. Such attacks included assassinations and enforced disappearances. When the massacres took place, unarmed men were singled out in seven communities. In the remaining fourteen, men, women, children and elders were killed indiscriminately. Perpetrators tortured or mutilated their victims in most cases; eviscerations of women and children, and the rape of women and young girls taking place in 24 and 48 percent of cases, respectively. The personal possessions of victims were pillaged, their houses burned to the ground. Fifteen out of twenty-one communities were completely razed. All of the above acts, according to

¹⁸ Tomuschat, "Clarification Commission," 250.

witness testimony, were committed by the Guatemalan army in 1981 and 1982 against civilian populations. According to the Geneva Conventions such acts constitute war crimes. Furthermore, witness accounts report that in nine of the twenty-one communities armed insurgents killed civilians, thereby breaching the Conventions as well. Not one of these crimes has been brought to justice although they “are subject to universal jurisdiction in the sense that the perpetrators may be prosecuted in any country’s domestic courts.”¹⁹

C. Crimes Against Humanity

Evolving national and international jurisprudence has led to the generally accepted definition of crimes against humanity as prohibited acts committed as part of a widespread and systematic attack, either in time of peace or of war, directed against any civilian population.²⁰ The UN Commission on Darfur defined crimes against humanity as “offences constituting a serious attack on human dignity or a grave humiliation or degradation of one or more human beings.”²¹ Such offences, according to Article 7 of the Rome Statute, include murder, extermination, torture, rape, enforced disappearance, and other inhumane acts of a similar character intentionally causing suffering, or serious bodily or mental injury. The persecution of any individual belonging to an identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender, or other grounds, is also considered a crime against humanity.²² What distinguishes crimes

¹⁹ Byers, “Not enough,” p. A13.

²⁰ ICC, “Rome Statute,” Article 7; United Nations, “Report on Darfur,” paragraph 178, p. 52. Crimes against humanity were recognised by the Nuremberg Tribunal, following the Second World War, although the concept had been formally articulated in a 1915 Allied declaration condemning Turkish massacres of Armenian Christians.

²¹ United Nations, “Report on Darfur,” paragraph 178, p. 52.

²² ICC, “Rome Statute,” Article 7(1)(a)(b)(f)(g)(i)(k). Article 7 (2) defines *Attack directed against any civilian population* as a course of conduct involving the commission of the above-mentioned acts against

against humanity from war crimes is that the former can be committed in time of war *or* peace, and are not isolated or sporadic breaches. Crimes against humanity are considered “part of a widespread and systematic practice of atrocities (or attacks) committed against the civilian population.”²³

As discussed in chapter 4, the 1981 report by the Inter-American Commission on Human Rights (IACHR) found that the systematic violation of the right to life dominated “the entire problem of human rights” in Guatemala.²⁴ State-sanctioned enforced disappearances, according to the IACHR, ranked among the most serious problems afflicting the country under the Lucas García government, due in large part to the scale of the phenomena and its systematic nature.²⁵ The Commission also found that the application of physical and psychological torture had gone from a violent and illegal means for obtaining information and inflicting punishment to a “horrendous system of killing citizens.”²⁶ The sectors of Guatemalan society most affected at the time were

any civilian population, pursuant to or in furtherance of a State or organisational policy; *Extermination* includes the intentional infliction of conditions of life calculated to bring about the destruction of part of the population; *Torture* means the intentional infliction of severe pain or suffering, whether physical or mental, upon a person in the custody or under the control of the accused; *Prosecution* means the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity; *Enforced disappearance* of persons means the arrest, detention or abduction of persons by, or with the acquiescence of, a State or a political organisation, followed by the refusal to acknowledge that deprivation of freedom or to give information on the fate or whereabouts of those persons, with the intention of removing them from the protection of the law for a prolonged period of time.

²³ United Nations, “Report on Darfur,” paragraph 178, p. 52. At paragraph 179, citing the ICTY, the report defines *widespread* as the “cumulative effect of a series of inhumane acts or the singular effect of an inhumane act of extraordinary magnitude.” The number of victims can be considered. *Systematic* considers the organised nature of the attack “and the improbability of their random occurrence.” Citing the ICTY: “The consequences of the attack upon the targeted population, the number of victims, the nature of the acts, the possible participation of officials or authorities or any identifiable patterns or crimes, could be taken into account to determine whether the attack satisfies either or both requirements of a *widespread* or *systematic* attack.”

²⁴ IACHR, “Situation of Human Rights [1981],” chapter II, p. 5, 16.

²⁵ *Ibid.*, chapter II, p. 13-14.

²⁶ *Ibid.*, chapter IV, p. 1-2, 6n 1, 7n 2.

opposition party leaders, trade unionists, priests, lawyers, journalists, professors, teachers and students, as well as thousands of peasants and Indians.²⁷

Among large-scale extrajudicial executions reported to the Commission in the early 1980s, a majority of victims were associated with the University of San Carlos (USAC). According to the IACHR report, for instance, deaths included those of

Jorge Romero Imeri, Director of the School of Political Science of the University of San Carlos, who was taken by security forces in March 1981 in Guatemala City and whose body was identified by his wife in June of that year in Masatenango, showing signs of barbarous torture; and Oscar Bonilla, Carlos Amancio Ortiz and Carlos Enrique Tuch, professors of the Law School of the University of San Carlos, who were killed in Guatemala City in May 1981. In February 1980, Mario Arnoldo Castro Pérez, José Gerardo Reyes Alvarez, and Guillermo Alfonso Monzón Paz, also university professors, had been murdered. In March 1981, Jorge Palacios Motta, professor at the University of San Carlos, was murdered, also in Guatemala City. These crimes are in addition to the murder between March and September 1980 of 27 members of the staff of the University of San Carlos.²⁸

Then-Minister of the Interior, Donaldo Alvarez Ruiz, believed the National University and the organisations of armed insurgents “were the same thing,” thereby justifying what Paul Kobrak termed “the Lucas government’s systematic campaign” against students and intellectuals.²⁹ In 1981 Captain César Augusto Ruíz Morales wrote in the Guatemalan army’s *Revista Militar* that the struggle against communism had to take the form of a

²⁷ IACHR, “Situation of Human Rights [1981],” Conclusions and Recommendations, p. 1.

²⁸ Ibid., chapter II, p. 5, 7-8.

²⁹ Kobrak, *En Pie de Lucha*, 5-6, 60-61, 75, 83. See also IACHR, “Situation of Human Rights [1981],” chapter VII, p. 3. According to Black, *Garrison Guatemala*, 123, following the 23 March 1982 coup soldiers raided the house of former Minister of the Interior Donaldo Alvarez Ruiz in Guatemala City finding “underground jail cells, 50 stolen vehicles, [...] a \$400,000 printing press purchased with state funds to forge election ballot papers,” and a safe-deposit box containing “scores of gold graduation rings, wrenched from the fingers of police torture victims.” Alvarez was in Miami when the coup occurred in 1982 and is now the subject of an international arrest warrant ordered by Spanish Judge Santiago Pedraz (see introduction).

“total war” and that USAC “for many years had been a kind of bastion of communism.”³⁰

The IACHR reported the murder in 1980 alone of “226 elementary school teachers, 389 high school and university students and 89 university professors.”³¹ Jean-Marie Simon quotes a medical student who said: “No one admitted to being a USAC student. [...] We were all scraping the USAC decals off our fenders, and hiding our student I.D.’s inside our shoes.” According to former USAC rector, Dr. Eduardo Meyer Maldonado, “300 members of the USAC community were assassinated between 1980 and 1981, while another one thousand ‘disappeared’ or went into exile.” During the same period, according to Simon, “official data indicated that 140 professionals fled USAC Medical School and the country.”³²

Other sectors of Guatemalan society targeted for their real or perceived opposition to the government included 238 leaders of the Christian Democratic Party, murdered in 1980-1981, as well as the estimated 1,000 trade unionists, murdered in 1980.³³ According to the Guatemalan Truth Commission, opposition politicians became targets of repression in January 1979 with the assassination of Alberto Fuentes Mohr, a social democratic leader, followed in March with the assassination of Manuel Colom Argueta, leader of the recently-created United Front for the Revolution (FUR). Between 1978 and 1981, 19 leaders of that party were killed along with 15 other social democrats. In June, 27 members of the National Workers’ Union (CNT) were kidnapped, followed

³⁰ César Augusto Ruíz Morales, “¿Porque solos?” *Revista Militar*, no. 24 (Sept-Dec. 1981), 90, 93.

³¹ IACHR, “Situation of Human Rights [1981],” chapter VII, p. 3.

³² Simon, *Eternal Spring*, 76.

³³ *Ibid.* 73; Jenkins, “Guatemalan Promises Fair Elections,” p. A19; McClintock, *American Connection*, 226.

in August by the enforced disappearance of 17 additional unionists and students.³⁴ Rosada-Granados referred to the process as taking the centre out of the political spectrum.³⁵

In February 1981 international news agencies also reported the murders of seventeen journalists in less than a month.³⁶ The IACHR also took note of the 1980-1981 murders of 15 Guatemalan lawyers, judges, law school faculty, as well as the enforced disappearance of 35 other legal professionals, most of whom practiced labour law or worked with Indians.³⁷ The IACHR found that priests as well were increasingly at risk in Guatemala, especially those working in rural Indian areas, attacks against the clergy including kidnapping and murder.³⁸ Violence specifically targeting the clergy in the department of Quiché in 1980 forced Catholic Bishop Juan Gerardi Condera to close the entire diocese in July,³⁹ after two attempts were made on his life.⁴⁰ After the priests abandoned the diocese, the army took over most Catholic Church buildings in Quiché.⁴¹

³⁴ CEH, *Memoria del silencio*, chapter I, paragraphs 608-609; p. 189; paragraph 615, p. 191. See also Annex I of the same report, illustrative case 65, p. 133-144; Simon, *Eternal Spring*, 76.

³⁵ Rosada-Granados, *Soldados en el poder*, 150-151.

³⁶ IACHR, "Situation of Human Rights [1981]," chapter VII, p. 1, 2.

³⁷ *Ibid.*, chapter II, p. 8.

³⁸ *Ibid.*, chapter VI, p. 1, 3, 6, 7. According to Simon, *Eternal Spring*, 77, during 1980 alone, three priests were killed, another "disappeared," and three Protestant pastors and one evangelical deacon were gunned down. In 1981 five priests and two lay missionaries were "disappeared" or killed, while over 150 nuns and 200 priests, as well as dozens of Protestant pastors, were forced to flee the country. Black, *Garrison Guatemala*, 96, lists the following deaths: "Father Bill Woods of the Maryknoll order, killed [in November 1976 along with four other Americans] in an unexplained plane crash near his cooperative in the Ixcán; Faustino Villanueva, Spanish missionary, machine-gunned in his church in el Quiché in July 1980; Stan Rother, conservative priest from Oklahoma, shot to death at his mission in the tourist town of Santiago Atitlán. The list goes on ... 16 deaths between 1976 and 1981."

³⁹ Robert Carmack, "The Story of Santa Cruz Quiché," in *Harvest of Violence: The Maya Indians and the Guatemalan Crisis*, ed. R. Carmack (Norman: University of Oklahoma Press, 1988), 44-45; David Stoll, "Evangelicals, Guerrillas, and the Army," 103; Simon, *Eternal Spring*, 77. According to Gramajo Morales, *De la Guerra... a la Guerra*, 145, "a few priests were killed, others abandoned the country or were simply invited to stay abroad, as in the case of Monsignor Juan Gerardi."

⁴⁰ Black, *Garrison Guatemala*, 96.

⁴¹ Carmack, "Santa Cruz," 62.

In January 1982, General Benedicto Lucas García, commenting on the case of a kidnapped nun, told reporters that many priests and nuns were involved in subversive actions, “causing us grave harm for which, I repeat, they must be expelled from the country.”⁴² In August, in an interview with author George Black, Guatemalan Colonel Roberto Mata said that in the department of Quiché the army made “no distinction between the Catholics and the communist subversives.”⁴³ Throughout rural Guatemala, writes Simon,

the army had established permanent outposts in virtually every Indian town, occupying convents and parish houses abandoned shortly before by the Catholic clergy [...]. Church pews were replaced with army cots, and convent chapels became torture chambers. Four years later, when the army returned the buildings to the Church, clergy found hand prints of blood on the walls and twelve-foot pits in their backyards.⁴⁴

In hindsight, it is as if there had been a deliberate attempt to empty the highlands of anyone with links to the outside world. Anthropologist Beatriz Manz explains that the first person killed in a cooperative called La Esperanza in northern Quiché was not a community member, but a young woman from Guatemala City who had come to the community as a schoolteacher and had stayed on to become the director of the grade school. Her death in 1976 preceded that of nine other leaders over the next five years.⁴⁵ Robert Carmack recalls how by the fall of 1980, after a decade of anthropological

⁴² “Benedicto Lucas acusa a monja plagiada de ayudar a guerrilla,” *Prensa Libre*, 9 January 1982, p. 8. My translation.

⁴³ Author’s interview, Santa Cruz del Quiché military base, 24 August 1982, as quoted in Black, *Garrison Guatemala*, p. 132, 143n 44. For more information on Colonel Mata, see Carmack, “Santa Cruz,” 65-66.

⁴⁴ Simon, *Eternal Spring*, 77.

⁴⁵ Beatriz Manz, “La Esperanza, an Ixcán Village,” 76-78. According to Manz “the community leaders who were killed included the schoolteachers, the health promoters, and two Quiché Indians who had been sent to the University of Wisconsin to learn about cooperatives and to study English.” She also writes that “a further blow to the cooperative came with the assassination of Francisco Piedra, a crucial link between the cooperative and the highlands working in Santa Cruz del Quiché, taking part in the flights that brought goods, took out the products, and, when necessary, evacuated the sick. He was also needed to maintain radio communication. With Francisco’s death in 1980 the cooperative’s umbilical cord was cut, and thereafter it was largely on its own.” These selective assassinations, carried out between 1976 and 1981 were followed in mid-February 1982 by the total eradication of the community.

fieldwork in the highlands of Santa Cruz del Quiché with a team of investigators from the State University of New York at Albany, increasing violence and insecurity had forced him and all of his colleagues to abandon the area.⁴⁶ In 1981, as the Lucas government was getting its offensive in the central highlands west of the capital underway, US embassy personnel were forbidden to venture any further west than the colonial capital of Antigua, 45 kilometres from Guatemala City.⁴⁷ After Ríos Montt imposed a stage of siege on 1 July 1982 the Guatemalan press, according to the *New York Times*

was no longer allowed to print its reports and editorials about army massacres on Indian families in the hills. [...] “Guatemalan journalists are not permitted to travel to the interior,” Maj. Hector Mendez, an army spokesperson, said. “All the information is centralized. We prepare the communiqués and hand them out here [in the capital].” Asked why such controls on local reporters existed, Major Mendez said, “If we allowed them, everyone would just write whatever they wanted.”⁴⁸

From 1978 until 1981, then, members of clearly identifiable groups, including university students, professors and administrators; opposition political leaders; trade unionists; journalists; lawyers, judges, and law school faculty; priests, nuns and lay missionaries, were persecuted under the Lucas García government on predominantly political, cultural, religious, or other grounds. In addition to acts of persecution, the IACHR found in 1981 that the acts of murder, torture and enforced disappearance against numerous sectors of the civilian population were widespread and systematic. In January 1982 the *New York Times* reported US State department figures to the effect that 300 people a month in Guatemala were dying violent, often atrocious deaths.⁴⁹ The

⁴⁶ Carmack, “Santa Cruz,” 40, 44-45.

⁴⁷ Black, *Garrison Guatemala*, 119.

⁴⁸ Marlisle Simons, “For the Elite in Guatemala City, Nervousness Amid the Splendour,” *New York Times*, 26 October 1982, p. A16.

⁴⁹ Associated Press, “50 Kidnapping Victims Found Dead in Guatemala,” *New York Times*, 11 January 1982, p. A3. The figure is from the US State Department’s 1981 annual human rights report.

Washington Post, quoting US intelligence sources, estimated the number may have been closer to 500, two-thirds of whom were thought to be Indians. “Foreign officials concerned with human rights problems,” reported the *Washington Post*, believed “that these figures are low.”⁵⁰ According to Jennifer Schirmer, 800 dead bodies a month littered the country’s streets on Lucas’ watch.⁵¹

Under Chapter 7 of the ICC statute, widespread and systematic cases of murder and enforced disappearances, as well as torture and persecution, confirmed by the IACHR, constitute crimes against humanity committed by state security forces or their proxies against members of political, social and professional groups. Many of the known victims were killed in urban areas, or many were from urban areas and were killed because they worked in rural areas. As we move from the city to explore atrocity crimes in the Guatemalan countryside, we also move along the genocide continuum.

D. Extermination and Genocidal Massacres in Rural Guatemala

William Schabas credits genocide scholar Leo Kuper with using the expression *genocidal massacre* for the first time to designate “acts falling short of full-blown genocide” in quantitative and numerical terms.⁵² Such massacres included smaller-scale, isolated or individual acts of mass murder, pogroms, mass executions or “the annihilation of a section of a group – men, women and children, as for example in the wiping out of whole villages.” According to Kuper, genocidal massacres were not necessarily carried

⁵⁰ Christopher Dickey, “Escalating Violence Besieges Central America; Guatemalan War Grows Fiercer,” *Washington Post*, 22 January 1982, p. A1; Jenkins, “Guatemala Seeks to Pacify Indians,” *Washington Post*, 7 March 1982, p. A1.

⁵¹ Jennifer Schirmer, *Las intimidaciones del proyecto político de los militares en Guatemala* (Guatemala: Facultad Latinoamericana de Ciencias Sociales, 1999), 46.

⁵² Schabas, *Genocide in International Law*, 240.

out by centrally organised, government-directed forces. He also believed they were an incremental step toward genocide.⁵³

Chalk and Jonassohn used the term genocidal massacre to describe cases of “one-sided mass killing” in which there was no intent to destroy an entire group, or in which only a small part of a group was actually killed. They also use the term for cases bordering on genocide and ethnocide, in which “there is no intent to kill the entire victim group, but its disappearance is intended.” In such cases, a part of the victim group is killed “in order to terrorize the remainder into giving up their separate identity or their opposition to the perpetrator group or both.”⁵⁴ Fein has also used the term to describe cases in which perpetrators lacked “the capacity to kill a significant part of the group,” as well as cases in which massacres were “episodic rather than continuous.” Fein, like Kuper, also recognised genocidal massacres as a sign of imminent, full-blown genocide.⁵⁵

Interestingly, the 2005 UN report on Darfur labelled killings committed against members of a group in the absence of genocidal intent as extermination, a crime against humanity defined in the statutes of the ICTR (Article 3),⁵⁶ the ICTY (Article 5),⁵⁷ and the ICC (Article 7).⁵⁸ The legal definition of extermination, then, would appear to coincide with the social-scientific category of genocidal massacre. When considering such a category, Schabas was of the opinion that it was already adequately covered by the legal

⁵³ Leo Kuper, *Genocide: Its Political Use in the Twentieth Century* (New Haven: Yale University Press, 1981), 10, 66, 16.

⁵⁴ Chalk and Jonassohn, *History and Sociology of Genocide*, 26.

⁵⁵ Fein, “Sociological Perspective,” 12, 18-19.

⁵⁶ United Nations, ICTR (accessed 26 April 2005); available from <http://www.ictt.org/ENGLISH/basicdocs/statute.html>; Internet.

⁵⁷ United Nations, ICTY (accessed 26 April 2005); available from <http://www.un.org/icty/legaldoc/index.htm>; Internet.

⁵⁸ ICC, “Rome Statute.”

concept of crimes against humanity, the Rome Statute requiring, however, that such crimes be “widespread and systematic,” rather than isolated, individual acts.⁵⁹

The ICTR in *Prosecutor vs. Jean-Paul Akayesu* found that “extermination is a crime which by its very nature is directed against a group of individuals,” differing from “murder in that it requires an element of mass destruction,” affecting a group as such. The requisite elements for the offence of extermination, according to the ICTR, are:

[1] the accused or his subordinate participated in the killing of certain named or described persons; [2] the act or omission was unlawful and intentional; [3] the unlawful act or omission must be part of a widespread or systematic attack; [4] the attack must be against the civilian population; [5] the attack must be on discriminatory grounds, namely: national, political, ethnic, racial, or religious grounds.⁶⁰

Referring to the situation in rural Guatemala between 1978 and 1980, the first IACHR report discussed the “slaughter of members of Indians communities,” in relation to the 29 May 1978 massacre of Q’eqchi Indians in Panzós; the December 1979 and March 1980 massacres of Ixil Indians in Chajul and Nebaj; the March 1980 massacre of Achí Indians in Río Negro; and the 31 January 1980 Spanish Embassy massacre in Guatemala City in which 37 people lost their lives, including 21 Indians.⁶¹ The IACHR also noted the increasingly frequent discovery of clandestine cemeteries in rural indigenous communities, commonly referred to as “body dumps,” where authorities were suspected of attempting to conceal the remains of persons shot *en masse*.⁶²

Under the heading of “Massive Deaths of Campesinos and Indians,” the IACHR reported on each of the massacres, perpetrated between 1978 and 1980, four of them in the highlands, in which the vast majority of the estimated 190 victims were Q’eqchi, Ixil,

⁵⁹ Schabas, *Genocide in International Law*, 240.

⁶⁰ ICTR, “Prosecutor vs. Jean-Paul Akayesu,” paragraphs 591-502, p. 122.

⁶¹ *Ibid.*, chapter II, p. 8-13.

⁶² *Ibid.*, chapter II, p. 15; Amnesty International, *Government Program*, 14.

Achí and Quiché Indians. One incident that occurred in the town of Nebaj, located in the Ixil region of Quiché, is particularly indicative of the government's systematic approach to repression in the highlands at the time. The IACHR reports that on 2 March 1980,

the national army located in Nebaj informed all the inhabitants that all the men over 14 years of age must appear at the local military detachment to receive 'a military control card.' According to the army's information, nobody could leave town without that card. This, naturally is an illegal measure, because citizens are not obliged to carry identification other than the certificate of residence.

Approximately 8,000 men waited turn to obtain the military control document. [...] When merely 200 men had obtained the card and it was obvious that the time there would last more than two days, there was a general clamor, and because of this urging, several campesinos were imprisoned at the military detachment.

The next day, on March 3, a group of women claimed the right to see their husbands who had been imprisoned [...]. The atmosphere was tense and there was an argument between the soldiers and the women. The soldiers answered the women's request with machine-gun fire into the crowd which was gathered. Ten persons died, six of whom were women and one of whom was a minor.⁶³

Turning to our sample of twenty-one massacres we begin to understand what the information gathered by the army in such Indian towns as Nebaj, when issuing military control cards, could be used for.

E. Selective Massacres in Rabinal, Baja Verapaz

When examining massacres committed in Guatemala, the Truth Commission developed a typology including selective massacres,⁶⁴ indiscriminate massacres committed against settled or resident populations,⁶⁵ and indiscriminate massacres committed against displaced populations.⁶⁶ In the central highland department of Baja Verapaz our sample includes three selective massacres in which lists were used by army

⁶³ Ibid., chapter II, p. 10-11.

⁶⁴ CEH, *Memoria del silencio*, paragraphs 3067-3069, p. 253-254.

⁶⁵ Ibid., paragraphs 3070-3073, p. 254-255.

⁶⁶ Ibid., paragraphs 3074-3075, p. 255.

officials to select men who were then tortured and killed. The three massacres all occurred in the Achí municipality of Rabinal, and were carried out in a very similar if not identical manner (appendices 5 and 12). In Panacal, on 4 December 1981, 47 men, elders and young boys were selected and killed; in Pichec, on 2 January 1982, 35 adult men were selected and killed; and a week later in Chichupac, on 8 January, 32 men were selected and killed. Witnesses from Pichec explained that on 1 and 22 November 1981, 32 and 30 men, respectively, were also selected according to lists and killed. A total of at least 176 Achí men were killed in eight weeks, in these five separate incidents. Death in these cases was often imparted by other indigenous men, often the victims' neighbours who had been forced to sever ears, noses and lips before bludgeoning or garrotting the victims to death as soldiers stood guard (appendix 5).

To the extent that these massacres episodically annihilated a small part of a group in the absence of an intent to destroy an entire group, while terrorizing the communities in which they took place, they would seem to conform to what genocide scholars call genocidal massacres. In terms of extermination as a crime against humanity, the incidents appear to be systematic considering they were all carried out in the same manner and, in the case of Pichec, repeated three times in two months in the same community. Furthermore, the killing of these men was intentional, perpetrators taking the time to gather members of the community, use lists to select victims, torture them for hours before finally killing them and disposing of their bodies in wells or mass graves (appendix 5). In other words, the massacres under consideration were not accidental. The acts in question were also being committed against members of an indigenous group.

In terms of numerical significance, the victims killed in Panacal, Pichec and Chichupac represented approximately 7, 22 and 5 percent of the indigenous populations of those three communities, respectively (appendix 3). These figures, however, do not include the total number of victims of repression prior to or following the massacres. In all three communities attacks were committed by state security forces prior to the massacres, including serial or multiple killings (appendix 10), but the only community for which figures are available, based on witness accounts, is Pichec. Notwithstanding, if the population of the three communities together amounts to approximately 1,820 people, then the number of victims killed in five incidents represents approximately 10 percent of the communities' combined population (appendix 3).

The victim's status within those communities could also be relevant in assessing the overall impact of their demise on the rest of the indigenous collectivity, although the information on each of the victim's occupations or vocations is incomplete. Generally, however, witnesses did say that leaders were specifically targeted prior to the massacres in all three communities (appendix 10). In Panacal, one witness who had been secretary of his community's improvement committee (*comite promejoramiento*) for twenty years said that prior to the massacre, it had been "the health promoters who died, the catechists, the elders, the education promoters, [...] all those who knew something, those who taught, those who contributed to the community."⁶⁷

In Pichec, a witness said that "all the community's leaders died in the violence [...]. They worked in food production, with the CIF [Center for Family Integration], for the school."⁶⁸ Another witness in Chichupac said that "of all the auxiliary mayors,

⁶⁷ PAN-XTS-02A, notes p. 142-143.

⁶⁸ PIC-YRA-02A, notes p. 156.

delegates, healers, health promoters, catechists, not one was left after the massacre.”⁶⁹ Massacre victims in Chichupac also included the appointed head of the civil defence patrollers and the community’s three military commissioners.⁷⁰ In addition, we can also assume that as heads of households or young adults living in rural indigenous communities, many of the victims were food providers, wood gatherers, farmers, carpenters, brick layers, teachers, and caregivers. They were grandfathers, fathers, sons and uncles, and it would seem, according to witnesses, that they were targeted for their leadership capabilities or potential.

In terms of how widespread these massacres were, our sample is limited. The Guatemalan Truth Commission, however, documented 20 cases of massacre in the municipality of Rabinal between August 1981 and March 1983, adding that the figure was only a partial representation of such occurrences in the area.⁷¹ In terms of victims of massacres and other forms of killing at the hands of government forces, the Commission estimated that between 1981 and 1982, 20 percent of the municipality’s 22,730 inhabitants had been killed, the Commission considering all victims civilian non-combatants.⁷² In this broader context, the events in Panacal, Pichec and Chichupac would seem, in fact, to constitute selective massacres, genocidal massacres, and extermination, a

⁶⁹ CHI-XJL-02A, notes p. 174.

⁷⁰ CHI-XCT-04A, notes p. 185; CHI-YCC-05A, notes p. 188.

⁷¹ By cross-referencing the massacres in Rabinal mentioned in the Truth Commission report, those in Bert Janssens, comp., *Oj K’aslik Estamos Vivos: Recuperación de la memoria histórica de Rabinal, 1944-1996* (Guatemala: Museo Comunitario Rabinal Achi, 2003), 164-165; and those in EAFG, *Masacres de Rabinal*, we came up with a list of 36 different massacres committed in the municipality of Rabinal between 1981 and 1984. According to available figures a number of communities suffered multiple massacres: Rio Negro, five massacres, 391 dead (appendix 2n 4); Pichec, three massacres, 97 dead (appendix 2n 9); Vegas Santo Domingo, two massacres, 88-97 dead; Coyoja, two massacres, 23 dead. All toll, over 1,636 people are thought to have lost their lives in massacres in only one of the eight municipalities which make up the department of Baja Verapaz.

⁷² CEH, *Memoria del silencio*, chapter II, paragraph 3362, p. 360; paragraph 3367, p. 361; paragraph 3373, p. 363; paragraph 3431, p. 377.

crime against humanity under the Rome Statute, as well as Article 378 of the Guatemalan Criminal Code.⁷³

⁷³ Gobierno de Guatemala, *Código penal*, Article 378, p. 105.

Chapter IX. The Guatemalan Genocide

A. Genocidal Priming and Perpetrator Definitions

Anthropologist Alexander Hinton has used the term *genocidal priming* to describe interwoven processes that generate mass violence. Hinton writes that

by genocidal priming [...] I refer to a set of processes that establish the preconditions for genocide to take place within a given socio-political context. Considering the 'charged' connotations of the term, we might further conceptualize genocidal priming using a metaphor of heat: specific situations will become more or less 'hot' or volatile – or more likely to be 'set off' – as certain events unfold.¹

Among the facilitating processes discussed by Hinton are socioeconomic upheaval, polarised social divisions, structural change, and effective ideological manipulation.²

Regarding the last point, Hinton explains that ideological manipulation

frequently draws upon local idioms that are highly salient to at least some social groups, serve to essentialize differences and legitimate acts of genocidal violence against victim groups, who are usually portrayed as subhuman outsiders standing in the way of the purity, well being, or progress of the perpetrator group.³

According to Hinton once a process is set in motion, specific events or persons, such as “leaders who use panic, fear, and material gain to incite their followers to kill,” can ignite a previously set charge, causing a primed situation to explode into genocide.⁴

The indigenous peoples of the Guatemalan highlands were discussed in chapter 2 as was the widely accepted notion of self-identification when defining such groups. Scholarly and legal opinion seems to coincide in that both subjective (*emic*) and objective (*etic*) criteria apply when attempting to define national, ethnic, religious and racial groups protected by the UNGC. Fifteen years ago, Chalk and Jonassohn introduced yet another

¹ Hinton, “The Dark Side of Modernity,” 29.

² Ibid.

³ Ibid., 29-30

⁴ Ibid., 30.

subjective element to the notion of group definition. According to their theoretical contribution, a human group could be any collectivity of people that is so defined by the perpetrators of genocide. “To the extent that a group of people has been targeted by the perpetrator,” they wrote, “it is of crucial importance to these victims whether the membership has been defined by the perpetrator as voluntary or ascribed.”⁵ In other words, how perpetrators of genocide perceived and defined their victims as a group could be just as important as how the group in question defined itself.

To illustrate their idea Chalk and Jonassohn discussed the persecution, from the fifteenth to the early eighteenth century, of persons accused of conspiring with the devil. The authors did not consider the European witch-hunts as genocide, but they were of interest in their study “because it was the first time a spurious group was persecuted on the basis of a spurious accusation, [...] a precursor of the many twentieth-century cases of ideological killing.”⁶ The essentials of a modern witch hunt, they wrote,

are that a government picks on a group and attributes to them certain characteristics and certain beliefs. These characteristics and beliefs are then alleged to make their holders threaten the security of the state. A modern witch-hunt does not represent a simple law-and-order problem: treachery and subversion are the issues. Prime examples are the Russian purges, the German extermination of gipsies, Jews and homosexuals, and the Un-American Activities Committee.⁷

A major feature of the sixteenth-century witch-hunt, according to Chalk and Jonassohn,

was the use of torture to extract confession – confession being the ultimate proof in ideological crime. In that respect, the witch-hunt has much in common with the torture-cultures of Latin America. Barbarism and superfluous repression in the name of the public good are a continual temptation, in all types of regime, to those who fear the loss of power.⁸

⁵ Chalk and Jonassohn, *History and Sociology of Genocide*, 23, 25.

⁶ *Ibid.*, 152, 167, 170-171.

⁷ *Ibid.*, 170.

⁸ *Ibid.*, 171.

B. Contemporary Attitudes on the Guatemalan Indian Problem

In 1978 and 1979 Dr. Marta Elena Casaús Arzú carried out a survey of racial attitudes among 110 members of Guatemala's twenty-two most influential families whose predominant sources of income had historically been derived from agriculture. Despite Guatemala's complex social, racial and cultural history, 76 percent of her sample considered themselves *white* because of their Spanish or European origins. Some respondents claimed to still hold certificates of purity of blood (*pureza de sangre*) dating from the colony. Others claimed that their O negative blood type confirmed their Basque origins and the absence of miscegenation. Dr. Casaús found that colonial stereotypes regarding Indians among these families persisted. The following adjectives, for instance, in descending order, were those most often used by respondents to describe Indians: submissive, conformist, dark-skinned, short, lazy, traditional and introverted.⁹

Interestingly, according to Casaús, respondents with the highest levels of education expressed the greatest racial intolerance. When asked about how to improve conditions for Guatemala's indigenous majority, some respondents believed they should adopt western lifestyles although present forms of socioracial segregation were to be maintained. Others believed Indians could be improved racially through artificial insemination. Ethnic cleansing was also considered an option. Five to ten percent of respondents approved extreme solutions, such as the extermination of Indians all

⁹ Casaús Arzú, *Guatemala: linaje y racismo*, 177, 187, 190-191, 194, 201, 204-205. Casaús refers to Kimbal Young, *Psicología social del prejuicio* (Buenos Aires: Editorial Paidós, 1969), p. 7, defining a stereotype as "a word or phrase used to adjudicate to a person or group general or abstract characteristics unsubstantiated by scientific investigation." In other words, a negative label applied to a group based on the false appraisal of difference.

together. Among her conclusions, the author found that intolerance and racism had polarised Guatemalan society into two groups: Indians and ladinos.¹⁰

In October 1982, the *New York Times* ran an article which illustrates Casaús' conclusion regarding the existing racial cleavage between non-indigenous and indigenous Guatemalans. As the article demonstrates, this cleavage is also geographical:

Guatemala City has long been uneasy about life beyond the jagged, blue mountain crests that guard its magnificent high valley. To the south, the flatlands are muggy. To the north and west, the volcanoes and the Indian towns seem to belong to another nation. [...] The majority here, though poor, feels that the nation's four million Indians, half the population, have little in common with them.

The modern business community likes to go abroad when it leaves town. "Some of us know Miami or Mexico City better than the provinces," a businessman said. "It's not really callousness. It's what interest people most." [...] "We don't know what's going on in the highlands," said a woman who runs a boutique featuring Indian embroideries. "There has to be trouble because the Indians have not come to sell for months. But we almost prefer to know nothing. It's better for our nerves."¹¹

Non-indigenous soldiers and officers also had their opinions about Indians. Under the Ríos Montt government, the army's Victoria 82 campaign plan explained that

the large masses of the nation's highland Indians have associated the lack of land and the immense poverty with the subversives' proclamations. They see the army as an invading enemy (only a few areas are under control), adding to this is the *considerable quantity of errors committed by the troops such as vandalism, rape, theft and destruction of harvests*, which have been ably exploited by national and international subversives.¹²

According to the campaign plan, the guerrillas' social support network was squarely "based in the indigenous peasantry."¹³ One possible way of turning the tide, the army knew, would be to transform Indians into non-Indians through a process of *ladinoisation*

¹⁰ Ibid., 272, 274-277.

¹¹ Simons, "Nervousness Amid Splendour," *New York Times*, 26 October 1982, p. A16.

¹² Ejército de Guatemala, Plan de Campaña "Victoria 82" 3-"M". 000007, Guatemala [25 June 1985], Anexo "F" (Plan de Opsic) a la orden de operaciones "Victoria 82," I. Situación: Fuerzas Enemigas: 2. Situación General Psicológica: c, p. 29. Emphasis added. My translation.

¹³ Ibid., 4. Puntos Fuertes y Vulnerabilidades del Enemigo: a. Puntos Fuertes: 5, p. 30. My translation.

by which Indians abandoned their native language to speak Spanish, abandoned their traditional dress and “other exterior signs of group distinctiveness.”¹⁴ In the late 1970s the ladinoisation of young Indian males could be achieved through obligatory military service, a nineteenth-century Guatemalan tradition and rite of passage that was almost exclusively applied to rural Indians, according to a 1978 article in the army’s *Revista Militar*. The article broaches a prevalent preoccupation among Army officers at the time for Indian soldiers who, after two-and-a-half years of obligatory service, chose to live in cities rather than return to their communities of origin.¹⁵

Colonel José Luis Sálazar wrote that “the reincorporation of the Indian into his own community would be ideal in his cycle of ladinoisation” in that he could promote similar changes in his community’s social organisation. Conscription, wrote the author, “was only the beginning of an often painful physical and mental metamorphosis, given the abrupt change from one way of life to another.” The process, according to Sálazar, began with “the simple lesson of standing straight, with shoulders back, chin up and looking straight ahead.” This, he wrote, “was the recruit’s first arduous encounter with military reality.”¹⁶ With the passage of time, the Indian recruit

will have to conform physically and mentally, and suffer [...] the desired transformation, not only in behaviour in terms of who he was before joining the army, but also in terms of his new form of conduct and a routine adjusted to his new personality.¹⁷

The challenge, from the army’s point of view, was to ensure that Indian recruits who had crossed the ethnic divide and completed their military service then returned to their

¹⁴ CEM, “Apreciación de Asuntos Civiles (G-5) para el área Ixil,” 46. My translation.

¹⁵ José Luis Cruz Sálazar, “El Ejército en el contexto social,” *Revista Militar*, no. 17 (Sept-July 1978), 47.

¹⁶ *Ibid.*, 48, 49. My translation.

¹⁷ *Ibid.*, 49-50. My translation.

communities to influence similar changes among those who had once been their people. The problem, concluded the Colonel, deserved further consideration and research.¹⁸

Ladinoisation, of course, was a slow and difficult process.¹⁹ Even when it occurred and the Indian's exterior appearance had been transformed, there was no way of being certain that "his way of thinking or his cosmogonical concepts" had been altered, according to another article in the *Revista Militar* in 1982. This article, written in the form of a theoretical exercise, reported on detailed research carried out on the Ixil Indians of Quiché and how best to affect change in the area through civic action programs. According to the article's author, guerrillas had not talked to the Indians about

Marx, Lenin, Mao, Fidel or Che, but they have made them realize that they are poor and that the ladinos are the owners of wealth, they have recalled to them the entire historical process, raising their awareness and offering them a dignity that they have never received from governments that have always seen and treated the Indians as a subgroup, backward and brutalised by ignorance and alcohol.²⁰

The author believed that Ixil Indians "for their historical and ethnical characteristics were reluctant to cooperate with ladino authorities." In fact, the army was so suspicious of Ixil Indians that recruitment efforts focussed on other areas of the country where "the Indian's character was more receptive to military discipline." Any civic action programs in the area, the article recommended, would have to "take into account the Ixils' special idiosyncrasies," including "idiomatic and cultural differences."²¹

According to the article's author there were three possible options for the Ixil area in terms of civic action. The first was to intensify "the ladinoisation of the Ixil population to such an extent that it disappears as a cultural subgroup." Once ladinized, the Ixiles

¹⁸ Ibid., 51, 52.

¹⁹ Casaús Arzú, *Guatemala: linaje y racismo*, 259.

²⁰ CEM, "Apreciación de Asuntos Civiles (G-5) para el área Ixil," 28, 31. My translation.

²¹ Ibid., 34, 35, 36, 38. My translation.

were expected to “enjoy the benefits of our civilisation.” The second option was to implement “a policy based on the Ixil’s identity, their customs and language.” The third, was to ignore cultural considerations all together and just “improve the Ixil population’s living conditions.” The article’s author opted for the second option, recommending that civic action programs include a “well studied psychological campaign” in order to “rescue the Ixil mentality until they (sic) feel part of the Guatemalan nation.”²² Civic action programs, of course, were the reward component in a counterinsurgency reward-and-punishment strategy. By the time this article was published in the fall of 1982, the stick, so to speak, had already been wielded in the Ixil area, making the above discussion, though insightful, rather academic.

C. Anticommunism and Conflation

In 1981 General Alvaro Valencia Tobar gave a presentation at a conference for the Army General Staff training programme. In his presentation the general described the Guatemalan conflict from a regional perspective, explaining that the entire Caribbean basin was under the threat of international communism. Within the region, Cuba and Nicaragua were already contaminated, so to speak, and the scourge was spreading. Guerrillas, the general explained, always build their nests in areas of social, political and economic unrest. Like the single tropical amoeba, said the general, guerrillas are parasites that will continue to multiply unless the appropriate drugs are used to eradicate them completely. According to Valencia,

a guerrilla [force] has 30 to 40 men. A number of guerrilla [forces] might reach 300, 400, maybe 1,000 men [...]. But a guerrilla [force] cannot be measured in terms of armed men alone. A guerrilla [force] sets an alliance of circumstances in motion, using any social crack, aspects of social

²² Ibid., 38-39, 44, 49. My translation.

injustice, the lack of culture of certain classes [...]. Let me tell you that those leaders use the dissatisfaction of the lower classes as combustion, to raise the flag of social justice in the name of their political struggle.²³

The geopolitical situation in the Caribbean, the general explained, was akin to harm brought to bear on a human body, thereby affecting a person's entire being. The problem, the general believed, was that individual countries in the region were taking disjointed measures against a generalised, regional problem.²⁴ Referring to Nicaragua under the Sandinistas, Valencia explained that

it must be understood that where a Marxist regime is installed, it is not a problem that is limited to that particular country. From there, arises a point of dissemination for the same process to occur in all the neighbouring countries, [...] like harmful weeds setting roots and growing amid the structure of a large tree.²⁵

Amid the obstacles that had thus far impeded effective measures against the threat of human tropical amoebas and weeds, according to the general, was US President Jimmy Carter's human rights policy in Latin America.²⁶

From the Caribbean basin we return to the central highlands of Guatemala and the Achí municipality of Rabinal where five of our sample's twenty-one massacres took place, including those of Pichec, Panacal and Chichupac, discussed in the previous chapter (appendices 3-5). Interestingly, large-scale acts of violence in Rabinal began in the municipal capital on 15 September 1981, Guatemala's Independence Day, when Indians gathered at the army's request in the town's colonial plaza. According to the Truth Commission, following an official speech by the local army base commander, soldiers sealed the plaza and began firing into the crowd in reprisal for guerrilla

²³ "Conferencia dictada por el general Alvaro Valencia Tobar al Cuerpo de Comando y Estado Mayor," *Revista Militar*, no. 24 (Sept-Dec. 1981), 111. My translation.

²⁴ *Ibid.*, 113-114.

²⁵ *Ibid.*, 113.

²⁶ *Ibid.*, 121.

ambushes in the area in the previous days. Reports on the number of dead vary between 200 and 500 Achí Indians.²⁷

A month later, on 20 October 1981, military officials gathered approximately 1,000 men from the municipality. Witnesses who took part in the meeting told a researcher working for the Center for Human Rights Legal Action (CALDH) that the Army Chief of Staff, General Benedicto Lucas García, was among the officers present.²⁸ The day was, in fact, important since the Indians who had been summoned were to be among Guatemala's first civil defence patrollers, called upon to become strategic extensions of the Guatemalan army in eventually every rural hamlet in the area.²⁹ Witnesses in our study from Plan de Sánchez recall how they were ordered to organise ten patrols of about ten to twelve local men, aged between 15 and 60, who served 24-hour shifts every ten days.³⁰ We can probably assume that in light of the 15 September massacre, few persons present would have refused to comply with the orders.

Local patrollers from the municipality would meet regularly in the army post in Rabinal to receive directives and indoctrination. A man from Plan de Sánchez recalls one gathering attended by men from over thirty villages. As the men stood at attention,

we were told to watch out for strangers wondering around with backpacks and weapons [...]. If we came across strangers we were told to capture them and bring them to the post, [...] we were told that anyone associated with the guerrillas should know that their day would come and that it was

²⁷ CEH, *Memoria del silencio*, chapter II, paragraph 3375, p. 363, paragraph 3431, p. 377. Equipo de Antropología Forense de Guatemala (EAFG), *Las masacres de Rabinal: Estudio histórico antropológico de las masacres de Plan de Sánchez, Chichupac y Río Negro*, 2^a ed. (Guatemala: EAFG, 1997), 161.

²⁸ Kathy Hill, "Violencia Estadista (1981-1984): El caso del pueblo Achí de Rabinal" (Guatemala: Centre for Human Rights Legal Action, May 2003, typewritten), 24.

²⁹ General Benedicto Lucas made the official announcement of the patrols' creation in Guatemala City a month later. See "Ejército entrena campesinos para la defensa de los departamentos," *Prensa Libre*, 21 November 1981, p. 66.

³⁰ PDS-XMJ-06A, notes p. 16.

foreigners from Cuba and other countries who were filling peoples' heads with ideas.³¹

According to anthropologist Kathy Dill, who wrote a contextual report on the events in Rabinal between 1981 and 1984, revolutionary ideas were explained to the Achí Indians as a political pathogen that contaminated and infected men, women, children and elders and that such a virus had to be obliterated in order to protect their families, the Achí community and the Guatemalan Nation.³² One witness in our study, a Chackchiquel Indian from Chimaltenango, said that when soldiers came through his community “they told us they had come to cure the people.”³³ If Indians failed to understand immunology or germ eradication, army explanations took a more familiar approach. In a selective massacre in Ilom on the day Ríos Montt came to power, in which only men were killed, the lieutenant told those left alive that he had come “to pick the rotten mangoes.”³⁴ According to Kathy Dill, in Rabinal indigenous subversives were referred to as beasts or *itzel chikop*, in Achí, or demons, *itzel winag*. Portrayed as subhuman beasts and demons, such persons from then on lay outside the universe of human obligation. Once indoctrinated, writes the researcher, civilian patrollers in Rabinal under the army' control, through threat and coercion, could

ignore all the moral values intrinsic to Achí culture: elders were no longer automatically respected because of their age (they could be subversives), [...] their wives were or supported guerrillas; their children were contaminated and would become guerrillas in the future. According to the doctrine, they all had to be exterminated. Those who collaborated with the army were not criminals, they were heroes, protectors of family, community, and the state.³⁵

³¹ PDS-XMJ-06A, notes p. 16-17. My translation.

³² Dill, “Violencia Estadista,” 21-23. The term *political pathogen* is from Grandin, in chapter 3 of *The Blood of Guatemala*, entitled “A Pestilent Nationalism: The 1837 Cholera Epidemic Reconsidered,” 91.

³³ PAC-XXM-02A, notes p. 248. My translation.

³⁴ ILO-XCB-03A, notes p. 310. My translation.

³⁵ Dill, “Violencia Estadista,” 21-23. My translation.

It is worth recalling the Guatemality Doctrine and Ríos Montt's vision of a new Nation rising from the ashes of crisis, discussed in chapter 6, as well as General Benedicto Lucas García's comments to the *Washington Post* in January 1982 when he justified army actions against entire indigenous families in Chimaltenango, claiming that

the husband acts as the combatant, the wife as collaborator [...] and the children from 8 to about 15 are agents of theirs who harass the Army with homemade grenades. [...] Of course, these people are difficult to distinguish from most of the rest of the local population, but these organizational bases have to be won over or wiped out. Because of that, well, the population suffers.³⁶

While some Indian men became assassins, at times willingly, the rest of their communities became the targets of terror.³⁷ The conflation between Indians and armed leftist insurgents would have deadly consequences in the highlands, sparing only those who willingly killed other Indians when ordered to do so. There was no neutral ground, no center, no distinction made between combatants and non-combatants, and the need to wipe out the enemy meant intentionally wiping out Indian men, women and children because they were Indians.

D. Fear and Sacrifice

According to Helen Fein, the psychodynamic theory of aggression is based on the dialectic between life-affirming forces and life-denying forces. Although Fein reserves her judgement on the theory, it nonetheless stipulates that the anxiety of death or non-being can propel a perpetrator to sacrifice others to still his fear.³⁸ Referring to the Guatemalan context, Casaús Arzú and Grandin have noted that historically, Indian

³⁶ Dickey, "Guatemala War Grows Fiercer," *Washington Post*, 22 January 1982, p. A1.

³⁷ Dill, "Violencia Estadista," 23.

