

PUBLIC ANTHROPOLOGY

Dialogical Interview

Sí Hubo Genocidio: Anthropologists and the Genocide Trial of Guatemala's Ríos Montt

Angela Stuesse

University of South Florida

with

Beatriz Manz (University of California, Berkeley), Elizabeth Oglesby (University of Arizona), Krisjon Olson (University of Washington), Victoria Sanford (City University of New York), Clyde Collins Snow (Independent forensic anthropology consultant), and Heather Walsh-Haney (Florida Gulf Coast University)

"SÍ HUBO GENOCIDIO," a banner on the back of a Guatemala City bus proclaimed to all who passed on May 14, 2013. *Yes, there was genocide*. Just days before, it had been proven and finally, for the first time, recognized in a Guatemalan court of law. The figure in the banner's image, shouting out the news for all to hear, was a familiar one. With clear, open eyes, hands cupping his mouth to amplify his voice, and wings of an angel, chillingly and artfully rendered through the strategic placement of human scapulae, he had represented the coming to voice of Guatemalan genocide victims for decades.¹ But the image, accompanied by its unflinching text—*yes, there was genocide*—held new meaning amid the immense political reality of the day. For the first time, it radiated justice.

Between 1960 and 1996, Guatemalans endured a 36-year-long internal armed conflict, during which state security forces and paramilitary groups were responsible for the death and disappearance of approximately 200,000 people, the decimation of hundreds of indigenous communities, and the establishment of a climate of terror and impunity that endures into the present.¹ In the nearly two decades since, community members, activists, and their supporters have worked, despite ongoing threats and assassinations, to bring these horrors to light and their perpetrators to justice. On May 10, 2013, this labor bore fruit as José Efraín Ríos Montt, a former military general and de facto president from 1982–83, was judged guilty of orchestrating the massacre of 1,771 Mayan Ixils and the forcible displacement of 29,000, as well as sexual violations and torture (Open Society Justice Initiative 2013). With this monumental court decision, Guatemala became the first country in the world to try and convict its own former head of state for genocide and crimes against humanity.²



Swearing in of anthropologist Beatriz Manz before her testimony in the genocide trial of Guatemala's Ríos Montt. (Photo courtesy of Mary Jo McConahay)

The case against Ríos Montt was made possible by the collaboration of hundreds of individuals whose experience and expertise shed light on the injustices of the past. These included the eyewitnesses and survivors of massacre, torture, and displacement; participants in the exhumation and analysis of victims' remains; experts in the forensic examination of government documents; and others with mastery in the prosecution of genocide and crimes against humanity. Uniquely positioned to contribute in these endeavors, anthropologists of different specializations—sociocultural, biological, and archaeological—have played vital roles in helping to unsilence Guatemala's past. Some, such as the nearly two-dozen anthropologists that make up the Guatemalan Forensic Anthropology Foundation (FAFG), have been central to the exhumation of mass graves, helping to identify victims and analyze their executors' methods and motives. Others have put ethnography to the service of justice, corroborating eyewitness accounts, collecting survivor testimonies, and detailing the effects of genocide, displacement, militarization, and impunity on the fabric of Guatemalan society.

The majority of anthropologists telling these stories of Guatemala's recent past and seeking to use them in the service of greater justice are Guatemalan themselves. Many

are indigenous. Many are survivors of the conflict. Others come from beyond Guatemala and have become deeply invested—as anthropologists often do—in the well-being of their collaborators and in the processes of justice to which they contribute. A handful of those anthropologists most closely connected to the genocide trail of Ríos Montt are based in the United States, and the dialogical interview that follows highlights their experiences and reflections as committed, public intellectuals participating in this landmark case of international consequence.³

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Stuesse: How did you become involved in the study of genocide and in the legal case against Ríos Montt?

Manz: I traveled and conducted research in the Ixil region in March 1983, the location and time period in which the horrific violence and destruction took place. In addition, I went to the Lacandón rain forest of Chiapas, Mexico, in November 1982 to interview and collect testimonies from Guatemalan refugees near the Mexico–Guatemala border. I may have been the only anthropologist to travel to these two locations during this period.

Oglesby: In 2011, the Guatemalan Public Ministry contacted me to write an expert witness report on forced displacement in the Maya-Ixil region. This report was based on fieldwork I did in the Ixil region in the mid-to late 1980s, as a member of the research team of Guatemalan anthropologist Myrna Mack (assassinated in 1990).

