THE POWER OF MEMORY AND VIOLENCE IN CENTRAL AMERICA

RACHEL HATCHER

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palgrave
macmillan

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Montreal, QC, Canada

ISBN 978-3-319-89784-4 ISBN 978-3-319-89785-1 (eBook)
https://doi.org/10.1007/978-3-319-89785-1

Library of Congress Control Number: 2018939719

Cover credit: Cover photo by author. Ciudad de Guatemala, 4 October 2013
Cover design by: Fatima Jamadar

Printed on acid-free paper

This Palgrave Macmillan imprint is published by the registered company Springer International Publishing AG part of Springer Nature
The registered company address is: Gewerbestrasse 11, 6330 Cham, Switzerland

For Philela Gilwa, killed in the fight for land

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Translations

Asociación de Viudas de Militares y Especialistas del Ejército de Guatemala	Association of Widows of Soldiers and Specialists of the Guatemalan Army
Colectivo Víctimas del Terrorismo El Salvador	Victims of Terrorism Collective—El Salvador
Comisión de la Verdad para El Salvador	Truth Commission for El Salvador
Comisión Interamericana de Derechos Humanos	Inter-American Human Rights Commission
Comisión Interinstitucional de Búsqueda de Niños y Niñas Desaparecidos a Consecuencia del Conflicto Armado en El Salvador	Interinstitutional Search Commission for Boys and Girls Disappeared as a Result of the Armed Conflict in El Salvador
Comisión Nacional de Búsqueda de Niños y Niñas Desaparecidos durante el Conflicto Armado Interno	National Search Commission for Boys and Girls Disappeared during the Internal Armed Conflict
Fundación contra el Terrorismo	Foundation against Terrorism
Fundación Myrna Mack	Myrna Mack Foundation

Instancia Multiinstitucional por la Paz y la Concordia	Multi-institutional Agency for Peace and Harmony
Movimiento por la Dignificación de Militares y Especialistas del Ejército de Guatemala	Movement to Dignify Soldiers and Specialists of the Guatemala Army
Procurador(a) para la Defensa de los Derechos Humanos	Ombudsperson for the Defense of Human Rights
Procurador(a) de Derechos Humanos	Human Rights Ombudsperson
Red Activista de El Salvador	Activist Network of El Salvador

Acronyms

ACI	Alianza contra la Impunidad (Alliance against Impunity)
AHPN	Archivo Histórico de la Policía Nacional (Historical Archive of the National Police)
ARENA	Alianza Republicana Nacionalista (Nationalist Republican Alliance)
ARPAS	Asociación de Radios y Programas Participativos de El Salvador (Association of Radio and Participatory Programs of El Salvador)
ASC	Asamblea de la Sociedad Civil (Civil Society Assembly)
AVANCSO	Asociación para el Avance de las Ciencias Sociales en Guatemala (Association for the Advance of the Social Sciences in Guatemala)
Avemilgua	Asociación de Veteranos Militares de Guatemala (Association of Military Veterans of Guatemala)
BIRI	Batallón de Infantería de Reacción Inmediata (Immediate Reaction Infantry Battalion)
CACIF	Comité Coordinador de Asociaciones Agrícolas, Comerciales, Industriales y Financieras (Coordinating Committee of Agricultural, Commercial, Industrial, and Financial Associations)

CAFCA	Centro de Análisis Forense y Ciencias Aplicadas (Center for Forensic Analysis and Applied Sciences)
CALDH	Centro para la Acción Legal en Derechos Humanos (Center for Legal Action in Human Rights)
CDHES	Comisión de Derechos Humanos de El Salvador (Human Rights Commission of El Salvador)
CEH	Comisión para el Esclarecimiento Histórico (Historical Clarification Commission)
CEPAZ	Asociación Centro de Paz (Center of Peace Association)
CESPAD	Centro de Estudios para la Aplicación del Derecho (Center for the Study of the Application of Law)
CGP	Cámara Guatemalteca de Periodismo (Guatemalan Chamber of Journalism)
CGTC	Central General de Trabajadores de Guatemala (General Confederation of Workers of Guatemala)
CICIG	Comisión Internacional Contra la Impunidad en Guatemala (International Commission Against Impunity in Guatemala)
CIDH	Corte Interamericana de Derechos Humanos (Inter-American Human Rights Court)
CIPED	Asociación Intersectorial para el Desarrollo Económico y el Progreso Social (Intersectoral Association for Economic Development and Social Progress)
CODEFAM	Comité de Familiares de Victimas de Violaciones a los Derechos Humanos "Marianella García Villas" (Committee of Relatives of Victims of Human Rights Violations "Marianella García Villas")
Coena	Consejo Ejecutivo Nacional (National Executive Council)
Co-Madres	Comité de Madres y Familiares de Desaparecidos y Asesinados Políticos de El Salvador "Monseñor Óscar Arnulfo

	Romero" (Committee of Mothers and Relatives of the Disappeared and Political Victims "Monseñor Óscar Arnulfo Romero")
COMAFAC	Comité de Madres y Familiares Cristianos de Presos, Desaparecidos y Asesinados (Christian Committee of Mother and Relatives of Prisoners, the Disappeared, and Assassinated)
Comisión Pro-Memoria Histórica	Comisión de Trabajo en Derechos Humanos Pro-Memoria Histórica de El Salvador (Pro-Historical Memory Human Rights Working Group of El Salvador)
Comité Pro-Monumento	Comité Pro-Monumento a las Víctimas Civiles de Violaciones a los Derechos Humanos (Committee to Build a Monumento to the Civilian Victims of Human Rights Violations)
Conavigua	Coordinadora Nacional de Viudas de Guatemala (National Coordinating Committee of Widows of Guatemala)
Copredeh	Comisión Presidencial Coordinadora de la Política del Ejecutivo en Materia de Derechos Humanos (Presidential Human Rights Commission)
CPDH	Centro para la Promoción de los Derechos Humanos "Madeleine Lagadec" (Center for the Promotion of Human Rights "Madeleine Lagadec")
CPR	Comunidades de Población en Resistencia (Communities of Population in Resistance)
CSJ	Corte Suprema de Justicia (Supreme Court of Justice)
EAAF	Equipo Argentino de Antropología Forense (Argentine Forensic Anthropology Team)
EGP	Ejército Guerrillero de los Pobres (Guerrilla Army of the Poor)
EMP	Estado Mayor Presidencial (Presidential General Staff)
ERP	Ejercito Revolucionario del Pueblo (People's Revolutionary Army)

FAFG	Fundación de Antropología Forense de Guatemala (Forensic Anthropology Foundation of Guatemala)
Famdegua	Asociación de Familiares de Detenidos y Desaparecidos de Guatemala (Association of Family Members of the Detained and Disappeared of Guatemala)
FCN	Frente de Convergencia Nacional (National Convergence Front)
FDNG	Frente Democrático Nueva Guatemala (New Guatemalan Democratic Front)
FENASTRAS	Federación Nacional Sindical de Trabajadores Salvadoreños (National Trade Union Federation of Salvadoran Workers)
FESPAD	Fundación de Estudios para la Aplicación del Derecho (Foundation for the Study of the Application of Law)
FGR	Fiscalía General de la República (Attorney General's Office)
FLACSO	Facultad Latinoamericana de Ciencias Sociales (Latin American Social Sciences Institute)
FMLN	Frente Farabundo Martí para la Liberación Nacional (Farabundo Martí National Liberation Front)
FRG	Frente Republicano Guatemalteco (Guatemalan Republican Front)
GAM	Grupo de Apoyo Mutuo (Mutual Support Group)
GANA	Gran Alianza Nacional (Great National Alliance)
HIJOS	Hijos e Hijas por la Identidad y la Justicia contra el Olvido y el Silencio (Sons and Daughters for Identity and Justice against Forgetting and Silence)
IDHUCA	Instituto de Derechos Humanos de la Universidad Centroamericana "José Simeón Cañas" (Human Rights Institute of the Central American University "José Simeón Cañas")
IEJES	Instituto de Estudios Jurídicos de El Salvador (Institute of Legal Studies of El Salvador)

Las Dignas	Mujeres por la Dignidad y la Vida (Women for Dignity and Life)
MLN	Movimiento de Liberación Nacional (National Liberation Movement)
MP	Ministerio Público (Public Ministry)
MUPI	Museo de la Palabra y la Imagén (Museum of the Word and the Image)
ODHA	Oficina de Derechos Humanos del Arzobispado de Guatemala (Human Rights Office of the Archdiocese of Guatemala)
ONUSAL	Misión de Observadores de las Naciones Unidas en El Salvador (United Nations Observer Mission in El Salvador)
PACs	Patrullas de Autodefensa Civil (Civil Self-defense Patrols)
PAN	Partido de Avanzada Nacional (National Advancement Party)
PCN	Partido de la Conciliación Nacional (National Conciliation Party)
PDDH	Procuraduría para la Defensa de los Derechos Humanos (Ombudsman's Office for the Defense of Human Rights)
PDH	Procuraduría de Derechos Humanos (Human Rights Ombudsman's Office)
PN	Policía Nacional (National Police)
PNC	Policía Nacional Civil (National Civilian Police)
PNR	Programa Nacional de Resarcimiento (National Reparations Program)
PP	Partido Patriota (Patriot Party)
PRI	Partido Republicano Institucional (Institutional Republican Party)
Pro-Búsqueda	Asociación Pro-Búsqueda de Niñas y Niños Desaparecidos (Pro-Search Association of Disappeared Girls and Boys)
Remhi	Proyecto Interdiocesano de Recuperación de la Memoria Histórica (Interdiocesan Project for the Recuperation of Historical Memory)
RN	Resistencia Nacional (National Resistance)

SAAS	Secretaria de Asuntos Administrativos y de Seguridad (Secretariat of Administrative and Security Matters of the President)
SAE	Secretaría de Análisis Estatégico (Secretariat of Strategic Analysis)
Sepaz	Secretaría de la Paz (Secretariat of the Peace)
Tutela Legal	Oficina de Tutela Legal del Arzobispado de San Salvador (Archbishop of San Salvador's Legal Aid Office)
UCA	Universidad Centroamericana "José Simeón Cañas" (Central American University "José Simeón Cañas")
UCN	Unión del Centro Nacional (National Centrist Union)
UDEFEGUA	Unidad de Protección a Defensoras y Defensores de Derechos Humanos (Human Rights Defenders Protection Unit)
UES	Universidad de El Salvador (University of El Salvador)
UNDP	United Nations Development Project
UNE	Unidad Nacional de Espernza (National Unity of Hope)
URNG	Unidad Revolucionaria Nacional Guatemalteca (Guatemalan National Revolutionary Unity)
USAC	Universidad de San Carlos (San Carlos University)

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CHAPTER 1

Introduction: On the *Calle del Olvido*

La 3a Avenida (Third Avenue) funnels traffic north and south through the heart of Guatemala City to its more far-flung zones and suburbs. It is an unexceptional street and bears a striking resemblance to the Second, Fourth, Fifth, Seventh, and other nearby avenues.[1] And like many of these other avenues, and the streets that cross them perpendicularly, la 3a Avenida has another name, one likely to be found in a stroll through Gabriel García Marquéz's Macondo or, closer to home, in the pages of Guatemala's Nobel prize-winning author, Miguel Ángel Asturias' works—the Calle del Olvido. What exactly is being forgotten on the Street of Forgetting is, however, unclear, for few remember or ever knew why it is called that (Fig. 1.1).