³⁸ Fein, "Sociological Perspective," 45-47.

uprisings or unrest in Guatemala have instilled a sense of foreboding among non-Indians since the colony, a constant threat against which non-Indians could never be too careful.³⁹

According to anthropologist Richard Adams, “fear has always been an intrinsic part of the psychodynamics of the ladino-Indian relationship. Its historic genesis lies in the Conquest, it has been reborn in every subsequent generation, and it has periodically been fired up into bloody events.” Writing in the late 1980s, the author explains that during the colony, control of the Indian was

based on physical conquest, and its continuation required periodic physical reinforcement. Thus the emerging ladino population feared the Indians as a potentially rebellious people who had to be periodically reminded of their conquered status; and the periodic reminders have, quite naturally, reinforced a fear already long present in the Indians. If the psychodynamics of genocide are not new [in Guatemala], the elements of capitalist and socialist ideologies that have added to that substratum are.⁴⁰

In the second half of the twentieth century, the potential threat, real or perceived, of the highland Indian descending upon the city to wreak havoc upon its ladino inhabitants was compounded by the real or perceived threat of international communism toward which, for some reason, the poor, landless Indians had a propensity.⁴¹ Casaús writes that when born-again evangelical preacher Efraín Ríos Montt decided to sport battle fatigues and become president in March 1982, the political conflict took on a religious dimension. In the highlands the equation, quite simply, according to Casaús, became “Indian = Communist = Devil.”⁴² Witnesses before the Truth Commission recalled how, in 1982, the distinction between good and evil meant life or death when soldiers came into

³⁹ Casaús Arzú, *Guatemala: linaje y racismo*, 206; Grandin, *The Blood of Guatemala*, 69, 108.

⁴⁰ Richard Adams, “Conclusions: What Can We Know About the Harvest of Violence?” in *Harvest of Violence: The Maya Indians and the Guatemalan Crisis*, ed. R. Carmack (Norman: University of Oklahoma Press, 1988), 284-285.

⁴¹ CEH, *Memoria del silencio*, chapter II, paragraph 3238, p. 325.

⁴² Casaús Arzú, *Guatemala: linaje y racismo*, 262.

indigenous highland villages: “the army started organising the people one by one [...]. If [the informer] said such and such was guilty let’s say of being a guerrilla, they called him over to hell and another to heaven, those were the only two options.”⁴³ In the countryside, the reductive dichotomy between good and evil and the almost religious zeal with which violence was brought to bear on Indian communities would take on a genocidal dimension.

E. Intent, *Dolus Specialis*, and Inference

The 1948 United Nations Genocide Convention (UNGC), in effect since 12 January 1951, is widely accepted today as part of customary international law.⁴⁴ The definition of the material and intellectual elements of the crime of genocide, defined in Article II of the UNGC, have been replicated verbatim in the statutes of the ICTR (Article 2),⁴⁵ the ICTY (Article 4),⁴⁶ and the ICC (Article 6).⁴⁷ The UNGC, therefore, will serve as our point of departure for the following discussion pertaining to genocide in Guatemala. Under Article II of the UNGC

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;

⁴³ CEH. *Memoria del silencio*, chapter II, paragraph 3282, p. 337. Other religious metaphors are mentioned at paragraph 3284, p. 338; and paragraph 3286, p. 339. My translation.

⁴⁴ Fein, “Sociological Perspective,” 12; ICTR, “Prosecutor vs. Jean-Paul Akayesu,” paragraph 495, p. 106; paragraph 530, p. 111.

⁴⁵ United Nations, “Statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994” (ICTR) (accessed 20 April 2005), available from <http://www.ictor.org/ENGLISH/basicdocs/statute.html>; Internet.

⁴⁶ United Nations, “Statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territories of the Former Yugoslavia Since 1991” (ICTY) (accessed 20 April 2005), available from <http://www.un.org/icty/legaldoc/index.htm>; Internet.

⁴⁷ ICC, “Rome Statute.”

- (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.⁴⁸

According to recent international case law, the crime of genocide does not imply the physical annihilation of a group in its entirety, but is deemed to have occurred when one or a combination of the prohibited acts enumerated from (a) to (e) are carried out against members of a national, ethnic, racial or religious group with the intent to destroy the group, in whole or in part.⁴⁹ Furthermore, since the 1990s acts of rape and sexual violence, when “part of the conceptual framework of state sanctioned violence,” committed “as an integral part of the process of destruction” of a protected group, are considered acts of genocide, although the 1998 Statute of the ICC does not explicitly mention the act in Article 6.⁵⁰

International law defining crimes against humanity aims to protect civilian populations from the acts discussed in chapter 8. Crimes against humanity differ from genocide in that genocide requires that prohibited acts be committed with the intent to destroy a protected group in whole or in part.⁵¹ Intent, therefore, is what differentiates genocide from crimes against humanity. A crime such as mass murder (i.e. extermination) can involve large numbers of people, even members of a national, ethnic,

⁴⁸ United Nations, “Convention on the Prevention and the Punishment of the Crime of Genocide” (accessed 20 April 2005), available from <http://www.treaty.un.org>; Internet.

⁴⁹ ICTR, “Prosecutor vs. Jean-Paul Akayesu,” paragraph 497, p. 106.

⁵⁰ Ibid., paragraphs 597-598, p. 123; paragraphs 731-732, p. 145-146. See also United Nations, “Report on Darfur,” paragraph 358, p. 95; Lisa Sharlach, “Rape as Genocide: Bangladesh, the Former Yugoslavia, and Rwanda,” *New Political Science* 22, 1 (2000), 89-102; Robyn Charli Carpenter, “Forced Maternity, Children Rights and the Genocide Convention: A Theoretical Analysis,” *Journal of Genocide Research* 2, 2 (2000), 213-244; Rose Lindsay, “From Atrocity to Data: Historiographies of Rape in the Former Yugoslavia and the Gendering of Genocide,” *Patterns of Prejudice* 36, no 4 (October 2002), 59-78; Schabas, *Genocide in International Law*, 161-165,

⁵¹ ICTR, “Prosecutor vs. Jean-Paul Akayesu,” p. 11; paragraph 469, p. 101; paragraph 565, p. 117; paragraph 568, p. 118.

religious or racial group, it can be widespread and systematic, but it is not genocide if the perpetrators' specific intent to destroy his victims' group cannot be demonstrated.⁵² There is also an important distinction to be made between intentionality and genocidal intent. Homicide, for example, can be intentional in the sense that it was not accidental. In individual cases of murder the law defines levels of intentionality in terms of first or second degree, or manslaughter. When dealing with the crime of genocide, however, there is no sliding scale of intentionality. Convictions for genocide can only be entered "when intent has been unequivocally established."⁵³ The UN Report on Darfur explains that the subjective element of genocide is twofold:

(a) the criminal intent required for the underlying offence (killing, causing serious bodily or mental harm, etc) and, (b) "the intent to destroy in whole or in part" the groups as such. This second intent is an aggravated criminal intention or *dolus specialis*: it implies that the perpetrator consciously desired the prohibited acts he committed to result in the destruction, in whole or in part, of the group as such, and *knew* that his acts would destroy in whole or in part, the group as such.⁵⁴

According to the ICTR genocide is distinct from other crimes inasmuch as it embodies a special intent, or *dolus specialis*, which "demands that the perpetrator *clearly seek to produce the act charged*," the tribunal explaining that

special intent is a well-known criminal law concept in the Roman-continental legal systems [...]. [It] is the key element of an intentional offence [...] characterised by a psychological relationship between the physical result and the mental state of the perpetrator. [...] With regard to the crime of genocide, the offender is culpable [...] because he knew or should have known that the act committed would destroy, in whole or in part, a group.⁵⁵

⁵² United Nations, "Report on Darfur," paragraph 514, p. 131; paragraph 519, p. 132.

⁵³ Ibid., paragraph 503, p. 128.

⁵⁴ Ibid., paragraph 491, p. 124. Emphasis added.

⁵⁵ ICTR, "Prosecutor vs. Jean-Paul Akayesu," paragraph 498, p. 106; paragraphs 518, 520, p. 109.

In her sociological definition of genocide, Helen Fein explained perpetrator intent as “sustained purposeful action” in view of destroying a collectivity.⁵⁶ The ICTR in *Prosecutor vs. Clément Kayishema and Obed Ruzindana* also uses the phrase “pattern of purposeful action,”⁵⁷ and the ICTY in *Prosecutor vs. Radislav Krstic* employs the term “purposeful” to describe the decision taken in view of the partial destruction of the Bosnian Muslim population of Srebrenica in July 1995 by the Bosnian Serb Army, arguing that such action was taken with the specific *goal* of destroying part of the targeted group.⁵⁸

As a mental factor, intent is difficult, if not impossible, to determine in the absence of a confession from an accused perpetrator.⁵⁹ Criminal intent, however, according to the British Common Law tradition, can be inferred or constructed from a perpetrator’s actions and, in some cases, even from circumstantial evidence.⁶⁰ According to Fein, documenting genocide

demands at the very least identifying a perpetrator(s), the target group attacked as a collectivity, assessing its numbers and victims, and recognizing the *pattern of repeated actions from which we infer the intent of purposeful action to eliminate them*. Such inference is easiest to draw when we can cite both pre-existent plans or statements of intent and the military or bureaucratic organization of a death machine; seldom do we have both kinds of evidence.⁶¹

⁵⁶ Fein, “Sociological Perspective,” 24.

⁵⁷ ICTR, “Prosecutor vs. Clément Kayishema and Obed Ruzindana, Judgement, case no. ICTR-95-1-T [document on-line],” Arusha, Tanzania, 21 May 1999 (accessed 20 April 2005), available from <http://www.ictr.org/default.htm>; Internet: paragraph 93.

⁵⁸ ICTY, “Prosecutor vs. Radislav Krstic, Judgement, case no. IT-98-33-A,” The Hague, 2 August 2001, paragraph 568, p. 199; paragraph 571, p. 200-201. Emphasis in the text.

⁵⁹ ICTR, “Prosecutor vs. Jean-Paul Akayesu,” paragraph 523, p. 109.

⁶⁰ ICTR, “Prosecutor vs. Clément Kayishema and Obed Ruzindana,” paragraph 93; A. Dirk Moses, “Conceptual blockages and definitional dilemmas in the ‘racial century’: genocides of indigenous peoples and the Holocaust,” in *Patterns of Prejudice* 36, no. 4 (October 2002), 29, recalls that in nineteenth-century English law, persons were inferred to have intended the “natural consequences” of their actions if the results proscribed were reasonably foreseeable as a likely consequence of their actions. The presumption was that those accused had intended the result of their actions.

⁶¹ Fein, “Sociological Perspective,” 25. Emphasis added. In her “Paradigm for Detecting and Tracing Genocide,” Fein at p. 26 proposes a number of questions which can help discern a perpetrator’s intent or

The UN Report on Darfur, citing the ICTY, adds that intent may

be inferred from a number of facts, such as general context, the perpetration of other culpable acts systematically directed against the same group, the scale of atrocities committed, the systematic targeting of victims on account of their membership of a particular group, or the repetition of destructive and discriminatory acts.⁶²

F. Evidential Assistance

The ICTR specifies that “although a specific plan to destroy does not constitute an element of genocide,” it would be difficult “to carry out a genocide without such a plan, or organisation.”⁶³ The ICTY concurs, stating that “the existence of a plan [is] not a legal ingredient of the crime of genocide,” although pre-existent plans or statements “could be evidential assistance to prove the intent of the authors of the criminal act(s).”⁶⁴ Furthermore, while recognising that “customary international law limits the definition of genocide to acts seeking the physical or biological destruction of all or part of a group,” the ICTY also noted that

where there is physical or biological destruction there are often simultaneous attacks on the cultural and religious property and symbols of the targeted group as well, attacks which may legitimately be considered as evidence of the intent to physically destroy the group.⁶⁵

In this sense, inferring genocidal intent could “encompass evidence relating to acts that involved cultural and other non physical forms of group destruction,” including ethnic

purposeful action. These include: (a) Can deaths of group members be explained as accidental outcomes? (b) Is there evidence of repetition of destruction by design or as a foreseeable outcome? (c) Is there direct evidence of orders or authorization for the destruction of the victims? (d) At what level did the authorization occur? (e) Is there *prime facie* evidence that the pattern of acts and personnel involved show that authorities had to plan, organize, or overlook a pattern of destruction? (f) Is there any negative evidence of sanctions against agents responsible for such acts?

⁶² United Nations, “Report on Darfur,” paragraph 502, p. 128.

⁶³ ICTR, “Prosecutor vs. Clément Kayishema and Obed Ruzindana,” paragraph 94.

⁶⁴ ICTY, “Prosecutor vs. Radislav Krstic,” paragraph 571, p. 201.

⁶⁵ *Ibid.*, paragraph 580, p. 203.

cleansing, as well as the deliberate destruction of houses belonging to members of a group or their places of worship.⁶⁶ Although such acts could not be considered genocidal *per se*, they may be construed as indicative of a broader genocidal plan. The ICTY also found that the killing of the “political, administrative, intellectual or business leaders” of a group, when “viewed in the context of the fate of [...] the rest of the group,” could be regarded as “a strong indication of genocide regardless of the numbers killed.”⁶⁷ The ICTY pointed out that intent to destroy the Bosnian Muslims of Srebrenica could also be inferred from acts committed after killings had actually taken place, such as

in the concealment of the bodies in mass graves, which were later dug up, the bodies mutilated and reburied in other mass graves located in even more remote areas, thereby preventing any decent burial in accord with religious and ethnic customs and causing terrible distress to the mourning survivors [...].⁶⁸

The ICTR, for its part, in *Prosecutor vs. Jean-Paul Akayesu*, ruled that it was possible to deduce genocidal intent from the general context of the perpetration of other criminal acts systematically directed against the same group “whether these acts were committed by the same offender or by others.” The ICTR considered other factors enabling inference

such as the scale of atrocities committed, their general nature, in a region or a country, or furthermore, the fact of deliberately and systematically targeting victims on account of their membership [in] a particular group, while excluding the members of other groups [...].⁶⁹

Quoting jurisprudence from the ICTY in the cases brought against Radovan Karadzic and Ratko Mladic, the ICTR specified that intent could be discerned from a general political doctrine and the combined effect of speeches or projects laying the groundwork for or

⁶⁶ Ibid., paragraph 577, 578, 580, p. 203; paragraph 595, p. 212.

⁶⁷ Ibid., paragraph 587, p. 206.

⁶⁸ Ibid., paragraph 596, p. 212.

⁶⁹ ICTR, “Prosecutor vs. Jean-Paul Akayesu,” paragraph 523, p. 109.

later justifying genocide. Related to the example cited above concerning the desecration of Bosnian Muslim graves in Yugoslavia, the ICTR found that genocidal intent could also be deduced from “the perpetration of acts which violate, or which the perpetrators themselves consider to violate the very foundation of the group [...]”⁷⁰

G. Speeches, Utterances and Statements

On 21 March 2000 Kate Doyle of George Washington University’s National Security Archive presided over a panel discussion entitled “Memory and Truth after Genocide: Guatemala” at the United States Holocaust Memorial Museum. In her introductory remarks, Ms. Doyle quoted verbatim from a declassified document written by a US Military Attaché posted in Guatemala in 1994, describing a meeting in which the Guatemalan Army General Staff ordered its officers to search their files and destroy

any incriminating evidence, whether a written order or other information, which could be used to identify or help trace individuals who might be viewed as responsible for any activity that could be deemed illegal in any way [or] compromise the security or status of any member of the Guatemalan military.⁷¹

The document states that the orders in question had been complied with in at least one military base on the country’s south coast: files were removed, torture chambers were demolished, and pits used to bury suspected guerrillas “were filled and covered over with cement.”⁷² Despite such military orders, in 2004 authorities from the Guatemalan human rights ombudsman’s office discovered millions of National Police files spanning most of the twentieth century in an abandoned munitions depot in the capital. The files, some of

⁷⁰ Ibid., parag. 524, p. 110.

⁷¹ Kate Doyle, “Memory and Truth after Genocide: Guatemala [document on-line],” Panel Discussion, United States Holocaust Memorial Museum, Washington, 21 March 2000 (accessed 19 December 2004), available from <http://www.ushmm.org/conscience/guatemala/index.htm>; Internet.

⁷² Ibid.

which describe extrajudicial kidnappings and killings, are presently being processed and may one day shed some light on police actions taken against suspected government opponents.⁷³ They may, in fact, provide invaluable information regarding perpetrator intent and the organisation of police and government repression in the early 1980s.

For the time being, however, we have access to no formal confessions nor are we aware of any primary sources, such as explicit written orders, calling for the destruction in whole or in part of highland Indians in Guatemala. The closest thing to an admission on Ríos Montt's part, according to David Stoll, is a comment he made after being in power for a year: "We know and understand that we have sinned, that we have abused power," he said. "What can I do with a second lieutenant who won't accept my order not to kill?"⁷⁴ In fact, Ríos Montt did nothing. Despite denouncing his predecessor's crimes when he came to power, including corruption, electoral fraud and enforced disappearances, not a single army officer was brought to trial under his government.⁷⁵

Genocidal intent, then, will have to be inferred and we will begin our discussion by citing what appears to be a firsthand account of the massacre of civilians in or near the Ixil village of Cocob, department of Quiché, on 17 April 1981. According to a US Central Intelligence Agency report,

during the battle it was impossible to differentiate between the actual guerrillas and innocent civilians, and according to [suppressed], the soldiers were forced to fire at anything that moved. Comment: The

⁷³ Ginger Thompson, "Mildewed Police Files May Hold Clues to Atrocities in Guatemala [article on-line]," *New York Times*, 21 November 2005 (accessed 23 November 2005), available from <http://www.nytimes.com/2005/11/21/international/americas/21guatemala.html?ex=1290229200&en=6c89626a0d123c1b&ei=5088&partner=rssnyt&emc=rss>; Internet.

⁷⁴ David Stoll, "Evangelicals, Guerrillas and the Army," 111.

⁷⁵ *Ibid.*; Black, *Garrison Guatemala*, 123. Ejército de Guatemala, Plan de Campaña "Victoria 82," I. Situación: Fuerzas Enemigas: 2. Situación General Psicológica: c, p. 29, recognised the "considerable quantity of errors committed by the troops such as vandalism, rape, theft and destruction of harvests." In the case of genocide, a failure to prosecute is also considered a crime under Article VI of the UNGC.

Guatemalan authorities admitted that 'many civilians' were killed in Cocob, many of whom undoubtedly were non-combatants.⁷⁶

A sample of selected remarks made by a diplomat, Guatemalan government officials, officers and infantrymen, reprinted in the *New York Times*, the *Washington Post*, and other secondary sources, are also of interest. We have already quoted Army Chief of Staff General Benedicto Lucas' remarks to the *Washington Post* in January 1982 to the effect that Indian family nuclei, including "children from 8 to 15," had to be wiped out if they were suspected of resisting the government.⁷⁷ In June, a "Western European diplomat" told the *New York Times* that the Indians were "systematically being destroyed as a group."⁷⁸ In July, at the height of government violence in the highlands following the implementation of plan Victoria 82 on the first, reporter John Dinges recorded the comments of three infantrymen interviewed in the town of Cunen, department of Quiché. According to Dinges, the soldiers

were asked how they were instructed to act when they raid a village suspected of harbouring guerrillas if women and children are present. "When there is a battle, we shoot at everybody alike, even though they don't have uniforms," one said. "Sometimes there are people dressed as civilians who are armed. Practically all of them are guerrillas, ... so the order is to attack everybody alike."⁷⁹

The same month Allan Nairn, writing for the *New York Times*, related his conversion with President Ríos Montt:

When asked about army killings of unarmed civilians, Gen. Efraín Ríos Montt, Guatemala's military ruler replied: "Look, the problem of the

⁷⁶ Central Intelligence Agency, "[Guatemalan Soldiers Kill Civilians in Cocob] [document on-line]," avril 1981 (accessed 29 January 2004); available from <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB11/docs/12-01.htm>; Internet.

⁷⁷ Ibid.

⁷⁸ Bonner, "Rights Gains Seen," *New York Times*, 3 June 1982, p. A9; Bonner, "Giving is No Picnic," *New York Times*, 6 June 1982, section 4, p. 2.

⁷⁹ John Dinges, "Guatemala Organizing Peasant Antirebel Units," *Washington Post*, 19 July 1982, p. A1.

war is not just a question of who is shooting. For each one who is shooting there are 10 working behind him.”⁸⁰

In the same article, Ríos Montt’s Secretary of Public Relations, Francisco Bianchi, Christian Church of the Word elder and former television executive, considered among “the most powerful men in the presidential entourage,”⁸¹ was more explicit:

“The guerrillas won over many guerrilla collaborators,” he said. “Therefore, the Indians were subversives, right? And how do you fight subversion? Clearly, you had to kill Indians because they were collaborating with subversion. And then they would say, ‘You’re massacring innocent people.’ But they weren’t innocent. They sold out to subversion.”⁸²

In September then-Minister of Defence Oscar Humberto Mejía Victores, who became President in August 1983 after overthrowing Ríos Montt, told Guatemalan broadcast reporters that “we must do away with the words ‘indigenous’ and ‘Indian’.”⁸³

In another article in December “a ranking military officer in the Quiché” told the *New York Times* that “the guerrilla in the civil population is like fish in water,” paraphrasing Mao Zedong. “You take the water from the fish, the fish dies; you take the people from the guerrillas and they die.”⁸⁴ The people the officer spoke of in the Quiché were predominantly Quiché and Ixil Indians, and taking “the people from the guerrillas” at the time was a euphemism for killing them. Plan Victoria 82 explicitly stated that, “until further orders,” the plan’s objective was “to locate, capture *or* destroy subversive

⁸⁰ Allan Nairn, “Guatemala Can’t Take Two Roads,” *New York Times*, 20 July 1982, n. p.

⁸¹ Marlise Simons, “Latin America’s New Gospel,” *New York Times*, 7 November 1982, sec. 6, p. 45.

⁸² Nairn, “Two Roads,” n.p. Quoted as well in Editorial Desk, “The Dirtiest War,” *New York Times*, 17 October 1982, sec. 4, p. 14.

⁸³ Radio Televisión Guatemala, 0400 GMT, 2 September 1982, as quoted in Black, *Garrison Guatemala*, 131, 143n 42.

⁸⁴ Richard Meislin, “Uneasy Peace Comes to Rural Guatemala But Disquiet Lingers,” *New York Times*, 22 December 1982, p. A1.

groups or elements.”⁸⁵ The word *or* is misleading in the sense that it implies a choice of possible actions to be taken against an enemy that, as will be discussed again shortly, included civilian indigenous men, women, children and elders.

A witness before the Truth Commission said that army specialists in Quiché, including Indian drivers and bodyguards for base commanders, moved their families out of Quiché in 1981 and 1982 because “the orders given by the first and second commanders were to kill all the Indians.”⁸⁶ Another witness from the Ixil area of Quiché told the Commission that soldiers “wanted to finish off the hamlets, not to scare people, not just kill one, two or three, people, but to finish them off once and for all. [...] When I escaped under a shower of bullets I heard a soldier say ‘kill them men, kill them all because the time to kill has come’.”⁸⁷ An army officer told the Commission: “I once personally received an order from the Army Chief of Staff to raze an entire population and I commented [the order] with the major in charge of the base at the time. ‘Look [I said] they gave me the order to disappear San Juan Cotzal’.”⁸⁸

H. The Massacres

According to Fein, documenting genocide, among other things, demands “recognizing the pattern of repeated actions from which we infer the intent of purposeful action to eliminate” a protected group. Apart from statements, “the military or bureaucratic organization of a death machine” can also tell us something about intent.⁸⁹ What, then, can the people who escaped the highlands in 1981 and 1982 tell us about the

⁸⁵ Ejército de Guatemala, Plan de Campaña “Victoria 82” 3-“M”. 000007, Guatemala, [25 June 1985]. From photocopy of numbered typescript copy, IV. Misión: p. 2.

⁸⁶ CEH, *Memoria del silencio*, chapter II, paragraph 3198, p. 314. My translation.

⁸⁷ *Ibid*, chapter II, epigraph to paragraph 3226, p. 321. My translation.

⁸⁸ *Ibid*, chapter II, epigraph to paragraph 3244, p. 326. My translation.

⁸⁹ Helen Fein, “Sociological Perspective,” 25.

Guatemalan army's "pattern of repeated actions?" The twenty-one massacres in our sample were all committed in the highlands or northern lowlands of Guatemala between December 1981 and October 1982. Victims were members of indigenous ethnic groups, as they defined themselves and as they are defined in Article 66 of the 1985 Guatemalan Constitution, presently in force. These groups are Achi, Cackchiquel, Quiché, Keqchi, Ixil, Kanjobal, and Chuj (appendix 3).

In appendix 12 we sought to compare sixty separate acts that could have occurred during and immediately following each of the massacres based on witness accounts. These acts were organised according to categories, including: (A) Events prior to killing members of the community; (B) Methods used to select and organise victims during the massacre; (C) Methods and equipment used to kill members of the community; (D) Methods used to dispose of bodies; etc. In appendix 13, we then compared another twenty acts indicative of the context and acts of persecution committed against massacre survivors, based again on witness testimony (appendices 6, 12 and 13). If any element was repeated in fifteen out of twenty-one cases (71 percent of the time), then we believe the act was indicative of a pattern indicating a level of deliberate planning or intentionality. The results of our investigation are the following:

Appendix 12. Perpetrator *modus operandi* when carrying out the massacres, 1982

A. Prior to killing members of the community:

- Perpetrators began their operations at dawn or in the early morning (86%);
- Perpetrators arrive on foot (86%);
- Access to and from community is blocked or community members are surrounded (76%);
- Perpetrators carry out house to house searches (71%);
- Community members are called to a meeting and gathered in one place (76%).

B. Perpetrators select and organise victims prior to killing in the following manner:

- Men, women, pregnant women, children, infants and elders were killed (76%).

C. Methods and equipment used to kill members of the community:

- Perpetrators torture and mutilate their victims before killing them (86%);
- Perpetrators use ropes to immobilise or kill some of their victims (81%);
- Perpetrators use firearms (95%).

D. Methods used to dispose of bodies:

- Bodies are left to animals or otherwise desecrated (71%).

F. Other actions undertaken during or following the massacres:

- Houses are pillaged (76%);
- Houses are destroyed (usually by fire) (81%);
- Community completely razed (71%).

Appendix 13. Army persecution of survivors.

A. Massacre survivors flee into the mountains, become internally displaced (81%);

F. Survivors are persecuted on the ground (76%);

G. Members of the community lose their lives during the ensuing displacement (76%);

I. Survivors are forced to join paramilitary forces, such as Civilian Defence Patrols, under army supervision (71%).

Our sample is limited, but it does indicate certain patterns that are worth noting in attempting to portray a typical highland massacre in 1982. First, deliberate care seems to have been taken before the actual killing of victims began. The operations, for instance, began early in the day, allowing perpetrators to gather a maximum number of villagers. Second, access to the community was controlled, soldiers carried out house to house searches, and community members were concentrated in one place. Third, victims were immobilised using ropes, rendered completely defenceless, to be tortured and mutilated. Fourth, when the killing actually began, and firearms were almost always used, victims were of both sexes, young and old. Following the massacre, the bodies were often left where they fell, to be prayed upon by animals or otherwise desecrated. If the military campaign plan Victoria 82 emphasised the importance on troop moral of providing fallen

soldiers with a dignified burial,⁹⁰ than the army was aware of the devastating effect on survivors of leaving tortured and mutilated bodies to be eaten by dogs, pigs or wild animals.⁹¹ The victims, in life and in death, were the subject of the army's utter contempt.

Following the killings, victims' homes were pillaged, their most intimate belongings, their monetary savings, stored food, tools, ceremonial objects, intricate, handmade weavings and embroideries, grinding stones, passed on from mother to daughter, were stolen or destroyed.⁹² Simple dwellings, built with great effort by their owners who often gathered and carried the materials on their backs over kilometres of mountain paths, were then set ablaze. If the destruction by fire of individual homes meant the destruction of lifetimes of effort for one family, then the destruction of entire communities represents an attack on the human groups that once lived there. As one indigenous man told Beatriz Manz, speaking of the agricultural cooperative he had helped found in the late 1960s, "it took eleven years to build and just three days to destroy."⁹³

The survivors scattered wherever and however they could, their families, homes, communities completely vanquished.⁹⁴ As if left unsatisfied by the destruction of the Indians' material universe, the army pursued them in the jungles and mountains, often relentlessly. Living like wild animals, eating roots and bark to survive, many did not.⁹⁵ If they did not die from the army's bullets, then people died from cold, sickness, exhaustion

⁹⁰ Ejército de Guatemala, Plan de Campaña "Victoria 82", Apendice "B" (Plan de Operaciones Psicológicas para las Tropas) Plan de Operaciones Psicológicas "Victoria 82," III. Ejecución: 1. Primera Fase: 4, d, p. 40.

⁹¹ VIV-YMM-02A, notes p. 295.

⁹² RN-YPO-03A, notes p. 78; AF-XMS-01A, notes p. 107.

⁹³ Manz, "La Esperanza, an Ixcán Village," 80.

⁹⁴ PDS-YGT-13A, notes p. 38.

⁹⁵ RN-XTO-05A, notes p. 101; PDS-XRC-09B, notes p. 32; PDS-YGT-13A, notes p. 35-36, 38; SMT-XPP-04A, notes p 332.

or hunger.⁹⁶ If they were captured or if they surrendered, following Ríos Montt's second amnesty in March 1983, for example, marking his government's first anniversary, then they were corralled into model villages, the women forced to cook for the army and the men made to join the civil defence patrols.⁹⁷ Such patrols, inwardly and outwardly reproducing army repression and control, were often sent out to track other survivors starving in the mountains, or to carry out sweeps during which as many as 4,000 patrollers destroyed any crops they came across, making life in the wilds untenable for those still fleeing for their lives.⁹⁸

I. Persecution and Group Foundations

There seems to be an act which moves our argument forward along the genocide continuum, from such crimes against humanity as extermination to genocide, and that is the relentlessness with which the army pursued its victims following the massacres. It stands to reason that if a perpetrator is going to attempt to destroy a group in whole or in part, he would also attempt to destroy that which that group depends upon for its survival as a group. In material terms such destruction included the razing of entire villages, 440 in the early 1980s, according to the army's own count, although it blamed the insurgency.⁹⁹ It also included the destruction of crops, stored harvests, saplings, seeds, and farm animals. Recall the explicit order in the Firmeza 83 campaign plan to raze crops belonging to any civilian community remotely considered sympathetic to the

⁹⁶ CHI-YGP-06A, notes p. 192.

⁹⁷ Ibid.

⁹⁸ CHI-XCT-01A, notes p. 168-169; ILO-XCB-03A, notes p. 311; CHI-XJB-08A, notes p. 198.

⁹⁹ Ejército de Guatemala, *Polos de Desarrollo*, 62.

insurgency.¹⁰⁰ In human terms, as discussed in chapter 8, army violence targeted the leadership of Achi communities in Rabinal, including Panacal, Pichec and Chichupac in late 1981 and early 1982. Recall the witness from Chichupac who said that “of all the auxiliary mayors, delegates, healers, health promoters, catechists, not one was left after the massacre.”¹⁰¹ Although targeting a group’s leadership is not a genocidal act *per se*, it can be indicative of a more specific intent to destroy the group and its foundations.¹⁰²

Other acts can also serve as indicators or indicative evidence. Witnesses, for instance, mention attacks carried out by the Guatemalan army against elements of their culture that define them as a distinct human group. These included indigenous peoples’ places of worship, burial rites, languages, dress, and the transmission of traditions. Take, for example, the events in the Quiché community of Xix, located in the municipality of Chajul. One witness who escaped the massacre and later returned recalled that

the entire village was an ash heap. [...] They destroyed the houses, they stole the animals [...]. All the peach and apple saplings, the *güisquiles*, pomegranates, everything was completely destroyed. They poisoned the water because the animals lay dead at the water’s edge. [...] They destroyed the place in the hills where the traditionalists [*costumbristas*] practiced their customs, their prayers. [...] The small prayer house in the hills was gutted by fire. [...] The soldiers came by almost daily to capture us, [...] they patrolled the ravines, they set the forest on fire and you should have seen the fire! As if the earth meant nothing, this sacred land. [...] They thought people were hiding in the forest that’s why they set the land on fire. [...] And then the helicopters started bombing [in the hills]. [...] For an entire month the helicopter flew over.¹⁰³

¹⁰⁰ Ibid., Sección III. Ejecución: C. Objetivos Específicos: 1. Maniobra: a. Primera Fase: 1, p. 4; Sección IV. Misiones Específicas: Instrucciones de Coordinación: 18, p. 21.

¹⁰¹ CHI-XJL-02A, notes p. 174.

¹⁰² ICTY, “Prosecutor vs. Radislav Krstic,” paragraph 587, p. 206.

¹⁰³ XIX-XU-01A, notes p. 319. My translation. In his account of Guatemala’s internal armed conflict, General Gramajo Morales, *De la Guerra... a la Guerra*, p. 183, dedicates a dozen pages or so to the Ixil Triangle in the early 1980s, mentioning many of the area’s villages by name including Xix, Tixix, Xolcuay, Batzul, Chichel, Juil, Xetenam and Chacalté. He translates the name Batzul as “Taltuza [rodent] of the Mountain,” while he emphasizes the disparaging colloquial and formal meanings of Xix’s toponym as soiled or dirty. According to Richard Meislin, “Uneasy Peace,” the destruction of forests was also carried out by the Guatemalan military in order to avoid guerrilla ambushes. Twenty to thirty meter swaths were

The day after the 18 July 1982 Plan de Sánchez massacre in Rabinal, survivors who had fled returned to see the still smouldering remnants of their community and the charred and mutilated remains of their families and neighbours. Civil defence patrollers were ordered by the military to hastily bury the dead in mass graves. According to witnesses, the dead were not treated as they should have been nor buried according to Achí customs. In fact, bodies found in one piece were unceremoniously dragged across the ground and summarily disposed of in gaping pits. Tilling hoes were used to scrape the ground clean of body parts, charred remains and associated artefacts.¹⁰⁴ One witness commented that the dead were thrown into the ground “as if they were dogs.”¹⁰⁵

A witness from Rancho Bejucó recalled life in 1983 in an army-controlled camp called San Pedro Sisínab where it was forbidden for the Indians to speak Achí: “we would speak amongst ourselves in our language, but as soon as an [army] official walked by we had to speak in Castilian, obligatorily.”¹⁰⁶ According to a witness from Píchech, soldiers denigrated their language, ordering men to abandon their distinctive traditional forms of dress and backing up their orders with death threats.¹⁰⁷ A witness testifying before the Truth Commission explained that as people attempted to flee the western highlands to reach the Pacific coast many were killed when soldiers identified them because of their traditional dress:

[...] they killed them between Santa Cruz [del Quiché] and Sacapulas. They killed them when the soldiers recognised that they were from Nebaj. In

ordered cut down on either side of the roads running through the pine forests in remote regions of Huehuetenango. For satellite imagery of deforestation in the highlands before, during and after the Guatemalan genocide see the Yale University Genocide Studies Program website at <http://www.yale.edu/gsp/guatemala/index.html>; Internet.

¹⁰⁴ PDS-XMJ-06A, notes p. 19.

¹⁰⁵ PDS-XJG-07A, notes p. 24. My translation.

¹⁰⁶ RB-XIR-01A, notes p. 126. My translation.

¹⁰⁷ PIC-YRA-02A, notes p. 156.

Patulul, Suchitepequez, they killed the people that were identified as Ixil, they were recognised because of the women's *corte* [traditional folded skirts]. They accused them of being guerrillas.¹⁰⁸

Another witness told the Commission about “a well where women would wash and leave their *cortes*, so when the army saw all those *cortes* hanging there to dry, since they were red, they started firing.”¹⁰⁹ Language was also a tell-tale sign of someone's origins. According to another witness before the Truth Commission, he saw men being badly beaten, adding that “they captured them because they spoke Ixil, all the Ixiles were considered guerrillas.”¹¹⁰

Witnesses in our sample from Vivitz, Ilom and Santa María Tzejá, all located in the department of Quiché, recalled how all religious services, ceremonies or gatherings were prohibited: “there were no more religions,” said a witness from Vivitz, “because if we gathered in a church, the army thought we were organising, so they forbade any kind of meeting. [...] The army controlled everything.”¹¹¹ In terms of religion, a survivor from the Plan de Sánchez massacre explained that

before the massacre [...] we practised Mayan ceremonies called devotions, in the privacy of our own homes. The elders presided over such rites, but many of them died in the massacre and their knowledge was not transmitted to the younger members of the community. Because of army repression and the military draft, various ancestral traditions were lost among the younger generations. They became more interested in what the army had to say. We lost our religious freedom, [...] many people were converted to Protestantism. Before 1985 we could not organise Mayan ceremonies. The Military Commissioners would accuse us of practicing witchcraft and enticing people against them. There were no religious rites or teachings or anything to do with human rights. They said these ideas came from the guerrillas.¹¹²

¹⁰⁸ CEH, *Memoria del silencio*, chapter II, paragraph 3264, p. 332. My translation.

¹⁰⁹ *Ibid.* My translation.

¹¹⁰ *Ibid.*, chapter II, paragraph 3265, p. 332. My translation.

¹¹¹ VIV-YMM-02A, notes p. 295. See also ILO-XBC-01A, notes p. 302. My translation.

¹¹² *Ibid.*, notes p. 45-46. See also PDS-XGR-11C, notes p. 52; PIC-YGC-01A, notes p. 150. My translation.

Killings following the massacres are particularly indicative of an intent to destroy a targeted group. The army, by persecuting survivors or escapees, showed particular zeal in its attempts to annihilate the targeted population. Another witness from Plan de Sánchez remembered that “after the massacre, they kept at it. A few days later [...] soldiers picked up Rosario in the plaza in Rabinal and they killed him who knows where.”¹¹³ At dawn on 13 February 1982, 175 soldiers launched an attack against the Santa María Tzejá cooperative located in the Ixcán region of northern Quiché. Because they fired shots at anyone they came across on the road leading to the community, most villagers fled to the surrounding countryside before they arrived. Reinforcements were flown in by helicopter on Monday, 15 February, the village was set ablaze, and soldiers began sweep operations in the area surrounding the village. One witness recalled how soldiers were alerted by a dog’s bark in the forest. When the soldiers came across a group of seventeen women and children hiding in the underbrush, the witness in question was the first child to run as soldiers took aim. Lying on the jungle floor, the witness waited for the gunfire to subside and saw soldiers finish off victims with knives, including his baby sister.¹¹⁴ This ghastly attack against utterly defenceless women and children indicates a clear intent to destroy the targeted group.

In chapter 5 we mentioned the more than sixty documented incursions by Guatemalan army soldiers into Mexico between 1982 and 1984.¹¹⁵ Of the 626 massacres attributed to government security forces by the Guatemalan Truth Commission, five of them were committed in Mexico between 1982 and 1983.¹¹⁶ Such massacres are of

¹¹³ PDS-XMJ-06A, notes p. 19-20. My translation.

¹¹⁴ SMT-SCV-03A, notes p. 328.

¹¹⁵ *Ibid.*, 263.

¹¹⁶ CEH, *Memoria del silencio*, chapter 2, paragraph 3077, p. 256.

particular interest because they clearly indicate that the Guatemalan army was not satisfied with merely destroying entire rural communities whose infrastructure could, conceivably, have harboured, fed, or otherwise hidden one or numerous guerrillas. In fact, they indicate an intent to destroy Indians who had already escaped one or even numerous attempts to destroy their groups as such. Despite the Guatemalan army's nationalist rhetoric, the war being waged against Indians in the highlands and northern lowlands, as these incursions into Mexico demonstrate, did not stop at the Mexican border. The intent was clearly to finish off the Indians within the army's reach, including those seeking refuge in Chiapas.

A word must also be said on the communities in which massacres (i.e. the killing of five persons or more) were recurrent. In our sample, nine of twenty-one communities experienced multiple massacres (43 percent). Such occurrences would, in Fein's view constitute a "pattern of repeated actions from which we infer the intent of purposeful action to eliminate" a protected group.¹¹⁷ The most eloquent example on this point is by far the Achí community of Río Negro, located in the municipality of Rabinal. Members of the community were the victims of five separate massacres, four of which occurred in a six-month period in 1982 (appendix 2). According to one witness, seven members of the community were massacred by military police on 4 March 1980; on 13 February 1982, fifty-five men, nine children, and nine women from Río Negro were massacred in the neighbouring village of Xococ; on 13 March 1982, 177 women and children were killed; on 14 May 1982, eighty-four residents of Río Negro who had sought refuge in Los Encuentros were massacred by the military and fifteen women were taken away in an army helicopter and never seen again. Finally, on 14 September 1982, thirty-five orphans

¹¹⁷ Fein, "Sociological Perspective," 25.

from Río Negro who had been entrusted to the community of Agua Fría were massacred along with most of that village's population. Not counting individual documented cases of assassination or enforced disappearances, a total of 391 people from Río Negro (36 percent of the community's estimated total) lost their lives in massacres carried out by military and paramilitary forces between March 1980 and September 1982.¹¹⁸

In the 2005 UN Report on Darfur, the investigating commission of experts stopped short of labelling events in Darfur genocide based on the important fact that "in a number of villages attacked and burned by both militias and Government forces the attackers refrained from exterminating the whole population that had not fled, but instead selectively killed groups of young men,"¹¹⁹ thereby indicating

that the intent was not to destroy an ethnic group as such, or part of the group. Instead, the intention was to murder all those men they considered as rebels, as well as forcibly expel the whole population so as to vacate the villages and prevent rebels from hiding among, or getting support from, the local population.¹²⁰

According to our sample of twenty-one massacres committed between December 1981 and October 1982, perpetrators in Guatemala began to target men, women, pregnant women, children, infants and elders in February 1982 under the Lucas García government, and the pattern held until at least September of the same year, under the Ríos Montt government. Of the sixteen army massacres in our sample that occurred between February and September, fourteen (or 86 percent) indiscriminately targeted Indians regardless of gender or age. Furthermore as testimony indicates and the Truth Commission demonstrates, the acts committed by the military were not limited to killing

¹¹⁸ RN-XCO-02A, notes p. 63, 67. According to RN-XTO-05A, notes p. 86, two additional community leaders were kidnapped on 8 August 1981 and their tortured and bullet-ridden remains were found on 17 August 1981.

¹¹⁹ United Nations, "Report on Darfur," paragraph 513, p. 130.

¹²⁰ *Ibid.*, paragraph 514, p. 131.

Indians, but also included pursuing and persecuting Indians after the fact, at times over an international border.

Within Guatemala widespread and systematic efforts were undertaken to destroy the Indians' material, spiritual, social, political and cultural foundations with the aim of making life for them utterly impossible, at times targeting Indians because of their leadership roles, their particular dress or language. If, after the March 1983 amnesty decreed by Ríos Montt, Indians were not systematically murdered in certain areas, they were rounded up and placed in army-controlled camps or model villages where, as some witnesses have explained, they were ordered not to speak their language, practice their religion or show other visible signs of their distinct identity, such as dress. Furthermore, according to the military campaign plans Victoria 82 and Firmeza 83 all surviving Indian men under army control, aged 15 to 60, were to be organised into civil defence patrols, essentially replacing any form of traditional governance in Indian communities with militarised structures subservient to military authority.

J. Inscribed Intentionality

In studying the 1994 Rwandan genocide, anthropologist Christopher Taylor attempted to explain why acts of violence were perpetrated in certain culturally-determined or patterned ways. According to Taylor, Rwandan cultural knowledge did not necessarily cause the Rwandan genocide, but it could help explain the context in which acts of violence had taken place and the acts' layers of implicit or explicit meaning. In his efforts to understand the cultural significance or logic of such widespread and systematic acts as severing the Achilles tendons of Tutsi victims, genital mutilation, breast obliteration, etc., Taylor relied on an extensive literature which could be of interest for future efforts

aimed at understanding the Guatemalan context and certain acts committed against highland Indian men, women and children.

When reading page after page of witness testimony recounting barbarous acts committed in Guatemala in the early 1980s, one cannot help but ask why? In fact, any student of Latin America and the Caribbean will certainly be struck with the resemblance of some contemporary accounts of violence with those of the sixteenth century recounted by such chroniclers as Bartolomé de Las Casas, Cristobál de Pedraza, Antonio de Valdivieso, and Alonso de Zorita. The point, however, is not so much to establish parallels between past and present in this case, but to look at the evidentiary significance of acts committed in Guatemala in the early 1980s in terms of intentionality or what some might call “inscribed intentionality.”

Torturers under the Lucas Garcia government and others, for example, rather than dispose of their victims’ bodies often made the extra effort to bring those bodies back into public view in order to intimidate the population or communicate some nefarious message. Bodies placed in the streets, ravines or public squares, in this sense, were meant to be object lessons for the rest of the population. The IACHR was quite clear in its 1981 report when it found that physical torture in Guatemala became a “horrendous system of killing citizens [...] with the apparent intention of having this serve as a warning to the population.”¹²¹

When consulting eyewitness accounts of events in the highlands, however, the graphic meaning of torture and mutilation is perhaps more evident although not entirely well understood. One eyewitness of the 14 March 1982 massacre in Cuarto Pueblo, Ixcán, recalled that when the soldiers rounded up the villagers

¹²¹ Ibid., chapter IV, p. 1-2, 6n 1, 7n 2.

they insisted that not a single child be left behind. [...] They gathered them all in a house and set it ablaze. They killed children, women, men, pregnant women. A few women had their skirts removed and were hung, [...] each woman was eviscerated, from one pregnant woman they removed the foetus and hung it from a roof beam and set the house on fire [...]. Another pregnant woman had her skirt removed, was cut open and her foetus taken. They tied her up [and left her there] as if she was carrying her unborn baby.¹²²

Another witness from Cuarto Pueblo recounted how soldiers raped her godmother, and then “a soldier took his knife and cut her breast off and threw them in the fire. He raised his foot and broke her knees, I could see the bones as she screamed. And then they threw her in the fire saying this was the end of the guerrilla.”¹²³ During the 29 July 1982 Rancho Bejuco massacre an eyewitness saw soldiers tie a man’s calves and hands behind his back, then

they began to torture him, cutting off his cheeks and then peeling skin off his legs, but the man did not die, he screamed. Then they made stakes and inserted them in his ears and then they made another stake and put it in his rectum. That’s when the man died.¹²⁴

Examples abound of perpetrators severing their indigenous victims’ noses, ears, lips and tongues.¹²⁵ Witnesses told anthropologist Ricardo Falla that during the 17 July 1982 massacre in San Francisco Nentón, soldiers would deliberately slit the elder’s throats with dull knives or machetes in order to hear them scream like butchered animals. One witness believes he saw a soldier performing acts of cannibalism.¹²⁶

When faced with seemingly inexplicable acts of violence in Rwanda, Christopher Taylor reasoned that “genocidal violence followed culturally specific forms and that these

¹²² UCP-YVB-05C, notes p. 350.

¹²³ UCP-XGG-03A, notes p. 348.

¹²⁴ RB-XIR-01A, notes p. 122.

¹²⁵ PAN-YM-01A, notes p. 141; CHI-XJL-02A, notes p. 178; CHI-YLL-05A, notes p. 187; PAC-YYB-05A, notes p. 256.

¹²⁶ Ricardo Falla, *Masacre de la Finca San Francisco Huehuetenango, Guatemala (17 de Julio de 1982)* (Copenhagen: Internacional Work Group for Indigenous Affairs, Septiembre 1983), 29, 39.

require symbolic analysis in order to be understood.” Notions to be explored, according to Taylor were “notions of the body, notions of being and personhood, notions of good and evil.” Citing such authors as Bruce Kapferer, Pierre Clastres, Pierre Bourdieu, and John Gledhill, Taylor believed

specific ideas and representations involving the body have to be included in our understanding of ethno-nationalist violence. The ultimate origin of political violence is the human body. [...] The ultimate destination of political violence, the *tableau* upon which the dictates of oppression are inscribed is also the human body and not all polities write their signatures the same way. [...] We must, therefore, make some effort to decipher the cultural hieroglyphics or torture and violation.¹²⁷

Further study in this area could contribute to a deeper understanding of state violence in the indigenous highlands of Guatemala in the early 1980s, as well as perpetrator intent.

¹²⁷ Christopher Taylor, *Sacrifice as Terror: The Rwandan Genocide of 1994* (New York: Oxford International Publishers, 1999), 30-31, 100-101. See also Christopher Taylor, “The Cultural Face of Terror in the Rwandan Genocide of 1994,” in Hinton, *Annihilating Difference*, 137-178. Works cited by Taylor include Bruce Kapferer, *Legends of People. Myths and States* (Washington: Smithsonian Institution Press, 1988); Pierre Clastres, *La société contre l’État: recherches d’anthropologie politique* (Paris: Les Éditions de Minuit, 1974); Pierre Bourdieu, *The Logic of Practice* (Stanford: Stanford University Press, 1990); John Gledhill, *Power and its Disguises: Anthropological Perspectives on Politics* (London: Pluto Press, 1994).