Snow: In December 1990, I stopped in Guatemala on my way home from Argentina, where I had spent several years recruiting and training the Argentine Forensic Anthropology Team (EAAF), dedicated to the investigation of the disappearance of thousands of Argentine men, women, and children during the years of Junta rule (1976–83). I was met by Eric Stover, executive director of the American Association for the Advancement of Science's (AAAS) Committee for Scientific Freedom and Responsibility. At the request of a courageous local judge and aided by Eric, I exhumed and identified two victims extrajudicially executed by the Guatemalan military a few years previously. These were the first forensic scientific investigations of the thousands of Ríos Montt's Mayan victims.

In 1991, with support from AAAS, I returned to Guatemala where, with help from the EAAF team, I recruited and trained the early members of the Guatemalan team, who, like the Argentine team, were undergraduate anthropology and medical students. Our operations over the next few years included the exhumation and examination of about 300 Mayan massacre victims from several mass graves in the Guatemalan Highlands. These first few years were

a struggle due to the lack of funding. This changed dramatically in the mid-1990s when Fredy Pecarelli, a Guatemalan-born anthropology student living in New York—where his family had taken refuge during the repression—joined the team. Under his brilliant and inspiring leadership, the little group evolved into the Guatemalan Forensic Anthropology Foundation (FAFG)—the largest forensic anthropological operation in the world. Its personnel consists of anthropologists of all four fields, DNA experts and allied forensic specialists, and clerical staff. Its DNA laboratory is the most advanced in Latin America.

To date, FAFG has recovered close to 30,000 sets of skeletal remains from several hundred mass graves scattered throughout the country and collected many thousands of DNA samples from surviving family victims to facilitate identification. In addition, the circumstances and history of each massacre site is fully documented by oral accounts from survivors and other witnesses.

Sanford: I began investigating Guatemalan massacres in rural Maya communities in 1990. I was the director of research for the Guatemalan Forensic Anthropology Team's report to Commission for Historical Clarification (CEH, or Truth Commission). In 1994, I worked on the exhumation of the July 1982 Guatemalan Army massacre of the village of Plan de Sanchez. The story of this massacre was central to my first book, *Buried Secrets* (2003a). I published *Violencia y Genocidio en Guatemala* (2003b) when Ríos Montt was a presidential candidate in the run-off election. I named him as a genocidaire and provided evidence about the genocide as well as Ríos Montt's command responsibility and intention to commit genocide. In August 2012, I gave expert testimony to the Spanish Tribunal on the Genocide Case against Ríos Montt and other former army officers.

Olson: For me this work began not in Guatemala but in a cramped Slovenian schoolhouse that provided refuge to hundreds of people who had fled the genocide in former Yugoslavia. The Dayton Peace Accords had been signed just a few months before I arrived, and yet peace seemed like a distant prospect from the confines of the refugee camp. It was in the Dijaski Dom camp that I began to question how people continue to live together in the wake of mass killings. These questions have now taken me across the globe, to court hearings in The Hague and massacre sites in rural Rwanda. Yet my greatest debts remain in Guatemala, particularly the Ixil area, where I have spent much of my life over the past 15 years as an anthropologist and activist.

Stuesse: Please tell us more about your contributions to the case.

Oglesby: I participated in the trial as one of a handful of international expert witnesses. My report was included in the documentary evidence, and I appeared in court

to ratify my report and answer questions from both the prosecution and the defense. I was asked to analyze the causes and consequences of the forced displacement of Ixil communities. I discussed the army's "war of extermination" against the Ixils (massacres, scorched earth, massive displacement), as well as the "war of reconstruction" in the Ixil region (persecution of the displaced in the mountains, forced resettlement into model villages, imposition of the civil patrol system, militarization of everyday life, and creation of a new "authorized" Ixil subject). My testimony formed part of the verdict issued on May 10.

Manz: I served as the only international eyewitness and the only social anthropologist to testify against Ríos Montt in Guatemala. Many forensic anthropologists provided crucial, defining evidence, but this may have been the first time a social anthropologist has testified at a genocide trial.

Snow: Today I serve as a consultant to the anthropologists and archaeologists of the Guatemalan Forensic Anthropology Foundation, many of whom provided expert witness testimony in the Ríos Montt trial. I travel to Guatemala several times each year to provide these services.