The Calle del Olvido is lined with houses, shops, and businesses whose frequently painted walls are little more than blank canvases for street artists and activists armed with paint, stencils, posters, and glue, as well as others who are less artistically or politically minded but have similar tools in their hands. The walls are the ideal space on which to make demands on the government or on society, or for these others to lay claim to territory or leave evidence of their presence. Given the tendency—one that seems to border on obsession—of property and business owners to paint over the words and pictures artists, activists, and gang members[2] leave in their wake, these are more often than not ephemeral; once painted over, they will be little more than a faint memory in the minds of those who saw them, a memory passersby must work to remember as they travel down the Street of Forgetting.

R. Hatcher, *The Power of Memory and Violence in Central America*,
https://doi.org/10.1007/978-3-319-89785-1_1

Fig. 1.1 Photo by author. 1 October 2013

This book is about words—including the ones street artists paint and plaster on city walls—and the power these words possess to be as violent as they are liberating. It is about how discursive scaffoldings are constructed, word by word, and even stone by stone, to dictate how the violent past is talked about in the present. In times of conflict, the power of words is obvious. Repeated declarations that the members of another group are less than human or that their very existence is destroying the nation and "our" way of life are enough to rally one group to do unspeakable things to another. Germany, Rwanda, and Kosovo are clear examples of this. In "post-conflict" settings, including in what I label post-Peace Central America,[3] words remain violent and can perpetuate physical violence. Violence is not limited to bodily harm. Denying or forgetting the repressive past and its many victims also does a great deal of violence to those victims and their relatives. Paul Ricouer made this point quite clearly when he warned that "forgetfulness" risks killing the victims a second time.[4] On the other hand, giving testimony about the past or denouncing what happened can be a life-affirming or even cathartic experience for survivors, relatives, and sometimes even perpetrators (Fig. 1.2).

Carlos Ernesto Cuevas Molina was not given the opportunity to tell his story or denounce what he suffered. Relatives and human rights activists have taken on this task, conducting investigations into the events

Fig. 1.2 Photo by author. 12 December 2013

surrounding his forced disappearance and condemning the state for its responsibility. They have worked to prevent forgetfulness from killing Cuevas Molina twice. Twenty-nine years after he was disappeared, his gaze reminds those traveling along the Street of Forgetting that he existed. He reminds us that he, his partner, Rosario Godoy de Cuevas, their son, and tens of thousands of other Guatemalans and Salvadorans were targeted by each countries' repressive governments and militaries during Cold War-era conflicts that pit those governments and militaries against anyone who fought with either words or weapons to upend these exclusionary and exploitative regimes and usher in more just systems.

Acts of violence, including Cuevas Molina and others' forced disappearance, form the backdrop of this book, while "act[s] of defiance"—as Liepollo Lebohang Pheko described remembering in the South African context[5]—and the instinct of erasure that inspires these acts form the project's core. The focus is on what happens after devastating violence

has torn society apart, on how people in Guatemala and El Salvador have proposed to grapple with, overcome, or work through[6] such violent and divisive pasts. The question is exceedingly important, yet the answer is far from simple. Different societies have responded in different ways over the years. Some opt for trials, others create commissions to investigate the "truth" of the past, and still others simply refuse to address it. Lying behind these more technical questions related to transitional justice mechanisms is the larger question of whether societies with violent histories will remember or forget their pasts. Is memory the best way to achieve the hoped-for goal of "never again," or would oblivion be better? Closely linked to this is the question of what parts of the past will be brought to the forefront and remembered, or pushed to the margins and forgotten. Yet another interrelated question revolves around how the past is talked about in the public sphere.

The book explores the intersection of these questions. This book is in some ways a mnemohistory, as Jan Assmann labeled his exploration of the grand narrative of Western monotheism, and the place of an idolatrous Egypt in that narrative.[7] Like Assmann, I am less concerned with the past as it happened, but with how it is remembered and talked about, how it is recalled and used in the present. I explore the discursive scaffoldings that exist and that determine how contemporary Guatemalans and Salvadorans talk about memory and forgetting and how they frame the usefulness of one or the other in achieving the broad goals of transitional processes, i.e., reconciliation[8] and non-repetition.

The idea of discursive scaffolding draws on William Roseberry and his discussion of (un)common discursive frameworks. Roseberry bases his argument on Antonio Gramsci's understanding of hegemony as struggle, and more specifically as the struggle between elites—most often the state—and subalterns in the political process. Hegemony, Roseberry points out, does not describe subalterns' consent to their position in society, for they do not accept their subordination. Rather, they resist it, and so hegemony refers to the process in which the terms of the relationship between subalterns and the state are negotiated. It relates to "the ways in which the words, images, symbols, forms, organizations, institutions, and movements used by subordinate populations to talk about, understand, confront, accommodate themselves to, or resist their domination are shaped by the process of domination itself."[9]

The hegemonic process, thus, creates neither consent nor a belief system that the state and subalterns both embrace; rather, it works to create

"a common material and meaningful framework for living through, talking about, and acting upon social orders characterized by domination." This framework is partly discursive; it describes the common language that can be used in struggles.[10] Subalterns cannot simply use any vocabulary or type of protest to oppose their subordination; rather, they must use the "languages of domination in order to be registered or heard." In this scheme, the state's discourse becomes the discourse subalterns must use to challenge the status quo.[11] Roseberry concludes that the creation of this kind of common discursive framework is rare.[12] Thus, rather than view it as something that the state has achieved, it is best to see it as something the state hopes to achieve.

I use discursive frameworks to think about how distinct groups of Guatemalans and Salvadorans talk about the past and express their views on remembering and forgetting. I argue that questions about the role of the past in the present have been answered in different ways in the two countries. Members of Guatemala's different sectors—from the most conservative with ties to the perpetrators and economic elite, to the most adamant advocate of exhumations and justice—insist very broadly that the past be remembered so that it never happens again. Promoting the work that memory does to prevent repetition is Guatemala's common discursive framework. This scaffolding shapes and so limits how different groups interact and struggle with each other, always within the context of unequal, but also unstable, social power.

Students of transitional justice processes, and especially of restorative justice,[13] will be familiar with this refrain of never again. While peace processes like Guatemala's are, broadly speaking, oriented toward non-repetition, truth commissions and other more specific transitional justice mechanisms are more particularly rooted in the belief that knowing, and remembering, the long silenced truth about the human rights violations committed during a particular period will prevent repetition, for the now "more knowledgeable citizenry will recognize and resist any sign of return to repressive rule."[14]

Importantly, and counter to Roseberry, it is non-state actors who have to a large extent determined how the past is framed in Guatemala. Insisting on the importance of memory in preventing repetition is the discourse of the country's two truth/historical commissions and the domestic, and international, human rights community. Though commissioners and leaders of the human rights community can be considered elite because of their above average knowledge of how the state

operates and their greater access to the international community and its funding opportunities, they are also certainly subalterns in terms of their domestic economic and political influence. Conservatives and those with an agenda counter to the human rights community's must use the human rights community's discourse to oppose that sector's message and work. Thus, instead of openly declaring that Guatemalans must forget to prevent repetition and to ensure reconciliation, conservatives repeat the human rights community's call for memory. Yet they do so in such a way that, if the meaning is interrogated, if the surface discourse is peeled back, it becomes clear that they are, in fact, celebrating a sweeping, and deliberate, forgetting. When conservatives speak of the importance of amnesty, of *perdón* (pardon or forgiveness), and indeed of reconciliation itself, the human rights community understands these words, as synonyms for forgetting. Indeed, when conservatives call for *perdón* or reconciliation, the human rights community reminds Guatemalans quite loudly that far from forgetting the conflict, it must be remembered.

El Salvador's public conversations about the war are not limited by a common discursive framework. Instead, conservatives and the human rights community each have their own discursive scaffoldings that compete against each other in the public sphere. In this, conservatives have the upper hand because the mainstream media and political, social, and economic elite support the conservative agenda and so work to make conservatives' framework for talking about the past common. In terms of the place of the past in the present, conservatives, led by members of the Alianza Republicana Nacionalista (ARENA, Nationalist Republican Alliance), have come to settle on a discourse rooted in the benefits of forgetting; they have loudly and repeatedly celebrated the work forgetting does to achieve reconciliation and non-repetition. They believe this forgetting will be achieved via amnesty. The human rights community, on the other hand, sees forgetting as doing little more than promoting impunity and facilitating repetition. They insist that only truth will prevent repetition, much as the language of transitional justice dictates. This truth-centered discourse is El Salvador's counterdiscourse, one that refuses to let conservatives' dominant discourse of forgetting be the only option heard in the public sphere. Thus, El Salvador's discussions about the past are characterized by what might be called an uncommon discursive framework.

Tangled up with Guatemala and El Salvador's common and uncommon discursive frameworks are what Steve Stern called emblematic memory. Emblematic memory selects which memories will be included in a society's collective memory and what significance these memories will have. Stern explains that "Memory is the meaning we attach to experience, not simply recall of the events and emotions of that experience."[15] Importantly, though it is an invention, this memory scaffolding cannot simply be erected and shaped on a whim but must speak to and reflect lived experiences and events. These lived experiences and events most often are instances of societal rupture or trauma, moments that prove to be turning points in history and are understood as foundational.[16] Certainly Guatemala and El Salvador's long and violent conflicts, and the peace accords that ended them, fit into this category.