Chapter X. Further Considerations

A. In Whole or in Substantial Part

Although the Genocide Convention provides no indication of what constitutes intent to destroy a group “in part,” recent legal opinions have interpreted the expression “in whole or in part” to mean “a substantial part in quantitative and qualitative terms.” Writing in 1981, Leo Kuper believed it was “quite repugnant to weigh the number of deaths which would accord significance in terms of the Convention.” “Death and suffering and ignominy,” he wrote, “are hardly matters for mathematical calculation.” Nonetheless, the author was of the opinion that “the charge of genocide would not be preferred unless there was a ‘substantial’ or an ‘appreciable’ number of victims.”¹ In 1985, the report of the UN Sub-Commission on Genocide stated that “‘in part’ would seem to imply a reasonably significant number, relative to the total of the group as a whole, or else a significant section of a group such as its leadership,” making both “proportionate scale and total numbers” relevant criteria in the discussion.²

US Senate ratification of the UNGC in February 1986 was subject to two reservations, five understandings and a declaration. One of the understandings specified that the US Senate understood the phrase “in whole or in part” to mean “in whole or in *substantial* part.” In 1988, the Criminal Code of the United States further defined

¹ Leo Kuper, *Genocide: Its Political Use in the Twentieth Century* (New Haven: Yale University Press, 1981), 31-32.

² Benjamin Whitaker, “Revised and Updated Report on the Question of the Prevention and Punishment of the Crime of Genocide,” United Nations, Economic and Social Council, Commission on Human Rights, Sub-Commission on Prevention of Discrimination and Protection of Minorities, 2 July 1985, paragraph 29, p. 16, as quoted in ICTR, “Prosecutor vs. Clément Kayishema and Obed Ruzindana,” paragraph 96; and ICTY “Prosecutor vs. Radislav Krstic,” paragraph 587, p. 206. The Whitaker Report at paragraph 29 states that “argument has occurred as to whether an attack affecting half of a small group more closely approximates to genocide than a massacre which affects only one tenth of a larger group of several million people. The relative proportionate scale of the actual or attempted destruction of a group [...] is certainly strong evidence to prove the necessary intent to destroy a group, in whole or in part.”

“substantial part,” in section 1093, as “a part of a group of such numerical significance that the destruction or loss of that part would cause the destruction of the group as a viable entity within the nation of which such a group is a part.”³ The International Law Commission in 1996 found that although it was not necessary “to intend to achieve the complete annihilation of a group from every corner of the globe,” by its very nature the crime of genocide required “the intention to destroy at least a substantial part of a particular group.”⁴

In 2001 the ICTY ruling on the 1995 Srebrenica massacres found that “in whole or in part” referred not so much to the actual destruction of a protected group, as we have been discussing, but to the perpetrator’s intent to do so. While bearing in mind “the total context in which the physical destruction is carried out,” the tribunal believed that the killing of a limited number of members of a protected group could be considered genocide if the intent was to target the very existence of the group in question, as such. Similarly, killings taking place within a restricted geographical area could be considered genocidal if it was demonstrated that the perpetrators considered the intended destruction as sufficient to annihilate the group as a distinct entity in the area under consideration.⁵

Based on the above reasoning, the ICTY found that the systematic massacre of 7,000 to 8,000 Bosnian Muslim men in Srebrenica in July 1995 was evidence that the Bosnian Serb Army sought to eliminate the Bosnian Muslims of Srebrenica as a community. Although only men of military age were systematically massacred, such

³ Chalk and Jonassohn, *History and Sociology of Genocide*, 49, 52-53.

⁴ International Law Commission (ILC), “Draft Code of Crimes against Peace and Security of Mankind,” 1996, as quoted in ICTR, “Prosecutor vs. Clément Kayishema and Obed Ruzindana,” paragraph 96; ICTY, “Prosecutor vs. Radislav Krstic,” paragraph 586, p. 205-206.

⁵ ICTY, “Prosecutor vs. Radislav Krstic,” paragraph 582-584, p. 204-205; paragraph 590, p. 208. Such reasoning is not entirely unlike the US Criminal Code perception of “the group as a viable entity within the nation.”

killings occurred concurrently with the forcible transfer of the rest of the Bosnian Muslim population of Srebrenica, numbered at approximately 25,000 people. The Bosnian Serb forces could not have ignored, surmised the ICTY, “the catastrophic impact that the disappearance of two or three generations of men would have on the survival” of the entire group located in Srebrenica. The ICTY concluded that “the intent to kill all the Bosnian Muslim men of military age in Srebrenica constitute[d] an intent to destroy in part the Bosnian Muslim group,” therefore qualifying as genocide.⁶ In the eyes of the ICTY, therefore, the Bosnian Muslims of Srebrenica constituted a group as such worthy of protection under its statute and the UNGC.

In September 1998 the ICTR convicted Jean-Paul Akayesu of genocide and related crimes. Akayesu had been the highest public authority in Taba commune, prefecture of Gitarama, Rwanda, between April and June 1994 when the crimes for which he was sentenced to life imprisonment took place. Of note is that Akayesu was found guilty of the crime of genocide for acts committed essentially within the confines of a single commune.⁷ Nonetheless, the judgement condemning Akayesu offers few insights on the significance of “in whole or in part.”⁸ Having established that the Tutsi had been the victims of genocide and widespread atrocities throughout Rwanda in 1994 the ICTR convicted Akayesu for inflicting serious bodily and mental harm on the Tutsi of Taba commune, including the rape and killing of Tutsi women. Inferring the required intent from Akayesu’s acts and utterances, and from the broader context in which they took place, the ICTR found “Akayesu individually criminally responsible for genocide.”⁹

⁶ Ibid., paragraph 594-595, p. 211; paragraph 598, p. 212.

⁷ As discussed in ICTY, “Prosecutor vs. Radislav Krstic,” paragraph 582, p. 204.

⁸ ICTR, “Prosecutor vs. Jean-Paul Akayesu,” paragraph 523, p. 109.

⁹ Ibid., paragraph 728. p. 145; paragraph 734, p. 146.

In Guatemala, anthropologist Robert Carmack estimated that the department capital of Santa Cruz del Quiché and adjacent communities had “lost at least 10 percent of their Indian population” as a result of the armed conflict in the area in 1981 and 1982.¹⁰ Anthropologist David Stoll recounts his December 1982 encounter with Guatemalan Pastor Nicolás Toma of the Pentecostal Church of God in the Ixil town of San Juan Cotzal, department of Quiché. According to Stoll,

a new military commander [in Cotzal ...] told Pastor Nicolás and other religious leaders that [...] since the entire Cotzal population appeared to support the guerrillas the entire Cotzal population might have to be eliminated. Despite pledges of cooperation, troops and helicopter gunships continued to rampage through the countryside, killing anyone they found. [...] Later that year [1982], a young government official [...] discovered that, of Cotzal’s twenty-nine rural neighbourhoods on his list, only three were still in existence. During the antiguerrilla offensive, soldiers had burned the others to the ground.

The army had announced that all those who did not move into town would be considered guerrillas; that is, they would be liable to be shot on sight.¹¹

According to Stoll’s study of the Ixil area, national census projections estimated a combined population of 96,000 in 1987 for the three Ixil municipalities that make up the Ixil Triangle (Nebaj, Chajul and Cotzal). That same year, however, “local government health centers could account for only about 50,000 – a 48 percent shortfall.” According to Stoll, “following the worst of the violence, mayors of the three towns reported that up to half their people were missing.” Based on a number of demographic sources, Stoll came up with his own figures, estimating that of the area’s projected population of 100,000 for 1989, 70,000 were under army control, an estimated 15,000 were internally displaced,

¹⁰ Carmack, “Santa Cruz,” 56-57.

¹¹ Stoll, “Evangelicals, Guerrillas and the Army,” 104-105.

leaving “15,000 people who presumably died in massacres or starved to death” in the mountains. That figure represents 15 percent of the total estimated Ixil population.¹²

The Guatemalan Truth Commission, for its part, estimated that “the scorched earth campaign carried out by the Army from 1980 to 1983” provoked the total or partial destruction of “between 70 and 90 percent” of the Ixil area’s total number of indigenous communities.¹³ Approximate death-toll figures resulting from the armed conflict in the area, depending on the census data, range from 15.5 to 18 percent of the total estimated Ixil population.¹⁴ For the municipality of Rabinal, department of Baja Verapaz, Truth Commission figures bring the death-toll to 20 percent of the total estimated Achí population. In the absence of armed confrontations in the area, the Commission concluded that all of the victims were civilian non-combatants.¹⁵

Based on eyewitness accounts of the twenty-one massacres in this study, the average estimated death-toll resulting from those incidents is 23 percent (appendix 3). Approximate killing rates in the communities under consideration range from 3 to 57 percent of the estimated total population before March 1982, climbing to between 83 and 96 percent by July and August 1982. Massacres carried out in the summer of 1982 by the Guatemalan army in Puente Alto, Petanac, San Francisco Nentón, Plan de Sánchez and Rancho Bejuco indicate estimated killing rates of 88, 84, 96, 89 and 83 percent, respectively (appendix 3). The above figures, when considered in light of extensive population displacements resulting from army actions, would indicate that killings were

¹² David Stoll, *Between Two Armies in the Ixil Towns of Guatemala* (New York: Colombia University Press, 1993), 5, 228-233.

¹³ CEH, *Memoria del silencio*, chapter II, paragraph 3310, 3311, p. 345. My translation.

¹⁴ Figures for the estimate taken from *ibid.*, chapter II, paragraph 3245, p. 327, 327n 908; paragraph 3361, p. 359.

¹⁵ *Ibid.*, chapter II, paragraph 3367, p. 361.

carried out in the Guatemalan highlands in 1981 and 1982 with the intent of destroying a “substantial part” of indigenous communities and the ethnic groups to which those communities belonged, including the Ixil, Achi, Chuj and Kanjobal Indians in their respective geographical areas.

B. Motives

It is important to note, as Helen Fein reminds us, that “intent or purposeful action [...] is not the same in law or everyday language as either motive or function.” “An actor performs an act [...] with intent,” writes Fein, “if there are foreseeable ends or consequences; *for what purpose* is different from *why*, or *for what motive*, the act is designed.” In this way, genocide is “purposeful or deliberate” as opposed to unintentional. The definitional criterion of the UNGC, concludes Fein, is intent, not motive. In this way, even if perpetrators claim in their defence that their motives were social or political rather than genocidal, but that the consequences of their repeated actions led to the destruction, in whole or in part, of a protected group, they could still be found guilty of genocide.¹⁶ In *Prosecutor vs. Radislav Krstic*, although the Defence argued that the motive for the killing of the Bosnian Muslim men of Srebrenica in 1995 was vengeance and punishment, not genocide, the ICTY was satisfied that General Krstic intended to destroy the protected group, regardless of motive, and convicted him accordingly.¹⁷

The 2005 United Nations report on Darfur also makes a clear distinction between intent and motive, stating that

¹⁶ Helen Fein, “Sociological Perspective,” 19-20, 53. Emphasis added.

¹⁷ ICTY, “Prosecutor vs. Radislav Krstic,” p. 249*n* 1495; paragraph 727, p. 255; paragraph 549, p. 192; paragraph 597, p. 212.

special intent must not be confused with motive, namely the particular reason that may induce a person to engage in criminal conduct. For instance, in the case of genocide a person intending to murder a set of persons belonging to a protected group, with the specific intent of destroying the group (in whole or in part), may be motivated, for example, by the desire to appropriate the goods belonging to that group or [...] by the desire to please [...] superiors who despise that group. From the viewpoint of criminal law, what matters is not the motive, but rather whether or not there exists the requisite special intent to destroy a group.¹⁸

From the point of view of the social sciences, understanding perpetrator motives can help explain why genocides occur. Considering the Guatemalan context, two motives come to mind when attempting to explain the extent and intensity of the violence unleashed in the Guatemalan highlands in 1981 and 1982. The first and perhaps most obvious motive concerns the threat of leftist insurgency. By the early 1980s four different armed guerrilla organisations were operating in the highlands, northern lowlands, the south coast, and capital. Popular support for the insurgents was thought to be widespread in some areas as they sporadically controlled isolated rural areas, mostly along the Mexican border.¹⁹ The debate remains, however, whether Guatemalan guerrilla forces ever had a chance of defeating “one of the largest and best trained armies in Central America.”²⁰ Commentators seem to agree that regardless of the guerrillas’ possibilities of overthrowing the Guatemalan government, they were, in fact, incapable of protecting the civilian population in their areas of operation from army attacks.²¹

A second motive for the genocide concerns indigenous unionism and local development initiatives in the highlands, two movements that conflicted with

¹⁸ United Nations, “Inquiry on Darfur,” paragraph 493, p. 125.

¹⁹ Black, *Garrison Guatemala*, 63, 76-77, 119-120; McClintock, *American Connection*, 154-156; Gramajo Morales, *De la Guerra... a la Guerra*, 154-155.

²⁰ Davis, “Sowing the Seeds,” 6.

²¹ Schirmer, *Intimidaciones del proyecto militar*, 83, quoting Mario Payeras, *Los fusiles de Octubre* (Mexico: Editorial Juan Pablos, 1991); Black, *Garrison Guatemala*, 136; Gramajo, *De la Guerra... a la Guerra*, 155.

predominant notions of economic and industrial development in Guatemala. According to anthropologist Shelton Davis, the roots of these movements can be traced to political reforms introduced during Guatemala's brief democratic opening from 1945 to 1954. The initial mobilisation gained momentum with the advent of the Catholic Action movement, first established in 1948 as an attempt by the conservative church hierarchy to stem "radical peasant politics that were gaining popularity among the Indians in the countryside."²² As the religious movement grew, however,

it became the basis of a fairly strong ethnic revitalisation and rural modernisation movement. By the late 1960s, Catholic Action was intricately associated with a budding rural cooperative movement in Guatemala, a movement that, in the early 1970s, received large inputs of technical assistance and funds from the Peace Corps and the U.S. Agency for International Development (AID) and became one of the fastest growing movements of its kind in Central America.²³

According to Robert Carmack, by 1970 Catholic Action had spread throughout the department of Quiché, and was sweeping much of western Guatemala.²⁴ Carmack visited an Indian town in Quiché called La Estancia in 1967 where most of the inhabitants already belonged to the religious movement which, according to the author, was

accompanied by new techniques to improve agriculture, notably the use of fertilizers. Hat making involving the use of sewing machines was going strong, as were savings and loan cooperatives. It was no longer necessary for the La Estancia Indians to work on the coastal plantations, a change for which they were most grateful.²⁵

A Spanish priest who travelled to Canada to learn about savings and loan cooperatives soon introduced them in La Estancia and neighbouring hamlets. According to Carmack

²² Davis, "Sowing the Seeds," 6; Shelton Davis and Julie Hodson, *Witnesses to Political Violence in Guatemala: The Suppression of a Rural Development Movement* (Boston: Oxfam America, 1982), 14. See also Black, *Garrison Guatemala*, 95.

²³ Davis, "Sowing the Seeds," 16.

²⁴ Carmack, "Santa Cruz," 40, 48.

²⁵ *Ibid.*, 48.

more than 1,000 members joined these cooperatives in less than a year. Later, consumer cooperatives were also established in the region. Classes and workshops dealing with such issues as occupational health, community welfare, social justice and human rights were also part of the Catholic Action programme. According to one indigenous woman,

I learned why there are rich people and poor people, why we have to struggle, why we women can be involved, and that we have the same rights as men. I heard all these lectures in town, and when I'd go back to my village, I would seek out my women neighbours and relatives and teach them in the Quiché language what I had learned. In those days a priest began to come to the village with some Indian and Ladino youths. They taught us how to read and write and how to fertilize the earth for planting; they spoke to us of civic-mindedness, human rights, and other things.²⁶

Throughout the highlands new schools, clinics and roads were opened, building materials supplied, water and electricity installed.²⁷ Through Catholic Action links were established between Indian communities and such organisations as the National Federation of Peasants and the Christian Democratic Party, and Indians began to get involved in electoral politics on a local level. According to Carmack, the progressive development of indigenous communities in Quiché “was opposed by virtually all ladinos; the governor, the military commander, the *alcalde* [mayor], the plantation owners, and even some Spanish priests.” Indians from La Estancia were labelled “Communists” and soon became the target of threats, intimidation and violence. Blocked in their attempts to improve their conditions through institutional means – the church, economic development, elections – Indians joined a new indigenous organization called the *Comité*

²⁶ As quoted in *ibid.*, 49. See also Black, *Garrison Guatemala*, 95.

²⁷ Carmack, “Santa Cruz,” 49, 50; Brian Murphy, “The Stunted Growth of Campesino Organisations,” in *Crucifixion by Power: Essays on Guatemalan National Social Structure, 1944-1966*, ed. Richard Adams (Austin: University of Texas Press, 1970), 439.

de Unidad Campesina (CUC), or Committee for Peasant Unity, which quietly began its organising activities in the mid-1970s.²⁸

Following a devastating earthquake in February 1976 indigenous communities in the highlands began to organise locally in order to meet their basic needs and to rebuild their communities.²⁹ In this task they were supported by international humanitarian and religious organisations.³⁰ Michael McClintock writes that “where people effectively united in reconstruction efforts by means of ad hoc committees or through their co-operatives, these local organizations acquired fresh potential as centres of independent action and/or opposition to government control.”³¹ Then, on 1 May 1978, CUC made its public debut in the capital’s May Day demonstration. According to Shelton Davis, “CUC was the first Indian-led labor organization in the history of Guatemala and the first to bring together highland Indian peasants with poor ladino farm workers.”³² Carmack writes that “the spectacle of thousands of Indians marching together [...] frightened the ladinos of the city but inspired the Indian participants.”³³

What most frightened influential ladinos, however, was the February 1980 strike organised by CUC on Pacific coast plantations and involving 70,000 sugarcane cutters and 40,000 cotton pickers. In September of that year, CUC brought the coffee harvest to a standstill, forcing the government to raise the minimum wage for all farm workers from US \$1.12 to \$3.20 a day.³⁴ These Indian-led strikes in 1980 were unprecedented in

²⁸ *Ibid.*, 50, 51.

²⁹ Black, *Garrison Guatemala*, 95.

³⁰ McClintock, *American Connection*, 136. According to the author, the 4 February earthquake left 20,000 dead, 77,000 injured and one million homeless.

³¹ McClintock, *American Connection*, 143.

³² Davis, “Sowing the Seeds,” 20.

³³ Carmack, “Santa Cruz,” 52.

³⁴ Davis, “Sowing the Seeds,” 20; See also Shelton Davis, “State Violence and Agrarian Crisis in Guatemala: The Roots of the Indian Peasant Rebellion,” in Martin Diskin, ed. *Trouble in Our Backyard*:

Guatemala,³⁵ and following the July 1979 Sandinista revolution in Nicaragua, they made the Guatemalan establishment sit up and notice.³⁶ Consequently, violence and repression were literally heaped on the Indians. One man in La Estancia told Carmack that in September 1980, 30 to 50 members of a ladino death squad from eastern Guatemala

systematically went from house to house and, using name lists, tracked down the Catholic, CUC, and cooperative leaders of the hamlet. By the time they were finished, fifteen people had been assassinated. [...] My brother, leader of the CUC, was crucified between two trees. After being stabbed in his side, he was strangled.³⁷

When Lucas García assumed the presidency in July 1978, writes Davis, “the army began a frontal attack on the cooperative movement,” turning much of the army’s counterinsurgency apparatus against the movement’s leaders, national support structure, and local membership. When General Benedicto Lucas took command of the counterinsurgency campaign in the highlands in 1981, the president of the National Institute of Cooperatives (INACOOOP) declared 250 cooperatives illegal because of their alleged “Marxist inspiration.” One USAID worker, according to Davis, described how INACOOOP had become a “front for collecting names of the most active (and dedicated) people in the community – people who would later be eliminated.”³⁸

In 1982 Davis coauthored an Oxfam-America report based on a questionnaire survey of nearly 250 North American development workers with experience in Guatemala.³⁹ The report showed that much of the violence against civilians in rural areas carried out by the Lucas García government “was intended to suppress the rural

Central America and the United States in the Eighties (New York: Pantheon Books, 1983), 165. See also Black, *Garrison Guatemala*, 100-102. For more information on CUC, see McClintock, *American Connection*, 145-151; Perera, *Unfinished Conquest*, 67-68.

³⁵ Black, *Garrison Guatemala*, 100.

³⁶ Carmack, “Santa Cruz,” 53.

³⁷ As quoted in Carmack, “Santa Cruz,” 53.

³⁸ As quoted in Davis, “Sowing the Seeds,” 22. Davis and Hodson, *Witnesses to Political Violence*, 16-17.

³⁹ Davis and Hodson, *Witnesses to Political Violence*, 1-2.

development movement that had arisen in the years just before and after the earthquake of 1976.”⁴⁰ Davis cites a study carried out by USAID in March 1976, a month after the earthquake, describing the existence “of more than 510 rural cooperatives in Guatemala organized into eight federations with a combined membership of more than 132,000.” Fifty-seven percent of the cooperatives were located in the Indian highlands where they were having a major impact on the Indians’ political attitudes, marketing strategies, and agricultural techniques.⁴¹ According to Davis,

fearing a threat to security from the guerrilla movements in the aftermath of the earthquake, the Guatemalan army carried out counterinsurgency operations in the northern part of the country where the rural cooperative movement was particularly strong. The Ixil-speaking communities, Nebaj, Chajul, and Cotzal, forming the so-called Ixil Triangle in the far-northern part of the department of El Quiché, suffered greatly at the time. In the months after the earthquake the Guatemalan army made selective attacks on residents of those towns, killing several people, including the head of a local Catholic Action committee, five sacristans in local Catholic churches and four bilingual schoolteachers. Members of the cooperative movement felt the brunt of these early army actions in the Ixil triangle; between February 1976 and the end of 1977, for example, 68 cooperative members were killed in the Ixcán region of Quiché, 40 in Chajul, 28 in Cotzal, and 32 in Nebaj.⁴²

Cooperative and other forms of local development in the highlands posed a number of problems in Guatemala. The first such problem is that it raised important concerns within Indian communities everywhere as to the material conditions in which they, the country’s majority, lived or barely survived. Secondly, successful local development schemes directly challenged the historical seasonal migration of as many as 300,000 to 400,000 mostly indigenous agricultural labourers who, for two to six months a year, descend from their diminishing family plots in the highlands to supplement their

⁴⁰ Davis, “Sowing the Seeds,” 21.

⁴¹ Davis and Hodson, *Witnesses to Political Violence*, 14.

⁴² Davis, “Sowing the Seeds,” 21-22. Davis and Hodson, *Witnesses to Political Violence*, 15.

incomes.⁴³ Guatemala's agriculturally-based export economy has depended on such migratory labour patterns since the days of the colony.⁴⁴

Thirdly, successful local development initiatives could conceivably contradict development schemes being promoted by military interests since the early 1970s. The 29 May 1978 Panzós massacre in Alta Verapaz, for instance, occurred a stone's throw away from Central America's largest private sector mining investment.⁴⁵ Dozens of Q'eqchi Indians were killed when they protested the encroachment on their lands by the International Nickel Company (INCO) and local ranchers. In 1971, INCO gave the Guatemalan military a 30 percent stake in its mining interests located in the eastern part of what is known as the *Franja Transversal del Norte*, or Northern Transversal Strip, also called "the zone of the Generals."⁴⁶ As army officers distributed large estates among themselves in an area thought to be rich in mineral and oil deposits, any opposition to the military's interests became the target of swift reprisals.⁴⁷ In the western region of the Strip, known as the Ixcán, there were a growing number of agricultural cooperatives, set

⁴³ Black, *Garrison Guatemala*, 36. For discussions on the estimated numbers of seasonal migrant workers see Richard Adams, ed., *Crucifixion by Power: Essays on Guatemalan National Social Structure, 1944-1966* (Austin: University of Texas Press, 1970), 369; and Rokaël Cardona Recinos, "Caracterización del trabajo temporero en la agricultura," *Perspectiva: Ciencia, Arte, Tecnología*, no. 1 (1983), 17-19.

⁴⁴ Cardona Recinos, "Caracterización del trabajo temporero," 29; McCreery, *Rural Guatemala*, 92-3, 106-7.

⁴⁵ Jaimie Swift, *The Big Nickel: Inco at Home and Abroad* (Kitchener: Between the Lines Press, 1977), 76; Black, *Garrison Guatemala*, 95.

⁴⁶ "Convenio entre la Comisión Negociadora del Gobierno de la República de Guatemala y la Empresa 'Exploraciones y Explotaciones Mineras Izabal, S.A.' (EXMIBAL), Guatemala, 25 de febrero de 1971," in Instituto de Investigaciones Económicas y Sociales de la Universidad de San Carlos (IIES), *Exmibal contra Guatemala*, 2^a ed., (Guatemala: Universidad de San Carlos, 1979). Swift, *The Big Nickel*, 70-71. Black, *Garrison Guatemala*, 30.

⁴⁷ McClintock, *American Connection*, 134-135. See also Black, *Garrison Guatemala*, 36, 53, 54, 95. According to Black, "the mid-1970s bonanza of wealth in the *Franja* properties proved a useful way for the army high command to secure its inner circle of loyalists. Presidents Arana, Laugerud and Lucas all handed out *Franja* properties to high and middle-ranking officers. [...] Precise estimates of the extent of Lucas' properties are hard to come by, but they range from 81,000 to 135,000 acres. [...] Lucas would eventually own 14 large farms in the *Franja*."

up since the late 1960s.⁴⁸ Since cooperative land titles made the land inaccessible to mining or oil interests because individual members of the cooperatives could not sell their plots, two forms of development clashed in the Ixcán by the late 1970s, one industrial and the other agricultural. The scorched earth policy initiated by Lucas Garcia, and intensified under Ríos Montt, utterly destroyed the Ixcán's indigenous cooperatives.⁴⁹

The Achi community of Río Negro in the municipality of Rabinal, Baja Verapaz, the site of five separate massacres in the early 1980s, had adamantly opposed the construction of an internationally-funded hydroelectric dam slated for the Chixoy River starting in 1975.⁵⁰ For centuries the community had depended on the river and its fertile shores for its livelihood. It had also set up a consumer cooperative and villagers supplemented the local subsistence economy through the production and sale of read mats. Río Negro was destroyed, the dam was built and the site of the village now lies under water.⁵¹ As one witness from Río Negro explained,

with the cooperative and more cooperatives we sought ways so people wouldn't have to work on the coast: with cattle-raising projects, a fishing cooperative, people could dedicate their efforts to their own work, but then everything, all the ideas were destroyed, [...] all the campesino groups and their attempts to organise themselves were destroyed.⁵²

The Chuj community of Petanac in Huehuetenago was completely obliterated in July 1982, while other communities in the vicinity were left standing. While carrying out

⁴⁸ McClintock, *American Connection*, 134. For a critical view on the limits of the Ixcán colonisation programme see Black, *Garrison Guatemala*, 36.

⁴⁹ Falla, *Masacres de la selva*, 223.

⁵⁰ According to Black, *Garrison Guatemala*, 30, the Chixoy dam was considered the "pearl" of the development programme slated for the *Franja*: "after an initial injection of \$7.8 million from the Central American Economic Integration Bank (BCIE) in November 1974, international cash flowed into the project whose 300,000 KW generating capacity made it the largest in the region. The World Bank supplied \$145 million in 1975 and the Inter-American Development Bank (IDB) \$105 million the following year – that banks largest ever single loan. United States voting representatives eagerly argued the case for both loans."

⁵¹ RN-XCO-02A, notes p. 62, 72; RN-XTO-05A, notes p. 83.

⁵² RN-XCO-02A, notes p. 70, 71. My translation.

research in the region, Paul Kobrak asked himself why. Since it was logistically impossible for the Guatemalan army to annihilate all indigenous communities in the region, Kobrak found that the army chose to commit exemplary massacres in order to intimidate the Indians into submission. Kobrak believes Petenac was singled-out because of its steadfast opposition to the construction of a mining access road in the late 1970s.⁵³

In the cases of Panzós, Río Negro and Petanac, opposition to dominant forms of economic development resulted in entire communities being branded as subversive or sympathetic to the guerrillas, and subsequently destroyed. In our sample of twenty-one communities, witnesses from twelve of them mentioned working in coastal plantations on a seasonal basis. In eleven cases witnesses were familiar with Catholic Action programmes although in only one case did witnesses speak about CUC (appendix 7). In sixteen communities (76 percent of the sample), members were involved in some form of community development prior to the massacres, including animal husbandry, primary education, youth and adult literacy. Of the five communities specifically involved in cooperative forms of organisation, four were razed to the ground (appendices 7 and 12).

Since the sixteenth century indigenous communities have been tolerated and at times encouraged in Guatemala to the extent that they paid tribute to the state and church, and, later, reproduced inexpensive seasonal labour for the agricultural export industry. The fact that large landowners in the nineteenth and twentieth centuries did not have to pay nor care for workers twelve months a year was and remains a considerable comparative advantage for Guatemala on the world market.⁵⁴ For the months these labourers worked on large estates, picking cotton or coffee, or cutting sugarcane,

⁵³ Paul Kobrak, "Casos de genocidio cometidos por el Ejército de Ríos Montt en Huehuetenango" (Guatemala: Centro para la Acción Legal en Derechos Humanos, 23 March 2003, typewritten), 38, 41, 45.

⁵⁴ McCreery, *Rural Guatemala*, 238, 250, 288, 292, 329, 333.

employers paid them in kind or extremely low wages in cash, thereby reinforcing workers' dependence on such work on a recurrent basis.⁵⁵ For the rest of the year, the Indians lived off small plots in the highlands, waiting for the next planting season or harvest. Any break in such a tradition, including successful cooperatives in the highlands, could conceivably provoke large landowners and export commodity producers.⁵⁶

Furthermore, Indians in Guatemala are not expected to oppose central government wishes in terms of regional or national economic development, let alone paralyse agricultural production through strikes or similar actions. By the early 1980s autonomous forms of community development, growing alliances between indigenous farmers from across the highlands, created through regional seasonal migrations to the coast, and militant campesino unions, constituted a significant social movement in favour of better living and working conditions in the plantations. Such alliances, not to mention the threat of armed insurgency, were clear and identifiable threats to the *status quo* and may help explain why and how massacres were carried out in the highlands.

It is worth noting that the massacres in the highlands in the 1980s, including the twenty-one cases mentioned in this study, were not carried out against individual Indians, but against entire indigenous communities, social and cultural entities which, since the sixteenth and seventeenth centuries, have been the locus of negotiation with Guatemala's political and economic elites in terms of tribute and labour requirements.⁵⁷ When demographic collapse destroyed Indian communities in the sixteenth century, the religious orders set up *reducciones* or *pueblos the indios*, over 700 socially engineered villages to be occupied exclusively by Indians. The process freed-up enormous tracts of

⁵⁵ Cardona Recinos, "Caracterización del trabajo temporero," 29, 31.

⁵⁶ See Black, *Garrison Guatemala*, 36.

⁵⁷ Smith, *Guatemalan Indians and the State*, 15.

land for Spanish occupation and, more importantly, it regrouped decimated Indian populations so they could once again pay tribute and sustain the colonial economy.⁵⁸

When state violence destroyed the cooperatives and an estimated 440 highland villages in the early 1980s, surviving Indians fled for their lives. The military's reaction starting in 1982 was to create model villages and development poles, completely militarised Indian settlements inspired in part by the pueblos de indios of centuries past.⁵⁹ In the 1980s the Guatemalan army was particularly interested in "protecting [...] the cotton, sugarcane and other plantations during the harvest," as well as "controlling extraordinary workers who, from the highlands of the Republic, travel to the south coast."⁶⁰ Recall the USAID worker who said that "using the word development in any description of the poles is pure propaganda" since they had "no social, economic or cultural base," and "no way of prospering."⁶¹ In fact, our suspicion is that they were never meant to prosper in terms of sustainable, local economic development, their purpose being to concentrate dispersed agricultural labourers who, unable to ensure their subsistence in the highlands, would have to migrate on a seasonal basis and work in the coastal plantations.⁶²

In 1968 Jean-Paul Sartre raised an important question when he asked why a colonial or a neo-colonial power would commit genocide against a population it depends

⁵⁸ Fernández and Cambranes, "Aspectos socioeconómicos," 158, 160-163; Lovell, *Conquest and Survival*, 174. Martínez Peláez, *Patria del Criollo*, 103, 454, 737n 37, and *Motines de Indios*, 15.

⁵⁹ Perera, *Unfinished Conquest*, 111.

⁶⁰ Gobierno de Guatemala, *Polos de Desarrollo*, 57. See also Ejército de Guatemala, Plan de Campaña "Victoria 82" 3-"M", IX, Instrucciones de Coordinación: B, E, p. 13.

⁶¹ Michaels, "New Lives," 8.

⁶² According to Manz, "La Esperanza, an Ixcán Village," 83, the development poles, at least officially, were to provide rural inhabitants with "housing, technology, electricity, potable water, and other resources needed for subsistence." Referring to the members of the Ixcán cooperatives, Manz noted that "many of these items they had acquired as a result of their own efforts, but they had been destroyed or plundered by the military." Furthermore, in the development poles emphasis was placed on individual efforts, "rather than pulling together the resources of the community. Given the scarcity of economic resources, this individual approach clearly limits the potential for economic betterment."

on for its economic prosperity and well-being.⁶³ This question is certainly applicable to the Guatemalan context. Why, in fact, would the government of Guatemala commit genocide against what ostensibly has been the country's prime source of wealth since the sixteenth century? Part of the answer lies in the Central American context of the late 1970s and early 1980s, a time of economic recession and of falling agricultural commodity prices on world markets. The Guatemalan economy was reeling at the time and unemployment and underemployment in the highlands were rampant.⁶⁴ If there was ever an appropriate time to wreak exemplary forms of violence against what should have been a subservient labour force, turning to alternative forms of community development, militant union organising, and possibly armed insurrection, the early 1980s was certainly such a time.

Indeed, it would not be the first time in Guatemala's history that massacres would be used to quell Indian resistance and bring survivors back into the mould. Thinking ahead to brighter economic times, it was undoubtedly important to teach the Indians a lesson once and for all (in contemporary terms). The Indians' importance as unskilled labourers also meant that, despite high unemployment, only a part of the Indian population could be destroyed without jeopardizing labour supplies in times of economic recovery. The military strategy was to eradicate the threat to the *status quo* and make the repetition of such a threat in the future as hard as possible.⁶⁵

⁶³ Jean-Paul Sartre, *On Genocide* (Boston: Beacon Press, 1968), 64, 83.

⁶⁴ On the extent of the economic crisis and its impact in Guatemala, see Black, *Garrison Guatemala*, 27, 41, 117-118; Lars Schöultz, "Guatemala: Social Change and Political Conflict," in Martin Diskin, ed. *Trouble in Our Backyard: Central America and the United States in the Eighties* (New York: Pantheon Books, 1983), 180; and Banco de Guatemala, Departamento de Estadísticas Económicas, Sección de Cuentas Nacionales, *Guatemala. cuentas nacionales: estadísticas globales y sectoriales, periodo 1980-1993* (Guatemala: Banco de Guatemala, diciembre 1994).

⁶⁵ Adams, "Conclusion," 288.

Conclusion

In attempting to explain factors common to the Armenian genocide and the Holocaust, Helen Fein looked at “predisposing and facilitating conditions.” The points of comparison she observed in both cases were:

1. Victims have previously been defined outside of the universe of obligation of the dominant group [...]; 2. The rank of the state has been reduced by defeat in war and/or internal strife [...]; 3. An elite that adapts a new political formula to justify the nation’s domination and/or expansion, idealizing the singular rights of the dominant group, comes to power [...]; 4. The calculus of costs of exterminating the victim [...] changes as the perpetrators instigate or join a (temporarily) successful coalition at war [...]. The calculus changes for two reasons: the crime planned by the perpetrators becomes less visible and they no longer have to fear sanctions.¹

Applying Fein’s analysis to the Guatemalan context, we find, first, that the indigenous peoples of the highlands were and have historically been excluded from Guatemalan nationhood. Largely confined to the country’s mountainous regions since the colony, their role ever since has largely been limited to that of purveyors of an abundant and complacent source of inexpensive manual labour. There are exceptions, of course, but prevalent forms of discrimination and marginalisation have kept Indians in Guatemala on the lower rungs of the socioracial ladder, confirming their status as second-class citizens in a country where they constitute a majority of the population.

Attempts by Indians in Guatemala in the second half of the twentieth century to rise above their material and social conditions through institutional means were met with staunch, often violent opposition. The additional variables of cold war and fundamentalist religious ideologies, as discussed by Marta Casaús Arzú and Richard Adams, further compounded the exclusion and vulnerability of Indians as a group. To be an Indian was bad enough in Guatemala, but being labelled a Communist Indian in the 1980s had fatal

¹ Fein, “Sociological Perspective,” 71-72.

consequences not only for individuals but for entire communities. The ways and the almost fanatical zeal with which Indian communities were attacked and destroyed in 1982 are clearly indicative of the Indians' exclusion from the universe of human obligation. Even in the aftermath of the cold war, comments Victor Perera,

a psychopathology remains entrenched [in Guatemala] among the rich and powerful that twists all ideological meaning out of the words *communist* and *subversive*, so that they become arbitrary weapons used to snuff out all opponents, both real and imagined.²

Secondly, with regards to crisis, a number of factors threatened the *status quo* in Guatemala starting in the 1970s, requiring evermore drastic and radical solutions if what was essentially a conservative social order, traditionally opposed to change, was to stay intact. At the edges of Guatemalan society, war lay at the capital's doorstep, to paraphrase Ríos Montt. Outside Guatemala's borders, a leftist revolution had overthrown the Somoza dictatorship in Nicaragua in 1979 and leftist insurgents were threatening to do the same in neighbouring El Salvador. Inside Guatemala, four guerrilla organisations were active and apparently gaining momentum, two of them in the indigenous highlands. On the Pacific coast, strikes in 1980 shook the agricultural export economy in an unprecedented way, and Indians thought they could organise cooperatives in an attempt to avoid working for starvation wages as migrant labourers in the plantations.

Within the military state itself, corruption and fraud under the Lucas García government reached all-time record levels, threatening the safety and well-being of junior officers battling a counterinsurgency war with increasingly limited means while senior officers grew wealthy and lived lives of relative luxury. Fraudulent elections in early March 1982 provoked a coup, ushering in a new military government that promised "to

² Perera, *Unfinished Conquest*, 45.

lead the country down the path of honesty, stability, legality and security.”³ While killings declined in relative terms in the cities, sparing middle-class students, politicians, foreign correspondents and priests, government security forces unleashed their finely tuned and increasingly brutal machinery in the Indian countryside. Recall the ladino shopkeeper in the capital who told the *New York Times* in October 1982: “There has to be trouble [in the mountains] because the Indians have not come to sell for months. But we almost prefer to know nothing. It’s better for our nerves.”⁴

Which brings us to Fein’s third observation regarding political formulas conducive to genocide. In Guatemala, General Mejía Victores, Minister of Defence under Ríos Montt and his successor in the presidency, probably summarized the ultra-nationalist Guatemality doctrine best when he said: “we must do away with the words ‘indigenous’ and ‘Indian’.”⁵ Indeed the notion of “ladinoizing” the Indian out of existence was prevalent in Guatemalan society since at least Independence, an idea which according to articles published in the *Revista Militar* in the late 1970s seemed to preoccupy the Guatemalan military in particular. Recall, for instance, Colonel Sálazar who wrote that the conscription for Indians “was only the beginning of an often painful physical and mental metamorphosis, given the abrupt change from one way of life to another.”⁶ With the passage of time, the Indian recruit

will have to conform physically and mentally, and suffer [...] the desired transformation, not only in terms of behaviour and of who he was before joining the army, but also in terms of his new form of conduct and a routine adjusted to his new personality.⁷

³ IACHR, “Situation of Human Rights [1983],” introduction, p. 1.

⁴ Simons, “Nervousness Amid Splendour,” *New York Times*, 26 October 1982, p. A16.

⁵ Radio Televisión Guatemala, 0400 GMT, 2 September 1982, as quoted in Black, *Garrison Guatemala*, 131, 143n 42.

⁶ José Luis Cruz Sálazar, “El Ejército en el contexto social,” *Revista Militar*, no. 17 (Sept-July 1978), 47-49.

⁷ *Ibid.*, 49-50.

But ladinoisation can be a long and difficult process⁸ and crisis often does not permit the luxury of time or inconclusive results. And what about Indian women, who could not be landinoized as easily as men since they were not subjected to obligatory military service? According to Jan Perlin, “the sexual violence against women during the height of the violence was [...] inflicted in a way that the entire community would share the shame and terror.” As the transmitters of culture and language to each new generation, indigenous women were not given the opportunity to ladinoize, Perlin finding that

the commission, the systematic, public, massive and graphic perpetration of sexual violence against Mayan-indigenous women and girl-children betrayed the intent to destroy both individual members of the group and the social ties that bound it together.⁹

How devastating for indigenous society could such actions be? Recall the Firmeza 83 campaign plan and how 80 percent of psychological operations were to be directed at army personnel,¹⁰ in order to deal with battle fatigue and the “deviations generated by the actions or conditions of combat.”¹¹ The plan recommended that a greater sense of nationalism be fostered among indigenous cadets, enlisted men, and civil defence patrollers,¹² all of whom were to “collaborate to the utmost in the destruction and annihilation of subversive groups.”¹³ Subversive groups, in the highlands at least, being a euphemism for utterly defenceless indigenous communities, according to our sample.

⁸ Casaus Arzu, *Guatemala: linaje y racismo*, 259.

⁹ Perlin, “Commission finds Genocide,” 408-409.

¹⁰ Ejército de Guatemala, “Plan de Campaña “Firmeza 83-I,” Sección IV. Misiones específicas, p. 26. Estado Mayor de la Defensa Nacional: b. Dirección de Inteligencia: 5, p. 15. My translation.

¹¹ *Ibid.*, Sección IV. Misiones específicas, p. 26. Estado Mayor de la Defensa Nacional: b. Dirección de Inteligencia: 6, a, 4, p. 16. My translation.

¹² *Ibid.*, Apéndice “1” (Inteligencia) al Plan de Campaña “Firmeza 83,” Sección I. Situación General, p. 14.

¹³ *Ibid.*, Anexo “G” (Plan de Asuntos Civiles) al Plan de Campaña “Firmeza 83-I,” Sección I. Situación: D. Instituciones de Coordinación: 5, p. 35. My translation.

In early 1983 Ríos Montt presented the Guatemality doctrine to an elite audience, calling on representatives of Guatemala's private sector to become beacons in "490 years of darkness" and the new "founding fathers" of what he considered a new, emerging Nation. Referring to the "seed of nationality" he told his audience, in fact, that "the time to sow is coming" in order "to later harvest a Nation." "We want to change man as such," he said, adding that the time for the country to rise from a solid foundation had come.¹⁴ For the Indians of the highlands, incorporation into the Guatemalan social fabric meant what Alexander Hinton and others aptly called "annihilating difference."¹⁵

Lastly, there is Fein's fourth observation regarding the calculus involved when actually undertaking the extermination of victims. As long as Ríos Montt cloaked the extermination of Indians in cold war rhetoric when addressing the United States, while using the psychodynamics of fear to justify his actions in Guatemala, he could do pretty much what he wanted to highland Indians. Measures were taken, beginning under the Lucas García government, to attack non-Indians who might act as troublesome witnesses, including foreign priests and anthropologists, local journalists, doctors, lawyers, teachers and students. When Indians and non-Indians occupied the Spanish embassy in order to bring attention to what was going on in their rural communities, they were burned alive.

When Ríos Montt came to power he suspended the Constitution, declared a state of siege, and formally shut down the press.¹⁶ By June 1982 he held absolute power and on 1 July he added 5,300 troops to his regular army and set at least four task forces loose in the highlands provoking an unprecedented, and perhaps unexpected, flow of refugees

¹⁴ Efraín Ríos Montt, "Hacer una Nación es hacer hombres a los hombres y no esclavos," *Diario de Centro America*, Guatemala, 1 February 1983, n. p. My translation.

¹⁵ Hinton, ed., *Annihilating Difference: The Anthropology of Genocide* (Berkeley: University of California Press, 2002).

¹⁶ Kobrak, *Pie de Lucha*, 92.

into Mexico. Despite his claims to the contrary – “I am telling you the truth [...] we are not burning villages, we are not raping women, we aren’t burning houses”¹⁷ – word got out that his troops were doing the exact opposite: an Orwellian tactic that David Stoll called “the ‘night and fog’ technique devised by the Nazis” when referring to official denials in Guatemala of disappeared persons’ whereabouts.¹⁸

If 2,000 refugees a week were making their way into Mexico in early 1982,¹⁹ by the third week of July the UNHCR reported that more than 3,000 Guatemalans had crossed the border into Mexico in four days.²⁰ On 26 July, Ríos Montt told foreign journalists he felt “obliged and moved” to know that the US government had earmarked \$11 million in economic assistance for Guatemala under President Reagan’s Caribbean Basin Initiative. The general is reported to have said that “it is a change in attitude that fills us with gratitude.”²¹ Which brings us to Fein’s point about the absence of sanctions encouraging perpetrators’ genocidal actions, and Leo Kuper’s discussion on the internal and external inhibitions against genocide he called restraints.²²

According to Kuper, internal restraints in a non-genocidal society include powerful moral inhibitions, social inclusion, and such structural conditions as access to employment opportunities and social services, and the rule of law, including the legal recognition of minority rights and equality before the law for all citizens. Other internal restraints within any society include a functioning web of interdependent human relationships, accommodation based on the recognition of group distinctiveness, peaceful

¹⁷ John Dinges, “Guatemala Still Divided Under New President,” *New York Times*, 17 July 1982, p. A1.

¹⁸ Stoll, “Evangelicals, Guerrillas, and the Army,” 112.

¹⁹ Marlise Simon, “Guatemalan Indians Crowd into Mexico to Escape Widening War,” *Washington Post*, 19 February 1982, p. A23.

²⁰ “Escapan a México en 4 días 3 mil Guatemaltecos,” *El Excelsior*, 23 July 1982, p. 9.

²¹ Agence France Presse, AP, ANN, “Ríos Montt ‘conmovido’ por la ayuda de Washington,” *Uno Más Uno*, 27 July 1982, p. 15. My translation.

²² Leo Kuper, *Political Use*, 56, 189.

conflict resolution, and the willingness to compromise in the face of competing interests.²³ According to our appreciation of the Guatemalan context in the early 1980s, none of these internal restraints were present at the time.

In terms of external restraints, Kuper believed international relations, including a functional community of nations promoting ties and common interests, trade relations, international standing, human rights monitoring, political pressure from governmental and non-governmental sources, and international media attention and notoriety could all act as obstacles to genocide.²⁴ The international dimensions of the Guatemalan genocide certainly merit further research if we are to understand what went wrong in terms of the international community's failure to prevent or stop the massive killing of Indians in Guatemala in 1981 and 1982. Regarding the United States specifically, under Lucas García, US embassy officials spoke of a "human rights 'Grey Area' which defies simple description."²⁵ Under Ríos Montt, according to an American journalist, "U.S. officials did not deny that mass killings were taking place, but denied having knowledge of them."²⁶ Indeed, while US policy makers sidestepped the issue of massive human rights violations in Guatemala and President Reagan shook hands with the Devil, so to speak, in December 1982, the flames spreading across the highlands could probably be seen from outer space. That remote possibility also merits serious future consideration since satellite imagery of the highlands in the early 1980s could, as in the present case of the Sudan, further confirm the Guatemalan army's *modus operandi* at the time.

²³ Ibid., 85, 87, 187-189, 205-206, 208-209.

²⁴ Ibid., 190-191;

²⁵ United States Embassy in Guatemala, "Background for Human Rights Speeches: Guatemalan Perceptions of our Policies [Document on-line]," 18 July 1978 (accessed 29 January 2004), available from <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB11/docs/10-01.htm>; Internet.

²⁶ Ricardo Chavira, "Guatemalan Refugees: They Talk of Death; Refugees Describe Terror in Guatemala; Guatemalan Human Rights Record Seen Improved, U.S. Considers Resuming Aid," *San Diego Union*, 5 May 1982, p. 1, 6.