Walsh-Haney: Through my work with Dr. Victoria Sanford and the Office of the Public Prosecutor (*Ministerio Público*), I document current cases of extrajudicial execution, femicide, and impunity in Guatemala as part of a team that includes a pathologist, odontologist, forensic anthropologist, medicolegal death investigator, cold case detective, forensic photographer, and cultural anthropologist. I was not directly involved with the Ríos Montt case, but the ability of the prosecutor's office to bring our team's contemporary human rights cases to court ties directly to the Ríos Montt trial. The successful prosecution of this genocidaire hobbles the political structures that support impunity.

Olson: I first arrived in Guatemala in 1998 shortly after the murder of Bishop Juan Gerardi, whose assassination before concluding his Recuperation of Historic Memory (REHMI) project, which documented individual testimonies of repression throughout the country, was a sharp reminder of the evasive peace in Guatemala. I was 22 years old when I moved into a small house on the edge of the town of Nebaj in the Ixil area. During my first two years in Guatemala, I worked with the United Nations High Commissioner for Refugees (UNHCR) Action for the Rights of Children project. I had been contracted to work in two-dozen surrounding communities with a team of early childhood educators, rural health workers, and development engineers.

Subsequently, the children and families with whom I worked have participated—with my involvement and through their testimony—in the UN-sponsored truth commission, the Commission for Historical Clarifica-

tion (CEH), and in efforts to prosecute Ríos Montt. Over the years, my role has shifted from collecting testimonies of young people and their families to working alongside local organizations dedicated to ending impunity in the Ixil area, accompanying and documenting more than a dozen exhumations of mass graves in the region, teaching about international law and war crimes trials at the university satellite campus in town, and providing hundreds of workshops in the Ixil area on humanitarian and human rights law.

Stuesse: Why is the Ríos Montt case important?

Snow: After 500 years of American Indian genocide, it is the first conviction!

Sanford: The case is important because there is ample evidence to document: (1) there was a genocide; (2) it was intentional; and (3) Ríos Montt had command responsibility. Additionally, the conviction of Ríos Montt in a domestic court is the first time in history that a domestic court tried and convicted a former head of state for genocide. The genocide conviction along with trials of others responsible are necessary for Guatemalan society to reconcile itself with its own history and break the structures of impunity (begun with the genocide) that continue today.

Oglesby: Yes, within Guatemala, the case is important as a step against impunity, to show that no one is above the law. This is especially important for Mayan communities who have never really believed that the Guatemalan justice system could work for them. The case is also important because it puts under judicial scrutiny the entire logic and strategy of the counterinsurgency, whereas up to now the courts had ruled only in isolated cases. Internationally, the hope is to set a precedent to show that crimes of this magnitude can be tried in domestic courts.

The case also revealed the systematic violence committed against women and girls during the worst years of the counterinsurgency. The judges' verdict put particular emphasis on this aspect, showing that sexual violence was not just a consequence of war but was a weapon of war and a central part of the intention to destroy the ethnic group. This aspect of the case will have broad international ramifications, regardless of what happens to Ríos Montt himself.

Manz: Observers from throughout the world, including many legal scholars and jurists, viewed the trial as very capably organized, and fairly and independently run, and the guilty verdict and 80-year sentence as appropriate. That trial signaled to the world that war criminals can be prosecuted in their own country, which is always preferable. The surviving victims have had a moment to speak, to reveal their heartfelt experiences, and to confront their persecutors. The case is not over but the

historic trial that came to a conclusion pierced the veil of silence over unspeakable crimes.

Stuesse: What are the unique contributions that anthropology can make in documenting human rights abuses and genocide?

Manz: I would repeat my comments in the keynote address at the annual meeting of the Southwestern Anthropological Association [Manz 2013], soon after returning from my Guatemala testimony: “My experience in Guatemala during this period underscored a unique dimension of social anthropology. It is a discipline that allows us to interview, document, record, reflect, analyze, and, above all, observe deeply through participation. It is an approach that allows us to stay in a community, to live among the people, to be engaged, and to experience part of their lives. We experience their joys as well as their pains, their aspirations along with their defeats. But with that deep immersion comes deep responsibility. We chronicle the lives of people, but we also should be willing to speak out accurately and forcefully when necessary. In a very real way, it is not simply our responsibility, it is truly a moral obligation and a requirement to speak out, to inform. Guatemalan anthropologists Ricardo Falla and Myrna Mack called it ‘*antropología comprometida*’ (committed anthropology).” (Manz 2013).