Emblematic memory acts as a blueprint for a society's understanding of itself and its history. As it sorts memories into important and unimportant, into accepted and rejected, into remembered and forgotten, emblematic memory necessarily dictates what will be silenced, what will be pushed to the background and subordinated to the dominant group's narrative of the past. After all, as Stern writes, the "making of memory" is also the "making of silence."[17]

Silence, especially in relation to telling a story or narrating the past, deserves a brief aside here. In *Memory, History, Forgetting*, Paul Ricoeur argues that in deciding how to tell a story, "one can always recount differently, by eliminating, by shifting the emphasis, by recasting the protagonists of the action in a different light along with the outlines of the action."[18] Michel-Rolph Trouillot sees history not merely as "what happened" but also "what is said to have happened."[19] He points out that "bundles of silences"[20] exist in the stories we tell about the past. These silences are created at four distinct moments of historical production: at the moment of fact creation, at the moment of fact assembly, at the moment of fact retrieval, and at the moment of retrospective significance. None of these moments are "natural" or "neutral." Rather, including and excluding information are active, complementary processes, for the presence of some information requires the absence of other information.[21] It is clear that narratives are produced by frameworks like the ones Roseberry and Stern discuss that limit what can be and is remembered according to group membership. Importantly, these narratives also reproduce those frameworks and their limits.

Returning to emblematic memory, Stern identified four emblematic memories in post-Pinochet Chile, each embraced by a different group. These emblematic memories determine how Augosto Pinochet and the gross human rights violations committed during his dictatorship are remembered and understood: memory as salvation, memory as unresolved rupture, memory as persecution and awakening, and memory as a closed box. All of these emblematic memories silence certain aspects of the past in accordance with a particular interpretive framework. Without a doubt, similar, though not identical, emblematic memories exist in both Guatemala and El Salvador. For example, there are certainly many who see the 1954 coup in Guatemala that ousted leftist president Jacobo Árbenz, an event that was a precursor to the formation of the first guerrilla movements, as a moment of salvation, just as many conservatives see the 11 September 1973 coup against Salvador Allende, and Pinochet's subsequent rise to power, as salvation.[22] In both cases, the country was rescued from communism. And as in Chile, there are many Salvadorans and Guatemalans who see the violent past as divisive and best forgotten lest it destroy any hope for reconciliation and peace. These individuals seek very consciously to forget the past, to close the box in which a community's memories are stored.[23]

In separate works, Héctor Lindo-Fuentes, Erik Ching, and Rafael Lara-Martínez and Mneesha Gellman explore ways of speaking about the past in twentieth and twenty-first century El Salvador. These can function like discursive frameworks tangled up with emblematic memory. The same is true of Ellen Moodie's incisive explorations of how Salvadorans talk about crime in the post-Peace Accords era. In *Remembering a Massacre in El Salvador*, Lindo-Fuentes, Ching, and Lara-Martínez examine the creation and perpetuation of a class-based understanding of the 1932 massacre, and the related downplaying of indigenous communities' role in mobilization leading up to the massacre. Indeed, they argue that a metanarrative of 1932 rooted in "communist causality" does more than downplay the role of indigenous communities; it works to erase—Stern might say silence—both ethnicity as a determining factor in the "uprising" that preceding the massacre and indigenous leadership in peasant mobilization. This narrative dominated for decades since it was convenient for both those on the right and left, but it is increasingly being challenged by an indigenous-centered understanding of 1932.[24] Gellman's fascinating work on the Nahua in Izalco and Lenca in northern Morazán pushes Lindo-Fuentes,

Ching, and Lara-Martínez's work into the present. In *Democratization and Memories of Violence*, Gellman takes the memory of cultural loss as a result of 1932, though not empirically accurate, as a starting point. She argues that, in Morazán, as in 1932, narratives of the civil war "render originarios [indigenous peoples] invisible by inserting their experiences into class frameworks."[25] Gellman continues, arguing that "the civil war replaced uniquely originario narratives with guerrilla-infused narratives,"[26] which is significant for making identity-based demands on the state in the context of twenty-first century cultural resurgence. In both cases, these alternative/subaltern narratives must break out of the confines of previous class-based frames of understanding 1932, which is perhaps why the Lenca are struggling so much to be heard.

Ching's work, *Stories of Civil War in El Salvador*, is also important to consider for its description of memory communities. Ching poured over dozens of memoires and testimonials, which he views as memory sites, to better understand the struggles over memory that have taken place in El Salvador since the civil war ended in 1992. He identified "four memory communities, each of which advances a distinct and mutually exclusive version of the past."[27] These are the civilian elite, officers, guerrilla commanders, and rank-and-file actors. These different memory communities jockey for dominance in the public sphere, struggling against the others to get their interpretive framework to dominate.

As for Moodie, her study of crime stories, critical code-switching, and democratic disenchantment reveals what happens when a framework of understanding breaks down. With the signing of the Salvadoran Peace Accords, El Salvador entered into an era of peace, but it did not feel that way. Crime was rampant. During the war, crime had been political, and people (thought they) knew how to avoid it—by not becoming involved in politics. In the post-Peace era, from the point of view of the state, crime could no longer be political; it could no longer be critical because the country had entered a new, non-violent era. Rather, "All crime was noncritical, in the three senses of the term—the state was not in jeopardy, the action did not challenge the state, and indeed the crime hardly had the weight of a critical event."[28] All crime, therefore, became common. Moodie adds that declarations that things are worse than the war is a rejection of the state's efforts to frame the peace as successful by re-framing crime as common. In this sense, the state has to some extent been able to establish a common discursive framework; rather than loudly affirming

that crime is political, those who oppose the state's view that El Salvador is at peace instead speak of the sheer volume of common crime.

Numerous works on Guatemala reveal the existence of similar types frameworks that operated in the past and continue to operate today, meshing together to shape how Guatemalans "live through" and think about, as Roseberry wrote, the past and the present and determine what will be remembered and what will be forgotten. Michelle Bellino's *Youth in Post-war Guatemala* stands out. Bellino conducted ethnographic research in four high schools in Guatemala to investigate not necessarily what students know about the armed conflict, but how what they learn about past injustice shapes their formation as citizens. Importantly, Guatemalan youth's "historical interpretation" is guided by the adults in their lives, both in school and at home.[29] Like Ching, Bellino identifies two memory communities that "contribute to Guatemala's social and political divisions: one working to make the history of the Conflicto Armado present and the other working to erase it—whether through acts of violence or on the grounds that contemporary violence renders past violence irrelevant."[30] This breakdown certainly resonates with the argument presented in this book. Bellino adds an additional layer of analysis to this by arguing that the four schools she spent time at, each representing four distinct demographic and geographical groups, have distinct, though not necessarily unified, ways of understanding the conflict and the role of memory in the present and future.

Francisco Goldman's *The Art of Political Murder* also bridges discussions of past and present violence in Guatemala and how the state discursively frames them. The book recounts the twists and turns in the investigation into the assassination of monseñor Juan Gerardi who, with his colleagues in the Catholic Church's Proyecto Interdiocesano de Recuperación de la Memoria Histórica (Remhi Project, Interdiocesan Project for the Recuperation of Historical Memory) worked precisely to counter the military's dominant framework of understanding the rural—and indigenous—population as *el enemigo interno*, the internal enemy. For the military, this understanding, justified action against rural communities. On the other hand, prosecutors have used military plans to make this point about *el enemigo interno* to demonstrate, for example, that former de facto head of state Efraín Ríos Montt was responsible for genocide. As in El Salvador, framing the military's targeting of indigenous communities as either politically or racially motivated has an impact on contemporary struggles.

Gerardi was assassinated as a result of the Remhi Project's efforts to re-write the story of the conflict, to re-set the limits of what is deemed to be true and what is false. The investigation into his death revealed not only high level state involvement, but also new frameworks for understanding post-Peace violence, much as Moodie described in El Salvador. Significantly, Goldman reveals the state's attempts to frame the assassination as "common" by naming a criminal band as responsible.[31] This, framing, in turn, helps shed light on the tendency to frame violence in Guatemala as gang related. A discursive framework that places responsibility for crime on youth gangs works not only to criminalize youth, as Deborah Levenson and Bellino make clear, but also to build support for counterproductive *mano dura*, or iron-fisted, anti-crime policies.[32] With high levels of public support for such policies, those who struggle against a dominant framework that depicts gang members as psychopaths, and not as disaffected youth with few opportunities in life, face an uphill battle.

I use Stern's idea of emblematic memory to better understand how, always within particular discursive frameworks, different sectors interpret the same event or series of events (i.e., the conflicts themselves) in different ways. I prefer to imagine the discursive frameworks Roseberry describes as scaffoldings, especially as discursive frameworks become tangled with emblematic memory. Builders do not erect a meters-tall scaffolding around the area where the structure will stand, and then build the structure itself. Instead, one is integral to the other, and vice versa. The scaffolding rests on the already constructed walls as it also shapes the form the structure will take as workers continue to build. As much as the building dictates the form the scaffolding will take, the scaffolding limits builders' options. They are interdependent. That said, I do use the terms framework and scaffolding largely interchangeably.

Returning to the idea that different sectors have different memories of the past, this is just what Maurice Halbwachs' study of collective memory and "social frameworks" suggest, and it is what the other studies cited here make clear. Patrick Hutton describes Halbwachs' views quite effectively. An "elaborate network of social mores, values, and ideals," Hutton writes, "mark[s] out the dimensions of our imaginations according to the attitudes of the social groups to which we relate."[33] Inspired by the several truth commissions that helped establish the scaffoldings that dictate how the past is discussed in both countries, I describe these different memories or understandings of the violent past as truths. And the "s" is important, for there is space for different versions or truths

of the conflict to exist within the two countries' (un)common discursive frameworks. Importantly, however, not all truths are equally true, for not all truths are supported by testimonial, forensic, and archival evidence. In both countries, the weight of evidence lies heavily on the side of the truths revealed or confirmed in the truth commission reports and embraced by human rights organizations. Generally speaking, this truth stands in contrast to what conservatives insist happened despite overwhelming evidence to the contrary.