In terms of atrocity crimes and the genocide continuum, our study has demonstrated the evolution in the intensity and breadth of the violence brought to bear against any form of real or imagined opposition in Guatemala from 1978 to 1984. From violations to the Geneva Conventions, constituting war crimes, to the systematic and widespread persecution of social and political groups, constituting crimes against humanity, violence against entire indigenous communities in the highlands reached genocidal proportions in 1982. According to the eyewitness accounts at our disposal, the intent clearly was to destroy indigenous groups in substantial part between February and September 1982, when the crimes perpetrated against indigenous communities went from selective, genocidal massacres and extermination to full-blown genocide. In reaching such a conclusion, we believe that the special intent, or *dolus specialis*, required in order to demonstrate genocide can be inferred from the perpetrators' own words and the pattern of repeated, purposeful actions taken to eliminate highland Indians in 1982.

In this sense, as Samuel Totten has stated, first-person accounts proved to be an invaluable source of information in understanding the context and the sequence of unfolding events which destroyed tens of thousands of human lives in the Guatemalan highlands in a matter of months. Before such detailed and eloquent evidence one cannot help but ask why were survivors' accounts not considered at the time as an incontrovertible sign that genocide was taking place in Guatemala? Which raises the supplementary question with regards to why, ten years after the signing of peace accords, have the perpetrators not yet been brought to justice? Attempting to answer these questions in the future will further our understanding of Guatemalan society and the international community to which that society belongs.

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Appendix 1. Witness Testimony Consulted in Guatemala from 08 February to 08 May 2006

	Name of Witness (on file)	Corresponding alphanumerical code	Date of interview	Ethnic Group Affiliation/ Language spoken	Age at time of Interview	Date of massacre	Approx age at mass.	Category Witness (on file)	Pages in notes
A.	<i>Hamlet of Plan de Sanchez, municipality of Rabinal, department of Baja Verapaz.</i>								
1		PDS-XIS-01A	24.04.2001	Achi	76	18.07.1982	57		1-3
2		PDS-XRS-02A	27.09.2001	Achi	44		25		4-5
3		PDS-XCJ-03A	18.09.2001	Achi	44		25		5-7
4		PDS-YIM-04A	27.07.2001	Achi	48		29		7-8
5		PDS-XMJ-05A	23.04.2000	Achi	56		38		8-12
		PDS-XMJ-05B	12.01.1999						31-32
6		PDS-XMJ-06A	27.03.2000	Achi	44		26		13-21
		PDS-XMJ-06B	12.01.1999						29-31
7		PDS-XJG-07A	23.04.2001	Achi	64		45		22-25
8		PDS-XMJ-08A	16.07.2001	Achi	47		28		26-29
		PDS-XMJ-08B	12.01.1999						33
		PDS-XMJ-08C	09.03.2004						39-47
9		PDS-XRC-09B	12.01.1999	n.d	50		n.d		32-33
10		PDS-XGR-10B	12.01.1999	n.d	n.d		n.d		33
11		PDS-XGR-11B	12.01.1999	Achi	50		33		33-34
		PDS-XGR-11C	09.03.2004						48-53
12		PDS-YCM-12B	12.01.1999	n.d.	n.d.		n.d.		35
13		PDS-YGT-13A	01.08.2001	n.d.	50		31		35-38
14		PDS-YMG-14A	02.06.1996	Achi	35		21		53,54,58
	<i>Forensic Report</i>	<i>FAFG</i>		<i>December 1997</i>					
B.	<i>Village of Rio Negro, municipality of Rabinal, department of Baja Verapaz.</i>								
15		RN-YOC-01A	28.03.2000	Achi	30	13.03.1982	11		58-62
16		RN-XCO-02A	02.03.2000	Achi	44		26		62-72
17		RN-YPO-03A	27.03.2000	Achi	35		17		72-79
18		RN-YPO-04A	30.03.2000	Achi	28		10		80-83
19		RN-XTO-05A	25.03.2000	Achi	28		10		83-102
20	<i>Forensic Report</i>	<i>EAFG</i>	29.03.2000	Achi	32		14		102-104
				<i>19 April 1994</i>					

C.	<i>Hamlet of Agua Fria, municipality of Chicaman, department of Quiché</i>								
21	AF-XMS-01A	25.06.2000	Cackchiquel	44	14.09.1982	26			104-108
22	AF-YLL-02A	26.03.2000	Achi	41		23			108-113
	AF-YLL-02B	17.09.1998							117-118
23	AF-XSL-03A	09.10.2001	Achi	45		27			113-117
	<i>Forensic Report</i>		18 March 1996						
D.	<i>Hamlet of Rancho Bejuco, municipality of El Chol, department of Baja Verapaz</i>								
24	RB-XIR-01A	12.06.2000	Achi	48	29.07.1982	30			118-127
25	RB-YA-02A	06.07.2001	Achi	45		26			128-131
26	RB-XOT-03A	n.d.	Achi	38		20			132-135
27	RB-YIA-04A	17.07.2000	Achi	37		19			135-138
	<i>Forensic Report</i>		June 2000						
E.	<i>Panacal, municipality of Rabinal, depart of Baja Verapaz</i>								
28	PAN-YM-01A	22.10.2000	Achi	60	04.12.1981	41			139-142
29	PAN-XTS-02A	10.04.2000	Achi	38		19			142-149
	<i>Forensic Report</i>		CALDH						
	<i>Village of Pichec, municipality of Rabinal, department of Baja Verapaz</i>		15 November 1999						
F.	<i>Village of Pichec, municipality of Rabinal, department of Baja Verapaz</i>								
30	PIC-YGC-01A	15.03.2000	Achi	58	02.01.1982	40			150-156
31	PIC-YRA-02A	29.02.2000	Achi	39		21			156-163
	<i>Forensic Report</i>		15 March 2001						
G.	<i>Chichupac, municipality of Rabinal, department of Baja Verapaz</i>								
32	CHI-XCT-01A	16.03.2000	Achi	58	08.01.1982	40			164-173
33	CHI-XJL-02A	22.03.2000	Achi	44		26			173-182
34	CHI-XPC-03A	02.03.2000	Achi	70		52			182-184
35	CHI-XCT-04A	23.03.2000	Achi	49		31			184-186
36	CHI-YCC-05A	23.03.2000	Achi	54		36			186-187
	CHI-YCC-05B	23.03.2000							187-189
37	CHI-YGP-06A	2000	Achi	47		29			189-193
38	CHI-YSG-07A	24.03.2000	Achi	63		45			193-194
39	CHI-XJB-08A	27.03.2000	Achi	59		41			194-199
	<i>Forensic Report</i>		EAFG						
	<i>Hamlet of Petanac, municipality of San Mateo Ixtatán, department of Huehuetenango</i>		7 July 1993						
H.	<i>Hamlet of Petanac, municipality of San Mateo Ixtatán, department of Huehuetenango</i>								
40	PET-XPL-01A	04.07.2001	n.d.	50	14.07.1982	31			200-205
41	PET-XTJ-02A	2001	Chuj	46		27			205-206
42	PET-YPB-03A	19.04.2001	Chuj	43		24			206-209

43		PET-YJM-04A	13.03.2001	n.d	n.d				n.d		209-212
44		PET-XPJ-05A	2001	Chuj	Chuj				41		212-215
45		PET-YPM-06A	29.10.2001	Chuj	Chuj				80		215-218
46		PET-XPA-07A	30.10.2001	Chuj	Chuj				38		218-223
47		PET-XPL-08A	19.04.2001	Chuj	Chuj				30		223-224
		PET-XPL-08B	2001								224
	<i>Forensic Report</i>	ODHAG		June 1999							
I.	<i>Estate of San Francisco, municipality of Nentón, department of Huehuetenango</i>									17.07.1982	
48		SAN-XPR-01A	13.03.2001	Chuj	Chuj				62		224-229
49		SAN-XRL-02A	13.03.2001	Chuj	Chuj				59		230-232
50		SAN-XRP-03A	31.10.2001	Chuj	Chuj				30		232-234
51		SAN-XPB-04A	31.10.2001	Chuj	Chuj				32		234-236
52		SAN-XPB-05A	2001	n.d	n.d				n.d		236-237
	<i>Forensic Report</i>	FAFG		27 April 2000							
J.	<i>Hamlet of Puente Alto, municipality of Barillas, department of Huehuetenango</i>									06.07.1982	
53		PA-XRM-01A	11.10.2001	Kanjobal	Kanjobal				55		237-239
54		PA-XPB-02A	18.06.2001	Kanjobal	Kanjobal				28		239-241
		PA-XPB-02B	16.07.2001								241-243
	<i>Forensic Report</i>	ODHAG		13 December 2002							
K.	<i>Hamlet of Pacoj, municipality of San Martín Jilotepeque, department of Huehuetenango</i>									12.02.1982	
55		PAC-XCU-01A	2000	Cackchiquel	Cackchiquel				47		244-247
56		PAC-XXM-02A	2000	Cackchiquel	Cackchiquel				62		247-251
57		PAC-XUL-03A	2000	Cackchiquel	Cackchiquel				56		251-254
58		PAC-XXM-04A	2000	Cackchiquel	Cackchiquel				78		254-256
59		PAC-YYB-05C	2000	n.d	n.d				n.d		256-257
60		PAC-YP-06C	2000	n.d	n.d				n.d		258-259
	<i>Forensic Report</i>	FAFG		19 November 2001							
L.	<i>Hamlet of Santa Anita las Canoas, municipal. of San Martín Jilotepeque, depart. of Chimaltenango</i>									14.10.1982	
61		SAC-XBV-01A	23.07.2001	Cackchiquel	Cackchiquel				39		259-262
62		SAC-YP-02A	23.07.2001	Cackchiquel	Cackchiquel				50		262-265
63		SAC-XNC-03A	23.07.2001	Cackchiquel	Cackchiquel				55		265-268
	<i>Forensic Report</i>	CALDH		01 December 1997							
M.	<i>Hamlet of La Plazuela, municipality of San Martín Jilotepeque, department of Chimaltenango.</i>									17.04.1982	
64		PLA-YB-01A	14.08.2001	Cackchiquel	Cackchiquel				54		269-271
65		PLA-XBC-02A	03.05.2001	Cackchiquel	Cackchiquel				56		271-274

66		PLA-XTJ-03A	2000	Cackchiquel	69		50	275-277
67		PLA-YB-04A	03.05.2001	Cackchiquel	45		26	278
	Forensic Report	FAFG		12 October 2001				
N.	<i>Chipastor, municipality of San Martín Jilotepeque, department of Chimaltenango</i>							
68		TOR-YAL-01A	2001	Quiché	45	22.09.1982	26	278-279
69		TOR-YBC-02A	15.08.2001	Cackchiquel	34		13	279-281
70		TOR-XCG-03A	09.05.2001	n.d.	40		20	281-283
	Forensic Report	CALDH	(Exhumation in December 1999)					
O.	<i>Village of San Francisco Javier, municipality of Santa María Nebaj, depart. of Quiché</i>							
71		SFJ-XM-01A	20.03.2001	Ixil	65	15.08.1982	46	284
72		SFJ-XV-02A	20.03.2001	Ixil	66		47	284-285
73		SFJ-XRC-03A	20.03.2001	Ixil	43		24	285-287
74		SFJ-XV-04A	20.03.2001	Ixil	57		38	287-289
75		SFJ-XR-05A	21.03.2001	Ixil	58		39	289-291
	Forensic Report	Paz/ Reconciliación		July 2001				
P.	<i>Hamlet of Vivitz, municipality of Santa María Nebaj, department of Quiché</i>							
76		VIV-XRP-01A	21.03.2001	Ixil	45	10.09.1982	26	291-294
77		VIV-YMM-02A	19.03.2001	Ixil	32		13	295-296
78		VIV-XCS-03A	21.03.2001	Ixil	40		21	296-297
79		VIV-XMS-04A	19.03.2001	Ixil	47		28	297-299
	Forensic Report	CAFGA	n.d.					299
	Forensic Report	CAFGA	17 November 2000					
Q.	<i>Village of Hom, municipality of San Gaspar Chujul, department of Quiché</i>							
80		ILO-XBC-01A	06.2000	Ixil	43	23.03.1982	25	300-305
81		ILO-XCC-02A	06.2000	Ixil	30		12	306-309
82		ILO-XCB-03A	06.2000	Ixil	51		32	309-311
83		ILO-XGR-04A	2000	Ixil	30		12	311-312
84		ILO-XCI-05A	06.2000	Ixil	26		8	313
	Forensic Report	CALDH	21 July 1998					
R.	<i>Village of Nix, municipality of San Gaspar Chajul, department of Quiché</i>							
85		XIX-XU-01A	07.2000	Quiché	58	16.02.1982	40	314-320
86		XIX-XTC-02A	06.2000	Quiché	54		36	320-323
	Forensic Report	ODHAG		November 1997				
S.	<i>Village of Santa María Tzeja, municipality of Ixcán, department of Quiché</i>							
87		SMT-XCC-01A	13.06.2000	(Quiché)	n.d.	13.02.1982	n.d.	324-325

88		SMT-XLG-02A	13.06.2000	(Quiché)	n.d.		n.d.	325-326
89		SMT-XCV-03A	17.07.2000	(Quiché)	n.d.		n.d.	326-329
90		SMT-XPP-04A	05.07.2000	Ladino	58		40	330-334
91		SMT-XCG-05A	13.06.2000	(Quiché)	n.d.		n.d.	335-341
	<i>Forensic Report</i>		CAFCA	27 March 2000				
T.	<i>Estate of San José Rio Negro, municipality of Cobán, department of Alta Verapaz</i>							
92		SJN-XEC-01A	25.09.2001	(K'eqchi)	44	17.03.1982	25	342
93		SJN-XP-03A	25.09.2001	(K'eqchi)	65		46	342
94		SJN-YP-04A	25.09.2001	(K'eqchi)	n.d.		n.d.	343
95		SJN-YP-05A	25.09.2001	(K'eqchi)	n.d.		n.d.	343
96		SJN-YP-06A	25.09.2001	(K'eqchi)	50		31	344-346
	<i>Forensic Report</i>		ODHAG	August 1998				
U.	<i>Village of Cuarto Pueblo, municipality of Ixcán, department of Quiché</i>							
97		UCP-XRA-01C	17.10.2000	n.d.	35	14.03.1982	17	347
98		UCP-XAG-02C	17.10.2000	n.d.	63		45	347
99		UCP-XGG-03C	17.10.2000	n.d.	50		32	348-349
100		UCP-XPG-04C	17.10.2000	n.d.	36		18	349-350
101		UCP-YVB-05C	17.10.2000	n.d.	48		30	350
102		UCP-XSM-06C	17.10.2000	n.d.	n.d.		n.d.	351
103		UCP-XFG-07C	27.09.1996	n.d.	39		25	351
104		UCP-YVV-08C	26.09.1996	n.d.	53		39	351
105		UCP-XRV-09C	27.09.1996	n.d.	35		21	352
106		UCP-XDS-10C	27.09.1996	n.d.	n.d.		n.d.	352
107		UCP-XD-11C	n.d.	n.d.	35		n.d.	352
	<i>Forensic Report</i>		EAFG	May 1996				

Appendix 2. Estimates and approximate numbers for a sample of twenty-one massacres in the Guatemalan highlands, 1982

Massacre, witnesses and secondary sources	Estimated death toll based on witness accounts or secondary sources quoting eyewitness accounts							Estimated number of state forces present during massacre based on witness accounts or secondary sources quoting eyewitness accounts		Estimated number of state forces present during massacre based on witness accounts or secondary sources quoting eyewitness accounts									
	Famili prior mass	Not es.	Pop. prior mass ¹	Not es	Dead	Notes	Survivo rs	Not es	Estim. % pop killed	Armed guerril las	Notes	Soldie rs	Not es	PACs	Not es	Others	Not es	Total	
A. Plan de Sanchez																			
PDS-XMJ-05A	38	8	300	11	267	11	20	12											
PDS-XMJ-06A			210	13	182	13	8	13		3-4	14								
PDS-XJG-07A	19	22	114		285	24													
PDS-XMJ-08A	40	26	240																
PDS-XMJ-08C					284	41	13	43											
PDS-XGR-11C					280	49	20	51											
CEH ²					226	Annexe 2, case 9075, p. 149-153, certainty 1													n.d.
Estimate			300		268 ³		20			3-4									
B. Rio Negro																			
RN-YOC-01A												20	61	20	61				40
RN-XCO-02A	175	62	1000	62	391	63-67				6-15	68, 70								
RN-YOP-03A	106	70	636		177	76						30	79	40	39				70
RN-XTO-05A	150	84	1000	84	177	98				8-10	89	20-25	97	30-40	97				50-65
CEH	200		1200							9-10	90								
Estimate	180		1100		363 ⁴	An 1, illus case 10, p. 45-56				10-15		25	35	35					60

¹ Numbers in italics are derived from an average of six persons per rural Guatemalan household or family as quoted in Ricardo Falla, *Masacre en la finca San Francisco, Huehuetenango, Guatemala* (Copenhagen: International Work Group for Indigenous Affairs, 1983), 19; and Washington Office on Latin America, *Report on a Mission of Inquiry: Security and Development Conditions in the Guatemalan Highlands* (Washington: WOLA, 1985), 34.

² CEH, *Guatemala, memoria del silencio* [Document on CD-ROM] (Guatemala: United Nations Operations Systems (UNOPS), 1999). Figures from the Truth Commission for 17 of the twenty-one massacres under consideration are for comparative purposes only. Most if not all of the death-tolls resulting from these massacres were obtained from witness testimony when such information was available. Discrepancies between these figures and Truth Commission findings are explained in the footnotes.

³ Corte Interamericana, "Plan de Sánchez vs. Guatemala, Sentencia [document on-line]," 29 de Abril de 2004 (accessed 15 June 2004), available from http://www.corteidh.or.cr/serviccpdf/servic_105_esp.pdf; Internet, paragraph 42.21, p. 12.

⁴ The Truth Commission figure for Rio Negro is based on the following occurrences: 18 killed in September-October 1981; 74 killed on 13 February 1982; 177 killed on 13 March 1982; 94 killed and disappeared on 14 May 1982; for a total of 363. This figure does not include the estimated 35 orphans from Rio Negro killed in the Agua Fria massacre on 14 September 1982. If it did, then the total would be 398.

Massacre, witnesses and secondary sources	Estimated death toll based on witness accounts or secondary sources quoting eyewitness accounts										Estimated number of state forces present during massacre based on witness accounts or secondary sources quoting eyewitness accounts								
	Families prior mass	Not es.	Pop. prior mass ⁶	Not es	Dead	Not es	Survivots	Not es	Estim. % pop killed	Armed guerrillas	Notes	Soldiers	Not es	PACs	Not es	Others	Not es	Total	
C. Agua Fria																			
AF-XMS-01A	30	105	100	105	90 100	107						80	107	80	107				160
AF-YLL-02A					75	112	4	112				30	111	45	111				85
AF-XSL-03A			140	113			4	115		2	113	300	115	150	115				450
AF-YLL-02B												25	117	40	117				65
CEH					110		Annexe 2, case 9099, p. 147-149, certainty 1												
Estimate			120		97				81%	2		108		78					186
D. Rancho Bejuco																			
RB-XIR-01A	5	121	30		25	123						10	123	15	123				25
RB-YA-02A	5	128	30				4	134		1-2	129	10	129	15	130				25
CEH					n.d.														
Estimate			30		25				83%	1-2		10		15					25

⁵ According to witnesses, members of the Rio Negro community were the victims of five separate massacres, four of which occurred in a six month period in 1982. According to RN-XCO-02A (notes, p. 63), seven members of the community were massacred by military police on 4 March 1980; (notes, p. 67) 55 men, 9 children, and 9 women from Rio Negro were massacred in the neighbouring village of Xococ on 13 February 1982; on 13 March 1982, 177 women and children were killed; on 14 May 1982 (notes p. 67), 84 residents of Rio Negro who had sought refuge in Los Encuentros were massacred by the military and fifteen women were taken away in an army helicopter and never seen again. Finally, on 14 September 1982, 35 orphans from Rio Negro who had been entrusted to the community of Agua Fria were massacred along with most of that village's population. Not counting individual documented cases of assassination or enforced disappearances, a total of 391 people from Rio Negro lost their lives in massacres carried out by military and paramilitary forces between March 1980 and September 1982. According to RN-XTO-05A (notes, p. 86), for instance, two community leaders were kidnapped on 8 August 1981 and their tortured and bullet-ridden remains were found on 17 August 1981.

⁶ Numbers in italics are derived from an average of six persons per rural Guatemalan household or family as quoted in Falla, *Massacre*, 19; and WOLA, *Security and Development*, 34.

Massacre, witnesses and secondary sources	Estimated death toll based on witness accounts or secondary sources quoting eyewitness accounts										Estimated number of state forces present during massacre based on witness accounts or secondary sources quoting eyewitness accounts								
	Families prior mass	Not es.	Pop. prior mass ⁷	Not es	Dead	Not es	Survivors	Not es	Estim. % pop killed	Armed guerrillas	Notes	Soldiers	Not es	PACs	Not es	Others	Not es	Total	
E. Panacal																			
PAN-YM-01A					47	142					3	139							
PAN-XTS-02A	120	142	720		5	144	18	142		2	147	200	144	200	144				400
CEH					47	148													
					58		Annexe 2, case 9253, p. 145, certainty 1												
Estimate			720		52 ⁸				7%	2-3		200		200					400
F. Pichec																			
PIC-YRA-02A			450	156	32	162						60	161	15	161	10	161		85
					30	162													
					35	163													
CEH					32 ⁹		Annexe 2, case 9306, p. 154-5, certainty 1												
Estimate			450		97 ¹⁰				22%	n.d.		60		15					85

⁷ Numbers in italics are derived from an average of six persons per rural Guatemalan household or family as quoted in Falla, *Massacre*, 19; and WOLA, *Security and Development*.

³⁴.

⁸ According to PAN-XTS-02A, 5 members of the community were killed on 3 December 1981 in addition to the 47 killed during the 4 December 1981 massacre for a total of 52 victims.

⁹ The Truth Commission estimate is for the massacre that occurred on 2 January 1982 only. It corresponds with witness accounts of 35 victims. See next note.

¹⁰ According to PIC-YRA-02A, men from Pichec, including boys and elders, between the ages of 15 and 50, were massacred on three separate occasions. The first massacre occurred on Sunday, 1 November 1981, when 32 men were killed; the second occurred on Sunday, 22 November 1981 when 30 men were killed; and 35 men lost their lives on Monday, 2 January 1982, for a total of 97 victims.

Massacre, witnesses and secondary sources	Estimated death toll based on witness accounts or secondary sources quoting eyewitness accounts										Estimated number of state forces present during massacre based on witness accounts or secondary sources quoting eyewitness accounts								
	Families prior mass	Not es.	Pop. prior mass ¹¹	Not es	Dead	Not es	Survivots	Not es	Estim. % pop killed	Armed guerrillas	Notes	Soldiers	Not es	PACs	Not es	Others	Not es	Total	
G. Chichupac																			
CHI-XCT-01A					32	166													
CHI-XJL-02A	150	174	900		32	179				0	175	40	178	10	182				50-70
CHI-XCT-04A	75	184	450																
CHI-YCC-05A			400	186															
CHI-YGP-06A	150	189	900				60	193				60	193						60
CHI-YSG-07A												200	196	15	196				215
CHI-XJB-08A			600	194															
CEH					32				Annexe 2, case 9094, p. 153, certainty 1										
Estimate	125		650		32				5%	0		100		10-15					110
H. Petanac																			
PET-XPL-01A												84	200						84
PET-XTI-02A	7	205	42		100	206	4-6	206				40-50	206						40-50
PET-YPB-03A					130					3	206								
PET-YJM-04A	15-17	209	90																
PET-XPJ-05A			102																
PET-XPJ-05A			110	212			15	215											
PET-YPM-06A	10	215	60							2	216	100	218						100
PET-XPL-08A			86	223	84	224	15	224				80-85	223						80-85
CEH					83				Annexe 2, case 6074, p. 509-10, certainty 1										
Estimate			100		84				84%	2-3		80							80

¹¹ Numbers in italics are derived from an average of six persons per rural Guatemalan household or family as quoted in Falla, *Massacre*, 19; and WOI.A, *Security and Development*, 34.

Massacre, witnesses and secondary sources	Estimated death toll based on witness accounts or secondary sources quoting eyewitness accounts							Estimated number of state forces present during massacre based on witness accounts or secondary sources quoting eyewitness accounts											
	Families prior mass	Not es	Pop. prior mass ¹²	Not es	Dead	Not es	Survivors	Not es	Estim. % pop killed	Armed guerrillas	Notes	Soldiers	Not es	PACs	Not es	Others	Not es	Total	
I. San Francisco																			
Nentón																			600
SAN-XPR-01A	140	224	800	224	270	229				4-5	227	600	227						
SAN-XRL-02A	140	230			260	231	15	231											
SAN-XRP-03A			300	232			12	234											
SAN-XPG-04A			370	234			10	234		0	234								
Falla, <i>Masacre</i> ¹³	65		390		350		38												
CEH					350				Annexe 1, illustrative case 18, p. 348										
Estimate			365 ¹⁴		350				96%	4-5		600							600
J. Puente Alto																			
PA-XRM-01A			400	238	300	239	12	239		0	238	100	239						100
PA-XPG-02A			200	239								150	241						150
PA-XPG-02B					355	242													
CEH					355				Annexe 2, case 6031, p. 498-502, certainty 1										
Estimate			400		350				88%	0		125							125

¹² Numbers in italics are derived from an average of six persons per rural Guatemalan household or family as quoted in Falla, *Masacre*, 19; and WOLA, *Security and Development*.

¹³ Falla, *Masacre*, 19, 45.

¹⁴ According to SAN-XRL-02A (notes, p. 231) half the families in the San Francisco estate at the time of the massacre lived in a neighbouring community called Yulaurel where villagers had acquired land with the idea of one day leaving the estate in which they worked in order to grow crops for their own benefit. See also SAN-XPR-01A (notes, p. 224).

Massacre, witnesses and secondary sources	Estimated death toll based on witness accounts or secondary sources quoting eyewitness accounts							Estimated number of state forces present during massacre based on witness accounts or secondary sources quoting eyewitness accounts											
	Families prior mass	Not es.	Pop. prior mass ¹⁵	Not es	Dead	Not es	Survivors	Not es	Estim. % pop killed	Armed guerrillas	Notes	Soldiers	Not es	PACs	Not es	Others	Not es	Total	
K. Pacoj																			
PAC-XCU-01A												150	246					150	200
PAC-XXM-02A	55	247	300		16	250					4	252							
PAC-XUL-03A	60	251	360																
PAC-XXM-04A	50	254	300																
PAC-YYB-05C	100		600		14	256													
CEH					60	Annexe 2, case 48. p. 199, certainty 1													
Estimate	55		330		48 ¹⁶				15%	3-5		180							180
L. Santa Anita las Canoas																			
SAC-XBV-01 ^a	316	260	1896									60-80	260						60-80
SAC-YL-02 ^a	400	265	2400		30	263				10	263		262						
SAC-XNC-03 ^a					14	264						100	266						100
CEH					14 ¹⁷	Annexe 2, case 262, p. 201-202 Certainty 1													
Estimate			2000		44 ¹⁸				2%	10		80							80

¹⁵ Numbers in italics are derived from an average of six persons per rural Guatemalan household or family as quoted in Falla, *Massacre*, 19; and WOLA, *Security and Development*, 34.

¹⁶ Testimony on the number of people killed during the 12 February 1982 Pacoj massacre varies according to where witnesses were in or around the village. According to the Centre for Human Rights Legal Action (CALDH), *Massacres: Pain and Death Revealed* (Guatemala: CALDH, 2003), 2, 48 people were killed at the time: 20 women, 16 children and 12 men.

¹⁷ The Truth Commission figure is for the 14 October 1982 massacre only. See note below.

¹⁸ According to SAC-YL-02A, 30 people were assassinated before the 14 October 1982 when an additional 14 people were killed, for a total of 44.

Massacre, witnesses and secondary sources	Estimated death toll based on witness accounts or secondary sources quoting eyewitness accounts										Estimated number of state forces present during massacre based on witness accounts or secondary sources quoting eyewitness accounts								
	Families prior mass	Not es.	Pop. prior mass ¹⁹	Not es	Dead	Not es	Survivors	Not es	Estim. % pop killed	Armed guerrillas	Notes	Soldiers	Not es	PACs	Not es	Others	Not es	Total	
<i>M. La Plazuela</i>																			
PLA-XBC-02A	70-80	271	420 480		8 150	273													
PLA-XTJ-03A					150	277													
PLA-YB-04A					11	278						30-40							30-40
CALDH, <i>Massacres</i> ²⁰					n.d.														
CEH																			
Estimate			450		150 ²¹				33%	n.d.		30-40							30-40
<i>N. Chipastor</i>																			
TOR-YAL-01A	60	278	360							10	278								
CALDH, <i>Massacres</i> ²²					5														
CEH					5		Annexe 2, case 210, p. 206 certainty 2												
Estimate			360		5				1%	10									n.d.

¹⁹ Numbers in italics are derived from an average of six persons per rural Guatemalan household or family as quoted in Falla, *Massacre*, 19; and WOLA, *Security and Development*.

²⁰ CALDH, *Massacres*, 6.

²¹ According to PLA-XBC-02A, a family which stayed behind while the rest of the community fled before soldiers erupted in the village was killed. Soldiers returned over a three-month period killing as estimated 150 members of the community.

²² CALDH, *Massacres*, 6.

Massacre, witnesses and secondary sources	Estimated death toll based on witness accounts or secondary sources quoting eyewitness accounts							Estimated combatants in community		Estimated number of state forces present during massacre based on witness accounts or secondary sources quoting eyewitness accounts									
	Families prior mass	Not es.	Pop. prior mass ²³	Not es	Dead	Not es	Survivors	Not es	Estim. % pop killed	Armed guerrillas	Notes	Soldiers	Not es	PACs	Not es	Others	Not es	Total	
O. San Francisco Javier																			
SFJ-XM-01	100	284	600		30	284						100	284	100	284				100
SFJ-XV-02A	30-40	284	180-240		13	285													
SFJ-XRC-03A					13	286				0	285	200	287	200	287				200
SFJ-XV-04A	20	287	120		15-18	288						60	288						60
SFJ-XR-05A	15	289	90		24	290													
CEH					32	Annexe 2, case 3289, p. 1056 certainty 1													
Estimate			240		20				8%	0		150							150
P. Vivitz																			
VIV-XRP-01A	20	291	120		18	294				5	291	150	293	350	292				500
VIV-YMM-02A					16	295													
VIV-XCS-03A	10	296	60		18	296				2	296	300	296						300
VIV-XMS-04A												100	299						100
CEH					n.d.							150							150
Estimate			100		17				17%	2-5		175		350					300

²³ Numbers in italics are derived from an average of six persons per rural Guatemalan household or family as quoted in Falla, *Massacre*, 19; and WOLA, *Security and Development*, 34.

Massacre, witnesses and secondary sources	Estimated death toll based on witness accounts or secondary sources quoting eyewitness accounts							Estimated number of state forces present during massacre based on witness accounts or secondary sources quoting eyewitness accounts											
	Families prior mass	Not es	Pop. prior mass ²⁴	Not es	Dead	Not es	Surviv es	Not es	Estim. % pop killed	Armed guerrillas	Notes	Soldiers	Not es	PACs	Not es	Others	Not es	Total	
Q. Ilo																			
ILO-XBC-01A	200	302	1200		83	303						100	309	50	302				150
ILO-XCC-02A	200	306	1200		20	307													
					85	307													
					60	308													
ILO-XCB-03A					25	309													
ILO-XGR-04A	400	311	2400		18	312													
					85	312													
CEH					134 ²⁵														
Estimate	300		1600		173 ²⁶							100		50					150
R. Xix																			
XIX-XU-01A	150	314	900		28	316													
					18	316													
XIX-XTC-02A	60	620	360		5	322						40	323						40
CEH					58 ²⁷														
Estimate			600		51 ²⁸							40							40

²⁴ Numbers in italics are derived from an average of six persons per rural Guatemalan household or family as quoted in Falla, *Massacre*, 19; and WOLA, *Security and Development*, 34.

²⁵ The Truth Commission figure include 38 people killed in January and February 1981, in addition to the estimated 96 people killed on 23 March 1982, for a total of 134. This figure does not include the estimated 60 children who perished in the year following the massacre due to hunger and disease. See next note. If it did, the death-toll in Ilo would be 194.

²⁶ According to ILO-XBC-01A, 28 men from the community had been killed by soldiers and civil patrolers prior to the massacre, including 16 who had been taken away on the night of 15 January 1982 and never seen again. Another ten men from the community had been killed by guerrillas prior to 23 March 1982, the day the army killed 85 boys and men aged between 14 and 60. The total number killed in these incidents is 123. According to ILO-XCC-02A, another 60 children perished from disease and hunger in the months following the massacre, for a cumulative total of 183 dead. Subtracting the 10 men killed by guerrillas, 173 deaths can be imputed to state forces.

²⁷ Truth Commission findings estimate the number of victims in Xix on 16 February 1982 at 56. Two additional persons were executed the following day, for a total of 58.

Massacre, witnesses and secondary sources	Estimated death toll based on witness accounts or secondary sources quoting eyewitness accounts							Estimated number of state forces present during massacre based on witness accounts or secondary sources quoting eyewitness accounts											
	Families prior mass	Not es.	Pop. prior mass ²⁹	Not es	Dead	Not es	Survivors	Not es	Estim. % pop killed	Armed guerrillas	Notes	Soldiers	Not es	PACs	Not es	Others	Not es	Total	
S. Santa Maria Tzeja																			
SMT-XCC-01A	114	324	684									175	324						175
SMT-XPP-04A	125	330	750									150	341						150
SMT-XCG-5A												170							175
CALDH, <i>Massacres</i> ³⁰					23														
CEH					23		Annexe 2, Case 11143, p. 1062 certainty 1												
Estimate			715		23				3%	n.d.		160							160
T. San José Rio Negro																			
SJN-XP-04A					85	342													
CALDH, <i>Massacres</i> ³¹					100														
CEH					n.d.														
Estimate					93				n.d.	n.d.									n.d.

²⁸ According to witnesses, 33 members of the community were assassinated in two separate incidents before the 16 February 1982 massacre in which the 18 people who had not fled the community as soldiers erupted were killed, for a total of 51 victims.

²⁹ Numbers in italics are derived from an average of six persons per rural Guatemalan household or family as quoted in Falla, *Massacre*, 19; and WOLA, *Security and Development*.

³⁰ CALDH, *Massacres*, 3

³¹ *Ibid.*, 5.

Massacre, witnesses and secondary sources	Estimated death toll based on witness accounts or secondary sources quoting eyewitness accounts										Estimated number of state forces present during massacre based on witness accounts or secondary sources quoting eyewitness accounts								
	Families prior mass	Not es.	Pop. prior mass ³²	Not es	Dead	Not es	Surviv ors	Not es	Estim. % pop killed	Armed guerrillas	Notes	Soldie rs	Not es	PACs	Not es	Others	Not es	Total	
U. Cuarto Pueblo																			
UCP-XPG-03C				362	347							50	351						50
UCP-YVV-08C												100							100
Falla, <i>Sehva</i> ³³	100		600	324															
CEH				400			Annexe 1, illustrative case 4, p. 109, 111												
Estimate			600	343				57%		n.d.		75							75

³² Numbers in italics are derived from an average of six persons per rural Guatemalan household or family as quoted in Falla, *Masacre*, 19; and WOLA, *Security and Development*, 34.
³³ Ricardo Falla, *Masacres en la Sehva: Ixcán, Guatemala, 1975-1982* (Guatemala: Editorial Universitaria, 1993), 84, 85.

Appendix 3. General information on eyewitness accounts of sample of Indigenous community massacres in the Guatemalan highlands, 1982

Name of village, hamlet or estate	Municipality	Department	Ethnic group	Date of massacre	Eye witness	W/o	Men	Est. pop in 1981-1982	Est. armed guerrilla as	Est. killed in massacre	Majority escape before massacre	Est. number survivors	Est. percentage of population killed	Communally razed to the ground	CEH death toll estimates ¹
Military government of General Romeo Lucas Garcia in power since July 1978															
1 Panacal	Rabinal	Baja Verapaz	Achi	04.12.81	2	1	1	720	2-3	52		668	7%		58
2 Pichec	Rabinal	Baja Verapaz	Achi	02.01.82	2	1	1	450	n.d.	97		353	22%		32
3 Chichupac	Rabinal	Baja Verapaz	Achi	08.01.82	8	3	5	650	0	32		618	5%	•	32
4 Pacoj	San Martin Jilotepeque	Chimaltenango	Cackchiquel	12.02.82	6	2	4	330	3-5	48		282	15%		60
5 San Maria Tzeja	Ixcán	Quiché	Quiché	13.02.82	5	0	5	715	n.d.	23	•	692	3%	•	23
6 Xix	San Gaspar Chajul	Quiché	Quiché	16.02.82	2	0	2	600	0	51	•	549	9%	•	58
7 Rio Negro	Rabinal	Baja Verapaz	Achi	13.03.82	6	4	2	1100	10-15	391		709	36%	•	363
8 Cuarto Pueblo	Ixcán	Quiché	Various	14.03.82	11	2	9	600	n.d.	343		257	57%	•	400
9 San José Río Negro	Cobán	Alta Verapaz	Kecchi	17.03.82	5	3	2	n.d.	n.d.	93	•	n.d.	n.d.	•	n.d.
10 Itom	San Gaspar Chajul	Quich.	Ixil	23.03.82	5	0	5	1600	2-5	173		1427	11%	•	134
A military junta headed by General José Efraín Ríos Montt comes to power															
11 La Plazuela	San Martin Jilotepeque	Chimaltenango	Cackchiquel	17.04.82	4	2	2	450	nd	150	•	300	33%	•	n.d.
12 Puente Alto	Barillas	Huehuetenango	Kanjobal	07.07.82	2	0	2	400	0	350		50	88%	•	355
13 Petanac	San Mateo Ixtatan	Huehuetenango	Chuj	14.07.82	8	3	5	100	2-3	84		16	84%	•	83
14 Finca San Francisco	Nenton	Huehuetenango	Chuj	17.07.82	5	0	5	365	4-5	350		15	96%	•	350
15 Plan de Sanchez	Rabinal	Baja Verapaz	Achi	18.07.82	14	4	10	300	3-4	268		20	89%	•	226
16 Rancho Bejuco	El Chol	Baja Verapaz	Achi	29.07.82	4	2	2	30	1-2	25		5	83%	•	n.d.
17 San Francisco Javier	Santa Maria Nebaj	Quiche	Ixil	15.08.82	5	0	5	240	0	20	•	220	8%	•	32
18 Vivitz	Santa Maria Nebaj	Quiche	Ixil	10.09.82	4	1	3	100	2-5	17	•	83	17%	•	n.d.
19 Agua Fria	Chicaman	Quiche	Achi	14.09.82	3	1	2	120	2	97		23	81%	•	110
20 Chipastor	San Martin Jilotepeque	Chimaltenango	Cackchiquel	22.09.82	3	2	1	360	10	5	•	355	1%	•	5
21 Santa Anita las Canoas	San Martin Jilotepeque	Chimaltenango	Cackchiquel	14.10.82	3	1	2	2000	10	44		1956	2%	•	14
					107	32	75	11,230		2,713			23% ²		2,431 ³

¹ Comisión para el Esclarecimiento Histórico (CEH), *Guatemala, memoria del silencio* [Document on CD-ROM] (Guatemala: United Nations Operations Systems (UNOPS), 1999). Figures from the Truth Commission for 17 of the twenty-one massacres under consideration are for comparative purposes only. Discrepancies are explained in the footnotes in Table II.

² The total percentile figure was obtained in the following manner: of the estimated 2,713 victims of the twenty-one massacres under consideration, the 93 from San José Río Negro were subtracted since no figure was found as to the community's estimated population in 1980-1981. The figure of 2,620 was then divided by 11,230 for a percentile figure of 23.4%. According to these figures, the average population for the twenty communities with total population estimates is 562. The average death-toll per community is 130.

³ According to the Truth Commission's death-toll estimates for 17 of the 21 massacres under consideration, the average death-toll per massacre comes out to 143. Taking that figure and dividing it by our average population per community, we obtain a death-toll resulting from army massacres of 25.4%.

Appendix 4

Narrative of the Plan de Sanchez massacre based on eyewitness testimony

Date of Massacre: Sunday, 18 July 1982.

Location: Municipality of Rabinal, Department of Baja Verapaz, Guatemala

Content

- I. Context
 - A. Military Commissioners and the draft
 - B. Civil Defence Patrols
 - C. Military presence in Plan de Sanchez
- II. The Massacre
 - A. Villagers are rounded-up in one place
 - B. *Modus operandi*
 - C. The next day
- III. Persecution
 - A. Precarious Conditions
 - B. Return to Plan de Sanchez

I. Context

A. Military Commissioners and the Draft

The Maya-Achi village of Raxjut is located in the municipality of Rabinal, department of Baja Verapaz. As with most other villages in the municipality, Raxjut is surrounded by numerous smaller hamlets composed of extended families living in small, dispersed rural dwellings usually constructed of adobe bricks or planks, and covered with thatch roofs or wooden roof trusses supporting sun-dried tiles or sheets of corrugated tin. Hamlets surrounding Raxjut include Chipuerta, Piedra del Tigre, Las Tunas, Cumbre de Durazno, Las Ventanas, and Plan de Sanchez. In the early 1980s, locally appointed Military Commissioners in every rural hamlet in Raxjut's vicinity kept in close touch with a Guatemalan Army post located in the municipal capital, also called Rabinal.¹

General Jorge Ubico created the position of Military Commissioner in 1939. In 1954, following the overthrow of President Jacobo Arbenz, Military Commissioners became part of the Military Reserves, acting as civilian intermediaries between local urban and rural populations and the Armed Forces, usually in charge of enforcing obligatory draft requirements. Appointed by the Guatemalan Army for indefinite periods of time, their responsibilities were expanded in 1976 to include intelligence, surveillance, as well as military recruitment. On a weekly basis, as many as 30,000 Military Commissioners would report to the Army on the activities they observed in practically every rural village or urban neighbourhood in the Republic. In rural indigenous communities, the Commissioners at first rivalled and then often replaced more traditional forms of governance and authority.² A resident of Plan de Sanchez explains that "the Military Commissioners were the ones in charge, they told people what to do," and by the early 1980s "we couldn't work our fields without first asking for written permission in order to leave the community to do so."³

As residents of the hamlets, Military Commissioners knew their neighbours well and kept watch over them. Military service was obligatory in Guatemala, and "because the Commissioners were from the hamlets, explains a resident of Plan de Sanchez, they knew where the eighteen-year-olds lived and had no problem finding them."⁴ The Military Commissioners would go house to house calling on the young men, explains another resident: "They had lists, with the boys' names, dates of birth, and their places of residence."⁵ Every three to six months the Military Commissioner in Plan de Sanchez would gather the teenagers. If they refused to show up, "he went after them and took them to the army post himself." Compliance with the draft in the early 1980s meant that not one able-bodied young man was left in Plan de Sanchez.⁶

Draft dodgers were accused of siding with the rebels and denounced before military officials. Faced with such an eventuality, parents were often forced to give up their sons. In the early 1980s, "as the situation heated up around Rabinal," recalls one

¹ PDS-XMJ-05A (notes, p. 8, 9).

² Equipo de Antropología Forense de Guatemala (EAFG), *Las masacres de Rabinal: Estudio historico-antropologico de las masacres de Plan de Sanchez, Chichupac y Rio Negro*, 2a ed. (Guatemala: EAFG, 1997), 148-150, 309-310.

³ PDS-XMJ-05A (notes, p. 8, 9).

⁴ PDS-XJG-07A (notes, p. 22).

⁵ PDS-XMJ-06A (notes, p. 16).

⁶ PDS-XMJ-05A interviewed by CALDH on 23 April 2000 (notes, p. 9).

father, “the army would round the boys up, regardless of how old they were, as long as they *looked* old enough.”⁷ Because young indigenous men generally feared the army and “seldom went willingly,” a common response to such reticence was for the army to block off public spaces and press-gang young men into service. Since Sunday was market day in the municipal capital, “the army would regularly close off the market in Rabinal and the soldiers would sweep the young men away.”⁸ One father lamented the transformation provoked in his two sons, stating that “if a young man was respectful [of his family and community] before, life in the barracks would change him for the worse.”⁹

B. Civil Defence Patrols

Military Commissioners were also responsible for organising the remaining men and boys in their communities into Civil Defence Patrols. In Plan de Sanchez, such patrols began in 1981 under the military government of General Romeo Lucas Garcia. According to press reports at the time, the municipality of Rabinal was one of two rural indigenous municipalities in the Guatemalan highlands where Civil Defence Patrols were first implemented with the objective of maintaining law and order, as well as involving important contingents of indigenous civilians in the army’s counterinsurgency strategy.¹⁰ According to the president’s brother and then-Minister of Defence, General Benedicto Lucas,

although arming civilians for any reason [...] is prohibited by the Constitution, it is legal to do so if such groups are integrated into the Army. [...] The combination of militias under Army control and the [...] the military forces is logically derived from the people’s ardent quest for peace through collaboration with the present government.¹¹

Starting in November 1981 Military Commissioners in Plan de Sanchez organised ten patrols of about ten to twelve local men who served twenty-four hour shifts every ten days.¹² A resident of Pan de Sanchez explains that the men of his hamlet

were part of the patrols organised around the village of Raxjut. We patrolled in and around all of the hamlets of Raxjut, we went everywhere. We patrolled in groups of ten and watched out for strangers and any kind of meeting in peoples’ homes. There wasn’t any kind of training really, we were simply told to obey orders.¹³

⁷ PDS-XMJ-08A (notes, p. 28-29).

⁸ PDS-XMJ-06A (notes, p. 16).

⁹ PDS-XIS-01A (notes, p. 1-2).

¹⁰ EAFG, *Las masacres de Rabinal*, 150-151.

¹¹ Prensa Libre, 21 November 1981, p. 66, as quoted in *ibid.*, 151.

¹² PDS-XMJ-06A (notes p. 16).

¹³ PDS-XJG-07A (notes, p. 22-23).

Through a straightforward system of surveillance and control, local Military Commissioners received orders directly from the army post in Rabinal and they, in turn, supervised the first 1000 men who made up the municipality's Civil Defence Patrols. The patrollers would then report back to the Military Commissioners who would report to the army in person on a weekly basis, usually on Sundays.¹⁴

In 1982, patrollers in the municipality of Rabinal, aged between 15 and 60, would meet regularly in the army post to receive directives and indoctrination. A man from Plan de Sanchez recalls one such meeting when patrollers from over thirty villages had been summoned by the Army. As the men stood at attention,

we were told to watch out for strangers wondering around with backpacks and weapons. We had to report on any weapons we had seen. If we came across strangers we were told to capture them and bring them to the post. We had to check peoples' identification, even if they were civilians, and ask them where they were coming from and where they were going. In these meetings with the army we were told that anyone associated with the guerrillas should know that their day would come and that it was foreigners from Cuba and other countries who were filling peoples' heads with ideas, and that we were to ignore such ideas.¹⁵

According to a patroller from Plan de Sanchez, "there was no way of saying no in those days. They obligated us to do this, that and the other thing and we had to do it. If we refused to comply we were mistreated or denounced."¹⁶ Men who chose to abstain from patrol duty had their names taken down and these were sent directly to the military post in Rabinal. Those who refused to obey the Commissioners, recalls one resident,

were accused of being guerrillas and stuck in a hole filled with about a meter and a half of water. If you failed to show up for your shift you spent twenty-four hours in the hole. If you failed to show up for a second or third shift, they took you down to the army post and they would take care of you once and for all.¹⁷

In the early 1980s any alternative form of community organising in the municipality of Rabinal not in line with the imposed and highly militarised model then being enforced by the authorities was highly suspect. According to a resident of Plan de Sanchez, members of his community "got into trouble with the patrols when we started organising a literacy program in the community. The Military Commissioner was against it and people in the community were accused of holding secret meetings."¹⁸ As patrol requirements became increasingly stringent and repressive, a number of men in Plan de

¹⁴ PDS-XMJ-08C (notes, p. 39).

¹⁵ PDS-XMJ-06A (notes, p. 16-17).