Walsh-Haney: Working within a holistic social science, anthropologists collect and organize the physical evidence of a crime transparently and cohesively by working to determine what occurred before, during, and after the genocide. We work with the individual, as well as group, contracting and expanding the pool of stakeholders until reaching political and judicial truth and redress. These cases highlight the effectiveness of forensic anthropologists, archaeologists, and ethnographers working together to document physical evidence and provide impartial and unbiased expert witness testimony. The FAFG experts meticulously documented the grimmest realities of genocide and testified using a neutral demeanor as put forth by the Minnesota Protocol Subsection C.⁴

Sanford: Given the breadth of our field, anthropologists can offer a qualitative analysis of forensic, ethnographic, and documentary evidence, which helps us to understand what genocide means in lived experience for individuals and communities.

Olson: Anthropology offers a wealth of excellent scholarship on political violence that represents a humble and painful disciplinary quest to witness, document, and understand the armed conflict in Guatemala. It now also examines new ideas and practices emerging in response to the peace process, humanitarian interventions, trials, and the aftermath of genocide. This is important because reconstruction and reconcilia-

tion are not only intimate, domesticated projects. The peace process has moved across national boundaries, mapping new terrain as refugees return from refuge, children engage in a social movement that promotes reconciliation, and the future is reimagined.

Oglesby: As a geographer, I am a “fellow traveler” of anthropology. I have been influenced by anthropology’s insistence on ethnographic fieldwork and its open, grounded epistemology. When I was speaking in front of the judges, I really felt the power of being able to communicate this kind of fieldwork. I felt the judges were alert to an analytical framework that would help them synthesize the testimonies while still honoring those testimonies and letting them breathe—that is, an analysis built from the ground up. I also felt that I told a more incisive story of genocide and militarization because of my training in theories of power, the state, and territorialization, which definitely lingered in the background and shaped my testimony.

Stuesse: Would you like to share any reflections, based on your experience, on the role of the “public anthropologist” in cases of high-impact litigation such as this one?

Sanford: Public anthropologists go where we are asked to go. Much of the work on high-impact cases takes place behind the scenes. The anthropological deployment of confidentiality and discretion to both protect informants as well as to maintain trust are also essential for work on high-impact litigation cases. While in academia we often want to explain every detail, sometimes while working on a case we are not able to do this publicly. At the same time, as public anthropology takes on powerbrokers—or, in the case of genocide, powerful current or former army officials—[these] powerful people are likely to become angry with the position taken by public anthropologists and attack them. Thus, public anthropologists must be able to defend not only the work they do on a particular case but also their very right to do that work.

Olson: Scholars who want to reach a broad public—in writing, speaking, or through activism—face the challenge of exploring anthropological thinking on the spot, negotiating social theories that do not lend themselves to a news cycle reliant on Twitter and Instagram to convey the latest headline. But anthropologists are used to being uncomfortable—it is the nature of the discipline—and so public anthropology is a necessary, if occasionally dangerous, task.

Walsh-Haney: My experience working on high-impact cases in Guatemala has reinforced my belief that by improving evidence collection and juridical processing of cases leading to convictions for homicides past and present, Guatemala can move beyond its current state of impunity and establish rule of law. This is a crucial contribution of public anthropologists.

Oglesby: I came away from this experience convinced of the power of praxis, of theoretically informed fieldwork that can make a difference. But for that to happen, certain conditions have to exist. In my case, I was asked to participate as an expert witness because of my long trajectory of collaboration with human rights–related research in Guatemala, including as a researcher with the Commission for Historical Clarification (CEH, or Truth Commission), in 1997 and 1998. I think we need to be willing to validate this kind of experience within the academy. This should be the core of what we do, not something relegated to the margins.

Manz: As anthropologists we should be engaged, we should have a broader concern beyond tenure and “publish or perish.” That is not too much to expect of us. When there is an unusual moral or ethical dimension to what takes place, we have a particular responsibility to speak out. What would we think of a physician or scientist who declined to intervene in a critical situation? We cannot recuse ourselves. Our colleagues in Guatemala and throughout the world have a lot more to consider and rarely shy away from revealing publicly their findings even when it is dangerous to do so. Myrna Mack used to be stunned at the capacity of U.S. anthropologists to go to Guatemala, “sponge” information, and then leave to lock themselves in a leafy campus somewhere far away, publish and get promoted, guarding carefully not to take any missteps, rarely taking a public stance. Myrna would say: here we “perish if we publish.” Yet she did the most extraordinary and courageous fieldwork, was involved, was committed and published, and then assassinated on September 11, 1990, by the same military institution now on trial.