In El Salvador and Guatemala, as in many other places, determining the truth of what happened is seen as an essential item on the agenda of those negotiating peace agreements and involved in other transitional processes. This is especially true in the minds of international brokers and facilitators, but also for the domestic human rights community and its allies. Truth and other similar historical commissions are created to answer the question of what *really* happened during the conflict. The issue of the truth, however, is not so easily resolved, as conservatives in both Guatemala and El Salvador reject the truth that these commissions revealed and instead use all the means at their disposal to promote their own truth of what happened. As a result, the two societies have witnessed struggles over the truth of the past since the reports were published (and even long before this) and different sectors have consistently promoted their truth as the one and only truth.[34]

Broadly speaking, in Guatemala, the human rights community's truth of the conflict mirrors the truth the testimonies collected by the Remhi Project and the UN-backed Comisión de Esclarecimiento Histórico (CEH, Historical Clarification Commission) narrated. It is also clear in various other works, including Jonás Moller's *Rescatando Nuestra Historia*, Rigoberta Menchú and Elizabeth Burgos's *I, Rigoberta Menchú*, Goldman's *The Art of Political Murder*, Ricardo Falla's *Masacres en la Selva* and *Quiché Rebelde*, Marta Elena Casaús Arzú's *Genocidio*, Daniel Wilkinson's *Silence on the Mountain*, Jean-Marie Simon's *Guatemala: Eternal Spring, Eternal Tyranny*, Jennifer Schirmer's *The Guatemalan Military Project*, Victoria Sanford's *Buried Secrets*, Ricardo Sáenz de Tejada's *Oliverio*, Louisa Reynolds' *The Long Road to Justice*, Simonne Remijnse's *Memories of Violence*, and Diane Nelson's *Reckoning*.[35]

In these works, and for the human rights community, an estimated 200,000 died or were disappeared. The military and its proxies, most significantly the Patrullas de Autodefensa Civil (PACs, Civil Self-Defense

Patrols), committed over 90% of these tens of thousands of human rights violations. Notably, the CEH also concluded that the military had committed acts of genocide against particular indigenous communities in the early 1980s. This is the human rights community's truth, and this (i.e., military responsibility and genocide) is what they are talking about when they call for the past to be remembered. The contents of this truth are determined by the human rights community's emblematic memory of the conflict that dictates that the internal armed conflict (and indeed, Guatemala's much longer history of repression and violence) be understood in a particular way. This framework not only sorts past events and incidents into true and false, but also helps group members understand that the military and its proxies committed human rights violations and not excesses and that the military's actions were inspired by deep-rooted racism and not simply anti-communism.

Conservatives' truth is also framed by their own particular emblematic memory, and it is distinct from that of the human rights community. Conservatives focus on the guerrilla's actions, highlighting that they were the ones who took up arms and brought violence to Guatemala. From this perspective, the military was only protecting Guatemala from the threat of international communism, as embodied by the guerrilla. Conservatives understand the conflict through this framework. It allows them to focus on the guerrilla's crimes, while not necessarily denying that the military committed excesses—indeed, in the 2010s, some came to talk quite calmly about army massacres as crimes against humanity. But they insist that these violations were committed for ideological purposes. The military was fighting communists, not indigenous peoples. Thus, and very importantly, genocide was not committed in Guatemala. The denial of genocide became increasingly loud in the 2010s and represents not a shift in Guatemala's common discursive framework centered on memory, but a renewed challenge to the human rights community's emblematic memory and truth of the conflict.

Different sectors of Salvadoran society also interpret that country's civil war in distinct ways depending on the emblematic memory of the social group to which they belong. Thus, a range of truths also survives in the public sphere. Ching made this clear, though he did not explore the human rights community's view of the past.[36] In El Salvador as in Guatemala, the human rights community's emblematic memory understands the war, and the emergence of the guerrilla, as being a result of structural injustice and repression of both dissent and activism.

This understanding is also echoed in numerous works on the war, including Chiyo's *Siete Gorriones*, the Mujeres por la Dignidad y la Vida's *Y la Montaña Habló*, Gloria Guzmán Orellana and Irantzu Mendia Azkue's *Mujeres con Memoria*, Manlio Argueta's *Un Día en la Vida*, Joaquín M. Chávez's *Poets and Prophets of the Resistance*, Molly Todd's *Beyond Displacement*, and Elisabeth Jean Wood's *Insurgent Collective Action and Civil War in El Salvador*.[37]

With this view, the human rights community assigns responsibility for human rights violations in much the same way that the Salvadoran Truth Commission did. Thus, for the human rights community, the military and paramilitary organizations were overwhelmingly responsible for human rights violations committed especially against women, children, and the elderly. More than this, the human rights community's emblematic memory insists that these violations be understood not as unfortunate incidents, but as part of the military's larger and well-planned counterinsurgency campaign, a campaign that targeted civilians.

On the other hand, though conservatives have maintained throughout the post-Peace era that only forgetting will improve the Salvadoran future, they do also remember and talk about the past. As Moodie's investigation makes clear, it can be important to remember the past if one is in the process of convincing people that a break with the past has taken place, for example through the signing of Peace Accords. The officers and the civilian elite's life stories that Ching examines, some of which I also analyzed, are also clear evidence of remembering. Conservatives reject the idea that the causes of the Salvadoran Civil War include injustice and repression. Conservatives' emblematic memory frames the war as a battle to the death against communism, against the nightmare of El Salvador becoming another Cuba or Nicaragua. This view sees the guerrilla, who came together to form the Frente Farabundo Martí para la Liberación Nacional (FMLN, Farabundo Martí National Liberation Front) in 1980, as the instigators of the conflict. Such an understanding of the war means that, though conservatives rarely mention the Truth Commission by name, they nevertheless reject its findings. They declare that the Truth Commission's truth, and so that of the human rights community, is partial; it is both incomplete and biased. Instead, they embrace a truth that emphasizes the guerrilla's crimes—the first of which was to take up arms—and ignores or silences the military's crimes. More than a simple rejection of military responsibility for gross human rights violations, and guided by an emblematic memory that sees

the guerrilla as destroying the nation, conservatives refuse to accept that Roberto D'Aubuisson, their hero and the founder of ARENA, did anything criminal during the war. This despite weighty testimonial and archival evidence that makes it clear that he did.

Emblematic memory is not permanent. Dominant memory frameworks can change over time and dissident memories can become more mainstream and socially important. However, Stern argues that this shift in the dominant memory framework only happens when these dissident emblematic memories become more widely circulated, for example in the media.[38] And as the emblematic memory or memory framework shifts, memories and the meanings attached to them shift and once-dominant memories become dissident, as the frameworks that dictate that they are important do. In El Salvador, the 2009 election of FMLN candidate Mauricio Funes to the presidential palace represented an incomplete shift. Though the FMLN and the human rights community are far from identical, with Funes' election, the official, presidential narrative came to resemble the human rights community's discursive framework, emblematic memory, and truth. This stands to reason. As Halbwachs argued, social frameworks "reconstruct an image of the past which is in accord, in each epoch, with the predominant thoughts of the society."[39] With a president who declared himself to be inspired by monseñor Romero, it makes sense that the human rights community's framework for understanding the war should gain influence. Yet despite increased exposure in the media, it did not become predominant in the way Halbwachs describes because conservatives continue to control the media and maintain political and economic dominance. So, while the human rights community's discourse became more visible, conservatives did not simply let this happen. Instead, the hegemonic struggle between discursive and memory scaffoldings became more visible.

The very public struggle between the Salvadoran human rights community's and conservatives' discursive and memory scaffoldings points to the importance of enriching an understanding of Halbwachs' comments about shifts in social frameworks by incorporating Roseberry's, and so Gramsci's, thoughts on resistance and hegemony. Halbwachs writes that those groups that are able to determine the social frameworks that shape a group's memory "fade away in time, making room for others."[40] Roseberry, on the other hand, highlights the struggle inherent in the process of trying to determine perhaps not specifically what people remember, but the related issue of how they talk about social concerns.

Rather than quietly disappearing or losing social or political power, elites do all they can to remain in power in the face of subalterns' efforts to improve their place in the social order, or even to overturn it. Their use of the language of domination does not mean that they accept that domination. It is useful to take this into consideration when reading Halbwachs. Halbwachs does acknowledge that social power is important in the continued existence of a group and its frameworks, but, as is clear in the Salvadoran case, the process of "fading away" he talks about involved high levels of resistance and contestation.

Roseberry, Stern, and Halbwachs' interconnected ideas point to the existence of things—scaffoldings or frameworks—that determine how and what societies remember (and forget) and how we talk about these events. In an incessant process of negotiation and contestation, these ever-changing frameworks dictate and limit the language and images that will be accepted in debates around the meaning of the past, present, and future. Comparing the scaffoldings that exist in Guatemala and El Salvador and the ways the past is talked about in the public sphere reveals striking differences in two countries that are sometimes seen as having similar pasts and presents. Both suffered from similar Cold War-era conflicts that both ended with UN-brokered Peace Accords that failed to truly address either the immediate or more historic causes of the conflicts. As well, the two countries have been drowning in violence ever since the Peace Accords were signed, a good deal of it related to corruption, impunity, narcotrafficking, and youth gangs, and the entanglement of these and other factors, much of it firmly rooted in past structures of inequality and repression.

Yet despite the similarities in past and present violence, the two countries have very different ways of talking about the past. The purpose of this investigation is to shed light on the different frameworks that dictate how the past is talked about in the two countries, and not specifically to explain why this might be the case. The reasons for this are as varied as they are interconnected. That said, it is clear that the relative strength and weakness of different sectors in the two countries plays a role in their ability to guide the terms of the debate. In particular, explorations of Guatemala and El Salvador's discursive and memory scaffoldings reveal the relative influence of Guatemala's human rights community when compared to El Salvador. The Guatemalan human rights community is certainly stronger than its Salvadoran counterpart because of its independence from Guatemalan guerrilla organizations, which is related to the inability of the Unidad Revolucionaria Nacional Guatemalteca

(URNG, Guatemalan National Revolutionary Unity) to transition into a successful political party in the post-Peace era. The Guatemalan human rights community's ability to attract international funding is also significant. The relative strength of the Guatemalan human rights community has played a role in its ability to shape post-Peace conversations and narratives about the past so that those who promote forgetting must to do so within a discursive context where memory leads to non-repetition.