¹⁶ PDS-XIS-01A (notes, p. 2).

¹⁷ PDS-XMJ-06A (notes, p. 16).

¹⁸ PDS-XMJ-08A (notes, p. 29).

Sanchez chose to disobey local Military Commissioners and openly refused to harm their neighbours. One resident recalls that

I patrolled for six months starting in November 1981 and then the repression started. We had heard how in that same year the army and the Judicial Police had massacred people in the neighbouring villages of Pichec, Panacal and Concul. We could see smoke rise from peoples' houses. That's when I stopped patrolling.¹⁹

Others followed suit, setting in motion a process of repression which rapidly grew in scope and intensity. First, recalled an ex-patroller, "we stopped patrolling and the Commissioners and soldiers added our names to their lists."²⁰ Then, those names were called out at a meeting of Civil Defence Patrollers in Rabinal.²¹ Military Commissioners went from house to house looking for eight residents of Plan de Sanchez, calling on them to present themselves with their picks and shovels.²² When Civil Defence Patrollers were told "to come with their picks and shovels" it often meant "that the people on the lists were to be buried."²³ "We knew then," says an ex-patroller from Plan de Sanchez, "that they wanted to kill us."²⁴

In 1981 Military Commissioners in the rural hamlets surrounding Raxjut were assigned assistants and, according to a resident, "that's when they started to take people away, accusing them of helping the guerrillas." The resident in question goes on to list the names of seven men from his hamlet who were taken away by patrollers and never seen again. "They accused us of being guerrillas," he says, "and we certainly weren't going to wait around until the patrols came to our houses to pick us up."²⁵ When Military Commissioners started coming around to the ex-patrollers' houses at night looking for them, the men of Plan de Sanchez started going out to the mountains to sleep, only returning to their homes at dawn.²⁶

C. Military Presence in Plan de Sanchez

Starting in 1981 the Guatemalan Army sent soldiers to pay regular visits to Plan de Sanchez. At first, recalls a witness, "they just came around and they wouldn't talk to anyone unless they wanted coffee or tortillas."²⁷ By early 1982, they began setting up camp in the hamlet and would spend two or three days at a time. "They would go out to peoples' houses," recalls another witness, "talk to the women and ask for the men."²⁸ Then the soldiers began handing out dolls and candy to the kids, telling their mothers not

¹⁹ PDS-XMJ-08C (notes, p. 39).

²⁰ PDS-XMJ-06A (notes, p. 16).

²¹ PDS-XMJ-06B (notes, p. 29).

²² PDS-XMJ-06A (notes, p. 16).

²³ PDS-XMJ-06B (notes, p. 29).

²⁴ PDS-XMJ-06A (notes, p. 16).

²⁵ PDS-XMJ-05A (notes, p. 9-10).

²⁶ PDS-XMJ-06B (notes, p. 29).

²⁷ PDS-XJG-07A (notes, p. 22).

²⁸ PDS-XMJ-05A (notes, p. 10).

to be afraid, that they were there to protect them.²⁹ One woman from Plan de Sanchez believes it was their way of gradually winning people over. "They had never really bothered the women before," she recalls, adding that "they only seemed to be looking for the men." At the time, in fact, army violence directed against civilians, though on the rise in the area, seemed to be limited to the men, or so people thought. In Rabinal, "they only ever took the men away. It's the men they killed."³⁰ "We thought they wouldn't do anything to the women and children," reflects a village resident, "which is why they tended to stay home when the army came around."³¹

By mid-July 1982, the situation changed drastically. On Saturday 17 July, military planes and a helicopter bombed the mountains surrounding the hamlets of Xesiguan and Plan de Sanchez.³² "We recognised the helicopter," says one man, "because of its olive-green colour, the colour which identifies the army."³³ One woman in Plan de Sanchez saw the planes and helicopter fly overhead. As they bombed the mountains, the men who were tending their fields, pasturing their animals or collecting firewood were forced to seek shelter. She recalls that "they came back to the community worried about where the army would bomb next."³⁴ Then, around 8 a.m. on the morning of Sunday 18 July 1982, the army shot two 105-milimeter mortars from its post in Rabinal. One fell in the hills near Coxojabaj, the other near Xesiguan. "They wanted to scare the community," says a witness, "so that no one would be left hiding in the surrounding mountains."³⁵

II. The Massacre

A. Villagers are rounded-up in one place

In the municipality of Rabinal, as in many indigenous highland communities in Guatemala, Sundays and Thursdays are market days. People from the surrounding villages and hamlets travel, often on foot, to buy and sell their goods and produce in the Rabinal's central plaza. Leaving their homes at dawn, many return in the late morning or the early afternoon, once their transactions in town are finished. On Sunday, 18 July 1982, the people of Plan de Sanchez had received word that an army patrol had left the post in Rabinal around 10 a.m. and was travelling in their direction. "Neighbours coming back from market notified the community that soldiers were coming up behind them," recalls one witness.³⁶

Walking nine kilometres uphill from the municipal capital to Plan de Sanchez the soldiers had reached the hamlet's outskirts by 2 p.m. accompanied by local Civil Defence Patrollers and civilian informants or agents known as *judiciales*. "I recognised them," says one witness, "because the judiciales always wore red kerchiefs around their necks and I knew the patrollers from my previous experiences with them. Although they wore army uniforms, I knew they were civilians." The same witness estimates that 60 members

²⁹ PDS-XGR-11C. (notes, p. 50).

³⁰ PDS-YGT-13A (notes, p. 36, 38).

³¹ PDS-XMJ-05A (notes, p. 10).

³² PDS-XMJ-06A (notes, p. 18); PDS-XCJ-03A. (notes, p. 7).

³³ PDS-XGR-11 (notes, p. 48).

³⁴ PDS-YGT-13A (notes, p. 36).

³⁵ PDS-XMJ-05B (notes, p. 31); PDS-XMJ-06B (notes, p. 29); PDS-XMJ-08C. (notes, p. 40).

³⁶ PDS-XMJ-05A (notes, p. 10).

of military and paramilitary forces arrived in Plan de Sanchez that day.³⁷ The judiciales opened the way,³⁸ escorting the soldiers and patrollers as they “herded people up like animals” along the path leading to Plan de Sanchez.³⁹ People from neighbouring communities travelling along the same path were also rounded up.⁴⁰ One witness recalls that they were all being called to meeting.⁴¹

As the soldiers arrived in Plan de Sanchez, they blocked off the entrances and exits in and out of the hamlet.⁴² One woman from a neighbouring community explains that

the soldiers had gathered on an open flat and as we approached Plan de Sanchez from Ixchel I told my mother where they were. “Thank God,” she said, “there here to watch over us.” We were stopped by the army when we arrived in Plan de Sanchez. The soldier in charge told me to stay there and he sent my mother to the house where they were gathering people. He told her there was some soup waiting for her and she went off.⁴³

As soldiers, judiciales and patrollers sealed off the community, others gathered community residents in a house belonging to Mrs. Rosa Manuel Jeronimo. Soldiers headed off in pairs from there to round up the occupants of individual homes scattered throughout the hamlet.⁴⁴ “The first house they came across was my mother’s,” recalls a witness who escaped as the soldiers arrived. “They took her and my kids away first, then my brother, and then the rest of the community, including children and the elderly.” From his hiding place, the witness “watched the soldiers for an hour as they went up and down, throughout community, gathering people.”⁴⁵ Another witness remarked that the soldiers had practically rounded up the entire community and “because not everyone fit into the house, the rest were gathered on the patio outside.”⁴⁶

As the soldiers watched over their captives, they took the children from their mothers and separated the young women from the rest of those gathered before them.⁴⁷ One young woman recounted that she “and the other girls [were brought] to another house of adobe bricks and made to go inside. We were about twenty, from different villages,” she recalls, “aged between twelve and twenty.”⁴⁸ Two women barely managed to escape at this time, one of them recounting that “my aunt Paulina and I ran for our lives in the ravines toward Xesiguan. We ducked in the corn fields. I lived through it, I heard the bullets whistle by, I heard the bullets strike the ground beside me.”⁴⁹

³⁷ PDS-XMJ-08C (notes, p. 41); PDS-XGR-11C (notes, p. 49).

³⁸ PDS-XMJ-05A (notes, p. 10).

³⁹ PDS-XGR-11C (notes, p. 48); PDS-XJG-07A (notes, p. 23.).

⁴⁰ PDS-XJG-07A (notes, p. 23.); PDS-XGR-11C (notes, p. 48).

⁴¹ PDS-XCJ-03A (notes, p. 6); PDS-XMJ-06A (notes, p. 17).

⁴² PDS-XCJ-03A (notes, p. 6). PDS-XMJ-08C (notes, p. 41).

⁴³ PDS-YMG-14A (notes, p. 53, 58).

⁴⁴ PDS-XMJ-08C (notes, p. 40).

⁴⁵ PDS-XJG-07A (notes, p. 23).

⁴⁶ PDS-XMJ-05A (notes, p. 10-11); PDS-XMJ-06A (notes, p. 20).

⁴⁷ PDS-XMJ-08C (notes, p. 40, 41).

⁴⁸ PDS-YMG-14A (notes, p. 53); PDS-XMJ-05A (notes, p. 11, 12).

⁴⁹ PDS-YGT-13A (notes, p. 37).

B. *Modus Operandi*

Members of the main group detained in Rosa Manuel's house were accused of being subversives. "They accused them of being guerrillas," recalls an escapee. "First they tortured some of them outside and then they threw two grenades into the house. Seeing that people were still alive and hearing their screams, they began to fire into the house with their weapons."⁵⁰ According to another witness, "it was about four o'clock when I heard the grenades go off. My wife was five months pregnant. She was there with my daughter. I heard the shots and all those people yelling."⁵¹ As the soldiers began firing into the house, a young man by the name of Daniel Tecu Chajaj, who had previously served in the armed forces, attempted to escape. He was promptly shot and killed.⁵² The soldiers continued to fire into the house until the screams stopped. One witness remembered: "that's when we started to hear individual shots."⁵³

The house in question was then doused with gasoline and set ablaze.⁵⁴ According to a witness, as night fell "the children who had been set aside from the rest of the group were taken one by one, slammed violently against the ground and thrown into the fire. I could see this because of the flames."⁵⁵ The soldiers then proceeded to torture, rape and massacre the young women who had been taken to the other house.⁵⁶ A woman recalled what she and twenty other young women went through in the following terms:

They grabbed us by the hands, choosing the girls they wanted. Their were about ten soldiers there at first, but then more came along later. They took us aside and tore our clothing and ripped our underpants and if we resisted they beat our legs and thighs violently until we couldn't move anymore. They raped all of us. When they raped me, another soldier stood over me with his gun. That's the way they raped all of us. We all cried because we couldn't stand what they were doing to us. I was grabbed and raped once and then another soldier grabbed me. Since we resisted, another soldier said it would be better if they tied us up. They grabbed ropes and as they started tying the girls up that's when I ran for it. The soldier who grabbed me last yelled and started firing. I threw myself down a ravine and walked all night.⁵⁷

According to another witness, after being raped repeatedly the young women were killed "one shot at a time."⁵⁸ After killing the young women, the soldiers and civil defence patrollers proceeded to ransack Plan de Sanchez' abandoned homes, taking anything of

⁵⁰ PDS-XMJ-08C (notes, p. 40).

⁵¹ PDS-XCJ-03A (notes, p. 6).

⁵² PDS-XMJ-05A (notes, p. 11); PDS-XMJ-06A (notes, p. 18).

⁵³ PDS-XMJ-06A (notes, p. 18).

⁵⁴ PDS-XJG-07A (notes, p. 24); PDS-XMJ-06B (notes, p. 29); PDS-XGR-11C (notes, p. 49).

⁵⁵ PDS-XMJ-08C (notes, p. 41, 42); PDS-XGR-11C (notes, p. 49, 50).

⁵⁶ PDS-XMJ-08C (notes, p. 41).

⁵⁷ PDS-YMG-14A (notes, p. 54)

⁵⁸ PDS-XMJ-06A (notes, p. 20).

worth that they came across and could carry off with them.⁵⁹ By midnight, the soldiers, judiciales and patrollers had left the community.⁶⁰

C. The Next Day

Witnesses say that three young girls managed to escape their captors and that two of them were able to tell members of the community what had happened to them.⁶¹ The young women quoted above returned to Plan de Sanchez early the next day, stating that

I saw the other girls who had been in the house with me the night before. Their skirts had been ripped off and almost all of them had their hands tied behind their backs. There was one girl who was still alive. It looked as if they had shot her in the face. Her father took her down to the clinic in Rabinal.⁶²

The man in question, having himself escaped the massacre the day before, explains the state of shock in which he found his daughter on Monday, 19 July, and the efforts he made, at the risk of his own life, to try and help her:

I got there around 9 a.m. My daughter Florencia was still alive, but her lips and hair had been ripped out. She sat there and just stared at me without saying anything. I brought her home, but she couldn't speak. We gave her water with a spoon and watched over her.⁶³

The next morning, he sat his daughter on a chair and carried her on his back to the clinic in Rabinal, a distance of nine kilometres:

When I got there they told me to put her in one of the rooms. I stood there for a while and no one paid any attention to us. The nurse eventually came to me and said she was going to give my daughter a shot for the pain. I was there when she gave her the shot and I saw my daughter die almost instantly. Then, a woman warned me that the soldiers would come by and do away with me. I sat my daughter back down on the chair, an orderly gave me a sheet to place over her, and I carried her back to the community. Later, during the wake, someone warned us that the soldiers were coming and we all fled and hid, except for Tomasa who stayed to watch over my daughter.⁶⁴

⁵⁹ PDS-XMJ-08C (notes, p. 41).

⁶⁰ PDS-XGR-11C (notes, p. 49); PDS-XMJ-06A (notes, p. 18).

⁶¹ PDS-XMJ-05A (notes, p. 11); PDS-XJG-07A (notes, p. 23); PDS-XCJ-03A (notes, p. 6).

⁶² PDS-YMG-14A (notes, p. 54).

⁶³ PDS-XIS-01A (notes, p. 3).

⁶⁴ PDS-XIS-01A (notes, p. 3).

Witnesses who returned to Plan de Sanchez on the morning of 19 July confirm that many of the young women who had been separated from the larger group the day before were found in states of undress, with their hands tied. One witness remarked that some had had their legs and arms broken.⁶⁵

Survivors of the massacre, present in the village at that time, then proceeded to extinguish the smouldering ruins of the house where the main group had been killed and set ablaze. Signs of torture and mutilation could be seen on the bodies which had not been entirely consumed by fire or on those which lay on the patio, outside the building.⁶⁶ One witness says that some of the victims

had been cut to pieces with machetes. They tore one woman's arm off, another woman had a leg missing. My cousin was undressed and dogs had begun to eat away at her. Not everyone had been killed by gunfire, some had had their throats slit.⁶⁷

Another witness says that his young niece had been eviscerated.⁶⁸

Overwhelmed by the horror which lay before them, most witnesses did not flee when local Civil Defence Patrollers and Military Commissioners arrived around 11 a.m. They brought with them an order from the army post in Rabinal to bury the dead. All present, including the paramilitary forces, had two hours to accomplish their assigned task or else face the wrath of the military. As dark green military helicopters flew overhead, the men gathered in Plan de Sanchez started hastily digging mass graves with their picks and shovels.⁶⁹

The dead, of course, were not treated as they should have been, nor buried according to Maya custom. In fact, bodies found in one piece were unceremoniously dragged across the ground and summarily disposed of in the gaping pits. Tilling hoes were used to scrape the ground clean of body parts, charred remains and associated artefacts, such as clothing, footwear, and milk bottles.⁷⁰ One witness commented that his loved ones were thrown into the ground "as if they were dogs."⁷¹ By late afternoon, when the last improvised grave was covered, the paramilitary forces deserted Plan de Sanchez, leaving a handful of witnesses unmolested. "We were lucky they hadn't done away with us," reflects one of them. Given the circumstances, however, the survivors of the Plan de Sanchez massacre went into hiding for two years.⁷²

⁶⁵ PDS-XGR-11C (notes, p. 49, 50); PDS-XGR-11C (notes, p. 50); PDS-XMJ-08C (notes, p. 40).

⁶⁶ PDS-XMJ-08C (notes, p. 40).

⁶⁷ PDS-XMJ-06A (notes, p. 19-20).

⁶⁸ PDS-XJG-07A (notes, p. 25).

⁶⁹ PDS-XGR-11C (notes, p. 51); PDS-XMJ-06A (notes, p. 19).

⁷⁰ PDS-XMJ-06A (notes, p. 19).

⁷¹ PDS-XJG-07A (notes, p. 24).

⁷² Ibid.

III. Persecution

A. Precarious Conditions

According to witnesses, soldiers from Rabinal returned to Plan de Sanchez on a weekly basis, making life in the hamlet impossible.⁷³ Seeking shelter in the mountains near the community, at first considered a precautionary measure, became indispensable after the massacre for the few inhabitants who survived. As they scavenged for food, slept beneath trees, soaked by frequent winter downpours,⁷⁴ they watched Guatemalan Army soldiers from their hiding places as

they destroyed our houses, burned our seedlings and took our animals. We saw them make cooking fires and run after our chickens to eat them. After months of their coming and going, they had destroyed every single house in the hamlet. They had destroyed our place of worship, they destroyed the well.⁷⁵

Another witness recalls that

After the massacre, they kept at it. A few days later, I can't remember exactly how many, soldiers picked up Rosario in the plaza in Rabinal and they killed him who knows where. [...] The patrollers and Military Commissioners came after us day after day. During the day-time we would stay in the house and sleep in the mountains at night. They started burning the houses. They took our corn. They took everything and left us nothing.⁷⁶

In the first few months spent in their mountain refuge, as soldiers destroyed their crops, survivors spent days without food, fleeing at the slightest sign of their persecutors.⁷⁷ "The only thing they left us," says one survivor, "were the shirts on our backs."⁷⁸ As the former inhabitants of Plan de Sanchez attempted to adapt as best they could to their new environment, they came across people who had barely lived through similar experiences in such neighbouring indigenous communities as Rio Negro, Chitucan, Cancun, and El Mangal.⁷⁹ "We tried to stay together, to watch over one another and avoid being taken by soldiers who spent their time looking for us," recalls a witness.⁸⁰ Despite their best efforts, however, after weeks and months of living in such conditions, survivors succumbed to exhaustion and sickness.⁸¹ One woman from Plan de

⁷³ PDS-XMJ-05A (notes, p. 12); PDS-XCJ-03A (notes, p. 7).

⁷⁴ PDS-YIM-04A (notes, p. 7-8).

⁷⁵ PDS-XMJ-05A (notes, p. 12).

⁷⁶ PDS-XMJ-06A (notes, p. 19-20).

⁷⁷ PDS-XJG-07A (notes, p. 24); PDS-XMJ-05B (notes, p. 31).

⁷⁸ PDS-XMJ-06A (notes, p. 20-21).

⁷⁹ PDS-XMJ-05B (notes, p. 32).

⁸⁰ PDS-XMJ-05A (notes, p. 12).

⁸¹ PDS-XRC-09B (notes, p. 32).

Sanchez remembers becoming “sick and swollen,” unable to breast feed her newborn child.⁸² Another had given birth only days before the massacre:

The child was six-days old when we had to flee. He cried from the cold. [...] I buried my baby 15 days after the massacre. He died while we fled, as I carried him against my chest. I hadn't realized he had died. The soldiers never stopped watching our houses. They went inside, prepared food for themselves, killed and ate our chickens, they cooked them in our pots. While we went without food in the mountains, they ate their fill.⁸³

Their community reduced to ashes, one survivor in the mountains explains how

we stayed on the look-out to see if the army was nearby. We lived in the mountains for the rest of 1982 and all of 1983. The repression and persecution against us was constant. The Guatemalan Army, the Civil Defence Patrols the Military Commissioners tracked us relentlessly. The judiciales were organised in squadrons called S-2, S-4, S-5. We had been blacklisted by the army and their orders were to kill us if they found us. This went on for two years.⁸⁴

What led the internally displaced groups of indigenous men, women and children to believe that military and paramilitary forces were out to kill them? One witness, recounts how, following the massacre, “they bombarded us with helicopters in different areas around Plan de Sanchez”⁸⁵ and later how some of the men keeping watch in the mountains were captured by roving army patrols and never seen again.⁸⁶ Another witness recalls how a member of their group, when acting as a look-out, came across an army patrol which promptly opened fire in his direction, barely missing their target.⁸⁷ More specifically, however, witnesses saw military and paramilitary forces search for individuals whose names were registered on lists in their possession.⁸⁸ One such witness explains that

four months after the massacre, the Civil Defence Patrollers from Coxojabaj interrogated me on the whereabouts of [PDS-XMJ-05A] and another fellow. They wanted to send a patrol out to get them. Later, as I tended my animals, soldiers came along and the lieutenant asked me what my name was. They grabbed my identification card to make sure I wasn't lying. They had a list with them of many names of people I knew. At the top of the list were [PDS-XMJ-05A], [PDS-XMJ-06A],

⁸² PDS-YCM-12B (notes, p. 35).

⁸³ PDS-YGT-13A (notes, p. 35-36).

⁸⁴ PDS-XMJ-08C (notes 42-43).

⁸⁵ PDS-YCM-12B (notes, p. 35).

⁸⁶ PDS-XMJ-05B (notes, p. 32).

⁸⁷ PDS-XMJ-05A (notes, p. 12).

⁸⁸ PDS-XGR-10B (notes, p. 33).

[PDS-XJR-07], and three others. My name wasn't on that list so they let me go. A Military Commissioner in Coxojabaj told me that no one from my family was on that list, but that he was looking for the Manuels. This said, they went by my brother-in-law's house and took him away. We never found his remains.⁸⁹

B. Return to Plan de Sanchez

The former inhabitants of Plan de Sanchez, and those they came across from neighbouring communities feared for their lives and lived in the hills of Rabinal for the rest of 1982, all of 1983, turning themselves in early 1984, under stipulations of an amnesty law which had been decreed by General Mejia Victores who overthrew Rios Montt on 8 August 1983.⁹⁰ For almost two years, the indigenous people of Plan de Sanchez survived on roots, fruit and occasional donations of food and clothing. A former resident of Plan de Sanchez recalls his experience in the mountains in the following terms:

We were cold, hungry, thirsty and sick. We had no money for medicine or anything else for that matter. Sometimes we received food from the Sisters. We would send our ten-year-old nephew down to Rabinal so he could bring the food back. Through an aunt and a cousin, the Sisters sent us thread and yarn and we wove *morralitos* [small handbags] in the mountains. We would send them back and they would sell them for us. In exchange, they sent us some milk, corn and small amounts of cash. That's how we survived.⁹¹

Following the 1983 amnesty decree, the former residents of Plan de Sanchez turned themselves in to the local Military Commissioner. For the following year, they were put to work, along with other internally displaced population, in the construction of a temporary refugee camps (*colonias*) located near the military post in Rabinal.⁹² In early 1985, military authorities allowed a few of the survivors to return to Plan de Sanchez and rebuild their houses on the condition that they participate in the Civil Defense Patrols. "There was nothing left," recalls one witness. "We even had to build houses in the area for people who had taken part in the Plan de Sanchez massacre."⁹³ Life in the community, however, was not easy. One resident recalls that

Hate and anger are what the Military Commissioners felt for us. They were still in charge and the threats continued. They threatened to make us disappear the year we returned to Plan de Sanchez. They obligated all of us, including kids as young as fourteen and elders as old as sixty, to

⁸⁹ PDS-XGR-11B (notes, p. 34).

⁹⁰ PDS-XMJ-06A (notes, p. 19).

⁹¹ PDS-XMJ-08C (notes, p. 42); PDS-XMJ-06B (p. 31); PDS-XMJ-05B (p. 32).

⁹² PDS-XJG-07A (notes, p. 24); PDS-XMJ-05B (notes, p. 32).

⁹³ PDS-XMJ-08C (notes p. 43, 45).

take part in the Civil Defence Patrols. If we didn't, we were to be turned over to the Army, accused of being against the government. [...] We had to have written permission to go from one place to another and to justify the purpose of our trip. If you didn't have such written permission with you, you were brought to the post and disappeared.⁹⁴

Life under military rule was different from what the residents recalled of their existence before the massacre. In the religious sphere, some of the changes were explained in the following manner:

Before the massacre [...] we practised Maya ceremonies called devotions, in the privacy of our own homes. The elders presided over such rites, but many of them died in the massacre and their knowledge was not transmitted to the younger members of the community. Because of army repression and the military draft, various ancestral traditions were lost among the younger generations. They became more interested in what the army had to say. We lost our religious freedom, [...] many people were converted to Protestantism. Before 1985 we could not organise Maya ceremonies. The Military Commissioners would accuse us of practicing witchcraft and enticing people against them. There were no religious rites or teachings or anything to do with human rights. They said these ideas came from the guerrillas.⁹⁵

Survivors had little say in how their community was to be rebuilt or governed. They felt under constant surveillance. "Discussing the Plan de Sanchez massacre and who was responsible for the death of our relatives was strictly prohibited," remembers a witness, "unless it was done within the confines of our homes." Even in their own homes, however, survivors could not always trust who they were talking to since in some cases their own children had decided to join the Guatemalan Army.⁹⁶ One witness explained that

I went to live with my family in Plan de Sanchez and the military came around all the time. The civil defence patrollers from neighbouring communities accused us of being guerrillas. They kept telling us we had been massacred because we were guerrillas so my son joined the army.⁹⁷

Some of the survivors themselves, because of the stigma attached to the destruction of their community and the persistent accusation that they had belonged to the guerrillas, decided to join the same armed forces which had annihilated their village.⁹⁸ Others joined the guerrillas.⁹⁹

⁹⁴ PDS-XMJ-08C (notes p. 44-46).

⁹⁵ Ibid., (notes p. 45-46). See also PDS-XGR-11C (notes, p. 52).

⁹⁶ Ibid.

⁹⁷ PDS-XGR-11B (notes p. 34).

⁹⁸ PDS-XMJ-06B (notes, p. 31).

⁹⁹ PDS-XMJ-06A (notes, p. 13), PDS-XMJ-08A (notes, p. 27, 28).

Appendix 5

Summary of events occurred during twenty-one massacres perpetrated by the Guatemalan army from December 1981 to October 1982, according to witness testimony

1. **Panacal**, municipality of Rabinal, department of Baja Verapaz. Residents of the settlement are of the Maya-Achi ethnic group. Early on **Friday, 4 December 1981**, approximately 65 men, including elders, and boys present in the community were gathered by 200 soldiers and 200 civil defence patrollers from the villages of Xococ, Patixlam, Vegas de Santo Domingo, Nimacabaj and Chuaperol. They blocked off the entrances to Panacal, gathered the men and boys in one place, and read names off from a list. The soldiers and patrollers, accompanied by hooded informants, then proceeded to tie the villagers' hands together. The men and boys whose names had appeared on the list were then marched off to a nearby hilltop called Chialaguna, near Vegas de Santo Domingo, located about one kilometre from Panacal. The captives were locked in a house and then beaten. Some had their ears and lips cut off, and the soles of their feet cut with knives and machetes. Some of the captives were reportedly made to eat their severed body parts, manure, and to swallow coins. One witness claims to have heard the men scream from Panacal. Forty-seven men, elders and young boys were strangled to death or hung after being tortured that day, their remains dropped down a well or buried in mass graves that had been dug for the occasion. Eighteen men from the group, who survived because their names had not been mentioned, were then forcibly incorporated into the civil defence patrols. Their first task was to bury five local men who had been killed the day before in a neighbouring hamlet. A forensic investigation confirmed the massacre in November 1999.

2. **Pichec**, municipality of Rabinal, department of Baja Verapaz. Residents of the settlement are of the Maya-Achi ethnic group. The community was attacked by guerrillas on 1 January 1982. They burned the school and killed three members of the community, one indigenous and two non-indigenous men. Early on **Saturday, 2 January 1982**, 60 to 100 men and boys from the community, aged between 15 and 50, were summoned to a meeting by approximately 60 soldiers accompanied by 25 local military commissioners and civil defence patrollers. Men only were gathered in the community's school yard, names were read off a list and those chosen in this way were accused of being guerrillas. They were then strangled, garrotted or bludgeoned to death with clubs by local military commissioners and civil defence patrollers who took part in the killing of their neighbours as soldiers stood guard. Only one man, a catechist, was killed by gunfire. He was shot by a soldier in the stomach at close range. The deceased, numbering approximately 35, were dropped down a nine meter well which served the school, and soldiers proceeded to occupy and patrol the village for a month. Witnesses explained that on Sunday, 1 November 1981, thirty-two men from the community were also accused of being guerrillas, tortured and killed in similar circumstances. A massacre was also carried out in much the same way on Sunday, 22 November 1981, when approximately 30 men, elders and young boys, lost their lives, some of them burned alive. A total of 97 residents of Pichec were killed in these three separate but similar incidents in which local men

were forced to kill neighbours selected according to lists. A forensic investigation confirmed the January 1982 massacre in March 2001.

3. Chichupac, municipality of Rabinal, department of Baja Verapaz. Residents of the settlement are of the Maya-Achi ethnic group. On the morning of **Friday, 8 January 1982**, the community was called to a meeting on the grounds of the community hall by approximately 60 soldiers and 10 civil defence patrollers from nearby villages who claimed they wanted to distribute gifts to the adults and toys to the children. Facing forward, all men, women and children were told to stand in four separate lines. Members of the community were separated according to gender. Soldiers surrounded the grounds and collected the men's identification papers. The names of 32 men were read off a list and these men were told to claim their gifts in the nearby clinic. Around noon, soldiers distributed presents to the children and told them to go home. The women were then ordered to leave the premises. Following a stern warning not to get involved with the insurgency the men whose names had not been called out were given back their papers and told to disperse around 2 or 3 p.m. By the end of the afternoon, around 5 or 6 p.m., the thirty-two men in the clinic had all been brutally tortured by the soldiers. Only one man died in the clinic, succumbing to torture. The rest were marched to a nearby hill with their hands tied. Once they reached the hilltop their throats were slit, they were strangled to death or shot in the head. Their mutilated remains were then buried in a mass grave. According to witnesses who were ordered to clean the village clinic the next day, the clinic floor was covered with blood, littered with ears, noses and tongues that had been sheered off the victims' faces. A forensic investigation confirmed the massacre in July 1993.

4. Pacoj, municipality of San Martin Jilotepeque, department of Chimaltenango. Residents of the hamlet are of the Maya-Cackchiquel ethnic group. The massacre occurred on **Friday, 12 February 1982**. Approximately 150 to 200 soldiers arrived in the morning from three separate directions, accompanied by hooded informants. They ordered the women in the community to cook for them and then went house to house ordering people to attend a meeting, killing some of the occupants, including women and children, in their homes. Approximately 35 villagers in eight houses were killed at this time, some of whom had limbs broken, their tongues cut out or were bludgeoned to death. Many were shot in the head. In a ravine, soldiers repeatedly raped, tortured and murdered at least five women. Seven men and a child were also killed by gunfire. A total of 48 people were killed, including 20 women, 16 children and 12 men. Although soldiers stole from the houses, they only set one on fire, leaving crops and stored harvests intact. Soldiers stayed overnight to celebrate and left the following day. A forensic investigation confirmed the massacre in November 2001. Although the acts of torture committed in Pacoj are similar to those discussed in the three previous massacres, the victims of army killings now include a majority of women and children, some of whom were raped.

5. Santa Maria Tzejá, municipality of Playa Grande Ixcán, department of Quiché. Residents of the cooperative are predominantly from the Maya-Quiché ethnic group although other groups also made up the community. Approximately 175 soldiers arrived around 5:00 p.m. on **Saturday, 13 February 1982**, from the neighbouring community of

San José la Veinte which had been abandoned by its occupants and later destroyed by the military. Because soldiers detonated explosives and fired shots at anyone they came across on the road leading to Santa María Tzejá, most inhabitants scattered and fled to the surrounding countryside before they arrived. A mentally disabled woman who had refused to follow her family into the hills was raped and killed. Soldiers spent that night and the following day in the community killing captured villagers. Reinforcements were flown in by helicopter on Monday, 15 February, and the village was set ablaze. With the support of helicopters flying overhead, soldiers then began sweep operations on the ground in the area surrounding the village. One witness recalled how soldiers were alerted by a dog's bark in the forest around 10 a.m. When the soldiers came across a group of 17 women and children hiding in the underbrush, the witness in question was the first child to run as soldiers took aim. As he ran he heard bullets whistle by, his younger sister behind him falling, stricken in the back. Lying on the jungle floor, the witness waited for the gunfire to subside and saw soldiers finish off victims with knives, including his baby sister. Soldiers then pilfered the bodies of the elderly and adult women they had massacred. Twenty-three people were killed in Santa María Tzejá between 13 and 15 February. A forensic investigation in March 2000 was unable to locate the main grave site in which the victims were buried.

6. **Xix**, municipality of San Gaspar Chajul, department of Quiché. Residents of the community are of the Maya-Quiché ethnic group. The massacre in question occurred on **Tuesday, 16 February 1982**, although 33 members of the community were assassinated in two separate incidents before that date. Forty soldiers and civil patrollers arrived around 10 a.m. from the neighbouring community of Chacalté. Because of previous violence and massacres in the region, local men took turns watching out for the army. As soldiers approached the village on 16 February, the village was alerted by the sound of a witness' clarinet. Despite the hasty warning, the soldiers killed the occupants of the first house they came upon then anyone else who had not fled. Community members who attempted to escape while the army occupied the village were hacked to death with machetes. Eighteen members of the community were killed on 16 February, including a pregnant woman and 11 children who were beaten and bludgeoned to death. Except for one or two buildings, the village was razed to the ground. The dead men, women and children, aged between 7 months and 60, were buried by survivors who returned when the soldiers left. Helicopters tracked survivors almost daily, bombing the hills to which they had escaped. One witness survived in the mountains of northern Quiché for fourteen years. A forensic investigation confirmed the massacre in November 1997.

7. **Río Negro**, municipality of Rabinal, department of Baja Verapaz. Members of the community are from the Maya-Achí ethnic group. The massacre occurred on **Saturday, 13 March 1982**. Seventy-three men, women and children from the community were massacred previously on 13 February 1982 in the neighbouring community of Xococ. On the morning of 13 March, close to 200 women and children were gathered in one place by approximately 30 soldiers carrying automatic weapons and 40 civil defence patrollers armed with machetes. Men from the community were either out working or, fearing the army was coming for them, had fled the community and were therefore absent. Herded like animals, the assembled women, including pregnant women, and children were then

marched four kilometres to the top of a nearby mountain called Pacoxom. On the hilltop, young women and girls as young as thirteen were raped in the forest while civil defence patrollers ordered the older women to dance to the sound of recorded music. As soldiers kept watch, the patrollers then individually strangled the older women with meter-length pieces of rope and branches used as garrotes. They hung children and infants by the neck from the trees or bludgeoned them against tree trunks and rocks before hurling them down a ravine to a dried-out river bed where women lay dead or agonising. One hundred and seven children were killed that day along with seventy women. Eighteen children, between the ages of 2 and 16, were the only ones spared that day. They were taken by civil defence patrollers to the village of Xococ where they were forced to labour in patrollers' homes for two and a half years. A forensic investigation which concluded in April 1994 confirmed the massacre.

8. Cuarto Pueblo, municipality of Ixcán, department of Quiché. Residents of the cooperative are of various indigenous ethnic groups. The massacre began around 6 a.m. on **Sunday, 14 March 1982**, half a kilometre from the center of Cuarto Pueblo, in Nueva Concepción. There, approximately thirty-five men, women, and children were herded together in a house by soldiers. A witness remarked that the soldiers insisted that the adults bring their children with them. The house in question was then set ablaze with everyone inside. Other women in Nueva Concepción were undressed, eviscerated and hung. At least two pregnant women were eviscerated, their foetuses hung by the neck from roof beams. As army helicopters flew overhead, approximately 100 soldiers proceeded to enter and surround Cuarto Pueblo, shooting the local military commissioner in the chest as he waived to greet them. After having a meal, the soldiers gathered women and girls, and divided them among themselves as they set up guard posts in and around the community. Over the next three days these women would be raped repeatedly and forced to cook for the soldiers as over 350 villagers were burned alive, shot, or killed with machetes in the market place, the evangelical church, the school, and clinic. Soldiers ordered gasoline from the nearest army base in order to burn remaining members of the community alive, including the women who had cooked for them. Then, the entire cooperative was reduced to ashes. As survivors fled in the direction of the Mexican border starting on 14 March, the army tracked them down and killed them. Others who chose to hide in the Ixcán mountains were also hunted down and killed, including a group of thirty adults, elders and children in May 1982, most of them too exhausted to flee any further. A forensic investigation concluded in May 1996 confirmed the massacre, retrieving 215 pounds of human ashes from thirty-six locations in the community. By the state of certain artefacts associated with these remains, such as glass or aluminium, forensic anthropologists estimated that the fires reached temperatures of between 1300 and 2500 degrees Fahrenheit.

9. San José Río Negro, municipality of Cobán, department of Alta Verapaz. Most of the people killed in San José Río Negro on **Wednesday, 17 March 1982**, were farm labourers escaping from an estate called El Remolino that had been attacked by guerrillas and partly destroyed by fire. Fearing army retribution, the labourers decided to leave the estate and seek refuge in a nearby community called San Isidro. It was also decided that the community's men and boys would transport their families' belongings in dug-out

canoes and that the women and remaining children would travel by foot at a later date. Because of the number of people involved, members of the community requisitioned the canoes that had been left behind by the insurgents who, after attacking the estate, continued their journey in the mountains on foot. These canoes, however, had the guerrilla organisation's acronym written on them. Being illiterate, most people paid scant attention to what the letters painted on the canoes meant, but as they traveled down the Chixoy river soldiers on the shore ordered them to land their embarkations in San Juan Río Negro. There, they were accused of being guerrillas, detained, interrogated and tortured during a week. Close to 100 people, including 60 children, from El Remolino and San José Río Negro were killed and buried in a single mass grave they had been forced to dig. A forensic investigation which concluded in August 1994 confirmed the massacre.

10. Ilom, municipality of San Gaspar Chajul, department of Quiché. Residents of the community are of the Maya-Ixil ethnic group. The massacre occurred on **Tuesday, 23 March 1982**, the day a military junta headed by General Rios Montt deposed General Lucas García. Twenty eight men from the community were killed by soldiers and civil defence patrollers prior to the massacre, including 16 who had been taken away on the night of 15 January 1982. Around 5 a.m. on 23 March, approximately 100 soldiers and 50 civil defence patrollers arrived in Ilom from the neighbouring estate of La Perla. They cordoned-off the community and called the villagers to a meeting. At least one captain made use of communications equipment throughout the operation. The men were forced into the church and the women were locked in a community hall. According to a witness, orders were given over the radio not to kill all community members. Men whose names appeared on a list were subsequently taken from the church and sent to the schoolhouse. One at a time, eighty-five men and boys, aged 14 to 60, were killed by gunfire as they entered the building. As the women were ordered to prepare food for the soldiers and patrollers, the surviving men were told to pile the dead in heaps outside the schoolhouse. Soldiers then made the children walk by the mounds of bodies, telling them to take a good look at what happens to guerrillas. The men were then told to quickly dig pits, bury the dead then leave Ilom with their families for the neighbouring community of Santa Delfina. Around 3 p.m., the entire village was burned to the ground after being pillaged by soldiers and patrollers. During their stay in Santa Delfina, one witness claims that 60 children died from hunger, disease and overcrowding. After a year, survivors of the Ilom massacre were ordered to return and rebuild their village while continuing to work as farm labourers for the nearby estate. A forensic investigation concluded in November 1999 confirmed the massacre.

11. La Plazuela, municipality of San Martín Jilotepeque, department of Chimaltenango. Residents of the hamlet are of the Maya-Cackchiquel ethnic group. When the army arrived on the morning of **Saturday, 17 April 1982**, from the neighbouring community of Las Escobas, most people had been warned of their imminent arrival and had fled. One witness's relatives, including his 60 year-old mother, his sister and her children, aged 5 to 8, decided to stay, waiting for the soldiers to arrive in order to offer them food, thinking they would be safe by doing so. Some of the four women in the community were raped and hung from roof beams. Members of the community who escaped heard the automatic

weapons fire and when they returned to the village they found the remains of the six people who had stayed behind. Soldiers set only a few houses ablaze that day, but most people's belongings were pillaged. Three days later, the dead, some of whom had been partially eaten by dogs and coyotes, were hurriedly buried by their surviving relatives in a pit that, once completed, was originally meant to serve as a latrine. A forensic investigation concluded in October 2001 confirmed the massacre.

12. Puente Alto, municipality of Barillas, department of Huehuetenango. Residents of the hamlet are of the Maya-Kanjobal ethnic group. On the day prior to the massacre, soldiers told local civil defence patrollers to summon the community for a meeting the next day in the community schoolhouse. On the morning of **Wednesday, 7 July 1982**, the community gathered in the schoolhouse in the presence of approximately 120 soldiers. As an army helicopter flew overhead, the women, including pregnant women, and children were separated from the men, taken to the church where ten younger women were raped on the church steps. Those women were then taken back inside the church with the others and, according to a young boy who escaped, were accused in Kanjobal of being the mothers and wives of guerrillas. They were told they only had a few minutes left to live. Starting around 9 a.m. soldiers proceeded to open fire on the women and children held captive inside the church, following up with grenade explosions. Bodies were then doused with gasoline and ignited. In the schoolhouse, soldiers stole the men's watches and boots, tied their hands with rope before executing them using rocks, clubs, machetes, rifle butts and bullets. Anyone who tried to escape was shot. In case anyone remained alive, the schoolhouse was blown up and set on fire. By 10:30 a.m. or so, between 350 and 365 people were killed in Puente Alto, over 88% of the community's population. The community was subsequently pillaged by civil defence patrollers and soldiers, and burned to the ground along with any stored crops or harvests. The scattered and charred remains of the community's inhabitants were buried in five mass graves two months after the massacre. A forensic investigation which concluded in December 2002 confirmed the massacre.

13. Petanac, municipality of San Mateo Ixtatán, department of Huehuetenango. Residents of the hamlet are of the Maya-Chuj ethnic group. An estimated sixty to eighty soldiers had massacred approximately 35 residents of a neighbouring community called Sebeq, two days prior to the massacre in Petanac which took place on **Wednesday, 14 July 1982**. Weeks prior to the massacre men in the community had complied with army orders and organised themselves into civil defence patrols. Early on the morning of 14 July, the men of Petanac walked out of the community carrying a Guatemalan flag to greet approximately sixty soldiers as they arrived. The soldiers proceeded to tie the men's hands, then shot them in the head or stabbed them to death before rounding up the women and children and forcing them into a house. A smaller group of women were set aside while soldiers tossed hand grenades into the house in question and then strafed the building with their automatic weapons before setting it on fire. As the fire raged, soldiers repeatedly raped the younger women they had set aside for that purpose, stabbing them to death when they were through. Soldiers also ran after stray children, bludgeoning, stabbing or hacking them to death with machetes. One witness recounts how kids were thrown in the air by one soldier and stabbed by another. Their bodies were then tossed

into the flames. The houses in the hamlet were doused with gasoline and burned to the ground except for three which were not consumed because of their recent construction. The men's bodies that had not been burned were buried in mass graves four days after the massacre and the few remaining houses in the community were burned down by civil patrollers from a neighbouring village days after that. An estimated 84 members of the community's 100 residents, including a 21 day-old infant and 37 other kids, were killed in the massacre. The village was utterly destroyed. A forensic investigation which concluded in June 1999 confirmed the massacre.

14. Finca San Francisco, municipality of Nentón, department of Huehuetenango. Resident labourers of the private estate are of the Maya-Chuj ethnic group. On **Saturday, 17 July 1982**, approximately 600 soldiers arrived on foot and by helicopter. Members of the community were ordered to unload supplies from the helicopters. Three men from the community were told to fetch two steers meant to feed the troops. Soldiers then went house to house and used a public address system to gather the community. As the community assembled, men were showed into what served as a municipal building and women and children were told to gather in the church. From the church, some of the women were taken to abandoned houses in groups of ten and raped repeatedly. They were then burned alive in the houses where they had been raped. The rest of the women and children were shot and set ablaze in the church. Witnesses report that soldiers eviscerated children and infants and one witness believes he saw a soldier cut out someone's heart and take a bite from it. The men in the municipal building had their hands tied and were taken out in groups of ten. Once outside, soldiers pulled their shirts over their heads. The men were made to lie on their backs meters from the municipal building and were shot in the face. Only four men managed to escape from the building and live to tell of their experience. The entire community was razed to the ground. Of the estimated 365 residents present at the time of the massacre, 350 are thought to have been killed, representing 96% of San Francisco's population. Soldiers spent the night in San Francisco, eating and celebrating. The next day soldiers continued their rampage, killing twenty women they came across on the outskirts of the village before going on to raze the neighbouring community of Yalambojoch. A forensic investigation which concluded in April 2000 confirmed the San Francisco massacre.

15. Plan de Sanchez, municipality of Rabinal, department of Baja Verapaz. Members of the community are of the Maya-Achí ethnic group. The massacre occurred on **Sunday, 18 July 1982**. The area around the community was bombarded from the air days before the massacre while mortars were fired from Rabinal, exploding in the vicinity of the community the day of the massacre. Soldiers arrived on foot from Rabinal around 2 p.m. accompanied by *judiciales*, military commissioners and civil defence patrollers. Witnesses estimate that 60 military and paramilitary troops were present that day, controlling accesses to and from the community and going house to house calling members to a meeting. Approximately twenty girls and young women, as well as an undefined number of children were separated from the main group as the community assembled. The rest were forced into a house while those who could not get in were grouped outside. Two hand grenades were then thrown into the house, followed by automatic gunfire. Once the people inside had been killed and their screams had subsided,

the house was doused with gasoline and set on fire. A young man attempted to escape but was shot. The children who had been separated from their mothers were then bludgeoned to death against the ground and thrown into the flames. The young women were severely beaten, tortured, raped repeatedly and then killed in a separate house. Witnesses believe 260 to 280 of the hamlet's estimated 300 residents died in the massacre, or 93% of the population. The community was later reduced to ashes, once houses were pillaged of their content. A forensic investigation which concluded in December 1997 confirmed the massacre.

16. Rancho Bejuco, municipality of El Chol, department of Baja Verapaz. Residents of the hamlet are of the Maya-Achi ethnic group. They are originally from the neighbouring village of Xesiguan and lived in Rancho Bejuco on a seasonal basis in order to be closer to farm plots they rented as share-croppers. The massacre in Rancho Bejuco, carried out by 10 soldiers and 15 civil defence patrollers, occurred on **Thursday, 29 July 1982**. Approximately 30 people lived in the settlement, 25 of whom were rounded up near one of the village's houses. While villagers were being held in the house, one witness reported seeing two of the men being tied up and brutally tortured outside the house in question. The men's captors cut their ears off and then proceeded to slice flesh off their faces and calves. Sharpened stakes were then introduced in their ears and into one of the men's rectum, provoking death. The men's wives were then forced to witness the men's mutilated remains before being shot and blown up by hand grenades tossed into the house. The children were killed last. A witness observed the scene from a distance of 200 meters. He could not tell if the women had been raped inside the house in question although he heard them scream before and during the explosions. Nor did he see how the children were killed, since they were inside another building, saying only that they also screamed for their lives. The witness did see all of the victims being disposed of in a single mass grave. A few days later, soldiers burned many houses in Xesiguan where many if not all the victims were from and where many of their relatives lived. A forensic investigation which concluded in June 2000 confirmed the massacre.

17. San Francisco Javier, municipality of Santa María Nebaj, department of Quiché. Residents of the community are of the Maya-Ixil ethnic group. The massacre occurred on **Sunday, 15 August 1982**. Approximately 100 to 150 soldiers and civil defence patrollers arrived in the community around 7 a.m. and by 9 a.m. they had gathered in one place those community members who had not fled. Alerted of recent atrocities in other communities, villagers had organised themselves and most evacuated their homes as soldiers approached. As an army helicopter flew overhead, the killing of captured men, women, including pregnant women, children and elders, began around 10 a.m. Some of the women were forced to undress. Victims as young as a few months were killed by gunfire or blows to the head. Some of those who attempted to escape were stabbed to death. San Francisco Javier is the only case in our sample where guerrillas apparently engaged the army following the massacre, although it remains unclear if their action with regards to the massacre were deliberate or coincidental. Approximately twenty people lost their lives that day. Houses and crops to be harvested were pillaged and set ablaze; animals and livestock killed. The community was razed to the ground. The deceased were buried in at least four graves by community members who came out of hiding the next

day. Every time survivors attempted to rebuild their makeshift dwellings they were destroyed. A forensic investigation which concluded in July 2001 confirmed the massacre.