Stuesse: Do you have any final thoughts on your participation in the trial or on the convoluted legal process still underway in the Ríos Montt case?

Sanford: There was a genocide in Guatemala. It was intentional, and Ríos Montt had command responsibility. The annulment of the conviction by the Constitutional Court on May 21, 2013, indicates the deep roots of impunity and corruption from the past that continue to the present—in this case, in the form of the Constitutional Court.

There is sufficient evidence to indict others responsible for the Guatemalan Genocide, including former General Otto Pérez Molina, the current president of Guatemala.⁵ He is using all the resources at his disposition to attack everyone who raises the issue of a trial. The extreme right is attacking human rights advocates, lawyers, the international community, and, of course, anthropologists who have worked on the case for years. These attacks are designed to silence those seeking justice and intimidate internationals. Our

brave colleagues in Guatemala need our support today, tomorrow, and into the future until they find justice.

Oglesby: It was extremely important to me to honor the work of my murdered colleague, Myrna Mack, as well as to try to honor the people who shared their stories with us in the 1980s. I feel at peace about that even though the verdict was overturned. There is still a permanent record in Guatemala of everything said in the trial, especially the testimonies of the 98 Ixil survivors.

Manz: This trial is a transcendent milestone internationally as well as for Guatemala despite the fact that the entire proceedings may have to be redone. As I have written elsewhere, “In 1633 the Inquisition annuls Galileo’s findings, but Earth still revolves around the sun; in 2013 Guatemala’s Constitutional Court annuls tribunal’s genocide verdict, but Ríos-Montt [is] still guilty.”⁶

NOTES

1. The image, created by Guatemalan photographer Daniel Hernández-Salazar, has been used in processes of memory and street protest over the last 15 years. For more on its role in activism and to view the image and others in its series, see Gonzalez 2012 and Hoelscher 2008.
2. See the country’s two major truth commission reports for more on the Guatemalan Genocide: Comisión para el Esclarecimiento Histórico (1999) and Proyecto Interdiocesano Recuperación de la Memoria Histórica (1998).
3. Ten days after the verdict was announced, Guatemala’s Constitutional Court annulled Ríos Montt’s conviction amid rumors of politics at the highest judicial levels. At the time of this writing, a legal stalemate leaves the fate of this historic case uncertain.
4. I identified interview participants by contacting anthropologists I knew had contributed to the Ríos Montt case and asking them to recommend others. All recommendations received invitations to be interviewed; not all agreed to participate. Therefore, those whose work is highlighted herein do not represent the whole universe of collaborating anthropologists, or even U.S.-based anthropologists, on the case. While I have chosen to focus on the contributions of U.S.-based scholars, I feel strongly that similar efforts should be undertaken to shine a spotlight on the courageous and righteous work of our Guatemalan colleagues. It is the *AA* Public Anthropology Editorial Board’s hope that the newly established *AA* World Anthropology Associate Editor and Editorial Board, whose first contribution appears in this issue, might take up this challenge.
5. For more on the Minnesota Protocol Subsection C, see United Nations 1989.
6. For more on Mr. Pérez Molina’s alleged involvement in the Guatemalan Genocide, see Sanford 2013.
7. Beatriz Manz, as cited on the homepage of the Center for Latin American Studies, University of California, Berkeley (<http://www.clas.berkeley.edu>).

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Essay

Everyday Reconciliation

Ann E. Kingsolver

University of Kentucky

It is ironic that the word *reconciliation* appears routinely in the titles of bills passed by the U.S. Congress having to do with budgetary implementation, given the intense polarization of the dominant political parties. Entrenchment appears to be popular as an end in itself rather than exchange in transnational political discourse as well, with examples ranging from

the Israeli position on Gaza to North Korea’s nuclear stand-off, to the ongoing promotion of international human rights treaties by the U.S. government and its consistent reluctance to sign them. In anthropology, *reconciliation* (the topic on which I have been asked to write this essay) has not been a popular word or practice for some time, in part because of the liberal, Christian, and—some argue—colonial logic it represents. For theoretical and political reasons within the discipline, it is likely that the focus in any discussion of