We left Cuevas Molina looking out at us on the Calle del Olvido. During the conflicts, activists were largely unsuccessful in their quest to discover what happened to him and other Guatemalans and Salvadorans. However, in Cuevas Molina's case and that of 182 others, the publication of the *Diario Militar*, or Death Squad Dossier, smuggled out of Guatemala in 1999, shed some light on his fate. The Diario Militar is a list compiled by Military Intelligence of the names, pseudonyms, and photos of 183 of the tens of thousands of Guatemalans the military targeted. It reveals extensive surveillance of political and other organizations, as well as the fate of the 183 individuals named. Seeking, it seems, to conceal its responsibility for the range of illegal activities in which it was involved, Military Intelligence used codes to describe what had happened. Penciled below the type-written information about Cuevas Molina's abduction at 10 a.m. on 15 May 1984 in Guatemala City's Zona 1, on the 3a Avenida and 5a Calle, are a series of numbers: 01-08-84: 300. Cuevas Molina was assassinated on 1 August 1984, almost three months after he was captured. Unfortunately, and despite the non-stop efforts of organizations dedicated to the task of finding the dead and disappeared, most notably the Fundación de Antropología Forense de Guatemala (FAFG, Forensic Anthropology Foundation of Guatemala), the whereabouts of his and most others' remains are still a mystery.[41] And it is precisely because this mystery remains that El Salvador and Guatemala's journeys down the Calle del Olvido have not been and will not be smooth and free from reminders that something happened in the past that must be addressed and worked through, not painted over as if it had never happened, as if the dead and disappeared had never existed.

A Note About Language and Sources

In *Reckoning: The Ends of War in Guatemala*, Diane Nelson speaks of *engaño* (duplicity) and being two-faced. She writes about a conversation she had with a catechist in Patzulá, a small community near Joyabaj,

Quiché. The catechist told her he had also been the leader of the PACs in the community. He said, "'I have two faces'….'One I show to the army, the other I show to my people.'"[42] After hearing numerous declarations like this and other stories that make a similar point, Nelson wonders who was being duped? She writes, "In one case, when it thought it made the catechist work for them, the army couldn't see his second face. In the other [case, when, as Doña Miguela told Nelson, the "bad" people in the community "'would tell the army that someone was a guerrilla when they were not'" to settle an often long-standing disagreement or to get "a little bit of land"], as bad people tricked [the army] into acting for them, [the military] didn't see how they were being used for very local ends."[43] Though this dissertation does not address the issue of *engaño*, the idea that people have two (or more) faces is important. In the range of sources consulted for this project, I explore the face people choose to show in public, the statements and declarations they choose to make. Their other face(s) remain hidden.

I also acknowledge the potential difficulties related to translation, for example to reading *palabras* and writing about words. In cases where the English translation falls short of capturing the various dimensions of a word in Spanish, as in the case of *perdón*, I explain these dimensions and use the Spanish word. More generally, I have worked to maintain the multi-dimensionality of and the feeling behind the *palabras* I write about as words.

Research for this book was conducted over the course of several stays in Guatemala and El Salvador between 2012 and 2013, and again in 2017. Much of that time was spend in the two countries' *hemerotecas*, or newspaper archives, leafing through newspapers since 1996 and 1992, respectively. These newspapers will be discussed in greater depth in the next chapter. Another significant written source consisted of the publications of human rights and other organizations and government institutions related to the conflicts, as well as their webpages or social media pages. *Testimonios* and (auto)biographies of those who participated in the conflicts or peace negotiations, as well as other works they have written, form a final component of the written sources consulted. As for non-written sources, or at least sources not written on paper, I observed protests, demonstrations, trials, and commemorations; visited the exhumation at Guatemala City's La Verbena cemetery, monuments related to the conflicts in both countries, and both countries' military museums; and spent time walking around Guatemala City and

San Salvador, appreciating the work of street artists and mural painters. I also conducted formal interviews and had more informal conversations with 31 human rights activists, former military officers, academics, and journalists.[44]

Together, these sources helped me explore the way the past is talked about in the two countries and the struggles that take place on the edges of these conversations as different groups negotiate or reject the limits placed on the words they use or seek to impose their own discursive limits.

Notes

1. The notable exception is Sixth Avenue, La Sexta, parts of which are now closed to traffic and other parts of which have been narrowed to one lane; the avenue's sidewalks have been widened accordingly. It is one of the few streets where traffic is tamed, if only a little.
2. Gang members are the others mentioned in the previous sentence. See, for example, Deborah Levenson, *Adiós Niño: The Gangs of Guatemala City and the Politics of Death* (Durham, NC: Duke University Press, 2013) and Ellen Moodie, "Seventeen Years, Seventeen Murders: Biospectacularity and the Production of Post-Cold War Knowledge in El Salvador," *Social Text 99* 27, no. 2 (2009): 77–103.
3. That is, post-Peace Accords. The label of post-conflict has been widely criticized in the literature, as Michelle Bellino does in *Youth in Post-war Guatemala: Education and Civic Identity in Transition* (New Brunswick, NJ: Rutgers University Press, 2017) and Irina Carlota Silber does in "In the After: Anthropological Reflections on Postwar El Salvador," *Journal of Latin American and Caribbean Anthropology* 19, no. 1 (2014): 1–21. Diane Nelson complicates this further in *Reckoning: The Ends of War in Guatemala* (Durham, NC: Duke University Press, 2009), wondering if such a "clearly defined, freestanding thing" as "postwar Guatemala." exists (26). She then goes on to wonder when "post" begins? (40–45). I describe post-1992 El Salvador and post-1996 Guatemala as post-Peace, which helps communicate the idea that "the peace" was really just a moment in time, when the signatories of the Peace Accords met and ended the conflicts. "Post-Peace" helps convey the idea that the hope many felt when the Peace Accords were signed lasted a very short time and was swept away by ever frequent reports of crime, replacing the political conflict that had just ended with another kind of conflict and violence. This is clear in a 25 March 1997 *Prensa Libre* article about the end of the conflict "opening the doors to tourism." At the same time,

"criminals have rushed into fill the void" left by the return of security forces to their barracks. This article followed a series of articles about assassinations, shoot outs, lynchings, carjackings, narcotrafficking, and criminal groups (La Joya and Mara Cinco, among others). By 3 January 1997, when short articles about crime begin to have a real presence in the media after the Peace Accords were signed, the hope of the Peace was being displaced by the reality of crime.

4. Paul Ricoeur, *Figuring the Sacred: Religion, Narrative, and Imagination*, trans. David Pellauer, ed. Mark I. Wallace (Minneapolis: Augsburg Fortress, 1995), 290.
5. Liepollo Lebohang Pheko, "Twist Memory and You Distort Identity," *Mail and Guardian*, 10 October 2014, http://mg.co.za/article/2014-10-09-twist-memory-and-you-distort-identity.
6. Sigmund Freud, "Remembering, Repeating and Working-Through (Further Recommendations on the Technique of Psycho-analysis II)," in *The Standard Edition of the Complete Psychological Works of Sigmund Freud. Volume XII (1911–1913): The Case of Schreber Papers on Technique and Other Works*, with Anna Freud, trans. James Strachey (London: The Hogarth Press, 1974), 147–156.
7. Jan Assmann, *Moses the Egyptian: The Memory of Egypt in Western Monotheism* (Cambridge, MA: Harvard University Press, 1997), 7–9.
8. Reconciliation is a broadly defined term. David Crocker, for example, groups existing ideas into a continuum. "Thinner" views limit understandings of reconciliation to former enemies no longer killing each other. In the "thickest" view, reconciliation is a "shared comprehensive vision, mutual healing and restoration, or mutual forgiveness" (David A. Crocker, "Truth Commissions, Transitional Justice, and Civil Society," in *Truth v. Justice: The Moral Efficacy of Truth Commissions: South Africa and Beyond*, eds. Robert I. Rotberg and Dennis Thompson (Princeton: Princeton University Press, 2000). I will not attempt to define reconciliation more clearly here and will instead rely on Guatemalans and Salvadorans' own understanding of the word.
9. William Roseberry, "Hegemony and the Language of Contention," in *Everyday Forms of State Formation: Revolution and the Negotiation of Rule in Modern Mexico*, eds. Gilbert M. Joseph and Daniel Nugent (Durham, NC: Duke University Press, 1994), 360–361.
10. Ibid.
11. William Roseberry, "Hegemony, Power, and Languages of Contention," in *The Politics of Difference: Ethnic Premises in a World of Power*, eds. Edwin N. Wilmsen and Patrick McAllister (Chicago: University of Chicago Press, 1996), 81–82.
12. Roseberry, "Hegemony and the Language of Contention," 365.

13. See, for example, Priscilla B. Hayner, *Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions* (New York: Routledge, 2011); Lisa J. Laplante, "Outlawing Amnesty: The Return of Criminal Justice in Transitional Justice Schemes," Marquette University Law School Legal Studies Research Paper Series, Research Paper No. 08-26, 2008; and Ruti Teitel, "Transitional Justice Genealogy," *Harvard Human Rights Journal* 16 (2003): 69–94.
14. Priscilla B. Hayner, "Fifteen Truth Commissions—1974 to 1994: A Comparative Study," *Human Rights Quarterly* 16, no. 4 (1994): 609.
15. Steve J. Stern, *Remembering Pinochet's Chile: On the Eve of London 1998* (Durham, NC: Duke University Press, 2004), 105.
16. Stern, *Remembering Pinochet's Chile*, 119–120.
17. Stern, *Remembering Pinochet's Chile*, 149–150.
18. Paul Ricoeur, *Memory, History, Forgetting*, trans. Kathleen Blamey and David Pellauer (Chicago: University of Chicago Press, 2004), 448.
19. Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Boston: Beacon Press, 1995), 2–3.
20. Trouillot, *Silencing the Past*, 27.
21. Trouillot, *Silencing the Past*, 48–49.
22. Stern, *Remembering Pinochet's Chile*, 39.
23. Stern, *Remembering Pinochet's Chile*, 111–112.
24. Héctor Lindo-Fuentes, Erik Ching, Rafael A. Lara-Martínez, *Remembering a Massacre in El Salvador: The Insurrection of 1932, Roque Dalton, and the Politics of Historical Memory* (Albuquerque: University of New Mexico Press, 2007).
25. Mneesha Gellman, *Democratization and Memories of Violence: Ethnic Minority Rights Movements in Mexico, Turkey, and El Salvador* (New York: Routledge, 2016), 158–159.
26. Gellman, *Democratization and Memories of Violence*, 164.
27. Erik Ching, *Stories of Civil War in El Salvador: A Battle over Memory* (Chapel Hill: University of North Carolina Press, 2016), 3.
28. Ellen Moodie, *El Salvador in the Aftermath of Peace: Crime, Uncertainty, and the Transition to Democracy* (Philadelphia: University of Pennsylvania Press, 2010), 58.
29. Bellino, *Youth in Post-war Guatemala*, 188.
30. Bellino, *Youth in Post-war Guatemala*, 187.
31. Francisco Goldman, *The Art of Political Murder: Who Killed the Bishop?* (New York: Grove Press, 2007).
32. Levenson, *Adiós Niño*; Bellino, *Youth in Post-war Guatemala*.
33. Patrick H. Hutton, *History as an Art of Memory* (Hanover, NH: University Press of New England, 1993), 78.