18. Vivitz, municipality of Santa Maria Nebaj, department of Quiché. Residents of the hamlet are of the Maya-Ixil ethnic group. The massacre occurred on **Friday, 10 September 1982**. Approximately 150 soldiers and 150 civil defence patrollers arrived around 5:30 a.m. going house to house and killing the occupants, including women, children as young as four months, and elders, with knives or blows to the head. A single gunshot, fired in the direction of a fleeing child, alerted the villagers, most of whom escaped to the hills. Some escapees were tracked down by civil defence patrollers in the nearby corn fields and decapitated. Civil defence patrollers then proceeded to cut down corn stalks and kill the livestock. Soldiers ate in the community and did not leave until the next day after destroying the entire settlement. Once the village lay silent, survivors returned to bury the dead in two mass graves, one of which was later covered by a road. Seventeen of the community's estimated 100 inhabitants were killed that day. A forensic investigation which concluded in November 2000 confirmed the massacre.

19. Agua Fria, municipality of Chicaman, department of Quiché. Members of the settlement are from the Maya-Achi ethnic group. Most if not all are originally from the nearby indigenous communities of Xococ, Buena Vista and Río Negro, all located in the municipality of Rabinal, department of Baja Verapaz. Residents lived in Agua Fria in order to be closer to farm land they had purchased collectively. The massacre occurred on **Tuesday, 14 September 1982**, and was carried out jointly by approximately 30 soldiers and 45 civil defence patrollers from Xococ who arrived at dawn on foot and surrounded the settlement. Soldiers and patrollers went house to house killing some of the occupants. Most community members, however, were forced into the schoolhouse. There, an army officer accused them all of being guerrillas. Villagers, including men, women, children and the elderly, were then shot *en masse*, doused with gasoline and set ablaze. Of the approximately 120 community members, approximately 95 were killed, including 25 to 35 children who had survived previous massacres in the community of Río Negro and who had been entrusted by survivors to families in Agua Fria. All houses in the community were pillaged and burned to the ground. Authorities returned the following week to make sure all human remains had been incinerated. A forensic investigation concluded in March 1996 confirmed the massacre.

20. Chipastor, municipality of San Martín Jilotepeque, department of Chimaltenango. Residents of the settlement are of the Maya-Cackchiquel ethnic group. On **Wednesday, 22 September 1982**, civil defence patrollers gathered men from the community and read five names off a list. These men were then taken away, brought to the nearby Maya ruins of Mixco Viejo. There, they were ordered to dig their grave, killed and buried. The exhumation of the grave in question in December 1999 confirmed the massacre.

21. Santa Anita las Canoas, municipality of San Martín Jilotepeque, department of Chimaltenango. Residents of the settlement are of the Maya-Cackchiquel ethnic group. The massacre occurred on **Thursday, 14 October 1982**. Early the previous day,

approximately eighty soldiers gathered the men from the community in front of the church. The men, aged 16 to 60, were divided into smaller groups according to age and guarded by soldiers who stood and watched over them as the meeting took place. Using a list of names, as well as a hooded informant, the officer in charge identified twenty-four men. These men had their hands tied behind their backs and were brought into the church. Once inside the building, they were interrogated, beaten and tortured all night, their screams resonating throughout the village and adjoining countryside. Around 6 a.m. the next day, 14 October, the men were taken out of the church in groups of six, tied to posts, and shot by soldiers from a distance of 3 or 4 meters. These firing squad executions were carried out publicly, in the presence of the assembled men who were made to watch. Two individuals were tossed down a well and drowned to death. The twenty-four men are thought to have been killed that day. Soldiers ordered the surviving men from the community to dig at least four trenches and to hurriedly bury the deceased. An anthropological investigation concluded in December 1997 confirmed the massacre.

Appendix 6

List of acts committed based on the study of witness accounts of twenty-one massacres committed in the Guatemalan highlands and northern lowlands between December 1981 and October 1982.

Table IV. A sample of Highland Indigenous Communities in Guatemala prior to Massacres perpetrated in 1982

- A. (1) Community could be described as or considered a guerrilla encampment;
- B. (2) More than six percent of the population could be described as, considered armed combatants or joined armed insurgents as combatants;
- C. (3) Community existed prior to the internal armed conflict (i.e. 1960);
- D. (4) Members of the community admit providing food to guerrillas on occasion;
- E. (4.1) Members of the community admit to providing food to government soldiers on occasion;
- F. (5) Members of the community could be described as or considered unarmed civilians or non-combatants;
- G. (6) Members of the community belong to a protected group;
- H. (7) Members of the community worked as seasonal labourers in the agricultural export industry or large plantations;
- I. (8) Members of the community knew of or were involved in *campesino* union organising;
- J. (8.1) Members of the community knew of or were involved in Catholic Action programs.
- K. (9) Members of the community were involved in local forms of community development:
 - 1. (10) Food production for local consumption;
 - 2. (10.1) Food or commodity production for regional consumption or export;
 - 3. (11) Animal husbandry;
 - 4. (11.1) Other (i.e. fishing or hunting);
 - 5. (12) Basic services (health, roads, water, sewage, electricity);
 - 6. (13) Primary education;
 - 7. (14) Adult or youth literacy;
 - 8. (15) Cooperative organisation (production, land tenure, savings and loans, consumption);
 - 9. (16) Land acquisition or defence of acquired land.

Table V. Presence and activity of guerrillas in the vicinity of Indigenous communities in the Guatemalan highlands or northern lowlands, 1982.

- A. (17) Guerrillas present in the region;
- B. (18) Guerrillas walked near or through the community;
- C. (19) Guerrillas camped in or near the community;
- D. (20) Guerrillas intimidated or threatened members of the community;
- E. (21) Guerrillas killed members of the community;
- F. (22) Guerrillas disappeared members of the community;
- G. (23) Guerrillas attempted to defend the communities in case of army attacks;
- H. (24) Guerrillas help organise the community to flee army attacks;
- I. (24.2) Guerrilla assist the internally displaced population;
- J. (24.3) Guerrilla presence or actions place community at risk.

Table VI. Presence and activity of the Guatemalan Army in the vicinity of Indigenous communities in the Guatemalan highlands or northern lowlands, 1982.

- A. (25) Army present in the region;
- B. (26) Army walked near or through the community;
- C. (27) Army camped in or near the community;
- D. (28) Army intimidated or threatened members of the community;
- E. (29) Army killed members of the community;
- F. (30) Army disappeared members of the community;

- G. (31) Army attempted to defend the communities in case of guerrilla attacks;
- H. (32) Army helped organise the community to flee guerrilla attacks;
- I. (33) Army tortured members of the community.

Table VII. Army *modus operandi* in or near Indigenous communities prior to massacres, 1982

- A. (34) Surveillance, harassment, and searches, through the use of:
 - 1. (35) Military planes;
 - 2. (36) Helicopters;
 - 3. (37) Military or paramilitary foot patrols;
 - 4. (38) Plain cloths agents (*judiciales*) or other government agents;
 - 5. (38.1) Youth recruited, often forcibly, in army.
- B. Accusations and Exactions
 - 1. (39) Community members are accused of being guerrillas;
 - 2. (40) Community leaders are targets of selective repression.
- C. (41) Attacks committed against community, including:
 - 1. (42) Aerial bombings;
 - 2. (43) Firing of mortars or detonation of explosives;
 - 3. (44) Assassinations;
 - 4. (45) Torture or mutilation;
 - 5. (46) Enforced disappearances or kidnappings;
 - 6. (47) Sexual harassment, rape;
 - 7. (48) Massacre, serial or multiple killings (more than five persons);
 - 8. (49) Other;
 - 9. (49.1) Armed clash between army and guerrillas or guerrilla attack occurred locally (near or in the community in question).

Table VIII. Responsibility and state forces present before and during the Massacres, 1982

- A. Responsibility
 - 1. (50) Massacre is imputed to Guatemalan army or other state forces;
 - 2. (51) Massacre imputed to guerrillas.
- B. State forces present
 - 1. (52) Guatemalan army soldiers present, identified because of:
 - a. (53) Uniforms (camouflaged or *pinto*);
 - b. (54) Boots;
 - c. (55) Arms and equipment, including:
 - i. (56) Grenades;
 - ii. (57) Rope;
 - iii. (58) Machetes;
 - iv. (59) Knives;
 - v. (60) Galil automatic rifles;
 - vi. (61) Others;
 - d. (62) Other.
 - 2. (63) Civil Defence Patrols present, identified because:
 - a. (64) They are known to the victims or survivors;
 - b. (65) Arms and equipment, including:
 - i. (66) Grenades;
 - ii. (67) Rope;
 - iii. (68) Machetes;
 - iv. (69) Knives;
 - v. (70) M1 or Mauser rifles;
 - vi. (71) Others (i.e. garrottes);
 - c. (72) Other.
 - 3. (73) *Judiciales* present, identified because:
 - a. (74) They are know to the victims or survivors;
 - b. (75) Their red kerchiefs;
 - c. (76) Other.

4. (77) Military Commissioners present, identified because:
 - a. (78) They are known to the victims or survivors;
 - b. (79) Other.
5. (80) Local civilian *guides* or informers are present, identified because:
 - a. (81) They are known to the victims or survivors;
 - b. (82) Are hooded or wearing uniforms when present;
 - c. (83) They inform under visible duress.
- C. Other considerations prior to massacre:
 1. (84) Community members aware of previous massacres in neighbouring community or communities;
 2. (85) Members of the community prepared themselves in case of army massacre;
 3. (86) Majority of community members flee the community as soldiers arrive;
 4. (86.1) Only a small number of community members manage to escape.

Table IX. Perpetrator *modus operandi* when carrying out the massacres, 1982

- A. Prior to killing members of the community:
 1. (87) Soldiers act alone;
 2. (88) Soldiers act in tandem with paramilitary forces;
 3. (89) Perpetrators begin their operation at dawn or in the early morning;
 4. (90) Perpetrators arrive on foot;
 5. (91) Perpetrators arrive in or make use of ground vehicles;
 6. (92) Perpetrators arrive in or make use of helicopters;
 7. (93) Massacre occurs on market day;
 8. (94) Access to and from community is blocked or community members are surrounded;
 9. (94.1) Perpetrators carry out house to house searches;
 10. (95) Community members are called to a meeting and gathered in one place.
- B. Perpetrators select and organise victims prior to killing in the following manner:
 1. (96) Lists are used to identify and select members of the community;
 2. (97) Informants identify and select members of the community;
 3. (98) Women and girls are separated from the rest of the community;
 4. (99) Women and young girls are raped;
 5. (100) Men only are killed;
 6. (101) Women only are killed;
 7. (102) Children only are killed;
 8. (103) Women and children only are killed;
 9. (103.1) The elderly only are killed;
 10. (104) Men are killed along with...
 11. (105) Women and young girls;
 12. (106) Pregnant women;
 13. (107) Children and infants;
 14. (108) The elderly.
- C. Methods and equipment used to kill members of the community:
 1. (109) Perpetrators torture and mutilate their victims before killing them;
 - a. (110) Perpetrators cut off victims' ears and orders victims to eat them;
 - b. (111) Perpetrators cut off ears, noses, tongues or lips, cut out eyes;
 - c. (112) Perpetrators mutilate male or female genitals;
 - d. (113) Perpetrators slit their victims' throats;
 - e. (113.1) Other;
 - f. (114) Perpetrators eviscerate pregnant women, women or children;
 - g. (115) Perpetrators perform acts of ritual cannibalism.
 2. (116) Perpetrators use ropes to immobilise or kill some of their victims;
 3. (117) Perpetrators use firearms;
 4. (118) Perpetrators use knives and machetes;

5. (119) Perpetrators use grenades;
 6. (120) Perpetrators use gasoline or other accelerants to burn their victims alive;
 7. (121) Perpetrators use strangulation, hanging or garrotes;
 8. (122) Perpetrators bludgeon their victims to death (usually children and infants);
 9. (123) Perpetrators drown some of their victims;
 10. (124) Perpetrators throw their victims from cliffs;
 11. (125) Perpetrators bury some of their victims alive;
 12. (125.1) Perpetrators use sticks, clubs or garrotes to kill victims;
 13. (126) Other forms of killing;
 14. (127) Escapees are pursued and killed.
- D. Methods used to dispose of the bodies:
1. (128) Bodies are displaced or piled together in order to dispose of them;
 2. (129) Bodies are left to animals or otherwise desecrated;
 3. (130) Fire, gasoline or other accelerant used to eliminate the bodies;
 4. (131) Remains are buried in caves, latrines, ditches or wells;
 5. (132) Remains are buried in mass graves.
- E. Other considerations:
1. (133) Perpetrators have a meal before or after killing begins;
 2. (134) Perpetrators leave the scene of massacre the same day;
 3. (134.1) Perpetrators speak of their crimes afterwards to victims or survivors;
 4. (135) The community is the scene of multiple massacres (five persons or more).
- F. Other actions undertaken during or following the massacres:
1. (136) Houses are pillaged;
 2. (137) Houses are destroyed (usually by fire);
 3. (138) Stored harvests are destroyed or stolen;
 4. (139) Crops are destroyed or stolen;
 5. (140) Livestock or farm animals are killed or stolen;
 6. (141) Community is completely razed.

Table X. Army persecution of survivors, 1982 and after

- A. (142) Massacre survivors flee into the mountains, become internally displaced;
- B. (143) Survivors flee to Mexico, become refugees;
- C. (144) Community turned into a detention camp or occupied by the army;
- D. (145) Army uses planes or helicopters to track survivors;
- E. (146) Survivors are bombed from the air or the ground by government forces;
- F. (147) Survivors are persecuted on the ground.
- G. (148) Members of the community lose their lives during the ensuing displacement:
 1. (149) Men lose their lives in the ensuing displacement;
 2. (150) Women lose their lives;
 3. (151) Children and infants lose their lives;
 4. (152) The elderly lose their lives.
- H. (153) Survivors are relocated to camps or model villages under army control.
- I. (154) Survivors are forced to join paramilitary forces, such as Civilian Defence Patrols, under army supervision:
 1. (155) Civilians are given sticks to defend themselves while on patrol;
 2. (155.1) Civilians are given clubs or garrotes;
 3. (156) Civilians are given machetes;
 4. (157) Civilians are given firearms;
 5. (158) Civilians used as human shields against guerrillas while patrolling with army;
 6. (159) Some survivors join the army;
 7. (24.1) Some survivors join the guerrillas.

Appendix 7. A sample of highland Indigenous communities in Guatemala prior to massacres perpetrated in 1982

Community	Date of massacre	Information concerning communities prior to massacre									
		A. (1) Community could be considered guerrilla camp	B. (2) More than 6% pop. considered armed combatants	C. (3) Community existed prior to armed conflict (1960)	D. (4) Members admit to feeding guerrillas on occasion	E. (4.1) Members admit to feeding gov't soldiers on occasion	F. (5) Members considered unarmed civilian, non-combatants	G. (6) Members belong to a protected group	H. (7) Members worked as seasonal labourers in agro-industry	I. (8) Members knew about <i>campesino</i> union organising	J. (8.1) Members knew about Catholic Action programs
Military government of General Fernando Romeo Lucas García in power since July 1978											
1 Panacal	04.12.1981				0387		0361	0324	0340		0367
2 Pichec	02.01.1982						0419	0983	0397		0430
3 Chichupac	08.01.1982				0461		1419	0445	0452		0448
4 Pacoj	12.02.1982				0722		0721	0720	0728		0772
5 Santa Maria Tzeja	13.02.1982						1267	1251			
6 Xix	16.02.1982			1235	1237	1238	1173	1171	1170		1163
7 Rio Negro	13.03.1982			1476	0126	0127	0114	0140	0125	0124	0120
8 Cuarto Pueblo	14.03.1982						1423	n.d.			
9 San Jose Rio Negro	17.03.1982						1424	n.d.	1425		
10 Itom	23.03.1982			1475	1084		1140	1081	1131		
A military junta headed by General José Efraín Ríos Montt comes to power											
11 La Plazuela	17.04.1982				0856	0915	1427	0849	0894		0888
12 Puente Alto	07.07.1982						0675	0674			
13 Peñanac	14.07.1982				0554		0590	0552			
14 San Francisco Nenton	17.07.1982				0611		0642	0602	0638		
15 Plan de Sanchez	18.07.1982				0003	0062	0004	0011	0012		0032
16 Rancho Bejuco	29.07.1982			0299	0260		0322	0247	0248		
17 San Francisco Javier	15.08.1982				0979		1428	0977			1019
18 Vivitz	10.09.1982				1024			1022			1038
19 Agua Fria	14.09.1982				0227		1429	0240			
20 Chipastor	22.09.1982				0923	0957	1430	0920			
21 Santa Anita las Canoas	14.10.1982				0789		1431	0787			0836
				inconclusiv	76%	28%	95%		57%	5%	52%

Appendix 7. A sample of highland Indigenous communities in Guatemala prior to massacres perpetrated in 1982 (continued)

Community	Date of massacre	Information concerning communities prior to massacre (continued)									
		K. (9)	K.1. (10)	K.2. (10.1)	K.3. (11)	K.4. (11.1)	K.5. (12)	K.6. (13)	K.7. (14)	K.8. (15)	K.9. (16)
		Military government of General Fernando Romeo Lucas Garcia in power since July 1978									
1	Panacal	0362	0364	0365	0366	0363					
2	Pichec	0395	0396	0985			0429				
3	Chichupac	0446	0450	0451	0496	0497	0447	0522		0495	
4	Pacoj	0776	0754				0775				
5	Santa Maria Tzeja	1243	1248	1246			1284	1292		1245	1244
6	Xix	1164	1168				1167	1166		1165	1169
7	Rio Negro	0115	0116	0122	0117	0152	0119	0152	0118	0121	
8	Cuarto Pueblo	1354	1349	1377	1376		1352	1351		1350	
9	San Jose Rio Negro		1313	1314							
10	Ilom	1432	1082	1433							1092
		A military junta headed by General José Efraín Ríos Montt comes to power									
11	La Plazuela	0891	0892	0850			0889	0890			0851
12	Puente Alto										
13	Petamac	0527	0574	0528			0587			0573	
14	San Francisco Nenton	0603	0606	0605						0604	
15	Plan de Sanchez	0074	1446	1447			0089		0075	0072	
16	Rancho Bejuco	0249	0251						0316	0252	0250
17	San Francisco Javier		1011								
18	Vivitz										
19	Agua Fria	0186	0190	0187							0185
20	Chipastor										
21	Santa Anita las Canoas	0821	0796					0823	0835		0822
		76%	86%	14%	57%	14%	43%	38%	29%	24%	57%

Appendix 8. Presence and activity of guerrillas in the vicinity of Indigenous communities in the Guatemalan highlands or northern lowlands, 1982

		Information concerning the presence and activity of guerrilla forces prior to massacres									
Community	Date of massacre	A.	B.	C.	D.	E.	F.	G.	H.	I.	J.
		(17) Guerrillas present in the region	(18) Guerrillas walked near or through the community	(19) Guerrillas camped near or in the community	(20) Guerrillas intimidated or threatened members of the community	(21) Guerrillas killed members of the community	(22) Guerrillas disappeared members of the community	(23) Guerrillas defended community from army attacks	(24) Guerrillas help organise community to flee army attacks	(24.2) Guerrillas assist internally displaced population	(24.3) Guerrillas place community at risk
Military government of General Fernando Romeo Lucas Garcia in power since July 1978											
1	Panacal	0325	0326	0388							
2	Pichec	0393	0984		0986	0394					1415
3	Chichupac	0453	0454					0455	0509		
4	Pacoj	0723	0724			0725					
5	Santa Maria Tzeja	1271	1305	1310		1272			1290	1291	1311
6	Xix	1172	1174		1236				1176	1186	1175
7	Rio Negro	0138	0150		0149					0182	0142
8	Cuarto Pueblo	1469	1470								1471
9	San Jose Rio Negro	1323	1333		1334				1324	1336	1335
10	Hom	1083	1085			1086					
A military junta headed by General José Efraín Ríos Montt comes to power											
11	La Plazuela	0852		0895	0855	0857			0904		
12	Puente Alto	0667	0670		0668						
13	Petanac	0553	0575		0555						
14	San Francisco Nenton	0607	0612	0613	0608						0609
15	Plan de Sanchez	0001	0002	0073	0031	0030				0051	
16	Rancho Bejuco	0253	1434		0254	0255					0300
17	San Francisco Javier	0960	0961					1002	0978		0980
18	Vivitz	1025							1057	1072	
19	Agua Fria	0191	0226		0192	0193					0278
20	Chipastor	0921		0924	0922	0953			0952		0934
21	Santa Anita las Canoas	0788	0839								
		100%	86%	29%	57%	43%	0%	5%	38%	33%	52%

Appendix 9. Presence and activity of the Guatemalan army in the vicinity of Indigenous communities in the Guatemalan highlands or northern lowlands, 1982

		Information concerning the presence and activity of the Guatemalan army prior to massacres									
Community	Date of massacre	A. (25)	B. (26)	C. (27)	D. (28)	E. (29)	F. (30)	G. (31)	H. (32)	I. (33)	
		Amy present in the region	Amy walked near or through the community	Amy camped near or in community	Amy intimidated or threatened members of community	Amy killed members of the community	Amy disappeared members of the community	Amy defended community fr guerrilla attacks	Amy assist community to flee guerrilla attacks	Amy tortured members of community	
Military government of General Fernando Romeo Lucas Garcia in power since July 1978											
1	Panacal	0327	0369	0389		0343	0344			0390	
2	Pitec	0417	0434	0416	1416	1417					
3	Chichupac	0456	0457		0462	0497	0498			0441	
4	Pacoj	0726	0730				0727				
5	Santa Maria Tzeja	1249	1273	1250	1270	1307	1306				
6	Xix	1177	1182		1178	1193	1196				
7	Rio Negro	0128	0131	0175	0134	0135	0141			0168	
8	Cuarto Pueblo	1355	1379	1375	1357	1356					
9	San Jose Rio Negro	1139									
10	Iloin	1088	1160	1089	1090	1099	1098			1101	
A military junta headed by General José Efraín Ríos Montt comes to power											
11	La Plazuela	0853	0860		0898	0896	0863				
12	Puente Alto	0669									
13	Petanac	0556	0558	0557	0559						
14	San Francisco Nenton	0614	0635	0640	0658						
15	Pian de Sanchez	0005	0052	0033	0081	0082	0035			0084	
16	Rancho Bejuco	0258	0284			0259	0304			0308	
17	San Francisco Javier	0962	0963		0989	0990	1016				
18	Vivitz	1026	1028	1029			1041				
19	Agua Fria	0189				0206	0188				
20	Chipastor	0935	0936		0944	0939	0929				
21	Santa Anita las Canoas	0790	0827	0824	0825	0828	0829				
		100%	86%	52%	67%	71%	71%	0%	0%	33%	

Appendix 10. Army *modus operandi* in or near Indigenous communities in the Guatemalan highlands prior to massacres, 1982

	Community	Date of massacre	Surveillance, harassment, and searches					Accusations and exactions		
			A. (34) Community under surveillance through the use of...	A.1. (35) Military Planes	A.2. (36) Helicopters	A.3. (37) Military or paramilitary foot patrols	A.4. (38) Plain cloths agents or others	A.5. (38.1) Youth forcibly recruited in army	B.1. (39) Community members accused of being guerrillas	B.2. (40) Community leaders targets of selective repression
Military government of General Fernando Romeo Lucas García in power since July 1978										
1	Panacal	04.12.1981	0332			0333	0335	0330	0329	0368
2	Pichec	02.01.1982	0435			0436		0437	0391	0428
3	Chichupac	08.01.1982	0459			0460	0501	0500	0502	0449
4	Pacoj	12.02.1982	0732			0733		0734	0719	0736
5	Santa Maria Tzeja	13.02.1982	1274	1285	1275	1276			1277	1435
6	Xix	16.02.1982	1188			1189			1190	1191
7	Rio Negro	13.03.1982	0130		0170	0131	0169	0151	0139	0171
8	Cuarto Pueblo	14.03.1982	1378			1279			1449	1353
9	San Jose Rio Negro	17.03.1982							1329	
10	Itom	23.03.1982	1091			1141			1093	1161
A military junta headed by General José Efraín Ríos Montt comes to power										
11	La Plazuela	17.04.1982	0859			0806			0854	0893
12	Puente Alto	07.07.1982	0671					0672	0673	
13	Pctanac	14.07.1982	0560		0600	0561			0551	
14	San Francisco Nenton	17.07.1982	0636			0637			0610	
15	Plan de Sanchez	18.07.1982	0034		0090	0006		0007	0053	0078
16	Rancho Bejuco	29.07.1982	0256			0284	0257		0289	
17	San Francisco Javier	15.08.1982	0981			0982			1017	
18	Vivitz	10.09.1982	1027			1028			1035	
19	Agua Fria	14.09.1982						1023	0204	0194
20	Chipastor	22.09.1982	0937			0938			0933	
21	Santa Anita las Canoas	14.10.1982	1791		0826	0827			0838	0840
			90%	5%	24%	86%	19%	43%	100%	62%

Appendix 10. Army *modus operandi* in or near Indigenous communities in the Guatemalan highlands prior to massacres, 1982 (continued)

		Acts of aggression committed against communities prior to massacres									
Community	Date of massacre	C. (41) Attacks committed against community	C.1. (42) Aerial bombings	C.2. (43) Firing of mortars, detonation of explosives	C.3. (44) Assassinations	C.4. (45) Torture or mutilation	C.5. (46) Enforced disappearances or kidnappings	C.6. (47) Sexual harassment, rape	C.7. (48) Massacre, serial or multiple killings	C.8. (49) Other	C.9. (49.1) Clash bet army and guerrillas or guerr. attack
Military government of General Fernando Romeo Lucas García in power since July 1978											
1	Panacal	0328			0334	0331	0344		0336		
2	Pitec	0438			0439	0441			0440		0392
3	Chichupac	1421			1422	0499	0520		0503		
4	Pacoj	0738					0737				
5	Santa Maria Tzeja	1269			1308		1309				1268
6	Xix	1179			1192		1195	1239	1194	1180	1197
7	Rio Negro	0132			0133	0172	0173		0174		1437
8	Cuarto Pueblo	1358			1359			1360	1361	1363	1364
9	San Jose Rio Negro										1426
10	Ihom	1094			1100	1101	1096	1095	1102	1097	1087
A military junta headed by General José Efraín Ríos Montt comes to power											
11	La Plazuela	0862			0897		0863				
12	Puente Alto										
13	Petanc										
14	San Francisco Nenton										
15	Plan de Sanchez	0026	0027	0055	0083	0084	0035				0285
16	Rancho Bejuco	0305			0306	0308	0307			0309	0994
17	San Francisco Javier	0987			0988		1018			1012	
18	Vivitz	1039					1040			1070	
19	Agua Fria	0207			0206		0205				0959
20	Chipastor	0928			0939		0929		0930		
21	Santa Anita las Canoas	0792	5%	5%	0793	33%	0794	0830	0831	0837	
		81%			71%		71%	19%	43%	33%	48%

Appendix 11. Responsibility and state forces present before and during the massacres, 1982

	Community	Date of massacre	Responsibility		State forces present and modes of identification													
			A.1. (50) Massacre imputed to army or state forces	A.2. (51) Massacre imputed to guerrillas	B. (52) Guatemalan Army soldiers present	B.1.a. (53) Camouflaged uniforms	B.1.b. (54) Boots	B.1.c. (55) Arms and equipment	B.1.c.i. (56) Grenades	B.1.c.ii. (57) Rope	B.1.c.iii. (58) Machetes	B.1.c.iv. (59) Knives						
Military government of General Fernando Romeo Lucas García in power since July 1978																		
1	Panacal	04.12.1981	0339		0350													
2	Pichec	02.01.1982	0413		0414	0421	0444	1418										
3	Chichupac	08.01.1982	0463		0464			0492	0511			0493						
4	Pacoj	12.02.1982	0765		0766	0774		0769	0768			0767						
5	Santa Maria Tzeja	13.02.1982	1252		1253	1282	1303											
6	Xix	16.02.1982	1218		1219					1231								
7	Rio Negro	13.03.1982	0096		0108													
8	Cuarto Pueblo	14.03.1982	1365		1366	1369				1405								
9	San Jose Rio Negro	17.03.1982	1316		1317	1339												
10	Itom	23.03.1982	1104		1105	1149				1158								1137
A military junta headed by General José Efraín Ríos Montt comes to power																		
11	La Plazuela	17.04.1982	0886		0885					0910	0909							0908
12	Puente Alto	07.07.1982	0680		0681			07116		0717	0711							0548
13	Petanac	14.07.1982	0529		0530	0598												
14	San Francisco Nenton	17.07.1982	0615		0616	0649												
15	Plan de Sanchez	18.07.1982	0049		0045					0066	0067							0068
16	Rancho Bejuco	29.07.1982	0267		0268	0311				1438								0312
17	San Francisco Javier	15.08.1982	0970		0971			0303			1009							1010
18	Vivitz	10.09.1982	1042		1043	1064												1065
19	Agua Fria	14.09.1982	0195		0197	0218												
20	Chipastor	22.09.1982	0954		0955													
21	Santa Anita las Canoas	14.10.1982	0798		0799					0820		0819						0818
			100%	0%	100%	52%	19%	43%	38%	5%	24%							24%

Appendix 11. Responsibility and state forces present before and during the massacres, 1982 (continued)

		State forces present and modes of identification (continued)									
Community	Date of massacre	B.1.c.v. (60)	B.1.c.vi. (61)	B.1.d. (62)	B.2. (63)	B.2.a. (64)	B.2.b. (65)	B.2.b.i. (66)	B.2.b.ii. (67)	B.2.b.iii. (68)	B.2.b.iv. (69)
		Galil automatic rifles	Other	Other	Civil Defence Patrols present	They are known to the victims or survivors	Arms and equipment, including...	Grenades	Rope	Machetes	Knives
Military government of General Fernando Romeo Lucas García in power since July 1978											
1	Panacal				0345	0346	0353		0356	0354	0355.
2	Pichec		0422		0412	0420	0423		0424	0425	
3	Chichupac		0525		0512	0521	0513				
4	Pacoj										
5	Santa Maria Tzeja										
6	Xix				1220						
7	Rio Negro				0097	1440	1443		1441		
8	Cuarto Pueblo										
9	San Jose Rio Negro										
10	Ihom			1157	1109	1110	1445		1152	1150	1151
A military junta headed by General José Efraín Ríos Montt comes to power											
11	La Plazuela				0883	0884					
12	Puente Alto		0718		0679						
13	Petamac		0599								
14	San Francisco Nenton										
15	Plan de Sanchez				0049	0088					
16	Rancho Bejuco		1439		0269	0283	0294		0319	1320	
17	San Francisco Javier				0972						
18	Viviliz				1063		1079			1080	
19	Agua Fria				0196	0198	1445				
20	Chipastot				0931						
21	Santa Anita las Canoas										
		76%	24%	5%	67%	43%	38%	0%	24%	24%	10%

Appendix 11. Responsibility and state forces present before and during the massacres, 1982 (continued)

		State forces present and modes of identification (continued)									
Community	Date of massacre	B.2.b.v. (70) M1 or Mauser Rifles.	B.2.b.vi. (71) Others (i.e. garrotes)	B.2.b.vii. (72) Other	B.3. (73) <i>Judiciales</i> present	B.3.a. (74) They are known to the victims or survivors	B.3.b. (75) Identified because of their red kerchiefs	B.3.c. (76) Other	B.4. (77) Military Commissioners present	B.4.a. (78) They are known to the victims or survivors	B.4.b. (79) Other
Military government of General Fernando Romeo Lucas García in power since July 1978											
1	Panacal		0370		0351		0352		0383	0384	
2	Pichec		0426						0410	0411	
3	Chichupac	0514			0518		0519				
4	Pacoj										
5	Santa Maria Tzeja										
6	Xix										
7	Rio Negro		1444		0098		0099				
8	Cuarto Pueblo										
9	San Jose Rio Negro										
10	Hom	1134	1135								
A military junta headed by General José Efraín Ríos Montt comes to power											
11	La Plazuela										
12	Puente Alto										
13	Petanac										
14	San Francisco Nenton										
15	Plan de Sanchez				0039		0087		0063		
16	Rancho Bejuco		0293		0295		0296	0313			
17	San Francisco Javier										
18	Vivitiz										
19	Agua Fria	0216									
20	Chipastor										
21	Santa Anita las Canoas	14%	24%	0%	24%	0%	24%	5%	14%	10%	0%

Appendix 11. Responsibility and state forces present before and during the massacres, 1982 (continued)

	Community	Date of massacre	State forces present (continued)					Other considerations prior to massacre				
			B.5. (80) Guides or informers used identify victims	B.5.a. (81) Guides and informers are known to victims	B.5.b. (82) Hooded or wearing uniforms when present	B.5.c. (83) Inform under visible duress	C.1. (84) Aware of massacres in other communities	C.2. (85) Community prepared in case of massacre	C.3. (86) Majority of community flee as army arrives	C.4. (86.1) Only a small number manage to escape		
Military government of General Fernando Romeo Lucas García in power since July 1978												
1	Panacal	04.12.1981	0381		0382			0359				
2	Pichec	02.01.1982						0433				
3	Chichupac	08.01.1982	0516	0517				0458	1420			
4	Pacoj	12.02.1982	0761		0762							0760
5	Santa Maria Tzeja	13.02.1982						1254	1255	1256		
6	Xix	16.02.1982						1181	1198	1199		
7	Rio Negro	13.03.1982						0111				0129
8	Cuarto Pueblo	14.03.1982										1467
9	San Jose Rio Negro	17.03.1982	1340		1341			1322	1315	1330		
10	Ilom	23.03.1982	1115	1143		1144		1159				
A military junta headed by General José Efraim Ríos Montt comes to power												
11	La Plazuela	17.04.1982							0904	0878		1468
12	Puente Alto	07.07.1982										0580
13	Petanaç	14.07.1982	0583		0584			0531				0626
14	San Francisco Nenton	17.07.1982	0650		0659	0660		0648				0017
15	Pian de Sanchez	18.07.1982	0040	0091				0071				0323
16	Rancho Bejuco	29.07.1982	0261	0262				0263				
17	San Francisco Javier	15.08.1982						0991	0992	0964		
18	Vivitiz	10.09.1982							1030	1057		
19	Agua Fria	14.09.1982	0232	0233	0234	0235		0199				0229
20	Chipastor	22.09.1982										
21	Santa Anita las Canoas	14.10.1982	0820	0846	0803							
			52%	29%	33%	14%		67%	33%	33%		43%

Appendix 12. Perpetrator *modus operandi* when carrying out massacres, 1982

Community	Date of massacre	Prior to killing members of the community												
		A.1. (87)	A.2. (88)	A.3. (89)	A.4. (90)	A.5. (91)	A.6. (92)	A.7. (93)	A.8. (94)	A.9. (94.1)	A.10. (95)			
		Military government of General Fernando Romeo Lucas García in power since July 1978												
1	Panacal		0349	0341	1448							0372	0357	0338
2	Pichec		0415	0405					0427	0408		0433		0404
3	Chichupac	0474 ¹	0510	0504					0505			0466		0465
4	Pacoj	0779		0755	0751							0740	0739	0741
5	Santa Maria Tzeja	1304			1265					1266				
6	Xix		1217	1222	1233				1200			1201	1203	
7	Rio Negro		0107	0106	0100							0177	0164	01202
8	Cuarto Pueblo	1368		1404	1397					1370		1371	1450	1398
9	San Jose Rio Negro	1337								1325				
10	Ilom		1108	1106	1136							1107	1142	1111
			A military junta headed by General José Efraín Ríos Montt comes to power											
11	La Plazuela		0882	0901	0906							0916	0902	
12	Puente Alto	0678		0676	0709					0684		0700		0677
13	Petanac	0576		0532	0577							0543	0595	0579
14	San Francisco Nenton	0617		0618	0619					0620		1452	0654	0621
15	Plan de Sanchez		0049		0064							0018	0041	0019
16	Rancho Bejuco		0266	0301	0314							0298	0271	0265
17	San Francisco Javier		0969	0965	0976								0993	1453
18	Vivilz		1054	1044	1078								1050	
19	Agua Fria		0215	0200	0208							0201	0202	0203
20	Chipastor		0956	0958	0932									0925
21	Santa Anita las Canoas	0816 ²	0841	0833	0847							0842	0848	0797
		43%	67%	86%	86%				14%	29%	5%	76%	71%	76%

¹ According to CHI-XCT-01A, soldiers tortured and killed members of the community while civil defense patrolers dug graves (notes, p. 167).

² According to SAC-XNC-03A, soldiers killed members of the community while military commissioners gathered community members in one place (notes, p. 266).

Appendix 12. Perpetrator *modus operandi* when carrying out massacres, 1982 (continued)

		Perpetrators select and organise victims during massacre									
Community	Date of massacre	B.1. (96)	B.2. (97)	B.3. (98)	B.4. (99)	B.5. (100)	B.6. (101)	B.7. (102)	B.8. (103)	B.9. (103.1)	
		Lists used to identify and select victims	Informants identify and select victims	Women and young girls separated from group	Women and young girls are raped	Men only are killed	Women only are killed	Children only are killed	Women and children are killed	Elderly only are killed	
Military government of General Fernando Romeo Lucas Garcia in power since July 1978											
1	Panacal	0374	0380			0375					
2	Pichec	0399				0400					
3	Chichupac	0467	1454			0468					
4	Pacoj		0763	0780	1473						
5	Santa Maria Tzeja				1474						
6	Xix										
7	Rio Negro			0103	0104				0110		
8	Cuarto Pueblo			1408	1380						
9	San Jose Rio Negro		1342			1338					
10	Ilon	1113	1114	1112		1118					
A military junta headed by General José Efraín Ríos Montt comes to power											
11	La Plazuela	0919			0914						
12	Puente Alto			0690	0697						
13	Petanac		0582	0538	0544						
14	San Francisco Nenton		0651	0622	0624						
15	Plan de Sanchez		0040	0020	0015						
16	Rancho Bejuco			0278	0321						
17	San Francisco Javier										
18	Vivitiz										
19	Agua Fria		0231								
20	Chipastor	0926				0951					
21	Santa Anita las Canoas	0800	0801			0812					
		33%	48%	43%	48%	33%	0%	0%	5%	0%	

Appendix 12. Perpetrator *modus operandi* when carrying out massacres, 1982 (continued)

Community	Date of massacre	Perpetrators select victims during massacre (continued)					Methods and equipment used to kill members of the community					
		B.10. (104) Men are killed along with...	B.11. (105) Women and young girls	B.12. (106) Pregnant women	B.13. (107) Children and infants	B.14. (108) The elderly	C.1. (109) Perpetrators torture and mutilate victims	C.1.a. (110) Cut off ears or order victims to eat them	C.1.b. (111) Cut out ears, noses, tongues, lips, eyes	C.1.c. (112) Mutilate male or female genitals	C.1.d. (113) Victims' throats are slit	C.1.e. (113.1) Other
		Military government of General Fernando Romeo Lucas García in power since July 1978										
1	04.12.1981					0373	0347	1472	0348			0358
2	02.01.1982						1412					1413
3	08.01.1982					0526	0469		0506		0515	
4	12.02.1982	0742	0743		0756		0745		0782			0773
5	13.02.1982	1300	1280	1295	1281	1299						
6	16.02.1982	1207	1240	1208	1209						1241	
7	13.03.1982		0158	0109	0105	0159	0160				0653	
8	14.03.1982	1386	1387	1399	1388		1384					
9	17.03.1982						1346					
10	23.03.1982					1146	1138					
		A military junta headed by General José Efraín Ríos Montt comes to power										
11	17.04.1982	0865	0866	0869	0870	0903	0871			0911	0872	
12	07.07.1982	0687	0691	0701	0692	0702	0703					0704
13	14.07.1982	0542	0540	0545	0541	0564	0562				0591	0563
14	17.07.1982	0627	0628	0662	0646	0661	0652				0653	0663
15	18.07.1982	0042	0014	0024	0043	0060	0021		0009		0061	
16	29.07.1982	0276	0277		0281		0273			0275		0274
17	15.08.1982	0997	0998	1001	1000	0999						
18	10.09.1982	1045	1046		1047	1056	1074				1073	
19	14.09.1982	0219	0220	0221	0222	0223	0225					
20	22.09.1982											
21	14.10.1982	62%	67%	52%	67%	675	0805	5%	19%	5%	38%	0806
							86%				43%	43%

Appendix 12. Perpetrator *modus operandi* when carrying out massacres, 1982 (continued)

		Methods and equipment used to kill members of the community (continued)									
Community	Date of massacre	C.1.f. (114)	C.1.g. (115)	C.2. (116)	C.3. (117)	C.4. (118)	C.5. (119)	C.6. (120)	C.7. (121)	C.8. (122)	C.9. (123)
		Women or children are eviscerated	Perpetrators perform acts of cannibalism	Ropes are used to immobilise or kill	Perpetrators use firearms	Perpetrators use knives or machetes	Perpetrators use grenades	Gasoline or other used to burn victims alive	Killing by strangulation hanging, use of garrotes	Perpetrators bludgeon victims to death ³	Perpetrators drown some of the victims
Military government of General Fernando Romeo Lucas García in power since July 1978											
1	Panacal			0342		0378	0371		0385		
2	Pichec			0443	0398			0403	0406	0431	
3	Chichupac			0470	0508				0507		
4	Pacoj			0770	0746	0777		0778	0771		
5	Santa Maria Tzeja				1259		1278				
6	Xix	1206			1210	1211		1234		1205	
7	Rio Negro			0101	0165	0178	1442		0094	0095	
8	Cuarto Pueblo	1400		1385	1390	1383	1391	1367	1401	1389	
9	San Jose Rio Negro			1326	1318	1344					
10	Itom			1121	1116				1122		
A military junta headed by General José Efraín Ríos Montt comes to power											
11	La Plazuela			0913	0864				0912		
12	Puente Alto			0714	0698	0689	0683	0699			
13	Petanac	0596		0547	0533	0546	0536	0537		0597	
14	San Francisco Nenton	0666		0624	0625	0656	0639	0623		0655	
15	Plan de Sanchez	0070	0657	0057	0022	0056	0023	0085		0086	
16	Rancho Bejuco			0272	0264	0310	0279				
17	San Francisco Javier				0968						
18	Vivitiz			1068	1053	1048				1049	
19	Agua Fria				0209		0210	0242			
20	Chipastor			0927	0943						
21	Santa Anita las Canoas	24%	5%	81%	95%	62%	48%	43%	38%	38%	0808 5%

³ Numbers 0095, 1389, 0597 and 0086, correspond to the bludgeoning of children, infants or babies.