34. Dividing the two countries into the human rights community and conservatives is overly simplistic. Chapter One speaks about these groups in greater depth and introduces some grey fuzziness to the black and white division I describe here.
35. Jonathan "Jonás" Moller and Derrill Bazzy, eds., *Rescatando Nuestra Historia: Represión, Refugio y Recuperación de las Poblaciones Desarraigadas por la Violencia en Guatemala* (Guatemala City: F&G Editores, 2009); Rigoberta Menchú and Elisabeth Burgos, *I, Rigoberta Menchú: An Indian Woman in Guatemala*, trans. Ann Wright (London: Verso, 1984); Goldman, *The Art of Political Murder*; Ricardo Falla, *Massacres in the Jungle: Ixcán, Guatemala, 1975–1982*, trans. Julia Howland (Boulder, CO: Westview Press, 1994); Ricardo Falla, *Quiché Rebelde: Religious Conversion, Politics, and Ethnic Identity in Guatemala*, trans. Philip Berryman (Austin: University of Texas Press, 2001); Marta Elena Casaús Arzú, *Genocidio: La Máxima Expresion del Racism en Guatemala?* (Guatemala City: F&G Editores, 2008); Daniel Wilkinson, *Silence on the Mountain: Stories of Terror, Betrayal, and Forgetting in Guatemala* (Boston: Houghton Mifflin Company, 2002); Jean-Marie Simon, *Guatemala: Eternal Spring, Eternal Tyranny* (New York: W.W. Norton & Co., 1988); Jennifer Schirmer's *The Guatemalan Military Project: A Violence Called Democracy* (Philadelphia: University of Pennsylvania Press, 1998); Victoria Sanford, *Buried Secrets: Truth and Human Rights in Guatemala* (New York: Palgrave, 2003); Ricardo Sáenz de Tejada *Oliverio: Una Biografía del Secretario General de la AEU 1978–1979* (Guatemala: F&G Editores, 2011); Louisa Reynolds, *The Long Road to Justice: Survivors of the Dos Erres Massacre Tell Their Story* (Guatemala City: Plaza Pública, 2013); Simonne Remijnse, *Memories of Violence: Civil Patrols and the Legacy of Conflict in Joyabaj, Guatemala* (Amsterdam: Rozenberg Publishers, 2002); and Nelson, *Reckoning*.
36. Ching, *Stories of Civil War in El Salvador*, 13–14. The conflicting views of the war Ching identifies are also clear in newspapers. While the conservative press in El Salvador frames the guerrilla's actions as terrorism, the left-leaning press and civil society speak of state terrorism. See, for example, "Hay poca diferencia entre agitador y terrorista," *El Diario de Hoy*, 27 July 2007, editorial; Centro para la Promoción de los Derechos Humanos "Madeleine Lagadec," *Diario Co-Latino*, 15 April 2009, paid ad.
37. Lucio Vásquez (Chiyo) and Sebastián Escalón Fontan, *Siete Gorriones* (San Salvador: Ediciones Museo de la Palabra y la Imagen, 2011); Mujeres por la Dignidad y la Vida's *Y la Montaña Habló: Testimonios de Guerrilleras y Colaboradoras* (San Salvador: Mujeres por la Dignidad y la Vida, 1997); Gloria Guzmán Orellana and Irantzu Mendia Azkue,

Mujeres con Memoria: Activistas del Movimiento de Derechos Humanos en El Salvador (Bilbao: Hegoa, 2013); Manlio Argueta, *Un Día en la Vida* (San Salvador: UCA Editores, 2008); Joaquín M. Chávez's *Poets and Prophets of the Resistance: Intellectuals and the Origins of El Salvador's Civil War* (Oxford: Oxford University Press, 2017); Molly Todd, *Beyond Displacement: Campesinos, Refugees, and Collective Action in the Salvadoran Civil War* (Madison: University of Wisconsin Press, 2010); and Elisabeth Jean Wood, *Insurgent Collective Action and Civil War in El Salvador* (Cambridge: Cambridge University Press, 2003).

38. Stern, *Remembering Pinochet's Chile*, 116.
39. Maurice Halbwachs, *On Collective Memory*, ed. and trans. Lewis A. Coser (Chicago: University of Chicago Press, 1992), 40.
40. Maurice Halbwachs, *The Collective Memory*, trans. Francis J. Ditter, Jr. and Vida Yazdi Ditter (New York: Harper and Row Books, 1980), 65.
41. Kate Doyle, "Death Squad Dossier: Guatemalan Military Logbook of the Disappeared," *National Security Archive*, 1 July 2008, http://www2.gwu.edu/~nsarchiv/guatemala/logbook/index.htm; Kate Doyle, "Guatemalan Death Squad Dossier: Internal Military Log Reveals Fate of 183 'Disappeared,'" *National Security Archive*, 20 May 1999, http://www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB15/.
42. Nelson, *Reckoning*, 13–14.
43. Nelson, *Reckoning*, 171–172.
44. These conversations were fascinating, provided much insight into both countries, and helped me frame my approach to the investigation. That said, most of what was said in these conversations is not a formal part of this book.

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CHAPTER 2

The Speakers, Writers, Painters, and Plasterers

Salvadorans and Guatemalans are daily bombarded with words and images. Most of these are aimed at increasing consumption, including consumption of a Latin Americanized version of the North American dream. An SUV, or two. A big house in a gated community. Gigantic televisions in every room. The latest fashion in clothes, even if fur-lined boots are impractical in Central America's warm climate. Five dollar frappuccinos. It must be said that only an exceedingly small percentage of the population can actually afford to buy this dream. Having been sold on the idea, a larger percentage nevertheless keep trying. Salvadorans and Guatemalans are also bombarded with a seemingly infinite stream of explicit images and bloody descriptions of violent homicides related to street gangs and narcotrafficking, and politicians' promises to use an iron fist when dealing with these criminals who are destroying the country and, as some say, dragging it backward to the worst days of the war.

While references or comparisons between the past and present are made regularly in the media, Salvadorans and Guatemalans are not bombarded with any meaningful talk about their country's violent past. This is precisely what this book explores—the public declarations different members of El Salvador and Guatemala's narrowly defined elites make about the conflicts. These declarations are all directed at an audience[1] and clearly meant to be heard by someone, most often undefined "Guatemalans" or "Salvadorans." Together, these declarations and the responses they elicit from others work to produce and reproduce, as well as to contest, the discursive frameworks some of these elites have been

R. Hatcher, *The Power of Memory and Violence in Central America*,
https://doi.org/10.1007/978-3-319-89785-1_2

able to erect, thereby dictating the language that elites who stand in opposition to that framework must use.

I describe the individuals and groups whose words I explore as elites for different reasons. The conservatives I cite fit easily into the category of elite because they possess or have access to power, whether it be political, economic, or cultural. To describe former presidents, military officers, and columnists in the two countries' leading (and conservative) newspapers as elites is an expected use of the word. I label members of human rights organizations elite for quite different reasons. I label them elite because they have a deeper understanding of how the state operates than most, meaning that they are better able to navigate its labyrinthine bureaucracy in an effort to make it work to their advantage. Though they are often unsuccessful in these attempts, the knowledge members of the human rights community possess, at least some of it related to higher than average levels of education, means that they are better equipped to make demands on, as well as to denounce, the state. They are also elite because, as a result of the transitional justice work human rights organizations undertake, they possess greater access to the financial and other resources of the international human rights community. Though this access by no means guarantees success, it can facilitate human rights organizations' work and make it more visible.

The rest of this chapter explores the categories of conservative and human rights community in greater depth and introduces additional dimensions to these one-dimensional labels.

The Key Players

My selection of whose words to read was partially inspired by Antonio Gramsci's discussion of intellectuals. Gramsci explains that the struggle between different social groups for dominance is at least in part a struggle about ideology, a struggle between different groups' intellectuals. For one group to become dominant, the other group's intellectuals must be "conquer[ed]" and "assimilat[ed]." Gramsci located the political party as heavily involved in much of this process, for the party "is responsible for welding together the organic intellectuals of a given group—the dominant one—and the traditional intellectuals."[2] While the latter seem to always have existed, despite dramatic changes in politics and society, "organic" intellectuals are new, like the groups they belong to. Gramsci explains that as new social groups were created, new

groups of intellectuals were "organically" created alongside them to give each group "homogeneity and an awareness of its own function not only in the economic but also in the social and political fields."[3] While traditional intellectuals may have fulfilled their role by simply speaking, by orating, this was not enough for new intellectuals. Rather, the new intellectuals were actively involved in "practical life, as constructor, organiser, 'permanent persuader.'"[4]

Certainly, some of these intellectuals would fit into what Tani Adams describes as Guatemala's "cosmopolitan network." In Guatemala, this network "came to play a definitive role in determining the course of the post-war era, especially in the fields of governance, cultural, and socio-economic policy and practice, and the respective roles of civil society and the state." The network includes Guatemalan and international actors, including intellectuals, members of "certain [religious] dominations," activists, journalists, the staff of donor and international agencies, the members of Guatemalan and international NGOs, "some graduate students and international scholars," and some members of the guerrilla. Adams dates the formation of this network to during the conflict, but she points out that the network really expanded and took root during the peace negotiations and in the years after the signing of the Peace. Members were heavily involved in the Comisión para el Esclarecimiento Histórico (CEH, Historical Clarification Commission) and in the Catholic Church's Proyecto Interdiocesano de Recuperación de la Memoria Histórica (Remhi Project, Interdiocesan Project for the Recuperation of Historical Memory) and spearheaded projects in the post-Peace era related to transitional justice, human rights, and state and social reform. They have, she adds, "generated much of the academic and NGO research on the critical social processes that have occurred in recent decades."[5] Adams recognizes that "[v]irtually none" of the members of the cosmopolitan network worked in government during the war. In the post-Peace era, however, some "began to move more fluidly in and out of government positions," though they have often maintained a certain level of distrust for the state.[6]

Adams adds to her discussion by acknowledging the distance that exists between members of the cosmopolitan network and those "on the ground" in terms of post-Peace needs and priorities. She traces this to the emergence of the professional NGOs that have largely replaced the "mainly volunteer organizations of the past led by grassroots leaders who never expected to live off of their social commitments."