Appendix 12. Perpetrator *modus operandi* when carrying out the massacres, 1982 (continued)

Community	Date of massacre	Methods and equipment used to kill members of the community (continued)						Methods used to dispose of bodies				
		C.10. (124) Victims are thrown from cliffs	C.11 (125) Some of the victims are buried alive	C.12. (125.1) Sticks, clubs or garrotes used to kill victims	C.13. (126) Other forms of killing	C.14. (127) Escapes are pursued and killed	D.1. (128) Bodies are displaced or piled together	D.2. (129) Bodies left to animals or desecrated	D.3. (130) Fire, gasoline or other used to eliminate bodies	D.4. (131) Remains are buried in latrines, ditches, wells, caves	D.5. (132) Remains buried in mass graves	
Military government of General Fernando Romeo Lucas García in power since July 1978												
1	Panacal			0379								0376
2	Pichec			0407						0401		0409
3	Chichupac			1458						0483	0471	0482
4	Pacoj						0781			0744		0783
5	Santa María Tzeja						1296				1260	1457
6	Xix						1204				1456	1213
7	Rio Negro			0154			0143			0157	0156	0179
8	Cuarto Pueblo						1372			1410	1411	1409
9	San Jose Rio Negro											1319
10	Hom			1153						1145	1124	1120
A military junta headed by General José Efraín Ríos Montt comes to power												
11	La Plazuela						0917				0868	0905
12	Puente Alto			0688			0715			0686	0696	0685
13	Petanac						0581			0588	0549	0539
14	San Francisco Nenton			0664			0625			0645	0630	0631
15	Plan de Sanchez						0044			1455	0058	0025
16	Rancho Bejuco			1429			0290				0315	0059
17	San Francisco Javier						0995					0280
18	Vivitz						1051				1067	1005
19	Agua Fria						0211				0230	1058
20	Chipastor											0212
21	Santa Anita las Canoas										0843	0809
		5%	10%	33%	10%	67%			43%	71%	43%	19%
												67%

Appendix 12. Perpetrator *modus operandi* when carrying out massacres, 1982 (continued)

	Community	Date of massacre	Other considerations				Other actions undertaken by the perpetrators during or following the massacre									
			E.1. (133) Perpetrators have a meal before or after killing	E.2. (134) Perpetrators leave scene of massacre the same day	E.3. (134.1) Perpetrators speak of their crimes afterwards	E.4. (135) Community scene of multiple massacres	F.1. (136) Houses are pillaged	F.2. (137) Houses are destroyed (usually by fire)	F.3. (138) Stored harvests are destroyed or stolen	F.3. (139) Crops are destroyed or stolen	F.4. (140) Livestock and animals killed or stolen	F.5. (141) Community completely razed				
			Military government of General Fernando Romeo Lucas Garcia in power since July 1978													
1	Panacal	04.12.1981		0377	0360	0337										
2	Pichec	02.01.1982	1414			0442										
3	Chichupac	08.01.1982		0481		0503		0475	0476	0478	0479			0480		
4	Pacoj	12.02.1982	0757					0758	0747		0748					
5	Santa Maria Tzeja	13.02.1982	1283					1297	1279	1261	1264			1298		
6	Xix	16.02.1982		1242		1216		1214	1183	1226	1215			1212		
7	Rio Negro	13.03.1982	0153	0166	0239	0112		0144	0145	0181	0147			0137		
8	Cuarto Pueblo	14.03.1982	1382			1362			1381	1392				1407		
9	San Jose Rio Negro	17.03.1982	1461						1327					1343		
10	Iltom	23.03.1982	1119	1162		1103		1123	1126	1125	1147			1127		
							A military junta headed by General José Efraín Ríos Montt comes to power									
11	La Plazuela	17.04.1982	0867					0874	0875	0876	0877			0887		
12	Puente Alto	07.07.1982		0707				0694	0693	0712	0695			0713		
13	Petanac	14.07.1982	0567	0535				0565	0534	0578	0566		0593	0568		
14	San Francisco Nenton	17.07.1982	0629					0633	0641	0643	0644		0647	0632		
15	Plan de Sanchez	18.07.1982		0092	1462			0029	0016	0046	0028		0065	0047		
16	Rancho Bejuco	29.07.1982		0282				0302								
17	San Francisco Javier	15.08.1982		1004				0973	0966	0974	0975		1014	1007		
18	Vivitiz	10.09.1982						1075	1036	1071	1037		1034	1059		
19	Agua Fria	14.09.1982		0236	0238			0213	0214	0243	0224		0224	0237		
20	Chipastor	22.09.1982				0930										
21	Santa Anita las Canoas	14.10.1982	0811			0832		0844	0814							
			57%	53%	19%	43%		76%	81%	38%	57%			62%	71%	

Appendix 13. Army persecution of survivors, 1982 and after

Context and acts of persecution committed against massacre survivors											
Community	Date of massacre	A. (142) Survivors flee into mountains as internally displaced	B. (143) Survivors flee to Mexico as refugees	C. (144) Community into camp or occupied by army	D. (145) Use of planes or helicopters to track survivors	E. (146) Survivors bombed from the air or the ground	F. (147) Survivors are persecuted on the ground	G. (148) Members of community die in ensuing displacement	G.1. (149) Men die in displacement	G.2. (150) Women die in displacement	G.3. (151) Children and infants die in displacement
Military government of General Fernando Romeo Lucas García in power since July 1978											
1	Panacal										
2	Pitec		0418								
3	Chichupac	0472	0485				0473	0487	0488	0489	0490
4	Pacoj	0749	0729		0786		0759	0784		0725	
5	Santa Maria Tzeja	1257	1263	1312	1258		1262	1286		1287	1288
6	Xix	1187		1227	1224	1225	1221	1464			
7	Rio Negro	0113			0162	0163	0161	0183			
8	Cuarto Pueblo	1347	1348		1402	1403	1393	1373	1394	1396	1374
9	San Jose Rio Negro	1321					1320	1331	1332		
10	Iloim						1128	1129			1148
A military junta headed by General José Efraín Ríos Montt comes to power											
11	La Plazuela	0873					0879	0880	0881		0918
12	Puente Alto	0682					0708	0705			0706
13	Petanac	0569	0592	0585	0585	0570	0586	0571		0522	0589
14	San Francisco Nenton		0634	0665	0665	0079			0601		
15	Plan de Sanchez	0010		1463	1463		0048	0077			0080
16	Rancho Bejuco	0291		0288			0292	0317	0318		
17	San Francisco Javier	0967		1003	1003	1077	1006	1020	1021		
18	Vivitz	1060		1076	1076	0245	1069	1061			
19	Agua Fria	0241		0244	0244						
20	Chipastor	0945		0941	0941			0940	0942		
21	Santa Anita las Canoas	0815					0834				
		81%	19%	62%	57%	33%	76%	76%	38%	34%	38%

Appendix 13. Army persecution of survivors, 1982 and after (continued)

		Context and acts of persecution committed against massacre survivors (continued)									
Community	Date of massacre	G.4.	H.	I.	I.1.	I.2.	I.3.	I.4.	I.5.	I.6.	I.7.
		(152) The elderly die in the displacement	(153) Survivors relocated in camps or model villages	(154) Survivors forced to join paramilitary forces	(155) Civilians given sticks to defend themselves	(155.1) Civilians given clubs or garrotes.	(156) Civilians given machetes	(157) Civilians given firearms	(158) Civilians used as human shields	(159) Some survivors join the army	(24.1) Some survivors join the guerrillas
Military government of General Fernando Romeo Lucas Garcia in power since July 1978											
1	Panacal			0386							
2	Pithec			1465							
3	Chichupac		0484	0486	0523	0524					
4	Pacaj		0750	0735		0753					9752
5	Santa Maria Tzeja	1289	1302	1466							
6	Xix		1228	1229							1185
7	Rio Negro		0167	0148						0176	
8	Cuarto Pueblo	1395									
9	San Jose Rio Negro										
10	Iloim		1154	1132			1156	1133	1155		
A military junta headed by General José Efraín Ríos Montt comes to power											
11	La Plazuela		0858	0861			0900	0899			
12	Puente Alto										
13	Petamac										
14	San Francisco Nenton										
15	Plan de Sanchez		0093	0013	0036	0008	0037	0038		0076	0050
16	Rancho Bejuco		0287	0286							
17	San Francisco Javier		1015	1013							
18	Viviz		1062	1031			1033		1032		
19	Agua Fria										0246
20	Chipastor		0946	0947	0949		0948	0950			
21	Santa Anita las Canoas			0795				0845			
		10%	57%	71%	14%	14%	24%	24%	10%	10%	19%

Appendix 14. Direct Witness References to Recorded Events

Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes
0001	PDS-XIS-01A PDS-XMJ-06A PDS-XJG-07A PDS-XMJ-08A PDS-XIS-01A PDS-XMJ-06A PDS-XMJ-08A PDS-XIS-01A PDS-XMJ-05A PDS-XMJ-08A PDS-XMJ-08C	1 13 22 28 1 15 28 1 8 27 41	0010	PDS-XIS-01A PDS-XCJ-03A PDS-YIM-04A PDS-XMJ-05A PDS-XMJ-06A PDS-XJG-07A PDS-XGR-11C PDS-XIS-01A PDS-XMJ-05A PDS-XMJ-08A PDS-XIS-01A	3 7 7 11,12 15 24 50 2 12 26 1	0016	PDS-XRS-02A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-06B PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A PDS-XMJ-05A PDS-XJG-07A PDS-YGT-13A PDS-XCJ-03A	5 12 13,19 29 42 50,52 5	0022	PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XJG-07A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C	6 11 18,28 23 41 49 6 10,11 17,18,20 41 49
0002	PDS-XIS-01A PDS-XMJ-06A PDS-XMJ-08A PDS-XIS-01A PDS-XMJ-06A PDS-XMJ-08A PDS-XIS-01A PDS-XMJ-05A PDS-XMJ-08A PDS-XMJ-08C	1 15 28 1 1 8 27 41	0011	PDS-XIS-01A PDS-XMJ-05A PDS-XMJ-08A PDS-XIS-01A PDS-XRS-02A PDS-XMJ-06A PDS-XMJ-08A PDS-XRS-02A PDS-XIS-01A PDS-XJG-07A PDS-XMJ-08C	2 12 26 1 4 26 4 2 22 39,44 50	0017	PDS-XCJ-03A PDS-XMJ-05A PDS-XJG-07A PDS-YGT-13A PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A PDS-XCJ-03A	5 10,11 23 36 6 11 17 23 41 6 10 17 40	0023	PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A	6 10,11 17,18,20 41 49 6 6 11 23 41 24 36 42 50
0003	PDS-XIS-01A PDS-XMJ-05A PDS-XMJ-08A PDS-XMJ-08C PDS-XIS-01A PDS-XGR-11C PDS-XIS-01A PDS-XMJ-05A PDS-XMJ-08A PDS-XMJ-08C	1 8 27 41 1 50 1 8 26 39 48	0012	PDS-XIS-01A PDS-XRS-02A PDS-XMJ-06A PDS-XMJ-08A PDS-XRS-02A PDS-XIS-01A PDS-XJG-07A PDS-XMJ-08C PDS-XGR-11C PDS-XRS-02A PDS-XCJ-03A	4 13,17 26 4 2 22 39,44 50 4 6 11 40 49 4 6 11 20 23,25	0018	PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A	6 11 17 23 41 6 10 17 40 6 11 20 23,24 31 36 40 48,50 53 2	0024 0025	PDS-XCJ-03A PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A	6 6 11 11 18,19 24 36 42 50 7 12 39,40 7 12 18 29 36 40 48 7 12 20 36
0004	PDS-XIS-01A PDS-XGR-11C PDS-XIS-01A PDS-XMJ-05A PDS-XMJ-08A PDS-XMJ-08C PDS-XIS-01A PDS-XMJ-05A PDS-XMJ-08A PDS-XMJ-08C	1 50 1 8 26 39 48 1 9 15 26 36 48 1 9 15 22 28 39 48	0013	PDS-XIS-01A PDS-XRS-02A PDS-XMJ-06A PDS-XMJ-08A PDS-XRS-02A PDS-XIS-01A PDS-XJG-07A PDS-XMJ-08C PDS-XGR-11C PDS-XRS-02A PDS-XCJ-03A	4 26 4 2 22 39,44 50 4 6 11 40 49 4 6 11 20 23,25 41 49 53	0019	PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A	6 10 17 40 6 11 20 23,24 31 36 40 48,50 53 2 11 19,20 40,42 49,50	0026	PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A	7 12 39,40 7 12 18 29 36 40 48 7 12 20 36
0005	PDS-XIS-01A PDS-XGR-11C PDS-XIS-01A PDS-XMJ-05A PDS-XMJ-08A PDS-XMJ-08C PDS-XIS-01A PDS-XMJ-05A PDS-XMJ-08A PDS-XMJ-08C	1 50 1 8 26 39 48 1 9 15 26 36 48 1 9 15 22 28 39 48	0014	PDS-XIS-01A PDS-XRS-02A PDS-XMJ-06A PDS-XMJ-08A PDS-XRS-02A PDS-XIS-01A PDS-XJG-07A PDS-XMJ-08C PDS-XGR-11C PDS-XRS-02A PDS-XCJ-03A	4 26 4 2 22 39,44 50 4 6 11 40 49 4 6 11 20 23,25 41 49 53	0020	PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A	6 10 17 40 6 11 20 23,24 31 36 40 48,50 53 2 11 19,20 40,42 49,50	0027	PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A	7 12 39,40 7 12 18 29 36 40 48 7 12 20 36
0006	PDS-XIS-01A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08A PDS-YGT-13A PDS-XGR-11C PDS-XIS-01A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08A PDS-XGR-11C	1 9 15 26 36 48 1 9 15 22 28 39 48 1 9 15 22 28 39 48	0015	PDS-XIS-01A PDS-XRS-02A PDS-XMJ-06A PDS-XMJ-08A PDS-XRS-02A PDS-XIS-01A PDS-XJG-07A PDS-XMJ-08C PDS-XGR-11C PDS-XRS-02A PDS-XCJ-03A	4 26 4 2 22 39,44 50 4 6 11 40 49 4 6 11 20 23,25 41 49 53	0021	PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A	6 10 17 40 6 11 20 23,24 31 36 40 48,50 53 2 11 19,20 40,42 49,50	0028	PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A	7 12 39,40 7 12 18 29 36 40 48 7 12 20 36
0007	PDS-XIS-01A PDS-XMJ-06A PDS-XMJ-08A PDS-YGT-13A PDS-XGR-11C PDS-XIS-01A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08A PDS-XGR-11C	1 9 15 22 28 39 48 1 9 15 22 28 39 48 1 9 15 22 28 39 48	0015	PDS-XIS-01A PDS-XRS-02A PDS-XMJ-06A PDS-XMJ-08A PDS-XRS-02A PDS-XIS-01A PDS-XJG-07A PDS-XMJ-08C PDS-XGR-11C PDS-XRS-02A PDS-XCJ-03A	4 26 4 2 22 39,44 50 4 6 11 40 49 4 6 11 20 23,25 41 49 53	0021	PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A	6 10 17 40 6 11 20 23,24 31 36 40 48,50 53 2 11 19,20 40,42 49,50	0028	PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A PDS-XMJ-05A PDS-XMJ-06A PDS-XMJ-08C PDS-XGR-11C PDS-XCJ-03A	7 12 39,40 7 12 18 29 36 40 48 7 12 20 36
0008	PDS-XIS-01A PDS-XRS-02A PDS-XIS-01A PDS-XGR-11C	2 4 2 50									
0009	PDS-XIS-01A PDS-XGR-11C	2 50									

Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes
0029	PDS-XCJ-03A	7	0044	PDS-XMJ-05A	11	0055	PDS-XMJ-06A	18	0074	PDS-XMJ-08A	29
	PDS-XJG-07A	24		PDS-XMJ-06A	20		PDS-XJG-07A	25		PDS-XMJ-08C	47
	PDS-XMJ-06B	30		PDS-XGR-11C	50		PDS-XMJ-06A	29	0075	PDS-XMJ-08A	29
	PDS-XGT-13A	37	0045	PDS-XMJ-05A	11		PDS-XMJ-05B	31		PDS-XMJ-08C	47
	PDS-XMJ-08C	41,47		PDS-XJG-07A	25		PDS-YGT-13A	36	0076	PDS-XMJ-08A	31
0030	PDS-YIM-04A	8		PDS-XMJ-08C	41		PDS-XMJ-08C	40		PDS-XGR-11B	34
0031	PDS-YIM-04A	8	0046	PDS-XGR-11C	49	0056	PDS-XGR-11C	48	0077	PDS-XRC-09B	32
	PDS-XMJ-08A	27		PDS-XMJ-05A	12		PDS-XMJ-06A	19	0078	PDS-XGR-11B	34
0032	PDS-XMJ-05A	8		PDS-XMJ-06A	20		PDS-XJG-07A	23	0079	PDS-YMG-12B	35
0033	PDS-XMJ-05A	8		PDS-YGT-13A	35	0057	PDS-XMJ-06A	19	0080	PDS-YGT-13A	35,37
0034	PDS-XMJ-05A	9	0047	PDS-XMJ-05A	12		PDS-XMJ-08C	41	0081	PDS-YGT-13A	38
	PDS-XMJ-08A	26		PDS-XMJ-06A	21	0058	PDS-XMJ-06A	19		PDS-XMJ-08C	39
	PDS-YGT-13A	36	0048	PDS-XMJ-05A	12		PDS-XJG-07A	24	0082	PDS-YGT-13A	38
	PDS-XGR-11C	48		PDS-YGM-12B	35		PDS-XMJ-08C	43		PDS-XMJ-08C	39
0035	PDS-XMJ-05A	9		PDS-YGT-13A	38		PDS-XGR-11C	50	0083	PDS-YGT-13A	38
	PDS-XMJ-08C	39		PDS-XMJ-08C	40	0059	PDS-XMJ-06A	19	0084	PDS-YGT-13A	39
0036	PDS-XMJ-05A	9		PDS-XMJ-08C	43		PDS-XJG-07A	24	0085	PDS-XMJ-08C	41,42
	PDS-XMJ-08C	39		PDS-XGR-11C	51	0060	PDS-XMJ-06A	11		PDS-XGR-11C	49,50
0037	PDS-XMJ-05A	9	0049	PDS-XMJ-05A	12		PDS-XJG-07A	23	0086	PDS-XMJ-08C	41,42
0038	PDS-XMJ-05A	10,11		PDS-XJG-07A	25		PDS-XGR-11C	49		PDS-XGR-11C	49
0039	PDS-XMJ-08C	41		PDS-XGR-11B	33	0061	PDS-XMJ-06A	20	0087	PDS-XMJ-08C	41
	PDS-XGR-11C	49		PDS-XMJ-08C	41,47	0062	PDS-XJG-07A	22	0088	PDS-XMJ-08C	41
	PDS-XMJ-05A	10	0050	PDS-XGR-11C	49	0063	PDS-XJG-07A	22	0089	PDS-XMJ-08C	12
0040	PDS-XGR-11B	33		PDS-XMJ-06A	13		PDS-XGR-11C	49	0090	PDS-XGR-11C	48
	PDS-XGR-11C	49		PDS-XMJ-08A	27,28	0064	PDS-XJG-07A	23,25	0091	PDS-XGR-11C	49
	PDS-XMJ-05A	10		PDS-XMJ-06A	15	0065	PDS-XJG-07A	24	0092	PDS-XGR-11C	49
0041	PDS-XMJ-06A	17	0052	PDS-XMJ-06A	15		PDS-YMG-13A	37	0093	PDS-XMJ-06A	21
	PDS-XMJ-07A	23		PDS-XJG-07A	22	0066	PDS-XJG-07A	25		PDS-XGR-11C	51,52
	PDS-XMJ-08C	40	0053	PDS-YGT-13A	36	0067	PDS-XJG-07A	25	0094	RN-YOC-01A	58,60
0042	PDS-XMJ-05A	11		PDS-XMJ-06A	16	0068	PDS-XJG-07A	25		RN-YPO-03A	74,77
	PDS-XMJ-08C	48		PDS-XGR-11B	34	0069	PDS-XJG-07A	25		RN-YPO-04A	81
	PDS-XGR-11C	49		PDS-XMJ-08C	41,42	0070	PDS-XJG-07A	25		RN-XTO-05A	94,95,97
0043	PDS-XMJ-05A	11	0054	PDS-XGR-11C	50	0071	PDS-XMJ-08A	26		RN-YUI-06A	103
	PDS-XJG-07A	23		PDS-XMJ-06A	17		PDS-XMJ-08C	40			
	PDS-XMJ-08C	40		PDS-XJG-07A	23	0072	PDS-XGR-11C	48			
		49				0073	PDS-XMJ-08A	26			
								27			

Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes	Acts	Witnesses	Notes
0095	RN-YOC-01A	59,60	0106	RN-YOC-01A	60	0121	RN-XCO-02A	62,63,71	0141	RN-XCO-02A	65
	RN-YPO-03A	76,77		RN-YPO-03A	76		RN-XTO-05A	84		RN-XTO-05A	102
	RN-YPO-04A	81		RN-XTO-05A	92	0122	RN-XCO-02A	62	0142	RN-XCO-02A	66,69
	RN-XTO-05A	96,97	0107	RN-YOC-01A	60,62		RN-XTO-05A	101		RN-XTO-05A	88
	RN-YUI-06A	103		RN-YPO-04A	81	0123	RN-XCO-02A	62	0143	RN-XCO-02A	67
	RN-YOC-01A	59		RN-XTO-05A	92		RN-YPO-03A	72		RN-XTO-05A	97
0096	RN-YPO-03A	73	0108	RN-YOC-01A	60	0124	RN-XCO-02A	62	0144	RN-XCO-02A	67
	RN-YPO-04A	80		RN-YPO-03A	72		RN-XTO-05A	87		RN-XCO-03A	77
	RN-XTO-05A	93		RN-YPO-04A	80,82	0125	RN-XCO-02A	62,70		RN-YUI-06A	103
	RN-YOC-01A	59		RN-YPO-05A	92		RN-YPO-03A	72	0145	RN-XCO-02A	67
	RN-YPO-03A	73	0109	RN-YOC-01A	60	0126	RN-XCO-02A	63,69		RN-YPO-03A	78
	RN-YPO-04A	80		RN-YPO-03A	77		RN-XTO-05A	89		RN-XTO-05A	100
0098	RN-XTO-05A	92		RN-YUI-06A	104	0127	RN-XCO-02A	63,69	0146	RN-XCO-02A	67
	RN-YOL-01A	59	0110	RN-YOC-01A	61	0128	RN-XCO-02A	63,64	0147	RN-XCO-02A	67
	RN-YPO-03A	73,74		RN-XCO-02A	67		RN-XTO-05A	85		RN-XCO-02A	101
	RN-YOC-01A	59		RN-YPO-03A	73	0129	RN-YOC-01A	62		RN-XTO-05A	103
	RN-XTO-05A	92		RN-YPO-04A	82		RN-YPO-03A	77,78	0148	RN-XCO-02A	68
	RN-YOC-01A	59	0111	RN-XTO-05A	95	0130	RN-XCO-01A	63		RN-XTO-05A	101
0100	RN-YPO-03A	79		RN-YOC-01A	61		RN-XTO-05A	85,86	0149	RN-XCO-02A	68
	RN-YOC-01A	59,60	0112	RN-XCO-02A	63,66	0131	RN-XCO-02A	63	0150	RN-XCO-02A	69
	RN-YPO-03A	73,74		RN-YOC-01A	61		RN-XTO-05A	85,86		RN-XCO-02A	70
	RN-YPO-04A	81		RN-XCO-02A	63	0132	RN-XCO-02A	63		RN-XTO-05A	83,87
	RN-XTO-05A	92	0113	RN-XTO-05A	86,90	0133	RN-XCO-02A	63	0152	RN-XCO-02A	72
	RN-YOC-01A	59		RN-YOC-01A	61		RN-XTO-05A	85,86	0153	RN-YPO-03A	73
0102	RN-YPO-03A	73		RN-XCO-02A	67	0134	RN-XCO-02A	63,64,65	0154	RN-YPO-03A	74
	RN-YPO-04A	80		RN-YPO-03A	78	0135	RN-XCO-02A	63,64,66		RN-YPO-04A	81
	RN-YUI-06A	102		RN-XTO-05A	100	0136	PDS-XMJ-06A	21		RN-XTO-05A	92,95
	RN-YOC-01A	59	0114	RN-XCO-02A	62,64,68		PDS-XGR-11C	51,52	0155	RN-YPO-03A	74,76,77
	RN-YPO-03A	74	0115	RN-XCO-02A	62	0137	RN-XCO-02A	64,71		RN-YPO-04A	81,82
	RN-YPO-04A	80	0116	RN-XCO-02A	62		RN-XTO-05A	84,100,101		RN-XTO-05A	95,97
0103	RN-YUI-06A	103		RN-YPO-03A	72	0138	RN-XCO-02A	64,68	0156	RN-YPO-03A	76
	RN-YOC-01A	59		RN-XTO-05A	83		RN-XTO-05A	87		RN-XTO-05A	97
	RN-YPO-03A	74	0117	RN-XCO-02A	62	0139	RN-XCO-02A	64,65,66	0157	RN-YPO-03A	76
	RN-YPO-04A	80		RN-XTO-05A	83		RN-XTO-05A	85,86,88,92	0158	RN-YPO-03A	77
	RN-XTO-05A	94	0118	RN-XCO-02A	62,70,71	0140	RN-XCO-02A	62	0159	RN-YPO-03A	77
	RN-YOC-01A	60	0119	RN-XCO-02A	62		RN-YPO-04A	80	0160	RN-YPO-03A	77
0105	RN-YPO-03A	77	0120	RN-XCO-02A	62				RN-XTO-05A	93	

Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes
0161	RN-YPO-03A	78,79	0191	AF-XMS-01A	105	0209	AF-XMS-01A	106	0228	AF-YLL-02A	109,110			
0162	RN-YPO-03A	78		AF-YLL-02A	108,109		AF-YLL-02A	111		AF-XSL-03A	114			
0163	RN-XTO-05A	100	0192	AF-XSL-03A	113		AF-XSL-03A	114,115	0229	AF-YLL-02A	111			
	RN-YPO-03A	78,79		AF-XMS-01A	105		AF-YLL-02B	117	0230	AF-XMS-01A	107,108			
	RN-XTO-05A	100		AF-YLL-02A	108,109		AF-XMS-01A	106	0231	AF-YLL-02A	111			
0164	RN-YPO-04A	80		AF-XSL-03A	113		AF-XMS-01A	106	0232	AF-YLL-02A	111			
	RN-XTO-05A	92	0193	AF-XMS-01A	105		AF-YLL-02A	111	0233	AF-YLL-02A	111			
0165	RN-YPO-04A	81		AF-YLL-02A	109,110		AF-YLL-03A	117		AF-YLL-02B	117			
	RN-XTO-05A	96	0194	AF-XMS-01A	104	0212	AF-XMS-01A	106,107	0234	AF-YLL-02A	111			
0166	RN-YPO-04A	81	0195	AF-XMS-01A	105,107		AF-YLL-02A	111		AF-YLL-02B	117			
0167	RN-YPO-04A	82	0196	AF-XMS-01A	105		AF-XSL-03A	115	0235	AF-YLL-02A	112			
	RN-XTO-05A	100	0197	AF-XMS-01A	105		AF-YLL-02B	117	0236	AF-YLL-02A	112			
0168	RN-XTO-05A	84	0198	AF-XMS-01A	105,107	0213	AF-XMS-01A	107,108		AF-XMS-01A	107			
0169	RN-XTO-05A	85		AF-XSL-03A	115		AF-XSL-03A	116		AF-XSL-03A	116			
0170	RN-XTO-05A	85,86	0199	AF-XMS-01A	106,107		AF-XLL-02B	117	0237	AF-YLL-02A	112			
0171	RN-XTO-05A	86	0200	AF-XMS-01A	106	0214	AF-XMS-01A	107		AF-XSL-03A	116			
0172	RN-XTO-05A	86		AF-XMS-02A	111		AF-YLL-02A	112	0238	AF-YLL-02A	113			
0173	RN-XTO-05A	86		AF-XSL-03A	114		AF-XSL-03A	115,116	0239	AF-XTO-05A	98			
0174	RN-XTO-05A	88		AF-YLL-02B	117		AF-YLL-02B	117	0240	AF-XSL-03A	113,114			
0175	RN-XTO-05A	90	0201	AF-XMS-01A	106	0215	AF-XMS-01A	107	0241	AF-XSL-03A	114,116			
0176	RN-XTO-05A	90		AF-YLL-02A	112		AF-YLL-02A	112	0242	AF-XSL-03A	115			
0177	RN-XTO-05A	92	0202	AF-XMS-01A	106,107		AF-YLL-02B	117	0243	AF-XSL-03A	115			
0178	RN-XTO-05A	94		AF-YLL-02A	111	0216	AF-XMS-01A	107	0244	AF-XSL-03A	116			
0179	RN-XTO-05A	96		AF-XSL-03A	115	0217	AF-XMS-01A	107	0245	AF-XSL-03A	116			
0180	RN-XTO-05A	96,97	0203	AF-XMS-01A	106,107		AF-YLL-02A	112	0246	AF-XSL-03A	116			
0181	RN-XTO-05A	101		AF-XLL-02A	111	0218	AF-XMS-01A	107	0247	RB-XIR-01A	118,124			
0182	RN-XTO-05A	101		AF-XSL-03A	114,115	0219	AF-XMS-01A	107		RB-YA-02A	128			
0183	RN-XTO-05A	101		AF-XLL-02B	117	0220	AF-XMS-01A	107		RB-XOT-03A	132			
0184	RN-XTO-05A	102	0204	AF-XMS-01A	106	0221	AF-XMS-01A	107	0248	RB-XIR-01A	118			
0185	AF-XMS-01A	104		AF-XLL-02A	113	0222	AF-XMS-01A	107		RB-YA-02A	128			
0186	AF-XMS-01A	104,105		AF-XSL-03A	114	0223	AF-XMS-01A	107		RB-XOT-03A	132			
0187	AF-XMS-01A	104,105	0205	AF-XMS-01A	104	0224	AF-XMS-01A	108		RB-YA-04A	135			
	AF-XSL-03A	113	0206	AF-XMS-01A	104	0225	AF-XMS-01A	108	0249	RB-XIR-01A	119			
0188	AF-XMS-01A	104,105	0207	AF-XMS-01A	104	0226	AF-YLL-02A	108		RB-YA-04A	135			
0189	AF-XMS-01A	104	0208	AF-XMS-01A	106	0227	AF-YLL-02A	108,109	0250	RB-XIR-01A	119			
0190	AF-XMS-01A	105		AF-XSL-03A	116		AF-XSL-03A	113		RB-YA-02A	128			
	AF-XSL-03A	113												

Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes
0251	RB-XIR-01A	119	0273	RB-XIR-01A	122	0296	RB-XIR-01A	127	0326	PAN-YM-01A	139
	RB-YA-02A	128	0274	RB-XIR-01A	122		RB-XOT-03A	134	0327	PAN-YM-01A	139
0252	RB-XIR-01A	119	0275	RB-XIR-01A	122	0297	RB-XIR-01A	127		PAN-XTS-02A	143
0253	RB-XIR-01A	119	0276	RB-XIR-01A	122		RB-XOT-03A	134	0328	PAN-YM-01A	139, 140
	RB-YA-02A	129	0277	RB-XIR-01A	122, 125	0298	RB-XIR-01A	127	0329	PAN-YM-01A	139, 140, 141
	RB-YIA-04A	135	0278	RB-XIR-01A	122, 124	0299	RB-YA-02A	119, 128		PAN-XTS-02A	147
0254	RB-XIR-01A	119	0279	RB-XIR-01A	122, 125	0300	RB-YA-02A	129	0330	PAN-YM-01A	139
0255	RB-XIR-01A.	120		RB-XOT-03A	133, 134	0301	RB-YA-02A	130	0331	PAN-YM-01A	140
	RB-YA-02A	129	0280	RB-XIR-01A	122, 125	0302	RB-YA-02A	130	0332	PAN-YM-01A	140
0256	RB-XIR-01A	120, 123		RB-XOT-03A	134	0303	RB-YA-02A	130	0333	PAN-YM-01A	140
0257	RB-XIR-01A	120	0281	RB-XIR-01A	122	0304	RB-XOT-03A	132	0334	PAN-YM-01A	140
0258	RB-XIR-01A	120, 123	0282	RB-XIR-01A	123	0305	RB-XOT-03A	132, 133	0335	PAN-YM-01A	140
	RB-XOT-03A	132	0283	RB-XIR-01A	123, 125		RB-YIA-04A	136	0336	PAN-YM-01A	140
0259	RB-XIR-01A	120, 121, 123		RB-YA-02A	131	0306	RB-XOT-03A	132		PAN-XTS-02A	144
0260	RB-XIR-01A	120, 121	0284	RB-XIR-01A	123	0307	RB-XOT-03A	132	0337	PAN-YM-01A	140
	RB-YA-02A	128, 129	0285	RB-XIR-01A	123		RB-YIA-04A	136		PAN-XTS-02A	144, 145
	RB-XOT-03A	135	0286	RB-XIR-01A	124, 126	0308	RB-XOT-03A	133	0338	PAN-YM-01A	140
0261	RB-XIR-01A	120		RB-YA-03A	135	0309	RB-XOT-03A	133		PAN-XTS-02A	147
0262	RB-XIR-01A	121	0287	RB-XIR-01A	124, 126	0310	RB-XIR-01A	122	0339	PAN-YM-01A	141
0263	RB-XIR-01A	121		RB-YA-02A	129, 131	0311	RB-XOT-03A	134	0340	PAN-YM-01A	141
0264	RB-XIR-01A	121	0288	RB-XOT-03A	134	0312	RB-XOT-03A	134		PAN-XTS-02A	143
	RB-XOT-03A	133	0289	RB-YIA-04A	137	0313	RB-XOT-03A	134	0341	PAN-YM-01A	141
0265	RB-XIR-01A	121, 124		RB-XIR-01A	124, 125	0314	RB-XOT-03A	134		PAN-XTS-02A	147
	RB-XOT-03A	133, 134	0290	RB-XIR-01A	124	0315	RB-XOT-03A	134	0342	PAN-YM-01A	141
0266	RB-XR-01A	121	0291	RB-YA-02A	130		RB-YIA-04A	136		PAN-XTS-02A	144
	RB-YA-02A	130		RB-XIR-01A	125	0316	RB-YIA-04A	135	0343	PAN-YM-01A	140
0267	RB-XR-01A	121, 127	0292	RB-XIR-01A	125	0317	RB-YIA-04A	136		PAN-XTS-02A	144
	RB-YA-02A	130		RB-YA-02A	130	0318	RB-YIA-04A	136	0344	PAN-YM-01A	140
0268	RB-XOT-03A	133	0292	RB-YIA-04A	137, 138	0319	RB-YIA-04A	137	0345	PAN-YM-01A	141
	RB-XIR-01A	121		RB-XIR-01A	126	0320	RB-YIA-04A	137		PAN-XTS-02A	144
0269	RB-YA-02A	130		RB-YA-02A	130	0321	RB-YIA-04A	138	0346	PAN-YM-01A	141
	RB-XIR-01A	121	0293	RB-XOT-03A	134	0322	RB-XIR-01A	118, 119	0347	PAN-YM-01A	141
0270	RB-YA-02A	130	0294	RB-XIR-01A	127	0323	RB-YIA-04A.	134		PAN-XTS-02A	145
0271	RB-XIR-01A	121, 124		RB-XIR-01A	127	0324	PAN-YM-01A	139	0348	PAN-YM-01A	141
0272	RB-XIR-01A	122	0295	RB-YIA-04A	137		PAN-XTS-02A	142, 143	0349	PAN-YM-01A	141
				RB-XIR-01A	127	0325	PAN-YM-01A	139	0350	PAN-YM-01A	141
				RB-XOT-03A	134		PAN-XTA-02A	147	0351	PAN-YM-01A	141

Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes
0352	PAN-YM-01A	141	0385	PAN-XTS-02A	147	0409	PIC-YGC-01A	152	0436	PIC-YRA-02A	158
0353	PAN-YM-01A	142	0386	PAN-XTS-02A	147		PIC-YRA-02A	160	0437	PIC-YRA-02A	158
0354	PAN-YM-01A	142	0387	PAN-XTS-02A	147	0410	PIC-YGC-01A	153	0438	PIC-YRA-02A	159
	PAN-XTS-02A	144	0388	PAN-XTS-02A	148		PIC-YRA-02A	158,160,161	0439	PIC-YRA-02A	159
0355	PAN-YM-01A	142	0389	PAN-XTS-02A	149	0411	PIC-YGC-01A	153	0440	PIC-YRA-02A	159
0356	PAN-YM-01A	142	0390	PAN-YM-01A	140		PIC-YRA-02A	158,160,161	0441	PIC-YRA-02A	159
	PAN-XTS-02A	144	0391	PIC-YGC-01A	150,155	0412	PIC-YGC-01A	153	0442	PIC-YRA-02A	159,162
0357	PAN-YM-01A	142		PIC-YRA-02A	157		PIC-YRA-02A	160	0443	PIC-YRA-02A	160
0358	PAN-YM-01A	142	0392	PIC-YGC-01A	150	0413	PIC-YGC-01A	153	0444	PIC-YRA-02A	161
	PAN-XTS-02A	146	0393	PIC-YGC-01A	150,151		PIC-YRA-02A	160	0445	CHI-XCT-01A	164,165,172
0359	PAN-YM-01A	142	0394	PIC-YGC-01A	150,151	0414	PIC-YGC-01A	153		CHI-XJL-02A	173
0360	PAN-YM-01A	142		PIC-YRA-02A	156		PIC-YRA-02A	160	0446	CHI-XCT-01A	164
0361	PAN-XTS-02A	142	0395	PIC-YGC-01A	151	0415	PIC-YGC-01A	153		CHI-XJL-02A	173,174
0362	PAN-XTS-02A	142		PIC-YRA-02A	156		PIC-YRA-02A	160		CHI-XJB-08A	194
0363	PAN-XTS-02A	142	0396	PIC-YGC-01A	151	0416	PIC-YGC-01A	154	0447	CHI-XCT-01A	164
0374	PAN-XTS-02A	142		PIC-YRA-02A	156	0417	PIC-YGC-01A	153		CHI-XJB-08A	194
0365	PAN-XTS-02A	142	0397	PIC-YGC-01A	156	0418	PIC-YGC-01A	154,155	0448	CHI-XCT-01A	164
0366	PAN-XTS-02A	142		PIC-YPA-02A	156	0419	PIC-YGC-01A	156		CHI-XJL-02A	173
0367	PAN-XTS-02A	143	0398	PIC-YGC-01A	151	0420	PIC-YGC-01A	156		CHI-YGP-06A	189
0368	PAN-XTS-02A	143		PIC-YRA-02A	160		PIC-YRA-01A	160,161		CHI-XJB-08A	194,195
0369	PAN-XTS-02A	143	0399	PIC-YGC-01A	151,152,153	0421	PIC-YGC-01A	156	0449	CHI-XCT-01A	164
0370	PAN-XTS-02A	143		PIC-YRA-02A	160,161		PIC-YRA-02A	161		CHI-XJL-02A	174
0371	PAN-XTS-02A	143	0400	PIC-YGC-01A	151	0422	PIC-YGC-01A	156		CHI-XCT-04A	185
0372	PAN-XTS-02A	143		PIC-YRA-02A	157		PIC-YRA-02A	161		CHI-YCC-05A	188
0373	PAN-XTS-02A	143	0401	PIC-YGC-01A	151	0423	PIC-YGC-01A	156		CHI-XJB-08A	195
0374	PAN-XTS-02A	143	0402	PIC-YGC-01A	151	0424	PIC-YGC-01A	156	0450	CHI-XCT-01A	164
0375	PAN-XTS-02A	145	0403	PIC-YGC-01A	152,153	0425	PIC-YGC-01A	156		CHI-XJL-02A	173,174
	PAN-XTS-02A	1445,146		PIC-YRA-02A	158	0426	PIC-YGC-01A	156	0451	CHI-XCT-01A	164
0376	PAN-XTS-02A	145	0404	PIC-YGC-01A	152,153	0427	PIC-YGC-01A	156		CHI-XJL-02A	173
0377	PAN-XTS-02A	145		PIC-YRA-02A	157,158,160	0428	PIC-YRA-02A	156	0452	CHI-XCT-01A	164
0378	PAN-XTS-02A	141	0405	PIC-YGC-01A	152	0429	PIC-YRA-02A	156		CHI-XJB-08A	194
	PAN-YM-01A	146		PIC-YRA-02A	157,160	0430	PIC-YRA-02A	156	0453	CHI-XCT-01A	164
0379	PAN-XTS-02A	147	0406	PIC-YGC-01A	152	0431	PIC-YRA-02A	158		CHI-XJL-02A	175
0380	PAN-XTS-02A	147		PIC-YRA-02A	157,160	0432	PIC-YRA-02A	158	0454	CHI-XCT-01A	164
0381	PAN-XTS-02A	147	0407	PIC-YGC-01A	152	0433	PIC-YRA-02A	158		CHI-XJL-02A	175
0382	PAN-XTS-02A	147		PIC-YRA-02A	160	0434	PIC-YRA-02A	158	0455	CHI-XCT-01A	165,166
0383	PAN-XTS-02A	147	0408	PIC-YGC-01A	152,153	0435	PIC-YRA-02A	158		CHI-XCT-01A	
0384	PAN-XTS-02A	147		PIC-YRA-02A			PIC-YRA-02A				

Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes
0456	CHI-XCT-01A CHI-XJL-02A	165 176	0471	CHI-XCT-01A CHI-XJL-02A	167 179	0482	CHI-XCT-01A CHI-XJL-02A	170	0494	CHI-XJL-02A CHI-XCT-04A	174
0457	CHI-XCT-01A	165		CHI-YLL-05A	187		CHI-YGP-06A	179		CHI-XJB-08A	184
0458	CHI-XCT-01A CHI-XJL-02A	165 176		CHI-YGP-06A CHI-XJB-08A	191 196	0483 0484	CHI-XCT-01A CHI-XCT-01A	191 170	0495 0496	CHI-XJL-02A CHI-XJL-02A	194 174
0459	CHI-XCT-01A CHI-XJL-02A	165 176	0472	CHI-XCT-01A CHI-XJL-02A	167,168 175,177,180		CHI-XJL-02A CHI-XPC-03A	181 183	0497 0498	CHI-XJL-02A CHI-XJL-02A	176,177,178 177
0460	CHI-XCT-01A CHI-XJL-02A	165 176		CHI-XPC-03A CHI-XCT-01A	183 167,168		CHI-YLL-05A CHI-XCT-01A	187 171	0499 0500	CHI-XJL-02A CHI-XJL-02A	177 177
0461	CHI-XCT-01A CHI-XJL-02A	165 175	0473	CHI-XCT-01A CHI-XJL-02A	180 192	0485	CHI-XCT-01A CHI-XCT-04A	185 187		CHI-YGP-06A CHI-XJL-02A	192 177
0462	CHI-XCT-01A CHI-XJL-02A	165,166 176		CHI-YGP-06A CHI-XJB-08A	196 167		CHI-YLL-05A CHI-YGP-06A	185 194	0501 0502	CHI-XJL-02A CHI-XJL-02A	177 177
0463	CHI-XCT-01A CHI-XJB-08A	166 195	0474 0475	CHI-XCT-01A CHI-YGP-06A	168 191	0486	CHI-XCT-01A CHI-XCT-04A	172 185		CHI-XPC-03A CHI-YLL-05A	182 186,187
0464	CHI-XCT-01A CHI-XTL-02A	166 182	0476	CHI-YSG-07A CHI-XCT-01A	193 168	0487	CHI-XCT-01A CHI-XJL-02A	172 181	0503 0504	VHI-XJL-02A CHI-XJL-02A	177 178
0465	CHI-XJB-08A CHI-XCT-01A	195 166		CHI-XJL-02A CHI-YGP-06A	180 191		CHI-XCT-04A CHI-YSG-07A	185 193	0505	CHI-XJL-02A CHI-XCT-04A	186 178
0466	CHI-XJL-02A CHI-XPC-03A	178 182		CHI-YSG-07A CHI-XJB-08A	193 197	0488	CHI-XJB-08A CHI-XCT-01A	196 172		CHI-YGP-06A CHI-XJB-08A	185 190 195
0467	CHI-XCT-01A CHI-XJL-02A	166 178	0477 0478	CHI-XCT-01A CHI-XCT-01A	168 168		CHI-XJL-02A CHI-XJB-08A	181,182 196	0506 0507	CHI-XJL-02A CHI-YLL-05A	178 187
0468	CHI-XPC-03A CHI-XCT-01A	182 166		CHI-XJL-02A CHI-XCT-04A	180 185	0489	CHI-XCT-01A CHI-XJL-02A	172 182		CHI-XJL-02A CHI-XJB-08A	179 196
0469	CHI-XJL-02A CHI-YCC-05A	179 187		CHI-YGP-06A CHI-YSG-07A	192 193		CHI-XCT-04A CHI-XJB-08A	185 196	0508 0509	CHI-XJL-02A CHI-XJL-02A	179 180
0470	CHI-XCT-01A CHI-YGP-06A	167 190	0480 0481	CHI-XCT-01A CHI-XJL-02A	168,170 180	0490	CHI-XCT-01A CHI-XJL-02A	172 182	0510	CHI-XJL-02A CHI-YGP-06A	182 191
				CHI-XJL-02A CHI-YGP-06A	180 191	0491	CHI-XCT-01A CHI-XJL-02A	173 182		CHI-YSG-07A CHI-XJL-02A	193 182
				CHI-YSG-07A CHI-XCT-01A	193 168,170		CHI-XCT-04A CHI-XCT-01A	186 173	0511 0512	CHI-XJL-02A CHI-XJL-02A	182 182
				CHI-XJL-02A CHI-XCT-01A	180 168	0492	CHI-XCT-01A CHI-XJL-02A	173 182	0513 0514	CHI-XJL-02A CHI-XJL-02A	182 182
				CHI-XCT-01A CHI-XJL-02A	168 180		CHI-XJB-08A CHI-XCT-01A	195 173	0515 0516	CHI-YLL-05A CHI-YLL-05A	187 188
				CHI-XJL-02A CHI-YGP-06A	191 191	0493	CHI-XCT-01A CHI-XJL-02A	182	0517	CHI-YLL-05A CHI-YLL-05B	188 188

Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes
0518	CHI-YPG-06A	191	0534	PET-XPL-01A	200,204	0543	PET-XPL-01A	201	0554	PET-XPL-01A	203
0519	CHI-YPG-06A	191		PET-YPB-03A	208		PET-XPJ-05A	214		PET-XTJ-02A	205
0520	CHI-YSG-07A	193		PET-XPT-05A	214		PET-XPM-06A	217		PET-YPB-03A	207
0521	CHI-YSG-07A	194		PET-XPM-06A	218		PET-XPL-08A	224		PET-YJM-04A	209
0522	CHI-XJB-08A	194		PET-XPA-07A	221	0544	PET-XPL-01A	201		PET-YPM-06A	216
0523	CHI-XJB-08A	194	0535	PET-XPL-01A	200,204		PET-YPB-03A	208	0555	PET-XPL-01A	203
0524	CHI-XJB-08A	194		PET-XTJ-02A	206		PET-XPA-07A	220,221		PET-XTJ-02A	205
0525	CHI-XJB-08A	195		PET-YJM-04A	210	0545	PET-XPL-01A	201,204		PET-YPB-03A	207
0526	CHI-XJB-08A	196		PET-XPA-06A	221		PET-YPB-03A	208		PET-YJM-04A	210
0527	PET-XPL-01A	200	0536	PET-XPL-01A	201		PET-XPJ-05A	214	0556	PET-XPL-01A	203
	PET-XTJ-02A	205	0537	PET-XPA-07A	220,221	0546	PET-XPM-06A	218		PET-XPT-05A	212
0528	PET-YJM-04A	209		PET-XPL-01A	201		PET-XPL-01A	201		PET-XPM-06A	216
	PET-XPL-01A	200		PET-YPB-03A	208		PET-XPJ-05A	213,214	0557	PET-XPL-01A	203
0529	PET-YPB-03A	207		PET-XPJ-05A	213	0547	PET-XPA-07A	221		PET-XPJ-05A	212
	PET-XPL-01A	200		PET-XPM-06A	217		PET-XPL-01A	201	0558	PET-XPL-01A	203
	PET-YPB-03A	209	0538	PET-XPL-01A	201		PET-XPJ-05A	213		PET-XPJ-05A	212
	PET-XPJ-05A	231		PET-XTJ-02A	206		PET-XPA-07A	221		PET-XPM-06A	216
	PET-XPM-06A	216		PET-YPB-03A	208	0548	PET-XPL-01A	201	0559	PET-XPL-01A	203
	PET-XPA-07A	219		PET-XPJ-05A	213	0549	PET-XPL-01A	201	0560	PET-XPL-01A	203
0530	PET-XPL-01A	200		PET-XPM-06A	216		PET-XTJ-02A	206		PET-XPM-06A	216
	PET-XPJ-05A	213		PET-XPA-07A	219		PET-YPB-03A	208	0561	PET-XPL-01A	203
	PET-XPM-06A	216	0539	PET-XPL-01A	201		PET-XPJ-05A	214		PET-XPM-06A	216
	PET-XPA-07A	219		PET-YJM-04A	211		PET-XPA-07A	220	0562	PET-XPL-01A	203
0531	PET-XPL-01A	200		PET-XPA-07A	221	0550	PET-XPL-01A	202		PET-YJM-04A	211
	PET-YPB-03A	207		PET-XPL-01A	201		PET-XTJ-02A	206		PET-XPJ-05A	214
	PET-YPM-06A	216,217	0540	PET-YPB-03A	208	0551	PET-XPL-01A	202	0563	PET-XPL-01A	203
	PET-XPA-07A	219		PET-XPM-06A	217		PET-YPM-06A	202	0564	PET-XPL-01A	204,205
0532	PET-XPL-01A	200	0541	PET-XPL-01A	201,204		PET-XPA-07A	219		PET-YPB-03A	208
	PET-XTJ-02A	206		PET-XTJ-02A	206	0552	PET-XPL-01A	202		PET-XPJ-05A	214
	PET-YPB-03A	207		PET-YPB-03A	208		PET-XTJ-02A	206	0565	PET-XPL-01A	204
	PET-XPJ-05A	213		PET-XPJ-05A	214		PET-YJM-04A	210		PET-XTJ-02A	206
0533	PET-XPL-01A	200		PET-YPM-06A	218		PET-XPJ-05A	213		PET-XMJ-04A	211
	PET-YPB-03A	208	0542	PET-XPL-01A	201,205		PET-YPM-06A	216		PET-XPA-07A	221
	PET-YJM-04A	210		PET-YPB-03A	208	0553	PET-XPL-01A	202	0566	PET-XPL-01A	204
	PET-XPM-06A	217		PET-XPM-06A	217		PET-XTJ-02A	205		PET-YPB-03A	208
	PET-XPA-07A	219,221		PET-XPA-07A	219		PET-YJM-04A	209		PET-XPT-05A	214
							PET-YPM-05A	215		PET-XPM-06A	218

Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes
0567	PET-XPL-01A	204	0582	PET-YPB-03A	209	0603	SAN-XPR-01A	224,225	0620	SAN-XPR-01A	227
	PET-XPL-08B	224		PET-YPM-06A	217	0604	SAN-XPR-01A	224		SAN-XPG-04A	235
0568	PET-XPL-01A	204	0583	PET-YPB-03A	209	0605	SAN-XPG-04A	234	0621	SAN-XPG-05A	236
	PET-YPB-03A	208		PET-XPM-06A	217	0606	SAN-XPR-01A	225		SAN-XPR-01A	227
	PET-YJM-04A	211	0584	PET-YPB-03A	209	0607	SAN-XPR-01A	225		SAN-XRP-03A	233
	PET-XPJ-05A	215		PET-XPM-06A	217	0608	SAN-XPR-01A	225	0622	SAN-XPR-01A	227,228
0569	PET-XPB-06A	218	0585	PET-YPB-03A	209		SAN-XRL-02A	230		SAN-XRP-03A	233
	PET-XPL-01A	202	0586	PET-YPB-03A	209		SAN-XPG-04A	234	0623	SAN-XPR-01A	228
	PET-YPB-03A	209		PET-XPJ-05A	215	0609	SAN-XPR-01A	226	0624	SAN-XPR-01A	228
	PET-XPJ-05A	215		PET-XPA-07A	222		SAN-XRL-02A	230	0625	SAN-XPR-01A	228
0570	PET-XPL-01A	204		PET-XPL-08A	224		SAN-XPG-04A	234		SAN-XRP-03A	234
	PET-YPB-03A	209	0587	PET-YJM-04A	209	0610	SAN-XPR-01A	226		SAN-XPG-04A	235
	PET-YJM-04A	212	0588	PET-YJM-04A	211	0611	SAN-XPG-05A	237		SAN-XPG-05A	237
0571	PET-XPL-01A	204		PET-XPA-07A	222	0612	SAN-XPR-01A	226	0626	SAN-XPR-01A	228
	PET-YJM-04A	212	0589	PET-YJM-04A	212		SAN-XRL-02A	226		SAN-XRL-02A	231
0572	PET-XPL-01A	204	0590	PET-XPJ-05A	213	0613	SAN-XPR-01A	230	0627	SAN-XPR-01A	228
	PET-YJM-04A	212	0591	PET-XPA-07A	214		SAN-XRL-02A	226		SAN-XRP-03A	233,234
0573	PET-XTJ-02A	205		PET-XPJ-05A	222	0614	SAN-XPR-01A	226		SAN-XPR-01A	228
0574	PET-XTJ-02A	205,206	0592	PET-XPA-07A	214,215		SAN-XPG-04A	234	0628	SAN-XPR-01A	234
	PET-YPB-03A	207		PET-XPA-07A	222	0615	SAN-XPR-01A	226	0629	SAN-XPR-01A	228
0575	PET-XTJ-02A	205	0593	PET-XPJ-05A	214		SAN-XPG-05A	237		Falla, <i>Masacre</i> ¹	28
	PET-YJM-04A	209	0594	PET-XPA-07A	223	0616	SAN-XPR-01A	227	0630	SAN-XPR-01A	229
0576	PET-XTJ-02A	206		PET-XPM-06A	218		SAN-XRL-02A	230		SAN-XRL-02A	231
0577	PET-XTJ-02A	206	0595	PET-XPA-07A	223	0617	SAN-XPR-01A	232		Falla, <i>Masacre</i>	39
	PET-XPM-06A	218		PET-XPA-07A	219	0618	SAN-XPR-01A	227	0631	SAN-XPR-01A	228
0578	PET-XTJ-02A	206	0596	PET-XPL-08A	223		SAN-XPG-04A	235		SAN-XPG-04A	235
	PET-YPB-03A	208	0597	PET-XPA-07A	220	0619	SAN-XPG-05A	236	0632	SAN-XPR-01A	229
0579	PET-YPB-03A	207	0598	PET-XPA-07A	222		SAN-XPR-01A	227		SAN-XRL-02A	231
	PET-XPJ-05A	213	0599	PET-XPA-07A	223		SAN-XPG-04A	235		SAN-XPG-04A	235
0580	PET-YPB-03A	207,208	0600	PET-XPA-07A	223	0633	SAN-XPR-01A	236	0633	SAN-XPR-01A	229
	PET-YJM-04A	210	0601	PET-XPA-07A	223	0634	SAN-XPR-01A	227	0634	SAN-XPR-01A	229
0581	PET-YPB-03A	208	0602	PET-XPL-08A	224		SAN-XPR-01A	227		SAN-XRL-02A	230
	PET-YPJ-05A	214		SAN-XPR-01A	224,227		SAN-XRP-03A	233		SAN-XPR-03A	233,234
	PET-XPM-06A	218	220	SAN-XRL-02A	213	0635	SAN-XPR-01A	227	0635	SAN-XPG-04A	236
	PET-XPA-07A	220		SAN-XRP-03A	233		SAN-XRL-02A	227		SAN-XRL-02A	230
				SAN-XPG-04A	235					SAN-XRP-03A	232

Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes
0636	SAN-XRL-02A	230	0665	Falla, Masacre	82	0686	PA-XRM-01A	239	0708	PA-XPG-02A	241
	SAN-XRL-03A	231	0666	Falla, Masacre	27	0687	PA-XRM-01A	239	0709	PA-XPG-02A	241
0637	SAN-XRL-02A	230	0667	PA-XRM-01A	238	0688	PA-XRM-01A	239	0710	PA-XPG-02A	241
	SAN-XRP-03A	232		PA-XPG-02A	239		PA-XPG-02A	240		PA-XPG-02B	243
0638	SAN-XRL-02A	231	0668	PA-XRM-01A	238	0689	PA-XRM-01A	239	0711	PA-XPG-02A	241
0639	SAN-XRL-02A	232	0669	PA-XRM-01A	238	0690	PA-XPG-02A	240	0712	PA-XPG-02A	241
	SAN-XDG-05A	237	0670	PA-XRM-01A	238		PA-XRM-01A	239	0713	PA-XPG-02A	242
0640	SAN-XRP-03A	232	0671	PA-XRM-01A	238		PA-XPG-02A	240	0714	PA-XPG-02A	242
0641	SAN-XRP-03A	233	0672	PA-XRM-01A	238		PA-XPG-02B	241	0715	PA-XPG-02B	242
	Falla, Masacre,	70	0673	PA-XRM-01A	238	0691	PA-XRM-01A	239	0716	PA-XPG-02B	243
0642	SAN-XRL-02A	230		PA-XPG-02A	241	0692	PA-XRM-01A	239	0717	PA-XPG-02B	243
0643	SAN-XRP-03A	234		PA-XRM-02B	241		PA-XPG-02A	240	0718	PA-XPG-02B	243
0644	SAN-XRP-03A	234	0674	PA-XRM-01A	238	0693	PA-XRM-01A	239	0719	PA-XPG-02A	244
	SAN-XPG-04A	236		PA-XPG-02A	239		PA-XPG-02A	240	0720	PAC-XCU-01A	244,246
0645	SAN-XPG-04A	235	0675	PA-XRM-01A	238		PA-XPG-02B	242		PAC-XCU-01A	247,249
0646	SAN-XPP-04A	236	0676	PA-XRM-01A	238	0694	PA-XRM-01A	239		PAC-XXMX-02A	251,252
0647	SAN-XPG-04A	236		PA-XPG-02B	241		PA-XPG-02A	241		PAC-XUL-03A	255
0648	SAN-XPG-05A	236	0677	PA-XRM-01A	238	0695	PA-XRM-01A	239	0721	PAC-XCU-01A	244,245
0649	SAN-XPG-05A	236		PA-XRM-02A	241		PA-XPG-02A	241	0722	PAC-XCU-01A	244
0650	SAN-XPG-05A	237		PA-XRM-02B	241	0696	PA-XRM-01A	239		PAC-XUL-03A	252
0651	SAN-XPG-05A	237	0678	PA-XRM-01A	238	0697	PA-XPG-02B	242	0723	PAC-XCU-01A	244
0652	SAN-XPGF-05	237	0679	PA-XRM-01A	238		PA-XPG-02A	240		PAC-XXMX-02A	248
	Falla, Masacre	79	0680	PA-XRM-01A	238		PA-XPG-02A	240		PAC-XUL-03A	252
0653	SAN-XPG-5A	237		PA-XPG-02A	241	0698	PA-XPG-02A	240	0724	PAC-XCU-01A	244
0654	Falla, Masacre	9		PA-XPG-02B	243	0699	PA-XPG-02B	241	0725	PAC-XCU-01A	244
0655	Falla, Masacre	27,28,70	0681	PA-XRM-01A	238	0700	PA-XPG-02A	240	0726	PAC-XCU-01A	244,245
0656	SAN-XPG-05A	237		PA-XPG-02A	241		PA-XPG-02A	240		PAC-XXMX-02A	248
	Falla, Masacre	26		PA-XRM-02B	243	0701	PA-XPG-02A	240		PAC-XUL-03A	252
0657	Falla, Masacre	39	0682	PA-XRM-01A	238,239		PA-XPG-02B	242	0727	PAC-XCU-01A	244
0658	SAN-XRP-03A	232		PA-XPG-02A	240	0702	PA-XPG-02A	240	0728	PAC-XCU-01A	245
	Falla, Masacre	20,99	0683	PA-XRM-01A	238	0703	PA-XPG-02A	240		PAC-XCU-01A	249
0659	Falla, Masacre	67		PA-XPG-02A	240		PA-XPG-02A	240		PAC-XMC-02A	251,252
0660	Falla, Masacre	67		PA-XRM-02B	241	0704	PA-XPG-02A	240		PAC-XUL-03A	255
0661	Falla, Masacre	71,108,110	0684	PA-XRM-01A	239	0705	PA-XPG-02B	242	0729	PAC-XCU-01A	245
0662	Falla, Masacre	77	0685	PA-XRM-01A	240	0706	PA-XPG-02A	241	0730	PAC-XCU-01A	245
0663	Falla, Masacre	79		PA-XPG-02A	241		PA-XPG-02A	241		PAC-XXMX-02A	248
0664	Falla, Masacre	79		PA-XPG-02B	241	0707	PA-XPG-02A	241			

Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes
0731	PAC-XCU-01A PAC-XXM-02A PAC-YYB-04A	245 248 256	0745	PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-XM-04A PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-YP-06C	246 251 253 255 246 250 253 259	0758	PAC-XXM-02A PAC-XUL-03A PAC-YP-06C	250 253 258	0771	PAC-XXM-02A PAC-YP-06C	251 258
0732	PAC-XCO-01A PAC-XMA-02A PAC-XCU-01A	245 248 245	0746	PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-YP-06C	246 250 253 259	0759	PAC-XXM-02A PAC-XM-04A PAC-YYB-05C	250 254 257	0772	PAC-XUL-03A PAC-XXM-04A PAC-XXM-04A	251 253 254
0733	PAC-XCU-01A PAC-XXM-02A PAC-XCU-01A	245 248 245	0747	PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-YP-06C	246 250 253 259	0760	PAC-XXM-02A PAC-XM-04A PAC-YYB-05C	250 254 257	0773	PAC-XUL-03A PAC-XXM-04A PAC-XXM-04A	251 253 254
0734	PAC-XCU-01A PAC-XXM-02A PAC-XCU-01A	245 248 245	0748	PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-YP-06C	246 250 253 259	0761	PAC-XXM-02A PAC-XM-04A PAC-YYB-05C	250 254 257	0774	PAC-XUL-03A PAC-XXM-04A PAC-XXM-04A	251 253 254
0735	PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-XCU-01A	245 248 252 245	0749	PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-YP-06C	246 250 253 259	0762	PAC-XXM-02A PAC-XM-04A PAC-YYB-05C	250 254 257	0775	PAC-XUL-03A PAC-XXM-04A PAC-XXM-04A	251 253 254
0736	PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-XCU-01A	245 248 252 245	0750	PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-YP-06C	246 250 253 259	0763	PAC-XXM-02A PAC-XM-04A PAC-YYB-05C	250 254 257	0776	PAC-XUL-03A PAC-XXM-04A PAC-XXM-04A	251 253 254
0737	PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-XCU-01A	245 248 252 245	0751	PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-YP-06C	246 250 253 259	0764	PAC-XXM-02A PAC-XM-04A PAC-YYB-05C	250 254 257	0777	PAC-XUL-03A PAC-XXM-04A PAC-XXM-04A	251 253 254
0738	PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-XCU-01A	245 248 252 245	0752	PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-YP-06C	246 250 253 259	0765	PAC-XXM-02A PAC-XM-04A PAC-YYB-05C	250 254 257	0778	PAC-XUL-03A PAC-XXM-04A PAC-XXM-04A	251 253 254
0739	PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-XCU-01A	245 248 252 245	0753	PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-YP-06C	246 250 253 259	0766	PAC-XXM-02A PAC-XM-04A PAC-YYB-05C	250 254 257	0779	PAC-XUL-03A PAC-XXM-04A PAC-XXM-04A	251 253 254
0740	PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-XCU-01A	245 248 252 245	0754	PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-YP-06C	246 250 253 259	0767	PAC-XXM-02A PAC-XM-04A PAC-YYB-05C	250 254 257	0780	PAC-XUL-03A PAC-XXM-04A PAC-XXM-04A	251 253 254
0741	PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-YYB-05C	246 249 253 246	0755	PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-YP-06C	246 250 253 259	0768	PAC-XXM-02A PAC-XM-04A PAC-YYB-05C	250 254 257	0781	PAC-XUL-03A PAC-XXM-04A PAC-XXM-04A	251 253 254
0742	PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-XCU-01A	246 249 253 246	0756	PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-YP-06C	246 250 253 259	0769	PAC-XXM-02A PAC-XM-04A PAC-YYB-05C	250 254 257	0782	PAC-XUL-03A PAC-XXM-04A PAC-XXM-04A	251 253 254
0743	PAC-XCU-01A PAC-XXM-02A PAC-YYB-05C PAC-XCU-01A	246 256 246 253	0757	PAC-XCU-01A PAC-XXM-02A PAC-XUL-03A PAC-YP-06C	246 250 253 259	0770	PAC-XXM-02A PAC-XM-04A PAC-YYB-05C	250 254 257	0783	PAC-XUL-03A PAC-XXM-04A PAC-XXM-04A	251 253 254
0744	PAC-XCU-01A PAC-XUL-03A	246 253			250 253			256 258,259	0791	PAC-XXM-04A PAC-XXM-04A PAC-XXM-04A	259 262,263 266

Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes
0792	SAC-XBV-01A	260	0809	SAC-XBV-01A	261	0831	SAC-YL-02A	263	0860	PLA-YB-01A	269
	SAC-YL-02A	263		SAC-YL-02A	264	0832	SAC-YL-02A	263	0861	PLA-YB-01A	270
0793	SAC-XBV-01A	260		SAC-XNC-03A	267	0833	SAC-YL-02A	264		PLA-XBC-02A	273
	SAC-YL-02A	263	0810	SAC-XBV-01A	261		SAC-XNC-03A	266		PLA-XTJ-03A	277
0794	SAC-XBV-01A	260		SAC-YL-02A	264	0834	SAC-YL-02A	265	0862	PLA-YB-01A	270
	SAC-YL-02A	263		SAC-XNC-03A	267	0835	SAC-YL-02A	265		PLA-XBC-02A	273
0795	SAC-XBV-01A	260	0811	SAC-XBV-01A	261	0836	SAC-YL-02A	265	0863	PLA-YB-01A	270
	SAC-YL-02A	264		SAC-XNC-03A	267	0837	SAC-YL-02A	263		PLA-XTJ-03A	277
	SAC-XNC-03A	268	0812	SAC-XBV-01A	261	0838	SAC-XNC-03A	265,266,268	0864	PLA-YB-01A	270
0796	SAC-XBV-01A	260		SAC-XNC-03A	266	0839	SAC-XNC-03A	265		PLA-XBC-02A	274
	SAC-YL-02A	265	0813	SAC-XBV-01A	261	0840	SAC-YL-02A	263		PLA-XTJ-03A	277
0797	SAC-XBV-01A	260	0814	SAC-XBV-01A	261	0841	SAC-XNC-03A	266	0865	PLA-YB-01A	270
	SAC-YL-02A	264	0815	SAC-XBV-01A	261	0842	SAC-XNC-03A	266		PLA-XTJ-03A	277
	SAC-XNC-03A	266		SAC-YL-02A	265	0843	SAC-YL-02A	266	0866	PLA-YB-01A	270
0798	SAC-XBV-01A	260		SAC-XNC-03A	268	0844	SAC-XNC-03A	267		PLA-XBC-02A	274
	SAC-XNC-03A	266	0816	SAC-XBV-01A	262	0845	SAC-XNC-03A	268		PLA-XTJ-03A	275,277
0799	SAC-XBV-01A	260		SAC-YL-02A	264	0846	SAC-XNC-03A	268	0867	PLA-YB-01A	270
	SAC-XNC-03A	266		SAC-XNC-03A	268	0847	SAC-XNC-03A	268		PLA-XTJ-03A	275,277
0800	SAC-XBV-01A	261	0817	SAC-XBV-01A	262	0848	SAC-XNC-03A	266	0868	PLA-YB-01A	270
0801	SAC-XBV-01A	261		SAC-XNC-03A	268	0849	PLA-YB-01A	269		PLA-XTJ-03A	275,276
	SAC-XNC-03A	266,267,268	0818	SAC-XBV-01A	262		PLA-XTJ-03A	277	0869	PLA-YB-01A	270
0802	SAC-XBV-01A	261	0819	SAC-XBV-01A	262	0850	PLA-YB-01A	269		PLA-XBC-02A	275
	SAC-XNC-03A	266,267,268	0820	SAC-XBV-01A	262	0851	PLA-YB-01A	269	0870	PLA-YB-01A	270
0803	SAC-XBV-01A	261		SAC-YL-02A	262	0852	PLA-YB-01A	269		PLA-XBC-02A	273
0804	SAC-XBV-01A	261	0821	SAC-XNC-03A	265		PLA-XBC-02A	272		PLA-XTJ-03A	275,277
	SAC-XNC-03A	267	0822	SAC-YL-02A	262	0853	PLA-YB-01A	269	0871	PLA-YB-01A	270
0805	SAC-XBV-01A	261		SAC-XNC-03A	265		PLA-XBC-02A	272		PLA-XBC-02A	274
	SAC-XNC-03A	266,267	0823	SAC-YL-02A	262	0854	PLA-YB-01A	269,270	0872	PLA-YB-01A	270
0806	SAC-XBV-01A	261	0824	SAC-YL-02A	263	0855	PLA-YB-01A	269	0873	PLA-YB-01A	270
0807	SAC-XBV-01A	261	0825	SAC-YL-02A	263		PLA-XBC-02A	272,274		PLA-XBC-02A	273
	SAC-YL-02A	264		SAC-XNC-03A	266	0856	PLA-YB-01A	269		PLA-XTJ-03A	276
	SAC-XNC-03A	267	0826	SAC-YL-02A	263		PLA-XBC-02A	272	0874	PLA-YB-01A	270
0808	SAC-XBV-01A	261	0827	SAC-YL-02A	263	0857	PLA-YB-01A	269		PLA-XBC-02A	271,273
	SAC-YL-02A	264	0828	SAC-YL-02A	263		PLA-XBC-02A	272		PLA-XTJ-03A	276,277
	SAC-XNC-03A	267		SAC-XNC-03A	266	0858	PLA-YB-01A	269	0875	PLA-YB-01A	270
			0829	SAC-YL-02A	263		PLA-XTJ-03A	276		PLA-XBC-02A	273
			0830	SAC-YL-02A	263	0859	PLA-YB-01A	269		PLA-XTJ-03A	276

Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes
0876	PLA-YB-01A	270	0895	PLA-XBC-02A	272	0924	TOR-YAL-01A	279	0951	TOR-XCG-03A	282
0877	PLA-YB-01A	270	0896	PLA-XBC-02A	273		TOR-YBC-02A	280	0952	TOR-XCG-03A	282
	PLA-XBC-02A	273	0897	PLA-XBC-02A	273		TOR-XCG-03A	281		TOR-YBC-02A	280
0878	PLA-YB-01A	270		PLA-XTJ-03A	277	0925	TOR-YAL-01A	279	0953	TOR-XCG-03A	283
	PLA-XBC-02A	273	0898	PLA-XBC-02A	273,274	0926	TOR-YAL-01A	279	0954	TOR-XCG-03A	283
	PLA-XTJ-03A	275	0899	PLA-XBC-02A	273		TOR-XCG-03A	282	0955	TOR-XCG-03A	283
0879	PLA-YB-01A	270	0900	PLA-XBC-02A	273	0927	TOR-YAL-01A	279	0956	TOR-XCG-03A	283
	PLA-XBC-02A	273,274	0901	PLA-XBC-02A	273	0928	TOR-YAL-01A	279	0957	TOR-YAL-01A	279
	PLA-XTJ-03A	276		PLA-XTJ-03A	275		TOR-YBC-02A	280	0958	TOR-YAL-01A	279
0880	PLA-YB-01A	270	0902	PLA-XBC-02A	273	0929	TOR-YAL-01A	279	0959	TOR-XCG-03A	282
	PLA-XTJ-03A	276		PLA-YB-04A	278		TOR-YBC-02A	280	0960	SFJ-XM-01A	284
0881	PLA-YB-01A	270	0903	PLA-XBC-02A	273	0930	TOR-YAL-01A	279		SFJ-XRC-03A	285
	PLA-XTJ-03A	276	0904	PLA-XBC-02A	273	0931	TOR-YAL-01A	279		SFJ-XV-04A	288
0882	PLA-YB-01A	271	0905	PLA-XBC-02A	273	0932	TOR-XCG-03A	283	0961	SFJ-XM-01A	284
	PLA-XTJ-03A	275,277	0906	PLA-XBC-02A	274	0933	TOR-YAL-01A	279	0962	SFJ-XM-01A	284
0883	PLA-YB-01A	271	0907	PLA-XBC-02A	274	0933	TOR-YBC-02A	280		SFJ-XRC-03A	285
	PLA-XBC-02A	274	0908	PLA-XBC-02A	274		TOR-XCG-03A	281		SFJ-XV-04A	288
	PLA-XTJ-03A	275	0909	PLA-XBC-02A	274	0934	TOR-YBC-02A	280		SFJ-XR-05A	290
0884	PLA-YB-01A	271	0910	PLA-XBC-02A	274	0935	TOR-YBC-02A	280	0963	SFJ-XM-01A	284
	PLA-XBC-02A	274	0911	PLA-XBC-02A	274	0936	TOR-YBC-02A	280	0964	SFJ-XM-01A	284
0885	PLA-YB-01A	271	0912	PLA-XBC-02A	274	0937	TOR-YBC-02A	280	0965	SFG-XM-01A	284
	PLA-XBC-02A	274		PLA-XTJ-03A	275,277		TOR-XCG-03A	281		SFJ-XRC-03A	286
	PLA-XTJ-03A	275	0913	PLA-XBC-02A	274	0938	TOR-YBC-02A	280	0966	SFJ-XM-01A	284
0886	PLA-YB-01A	271		PLA-XTJ-03A	275		TOR-XCG-03A	281		SFJ-XV-02A	284
	PLA-XBC-02A	274	0914	PLA-XBC-02A	274	0939	TOR-YBC-02A	280		SFJ-XRC-03A	286
	PLA-XTJ-03A	275	0915	PLA-XBC-02A	275		TOR-XCG-03A	281		SFJ-XV-04A	288
	PLA-XBC-02A	271,274	0916	PLA-XTA-03A	275		TOR-XCG-03A	281		SFJ-XR-05A	290
0887	PLA-XTJ-03A	277	0917	PLA-XTJ-03A	275,277	0940	TOR-YBC-02A	281	0967	SFJ-XM-01A	284
0888	PLA-XBC-02A	272		PLA-YB-04A	278	0942	TOR-YBC-02A	281		SFJ-XV-02A	285
0889	PLA-XBC-02A	272	0918	PLA-XTJ-03A	275	0943	TOR-YBC-02A	281		SFJ-XRC-03A	286,289
0890	PLA-XBC-02A	272	0919	PLA-XTJ-04A	278	0944	TOR-XCG-03A	282		SFJ-XV-04A	289
0891	PLA-XBC-02A	272	0920	TOR-YAL-01A	278	0945	TOR-XCG-03A	282	0968	SFJ-XM-01A	284
0892	PLA-XBC-02A	272	0921	TOR-YAL-01A	278	0946	TOR-XCG-03A	282		SFJ-XRC-03A	286,287
	PLA-XTJ-03A	275		TOR-XCG-03A	281,282	0947	TOR-XCG-03A	282		SFJ-XV-04A	288
0893	PLA-XBC-02A	272	0922	TOR-YAL-01A	278	0948	TOR-XCG-03A	282		SFJ-XR-05A	290
0894	PLA-XBC-02A	272		TOR-XCG-03A	282	0949	TOR-XCG-03A	282	0969	SFJ-XM-01A	284
	PLA-XTJ-03A	275	0923	TOR-YAL-01A	279	0950	TOR-XCG-03A	282		SFJ-XRC-03A	287

Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes
0970	SFJ-XM-01A SFJ-XRC-03A	284 287	0987	SFJ-XRC-03A SFJ-XV-04A	285 288	1110	SFJ-XRC-03A	288	1036	VIV-XRP-01A	292
0971	SFJ-XM-01A SFJ-XRC-03A	284 287	0988	SFJ-XR-05A SFJ-XRC-03A	290 285	1012	SFJ-XV-04A	288,289	1037	VIV-XCS-03A VIV-XMS-04A	296 297,298 292,293
0972	SFJ-XM-01A SFJ-XRC-03A	284 287	0989	SFJ-XR-05A SFJ-XRC-03A	290 285	1013	SFJ-XV-05A	291	1038	VIV-XCS-03A	296
0973	SFJ-XV-02A SFJ-XV-04A	284 289	0990	SFJ-XRC-03A SFJ-XV-04A	288 286	1014	SFJ-XV-04A	288	1039	VIV-XRP-01A	292
0974	SFJ-XV-02A SFJ-XR-05A	284 290	0991	SFJ-XRC-03A SFJ-XV-04A	286 288	1015	SFJ-XR-05A	290		VIV-XMM-02A	295
0975	SFJ-XV-02A SFJ-XV-04A	284 288	0992	SFJ-XR-05A SFJ-XRC-03A	288 286	1016	SFJ-XR-05A	290	1040	VIV-XRP-01A	292
0976	SFJ-XR-05A SFJ-XRC-03A	290 284	0993	SFJ-XR-05A SFJ-XRC-03A	288 286	1017	SFJ-XR-05A	290		VIV-XCS-03A	296
0977	SFJ-XRC-03A SFJ-XRC-03A	287 285,286	0994	SFJ-XV-04A SFJ-XRC-03A	286 286	1018	SFJ-XR-05A	290	1041	VIV-XRP-01A	292
0978	SFJ-XR-05A SFJ-XRC-03A	289 285	0995	SFJ-XRC-03A SFJ-XRC-03A	286 286,287	1019	SFJ-XR-05A	290	1042	VIV-XRP-01A	292,293,294
0979	SFJ-XR-05A SFJ-XRC-03A	289 285	0996	SFJ-XRC-03A SFJ-XV-04A	286 288	1020	SFJ-XR-05A	290		VIV-YMM-02A	295
0980	SFJ-XR-05A SFJ-XRC-03A	290 285	0997	SFJ-XR-05A SFJ-XRC-03A	286 288	1021	SFJ-XR-05A	290	1043	VIV-XMS-04A	297,299
0981	SFJ-XV-04A SFJ-XRC-03A	288 285	0998	SFJ-XRC-03A SFJ-XV-04A	286 288	1022	SFJ-XR-05A	290		VIV-XRP-01A	292,293,294
0982	SFJ-XV-04A SFJ-XRC-03A	288 285	0999	SFJ-XRC-03A SFJ-XV-04A	286 288	1023	SFJ-XR-05A	290	1044	VIV-XRP-01A	293
0983	PIC-YGC-01A PIC-YRA-02A	150,154 156	1000	SFJ-XRC-03A SFJ-XRC-03A	286 286	1024	SFJ-XR-05A	290		VIV-XCS-03A	296
0984	PIC-YGC-01A PIC-YRA-02A	150 158	1001	SFJ-XRC-03A SFJ-XRC-03A	286 286	1025	SFJ-XR-05A	290	1045	VIV-XMS-04A	298
0985	PIC-YRA-02A PIC-YTA-01A	161 151	1002	SFJ-XRC-03A SFJ-XRC-03A	286 286	1026	SFJ-XR-05A	290		VIV-XRP-01A	293,294
0986			1003	SFJ-XRC-03A SFJ-XRC-03A	286 287	1027	SFJ-XR-05A	292	1046	VIV-YMM-02A	295
			1004	SFJ-XRC-03A SFJ-XRC-03A	287 287	1028	SFJ-XR-05A	292		VIV-XRP-01A	293,294
			1005	SFJ-XRC-03A SFJ-XV-04A	287 288	1029	SFJ-XR-05A	292		VIV-YMM-02A	295
			1006	SFJ-XRC-03A SFJ-XR-05A	287 290,291	1030	SFJ-XR-05A	292		VIV-XMS-04A	298
			1007	SFJ-XRC-03A SFJ-XV-04A	287 289	1031	SFJ-XR-05A	292	1047	VIV-XRP-01A	293,294
			1008	SFJ-XRC-03A SFJ-XR-05A	287 291	1032	SFJ-XR-05A	292		VIV-YMM-02A	295
			1009	SFJ-XRC-03A SFJ-XRC-03A	287 287	1033	SFJ-XR-05A	292	1048	VIV-XMS-04A	298
						1034	SFJ-XR-05A	292,293		VIV-XRP-01A	293
								295		VIV-XCS-03A	296
								296	1049	VIV-XRP-01A	293
								297,298	1050	VIV-XRP-01A	293
								292		VIV-XMS-04A	298
								299	1051	VIV-XRP-01A	293
									1052	VIV-XMS-04A	298
										VIV-XRP-01A	293

Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes
1053	VIV-XRP-01A VIV-YMM-02A VIV-XCS-03A	293 295 296	1070 1071 1072	VIV-XCS-03A VIV-XCS-03A VIV-XMS-04A	296 296 297,298	1091	ILO-XBC-01A ILO-XCC-02A	301 307	1104	ILO-XBC-01A ILO-XCC-02A	302,305 307,309
1054	VIV-XRP-01A VIV-YMM-02A VIV-XMS-04A	293 295 299	1073 1074 1075	VIV-XMS-04A VIV-XMS-04A VIV-XMS-04A	298 298 299	1092	ILO-XGR-04A ILO-XBC-01A ILO-XCB-03A	300,301 309 312	1105	ILO-XCI-05A ILO-XBC-01A ILO-XCC-02A	313 302,305 307,309
1055	VIV-XRP-01A VIV-XMS-04A VIV-XRP-01A	293 298 293	1076 1077	VIV-XMS-04A VIV-XMS-04B	299 299	1093	ILO-XBC-01A ILO-XCC-02A	301	1106	ILO-XCI-05A ILO-XBC-01A	311 313 302
1056	VIV-XRP-01A VIV-XCS-03A VIV-XMS-04A	293 296 298	1078 1079	VIV-XMS-04A VIV-XMS-04A	299 299	1094	ILO-XBC-01A ILO-XCC-02A	301	307,308	ILO-XCC-02A	307
1057	VIV-XRP-01A VIV-XCS-03A VIV-XMS-04A	293 296 298	1078 1079	VIV-XMS-04A VIV-XMS-04A	299 299	1095	ILO-XCB-03A ILO-XGR-04A	307 309	1107	ILO-XCB-03A ILO-XBC-01A	309 302
1058	VIV-XRP-01A VIV-XRP-01A VIV-XMS-04A	293,294 294 297,299	1080 1081	VIV-XMS-04A ILO-XBC-01A	299 300	1095	ILO-XGR-04A ILO-XBC-01A	312 301	1108	ILO-XCI-05A ILO-XBC-01A	309 313 302
1059	VIV-XRP-01A VIV-XMS-04A VIV-XRP-01A	293,294 294 297	1081 1082	VIV-XMS-04A ILO-XCC-02A	300 306	1096	ILO-XBC-01A ILO-XCB-03A	301 309	1109	ILO-XCC-02A ILO-XCB-03A	307 309
1060	VIV-XRP-01A VIV-XCS-03A VIV-XMS-04A	294 297 298,299	1082	ILO-XCB-03A ILO-XGR-04A	309 311	1097	ILO-XBC-01A ILO-XCC-02A	301 307	1110	ILO-XCI-05A ILO-XBC-01A	313 302,305
1061	VIV-XRP-01A VIV-YMM-02A VIV-XMS-04B	294 295 299	1083	ILO-XCB-03A ILO-XGR-04A	306 309	1098	ILO-XGR-04A ILO-XBC-01A	312 301	1111	ILO-XCC-02A ILO-XCB-03A	307,309 309
1062	VIV-XRP-01A VIV-XRP-01A VIV-YMM-02A	294 294 295	1083	ILO-XBC-01A ILO-XCC-02A	300 306	1099	ILO-XBC-01A ILO-XCC-02A	301 312	1111	ILO-XBC-01A ILO-XCB-03A	302,305 307 309
1063	VIV-XRP-01A VIV-YMM-02A VIV-XMS-04A	294 295 299	1084	ILO-XGR-04A ILO-XBC-01A	312 300	1100	ILO-XCC-02A ILO-XBC-01A	312 301	1111	ILO-XCB-03A ILO-XCC-02A	302,304 307
1064	VIV-XRP-01A VIV-XMS-04A VIV-XRP-01A	294 299 294	1085	ILO-XCC-02A ILO-XBC-01A	306 300	1100	ILO-XBC-01A ILO-XCC-02A	301 307	1111	ILO-XCC-02A ILO-XCB-03A	307 309
1065	VIV-XRP-01A VIV-XMS-04A VIV-XRP-01A	294 299 294	1085 1086	ILO-XBC-01A ILO-XBC-01A	300 300	1101	ILO-XCC-02A ILO-XGR-04A	309 312	1112	ILO-XCI-05A ILO-XBC-01A	313 303
1066	VIV-XRP-01A VIV-XMS-04A VIV-XRP-01A	294 299 294	1087 1088	ILO-XBC-01A ILO-XBC-01A	301 301	1102	ILO-XBC-01A ILO-XCC-02A	301 307	1113	ILO-XCC-02A ILO-XCI-05A	307 313
1067	VIV-XRP-01A VIV-YMM-02A VIV-YMM-02A	294 295 298	1088 1089	ILO-XCC-02A ILO-XCB-03A	307 309	1103	ILO-XBC-01A ILO-XGR-04A	307 312	1114	ILO-XBC-01A ILO-XCC-02A	303 307
1068	VIV-XRP-01A VIV-XMS-04A VIV-YMM-02A	294 295 298	1089 1090	ILO-XCB-03A ILO-XBC-01A	312 301	1103	ILO-XGR-04A ILO-XBC-01A	309 302	1114	ILO-XBC-01A ILO-XCC-02A	303 307
1069	VIV-XRP-01A VIV-YMM-02A VIV-XCS-03A	295 295 297	1090	ILO-XBC-01A ILO-XCC-02A	301 307	1103	ILO-XBC-01A ILO-XGR-04A	301 312	1114	ILO-XCC-02A ILO-XCB-03A	307 310

Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes
1115	ILO-XBC-01A	303	1129	ILO-XBC-01A	304	1150	ILO-XCC-02A	309	1180	XIX-XU-01A	315
	ILO-XCC-02A	307		ILO-XCB-03A	310	1151	ILO-XCC-02A	309	1181	XIX-XU-01A	315
	ILO-XCB-03A	310	1130	ILO-XBC-01A	304	1152	ILO-XCC-02A	309		XIX-XTC-02A	322
	ILO-XCA-05A	313		ILO-XCC-02A	308	1153	ILO-XCC-02A	310	1182	XIX-XU-01A	316
1116	ILO-XBC-01A	303,304	1131	ILO-XBC-01A	305	1154	ILO-XCB-03A	310		XIX-XTC-02A	322
	ILO-XCC-02A	307,308		ILO-XGR-04A	311	1155	ILO-XCB-03A	311	1183	XIX-XU-01A	316,318
	ILO-XCB-03A	310	1132	ILO-XBC-01A	305	1156	ILO-XCB-03A	312		XIX-XTC-02A	323
1117	ILO-XBC-01A	303,305		ILO-XCC-02A	308	1157	ILO-XGR-04A	312	1184	XIX-XU-01A	316,318
	ILO-XCC-02A	307		ILO-XCB-03A	310	1158	ILO-XCB-03A	311	1185	XIX-XU-01A	316
	ILO-XCB-03A	311		ILO-XGR-04A	312	1159	ILO-XCB-03A	311	1186	XIX-XU-01A	316
	ILO-XCI-05A	313	1133	ILO-XBC-01A	305	1159	ILO-XGR-04A	312	1187	XIX-XU-01A	316,319
1118	ILO-XBC-01A	303		ILO-XGR-04A	312	1160	ILO-XGR-04A	312	1188	XIX-XU-01A	316
	ILO-XCI-05A	313	1134	ILO-XBC-01A	305	1161	ILO-XGR-04A	312		XIX-XTC-02A	322
1119	ILO-XBC-01A	303		ILO-XCC-02A	309	1162	ILO-XGR-04A	312	1189	XIX-XU-01A	316
	ILO-XCC-02A	308		ILO-XGR-04A	312		ILO-XCI-05A	313		XIX-XTC-02A	322
	ILO-XCI-05A	313	1135	ILO-XBC-01A	305	1163	XIX-XU-01A	314	1190	XIX-XU-01A	316
1120	ILO-XBC-01A	303		ILO-XCC-02A	309		XIX-XTC-02A	322	1191	XIX-XU-01A	316
	ILO-XCC-02A	307	1136	ILO-XBC-01A	305	1164	XIX-XU-01A	314		XIX-XTC-02A	320
	ILO-XCB-03A	310		ILO-XCC-02A	309	1165	XIX-XU-01A	314	1192	XIX-XU-01A	316,317
1121	ILO-XBC-01A	303,305	1137	ILO-XBC-01A	305	1166	XIX-XU-01A	314		XIX-XTC-02A	322
	ILO-XCC-02A	309		ILO-XCB-03A	311	1167	XIX-XU-01A	314	1193	XIX-XU-01A	317
	ILO-XCB-03A	310	1138	ILO-XBC-01A	305	1168	XIX-XU-01A	314,317		XIX-XTC-02A	322
1122	ILO-XBC-01A	303,305	1139	ILO-XCC-02A	306	1169	XIX-XU-01A	314	1194	XIX-XU-01A	317
	ILO-XCB-03A	310	1140	ILO-XCC-02A	306	1170	XIX-XU-01A	320	1195	XIX-XU-01A	317
1123	ILO-XBC-01A	303	1141	ILO-XCC-02A	307		XIX-XTC-02A	314	1196	XIX-XU-01A	317
	ILO-XCC-02A	308	1142	ILO-XLL-02A	307	1171	XIX-XU-01A	314	1197	XIX-XU-01A	317
1124	ILO-XBC-01A	304		ILO-XCB-03A	309	1172	XIX-XU-01A	315		XIX-XTC-02A	322
	ILO-XCC-02A	307	1143	ILO-XCC-02A	307		XIX-XTC-02A	321	1198	XIX-XU-01A	317
	ILO-XCB-03A	310	1144	ILO-XCC-02A	307	1173	XIX-XU-01A	315,316,317		XIX-XTC-02A	321,322
1125	ILO-XBC-01A	304		ILO-XCB-03A	310	1174	XIX-XU-01A	315	1199	XIX-XU-01A	317,318
	ILO-XCB-03A	310	1145	ILO-XCC-02A	307,308	1175	XIX-XU-01A	315		XIX-XTC-02A	322,323
1126	ILO-XBC-01A	304		ILO-XCA-05A	313	1176	XIX-XU-01A	315	1200	XIX-XU-01A	317
	ILO-XCB-03A	310	1146	ILO-XCC-02A	307		XIX-XTC-02A	322	1201	XIX-XU-01A	317
1127	ILO-XBC-01A	304	1147	ILO-XCC-02A	308	1177	XIX-XU-01A	315,316	1203	XIX-XU-01A	317
	ILO-XGR-04A	312	1148	ILO-XCC-02A	308		XIX-XTC-02A	322		XIX-XTC-02A	323
	ILO-XCI-05A	313	1149	ILO-XCB-03A	310	1178	XIX-XU-01A	315,316	1204	XIX-XU-01A	317,318
1128	ILO-XBC-01A	304				1179	XIX-XU-01A	315,317	1205	XIX-XU-01A	318,320

Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes
1206	XIX-XU-01A	318	1232	XIX-XU-01A	320	1250	SMT-XCC-01A	324	1262	SMT-XCC-01A	324
1207	XIX-XU-01A	318	1233	XIX-XU-01A	320		SMT-XCV-03A	325		SMT-XCV-03A	328
	XIX-XTC-02A	323	1234	XIX-XU-01A	320		SMT-XPP-04A	330	1263	SMT-XCC-01A	324
1208	XIX-XU-01A	318	1235	XIX-XTC-02A	321		SMT-XCG-05A	335		SMT-XLG-02A	326
	XIX-XTC-02A	323	1236	XIX-XTC-02A	321	1251	SMT-XCC-01A	324		SMT-XCV-03A	329
1209	XIX-XU-01A	318	1237	XIX-XTC-02A	321	1252	SMT-XCC-01A	324		SMT-XPP-04A	331
	XIX-XTC-02A	323	1238	XIX-XTC-02A	322		SMT-XPP-04A	331		SMT-XCG-05A	341
1210	XIX-XU-01A	318,320	1239	XIX-XTC-02A	322		SMT-XCG-05A	339	1264	SMT-XCC-01A	324
	XIX-XTC-02A	323	1240	XIX-XTC-02A	322	1253	SMT-XCC-01A	324		SMT-XLG-02A	326
1211	XIX-XU-01A	318	1241	XIX-XTC-02A	323		SMT-XCG-05A	339		SMT-XPP-04A	332
	XIX-XTC-02A	323	1242	XIX-XTC-02A	323	1254	SMT-XCC-01A	324	1265	SMT-XCC-01A	325
1212	XIX-XU-01A	312	1243	SMT-XCC-01A	324		SMT-XLG-02A	325		SMT-XLG-02A	325
	XIX-XTC-02A	323		SMT-XCV-03A	326		SMT-XCG-05A	338		SMT-XPP-04A	334
1213	XIX-XU-01A	312		SMT-XPP-04A	330	1255	SMT-XCC-01A	324		SMT-XCG-05A	339
	XIX-XTC-02A	323		SMT-XCG-05A	336		SMT-XCV-03A	327	1266	SMT-XCC-01A	325
1214	XIX-XU-01A	318	1244	SMT-XCC-01A	324		SMT-XCG-05A	338		SMT-XLG-02A	326
1215	XIX-XU-01A	318		SMT-XCV-03A	326	1256	SMT-XCC-01A	324		SMT-XCV-03A	327
1216	XIX-XU-01A	316		SMT-XCG-05A	335,336		SMT-XLG-02A	325		SMT-XPP-04A	334
	XIX-XTC-02A	322	1245	SMT-XCC-01A	324		SMT-XCV-03A	327	1267	SMT-XCC-01A	324
1217	XIX-XU-01A	318		SMT-XCV-03A	327		SMT-XPP-04A	332		SMT-XPP-04A	330
1218	XIX-XU-01A	318,320		SMT-XPP-04A	330		SMT-XCG-05A	339		SMT-XCG-05A	335
1219	XIX-XU-01A	318,320		SMT-XCG-05A	335,336	1257	SMT-XCC-01A	324	1268	SMT-XLG-02A	325
1220	XIX-XU-01A	318	1246	SMT-XCC-01A	324		SMT-XLG-02A	325	1269	SMT-XLG-02A	325
1221	XIX-XU-01A	318,319		SMT-XCV-03A	326		SMT-XCV-03A	327,329		SMT-XCG-05A	336,337
1222	XIX-XU-01A	318		SMT-XPP-04A	330		SMT-XCG-05A	339	1270	SMT-XLG-02A	325
1223	XIX-XU-01A	319		SMT-XCG-05A	336	1258	SMT-XCC-01A	324		SMT-XPP-04A	330
1224	XIX-XU-01A	319	1247	SMT-XCC-01A	324		SMT-XCV-03A	328,329		SMT-XCG-05A	335,336,337
	XIX-XTC-02A	323		SMT-XCG-05A	336		SMT-XCC-01A	339,340	1271	SMT-XLG-02A	325
1225	XIX-XU-01A	319	1248	SMT-XCV-03A	324	1259	SMT-XCG-05A	324		SMT-XCV-03A	327
	XIX-XTC-02A	323		SMT-XCC-01A	336		SMT-XCC-01A	325		SMT-XCG-05A	335,337
1226	XIX-XU-01A	319	1249	SMT-XCV-03A	330		SMT-XLG-02A	331	1272	SMT-XLG-02A	325
1227	XIX-XU-01A	320		SMT-XPP-04A	324	1260	SMT-XCG-05A	339	1273	SMT-XLG-02A	325
1228	XIX-XU-01A	320		SMT-XCC-01A	325		SMT-XCC-01A	324		SMT-XCG-05A	335
1229	XIX-XU-01A	320		SMT-XCV-03A	330	1261	SMT-XCG-05A	341	1274	SMT-XIG-02A	325
1230	XIX-XU-01A	320		SMT-XPP-04A	335		SMT-XCC-01A	324		SMT-XCV-03A	327
	XIX-XTC-02A	323		SMT-XCG-05A			SMT-XCC-01A	326		SMT-XPP-04A	330
1231	XIX-XU-01A	320		SMT-XCG-05A			SMT-XLG-02A	340		SMT-XCG-05A	335

Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes	Act	Witnesses	Notes
1275	SMT-XLG-02A	325	1299	SMT-XPP-04A	333	1325	SJN-XM-02A	342	1350	UCP-YAG-02C	347
1276	SMT-XLG-02A	325	1300	SMT-XPP-04A	333		SJN-XPC-05A	344		UCP-XPG-04C	349
	SMT-XPP-04A	330	1301	SMT-XPP-04A	334		SJN-YP-06A	345	1351	UCP-YAG-02C	347
	SMT-XCG-05A	335	1302	SMT-XCG-05A	334	1326	SJN-XM-02A	342	1352	UCP-YAG-02C	347
1277	SMT-XLG-02A	325		SMT-XPP-04A	340	1327	SJN-XM-02A	342		UCP-XPG-04C	349
	SMT-XPP-04A	330	1303	SMT-XPP-04A	334		SJN-YP-03A	343	1353	UCP-YAG-02C	347
1278	SMT-XLG-02A	325	1304	SMT-XCG-05A	334	1328	SJN-XM-02A	342		UCP-XGG-03C	348
	SMT-XPP-04A	331	1305	SMT-XCG-05A	335	1329	SJN-YP-03A	343	1354	UCP-YAG-02C	347
1279	SMT-XLG-02A	325	1306	SMT-XCG-05A	335		SJN-YP-05A	343		UCP-XGG-03C	348
	SMT-XCV-03A	327	1307	SMT-XCG-05A	335,337	1330	SJN-YP-03A	343		UCP-XPG-04C	349
	SMT-XPP-04A	332	1308	SMT-XCG-05A	335		SJN-YP-06A	344	1355	UCP-YAG-02C	347
1280	SMT-XLG-02A	326	1309	SMT-XCG-05A	338	1331	SJN-YP-03A	343		UCP-XGG-03C	348
1281	SMT-XLG-02A	326	1310	SMT-XCG-05A	338	1332	SJN-YP-03A	343	1356	UCP-YAG-02C	347
	SMT-XPP-04A	332,333	1311	SMT-XCG-05A	338	1333	SJN-YP-05A	343	1357	UCP-YAG-02C	347
1282	SMT-XLG-02A	326	1312	SJN-XEC-01A	340	1334	SJN-YP-05A	343	1358	UCP-YAG-02C	347
	SMT-XPP-04A	334	1313	SJN-XEC-01A	342	1335	SJN-YP-05A	343		UCP-XGG-03C	348
	SMT-XCG-05A	339	1314	SJN-XEC-01A	342	1336	SJN-YP-05A	343	1359	UCP-YAG-02C	347
1283	SMT-XLG-02A	326	1315	SJN-XEC-01A	342	1337	SJN-YP-04A	343		UCP-XGG-03C	348
1284	SMT-XCV-03A	326	1316	SJN-XEC-01A	342	1338	SJN-YP-05A	343	1360	UCP-YAG-02C	347
	SMT-XCG-05A	336		SJN-XM-02A	342	1339	SJN-YP-05A	344	1361	UCP-YAG-02C	347
1285	SMT-XCV-03A	327		SJN-YOC-05A	344	1340	SJN-YP-05A	344		UCP-YAG-03C	348
1286	SMT-XCV-03A	329	1317	SJN-XEC-01A	342	1341	SJN-YP-05A	344	1362	UCP-YAG-02C	347
1287	SMT-XCV-03A	329		SJN-XM-02A	344	1342	SJN-YP-05A	344	1363	UCP-YAG-02C	347
1288	SMT-XCV-03A	329	1318	SJN-XEC-01A	344	1343	SJN-YP-06A	345		UCP-XGG-03C	348
1289	SMT-XCV-03A	329		SJN-YP-06A	342	1344	SJN-YP-06A	346	1364	UCP-YAG-02C	347
1290	SMT-XCV-03A	329	1319	SJN-XEC-01A	346	1345	SJN-YP-06A	346		Falla, <i>Se/vid</i>	38
1291	SMT-XCV-03A	330		SJN-YP-05A	342	1346	SJN-YP-06A	346	1365	UCP-YAG-02C	347
1292	SMT-XPP-04A	336		SJN-YP-06A	344		SJN-XP-03A	342		UCP-XFJ-07C	351
	SMT-XCG-05A	336	1320	SJN-XEC-01A	344	1347	UCP-XRA-01C	347	1366	UCP-YAG-02C	347
1293	SMT-XPP-04A	332	1321	SJN-XEC-01A	342		UCP-XGG-03C	348		UCP-XFJ-07C	351
	SMT-XCG-05A	341		SJN-XM-02A	342		UCP-XPG-04C	349	1367	UCP-YAG-02C	347
1294	SMT-XPP-04A	332,334		SJN-YP-06A	342		UCP-YVB-05C	350		UCP-XGG-03C	348
1295	SMT-XPP-04A	332		SJN-XM-02A	345		UCP-XRV-09C	352		UCP-YVB-05C	350
1296	SMT-XCV-03A	328	1322	SJN-XM-02A	342	1348	UCP-XRA-01C	347		UCP-YFJ-07C	351
1297	SMT-XPP-04A	332	1323	SJN-XM-02A	342	1349	UCP-XAG-02C	347	1368	UCP-XAG-02C	347
1298	SMT-XPP-04A	332		SJN-YP-03A	343		UCP-XGG-03C	348	1369	UCP-XAG-02C	347
	SMT-XCG-05A	340	1324	SJN-XM-02A	342		UCP-XPG-04C	349			

Endnotes

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