These professional, often national-level organizations rely almost completely on international funding to operate as, in fact, does the state. Funding is neither constant nor guaranteed, and reliance on it shapes the "agenda" of both the state and NGOs.[7] Adams uses organizations that work "in the 'peace' or 'transitional justice' field" to demonstrate her point. While NGOs tend to believe that an essential step on the path to peace is justice, a belief that seems "natural" to them and that allows them to receive international funding, she highlights that community members who lived the conflict might disagree.[8] Despite potential community opposition, internationally-funded professional organizations continue to push for justice, imposing an external framework of post-Peace reconciliation and social reconstruction on complex and diverse local situations.

Kirsten Weld's work on the Archivo Histórico de la Policía Nacional (AHPN, Historical Archive of the National Police) also highlights the importance of international support. Given the non-existence of state resources, she describes the AHPN as "dependent" on "international funding and political capital."[9] She adds that, due to this dependence, projects were "to some extent, inflected with the donors' priorities." In the case of the AHPN, the projects the international community was willing to fund were related to human rights issues and justice, and were not straightforward archival projects.[10] As Åsa Wallton of the Swedish International Development Agency told Weld, "Funding depends on the sexiness of the project," and archives are not sexy. Human rights "discoveries," on the other hand, are.[11] The AHPN, therefore, was only able to secure funding by framing the archive as a human rights project. Both Weld and Adams' comments should be kept in mind, but neither the way the international community shapes activists' work—or at least how that work is framed—nor the potential distance between activists and communities negates what these individuals and organizations say, the valuable work they do, nor their inclusion here.

The AHPN and its staff point to the existence of Adams' network of human rights defenders in Guatemala and is an example of the professionalism and internationalism of this so-called cosmopolitan network. The head of the AHPN is Gustavo Meoño, a former guerrilla and director of the Fundación Rigoberta Menchú (Rigoberta Menchú Foundation), a human rights organization founded by the Nobel Peace Prize winner. Meoño and the AHPN actively collaborate with the Centro para la Acción Legal en Derechos Humanos (CALDH, Center for Legal

Action in Human Rights), the Fundación de Antropología Forense de Guatemala (FAFG, Forensic Anthropology Foundation of Guatemala), and other organizations involved in trials against perpetrators of human rights violations. Some of this collaboration was documented in US-based filmmaker Pamela Yates' work, *Granito: How to Nail a Dictator*, a kind of a sequel to Yates' 1982 film, *When the Mountains Tremble*. Interestingly, as a guerrilla leader, Meoño gave Yates permission to film a portion of the 1982 film in guerilla-held territory.[12]

One of the cases explored in *Granito* is the forced disappearance of Fernando García, the husband of Nineth Montenegro. Montenegro was one of the founders of the Grupo de Apoyo Mutuo (GAM, Mutual Support Group), an organization originally made up of relatives searching for their disappeared. Montenegro went on to become a successful politician and is a long-time member of Guatemala's Congress. Although Montenegro does not feature in the film, Yates demonstrates how the prosecution in the García case, which included García's daughter as "private prosecutor," was able to secure a conviction using documents from the AHPN. The prosecution also relied on expert testimony from US-based researchers and activists, including the National Security Archive's forensic archivist, Kate Doyle, who also appears in the film.[13]

Apart from Meoño, other AHPN staff are former guerrillas or previously worked with other human rights organizations. Still others were members of Hijos e Hijas por la Identidad y la Justicia contra el Olvido y el Silencio (HIJOS, Sons and Daughters for Identity and Justice against Forgetting and Silence). This migration of human rights defenders from one organization to another makes sense in a country where counter-insurgency tactics meant to dismantle and/or intimidate opposition organizations continue even though the insurgency is over. Mistrust and suspicion prevail. In such circumstances, previous experience with a trusted organization paves the way for collaboration with other organizations. This contributes to the appearance of something like a network of human rights defenders.

Returning to the AHPN, as Weld points out, funding for digitization, including funding to buy scanners, came from international donors like the Swedish International Development Agency. Archival training was also international. Trudy Huskamp Peterson, a well-known archivist and archivist, collaborated in the early stages of the project to train AHPN staff on archival techniques and work to transform the AHPN into a more professional organization.[14] The digitization project is a joint

initiative of the University of Texas' Lozano Long Institute for Latin American Studies, the Rapoport Center for Human Rights and Justice, and the Benson Latin American Collection. The library at UT Austin is the virtual home of the digitized files. Guatemalan and international researchers use both the digitized and paper documents for academic and judicial investigations.

Thus, in the case of the AHPN, we can see individuals moving from one organization to another and different organizations collaborating with each other to achieve justice. We can also see the important role the international community has played, both as funder and as collaborator. All this supports Adams' explanation of a cosmopolitan network. Yet two final comments about this network are necessary before continuing. While Adams' description of those involved in the network she describes is useful, the idea of a network whose members collaborate and coordinate to accomplish something might be overstating the point. Certainly, some organizations work together at some times on some issues, but reality ought not to be romanticized.

There was, for example, a great deal of tension related to the collaboration between the larger human rights community, the AHPN in particular, and the Procuraduría de Derechos Humanos (PDH, Human Rights Ombudsman's Office). As Weld documents, when Ombudsman Sergio Morales was elected in 2002, the human rights community was unanimously in support.[15] In his first years in office, he did not disappoint. However, relations had soured by the time Morales announced his decision to run for a second term, to begin in 2007. Rumors circulated in the human rights community that Morales was only able to win this second election because he struck a deal with conservative members of Congress and, according to well respected activist Iduvina Hernández, agreed that "'he would only provide public access to documents up to a certain point, and that certain types of [incriminating] information would be protected or restricted,' or suppressed altogether" in exchange for their vote. Rumor also had it that he hired individuals to work at the AHPN with connections to the Frente Republicano Guatemalteco (FRG, Guatemalan Republican Front), the political party founded by former de facto head of state, Efraín Ríos Montt. This led to a tense working environment, to say the least, and fears that these workers were infiltrating the AHPN or spying on other employees.[16]

With this backdrop, Morales prepared for the 2009 publication of the AHPN's first report, a report that AHPN staff were required to submit

to the PDH before publication. As Weld describes it, during the course of the various speeches made during the gala organized to celebrate the report, "it became clear to Project insiders that their report's conclusions had been seriously 'edited,' and whispers of dissatisfaction began to bubble forth from the audience." The report itself, *El Derecho a Saber*, "certainly contained interesting information about the archives themselves and the police's history, [but] the majority of its case investigations and conclusions had been stripped out." Weld reports that Meoño told her the report was "mutilated." A few months later, Morales announced that the AHPN would be shut down. Meoño then went public with an account of financial corruption in the PDH's management of the AHPN and accused Morales of censoring the *El Derecho a Saber* by, for example, deleting the names of the perpetrators of human rights violations. He took this a step further and accused Morales of protecting the intellectual authors of the forced disappearance of Fernando García. Rather than name high-ranking officers, *El Derecho a Saber* only named the low-ranking men who actually carried out the disappearance, presumably, Weld writes, "because of Morales' political deals with the far right." In the wake of this scandal, responsibility for the AHPN was transferred to the Archivo General de Centro América (General Archive of Central America), though the physical archive itself was not, and President Álvaro Colom announced that the archive would be free and accessible to the public.[17] This demonstrates some of the divisions and rivalries that can appear within Guatemala's human rights community, in this case, as Morales moved to prioritize his personal political aspirations over the human rights community's larger goals related to truth and justice.

The label of cosmopolitan should also be interrogated. Most members of what I term the human rights community should not be imagined as cosmopolitan in the sense of being world travelers who feel as comfortable in Berlin or Prague as they do in Guatemala City, even though some members of the human rights community do travel internationally a good deal, sometimes to receive honorary doctorates or prestigious awards for their work. Rather, cosmopolitan is better imagined as indicating international funding, collaboration, and involvement, as Adams describes.[18] The ability of the Guatemala human rights community to attract international funding and support, part of which is likely connected to the fact that acts of genocide[19] were committed during the conflict, has contributed to its relative strength, which is part of the

reason why the human rights community's memory-centered framework dominates in the public sphere.[20] That said, activists are still not safe. As Michelle Bellino makes clear, today, activists are seen as terrorists[21] and are surveilled, threatened, and killed.[22]

Many of the same kinds of human rights organizations exist in El Salvador as in Guatemala and do similar work,[23] and their members are also surveilled, threatened, or killed for their work. The most obvious among these are organizations of relatives of the disappeared and legal aid offices. While Guatemala's CALDH is an independent organization in that it is both non-governmental and non-religious, El Salvador's legal aid office, Tutela Legal, was not. Created by monseñor Romero in the 1970s, what would become the Oficina de Tutela Legal del Arzobispado de San Salvador (Archbishop of San Salvador's Legal Aid Office) was part of the Catholic Church. It was closed quite abruptly by the Church hierarchy in 2013 as soon as judicial support for amnesty began to shake, opening the possibility of trying those responsible for human rights violations in Salvadoran courts. Tutela Legal's vast archive of denunciations of human rights violations would certainly have been instrumental, if not foundational, in these processes.

The case of Tutela Legal sheds light on an important difference between the human rights landscape in the two countries. In Guatemala, the church, and especially its Oficina de Derechos Humanos del Arzobispado de Guatemala (ODHA, Human Rights Office of the Archdiocese of Guatemala), which was responsible for Guatemala's first truth-like commission, works in favor of human rights and the victims and survivors of the conflict. Of this there can be no doubt. While Tutela Legal did the same before 2013, the Salvadoran Church as an institution is extremely conservative and is more often than not led by conservative bishops who have close ties with the conservative elite. This is true even though, at the local level, many priests embrace liberation theology.[24]

After the closure of Tutela Legal, Tutela Legal "Dra. María Julia Hernández" was formed. Hernández had been a long-time director of the earlier incarnation of Tutela Legal. This new incarnation of Tutela Legal does much the same work as the Church's Tutela Legal did, but it is no longer dependent on the Church for its existence. While some staff went from the old Tutela Legal to the new one (for example, former director Ovidio Mauricio González), there is less movement between organizations in Guatemala than in El Salvador, making the Salvadoran community seem less like a network than the Guatemalan.

The contested connection between human rights organizations and the former guerrillas of the Frente Farabundo Martí para la Liberación Nacional (FMLN, Farabundo Martí National Liberation Front) is an important part of the Salvadoran landscape. Since the human rights community, more so than the FMLN, is the focus of this project, more detailed explorations of the FMLN will be limited to specific sections of this book, but it is important to explore the FMLN's complicated relationship with human rights organizations since it helps explain why the human rights community in El Salvador is less influential on the national level than its Guatemalan counterpart. The relationship between the FMLN and human rights organizations, both during and after the signing of the Peace Accords, is essential to understanding the relative weakness of El Salvador's human rights community, when compared to Guatemala's.

Margaret Popkin and Ralph Sprenkels have both written about Salvadoran civil society and human rights organizations. They agree that post-Peace civil society is quite weak, especially those organizations which (barely) survived the end of the Civil War. Both authors tie this weakness to the FMLN. Popkin describes the weakness of civil society organizations as a result of the strength of the FMLN and the initial post-Peace presence of the Misión de Observadores de las Naciones Unidas en El Salvador (ONUSAL, United Nations Observer Mission in El Salvador), in addition to a lack of financial and technical resources. ONUSAL, she writes, "reinforced an unhealthy tendency toward dependence on international actors"; this, in some ways, hijacked human rights work. The strength of the FMLN, she argues, also limited the independence of some organizations,[25] bringing to mind Gramsci's comments about the importance of political parties in struggles about ideology or, more particularly, ideas about the past.

As for Sprenkels, he first argues that links between human rights groups and the FMLN existed during the Civil War; these links were a "public secret," but one that was not widely known internationally lest it undermine these organizations' credibility. He argues that, in fact, many organizations were part of the FMLN's political strategy and "provided important political leverage, improved the climate for political opposition and peace negotiations and channeled international pressure and support."[26] Thus, during the war, the FMLN successfully used human rights organizations, including "the Mothers' Committees" and the Comisión de Derechos Humanos de El Salvador (CDHES, Human

Rights Commission of El Salvador), to increase national and international support.[27]

During the peace negotiations, however, human rights organizations in El Salvador were sidelined.[28] This is despite past collaboration and is unlike the Guatemalan process where civil society organizations were included, at least to some extent, through the Asamblea de la Sociedad Civil (ASC, Civil Society Assembly).[29] Sprenkels suggests that the decision to exclude human rights organizations was rooted in the fact that the FMLN did not want an "active human rights movement" in the post-Peace era. He adds that the FMLN believed that the Peace Accords would make human rights organizations "obsolete" for, once the war was over, certainly human rights would no longer be violated.[30] There was also, he adds, the issue of the human rights violations the FMLN had committed. Though far fewer in number than those the military had committed, the guerrilla's responsibility for at least some human rights violations nevertheless meant that justice for the dead and disappeared was not a top priority. As a result, the FMLN did not take concrete action to overturn the 1993 Amnesty Law, which was a key focus of the human rights community's work in the post-Peace era.[31] These and other factors combined to increase the distance between the FMLN and human rights community in the post-Peace era.

Thus, as Sprenkels argues, human rights organizations have felt rather like orphans since 1992, abandoned by those who had previously supported them. Without the support of the FMLN or any other political party, without access to the media, and without very much international support, these organizations have simply tried to survive, to continue working. They have found it difficult to do so not only because of the lack of support, but also because, as Sprenkels argues, they have had a difficult time adapting to the new Salvadoran reality, a reality where human rights seem unimportant.[32] Activist Gloria Guzmán Orellana and her co-author, Irantzu Mendia Azkue, however, disagree. They highlight the fact that new human rights organizations have appeared since the Peace was signed. The Asociación Pro-Búsqueda de Niñas y Niños Desaparecidos (Pro-Búsqueda, Pro-Search Association of Disappeared Girls and Boys) is a key example of these.[33] Guzmán Orellana and Mendia Azkue also paint a less grim picture of post-Peace activism than Sprenkels and point out that these organizations continue to work in investigating and documenting abuses and have spread out into supporting exhumations and, as in the case of Pro-Búsqueda, finding children the military

stole from their homes. Neither of these activities was possible during the war.[34] As well, since the Peace Accords were signed, human rights organizations have spent a good deal of energy on creating memorial spaces, as will be seen, and working to get the 1993 Amnesty Law overturned.[35] Thus, far from an inability to adapt to the new Salvadoran reality, Guzmán Orellana and Mendia Azkue make it clear that, though human rights organizations may have faced some challenges in the post-Peace era, they certainly have not lost their "reason to be."[36]

Sprenkels also points to internal divisions, at least in the early post-Peace era, as a factor in Salvadoran organizations' low level of influence. Some of these divisions are related to the fact that the FMLN is an umbrella organization made up of different guerrilla groups with different ideologies and tactics that came together in 1980 for strategic reasons. Members of different factions of the FMLN were often members of the same civil society organization, just as some organizations were more closely linked with a particular faction of the FMLN. The Comité de Madres y Familiares Cristianos de Presos, Desaparecidos y Asesinados (COMAFAC, Christian Mothers and Relatives Committee for the Detained, Disappeared, and Assassinated), for example, was tied to the Ejercito Revolucionario del Pueblo (ERP, People's Revolutionary Army) during the war. After the Accords were signed, some members of COMAFAC remained subordinate to the wishes of the ERP leadership, while others wanted to continue to struggle for justice even if the ERP, and the FMLN, were less keen on the idea. These factions clashed over the direction of the organization and its resources. The fate of COMAFAC was determined at a 1994 meeting: the organization would be independent, but it lost international funding tied to the ERP.[37]

The experience of the Comité de Madres y Familiares de Desaparecidos y Asesinados Políticos de El Salvador "Monseñor Óscar Arnulfo Romero" (Co-Madres, Committee of Mothers and Relatives of the Disappeared and Political Victims "Monseñor Óscar Arnulfo Romero") and their campaign to be granted non-profit status points to continued struggles with the FMLN. Co-Madres spent an extraordinary amount of energy and resources on this campaign because having non-profit status would facilitate fundraising. Co-Madres' status was finally awarded in 2013. In a conversation in 2012, a member of Co-Madres was highly critical of the delay, suggesting that the FMLM was little different from ARENA in its attitude to past human rights violations,[38] and thus to the organization's reason to exist.

Importantly, all this has taken place in the context of a very successful FMLN that transitioned from clandestine force to political party quite smoothly, winning important mayoral races, legislative contests, and finally the presidency, all within their first 20 years as a legal political party. This must be contrasted to the situation in Guatemala where the URNG were unable to transition into a successful and powerful political party. Far from it: the URNG had only one deputy in Congress after the 2016 elections.[39] Indeed, in Guatemala, political parties come and go in the blink of an eye, during which time membership is in constant flux. In this environment, membership in a particular political party is less important in determining what one says about the past than ties to the military or economic elite.[40]

Returning to human rights organizations in El Salvador, despite their relative weakness when compared to Guatemala, and despite any divisions that may exist, Salvadoran organizations do often work together to achieve a common goal, revealing traces of something like a network of human rights defenders. This can be seen in the Comité Pro-Monumento a las Víctimas Civiles de Violaciones a los Derechos Humanos (Committee to Build a Monument to the Civilian Victims of Human Rights Violations). The Comité Pro-Monumento brought together a handful of distinct organizations[41] with the specific purpose of building a monument to the victims of the war, as the name makes clear. That the Comité succeeded makes it clear that organizations and their members can put aside whatever ideological or strategic disagreements they may have to work toward a common goal. This kind of coordination and collaboration is also visible in the creation of the Comisión de Trabajo en Derechos Humanos Pro-Memoria Histórica de El Salvador (Pro-Historical Memory Human Rights Working Group of El Salvador) that brings together most of the same organizations that were involved in the Comité Pro-Monumento.[42]

It is also essential to point out that, with the possible exception of groups and individuals connected to the Jesuit Universidad Centroamericana "José Simeón Cañas" (UCA, Central American University "José Simeón Cañas"), El Salvador's human rights organizations remain grassroots organizations. Adams pointed out that, in Guatemala, and for better or worse, professional NGOs have emerged and are staffed by at least some people who are dedicated full time to their "social commitments."[43] Much of the funding for these more professional NGOs, as mentioned above, comes from international donors.

FAFG and CALDH are cases in point. The situation of these organizations' Salvadoran counterparts is far more precarious, not the least because they receive far less recognition and financial and other support, both from domestic and international donors. In conversation with members of these Salvadoran organizations, the issue of funding was a recurring topic of conversation and I came away feeling they were often simply struggling to survive.

By way of a summary, the more or less cosmopolitan network of human rights organizations, which I talk about not as a cosmopolitan network but as a human rights community, includes members of victims' organizations, often relatives of the dead or disappeared; politicians who identify with and work on behalf of victims and their relatives; and commentators, journalists, and academics who collaborate and work in solidarity with the victims, survivors, and their relatives. Member of the human rights community generally lean toward the left. In Guatemala, the political left (members of which lean to the left to varying degrees) fits more comfortably under the umbrella of the human rights community than in El Salvador where, even if they might support the FMLN in elections, the human rights community often has a tense relationship with the FMLN.

Members of the human rights community are not the only "permanent persuaders" in either Guatemala or El Salvador. They are only one of two broadly defined sectors that shape both Guatemala and El Salvador's discursive frameworks. Conservatives—the other sector studied here—disagree with almost everything the human rights community says. This catch-all category of "conservatives" includes military officers; the neoliberal economic elite; members of conservative political parties, whether they were politically active during the conflict or not; and, individuals, especially academics, journalists, and commentators, who might not openly belong to any particular party but whose ideology or politics mirrors that of the conservative sectors whose praise they sing.

Party affiliation is far more important in El Salvador than it is in Guatemala in defining ones' views about the past and its role in the present. In El Salvador, the organizations that faced off during the war continue to exist, even if they are not entirely identical to war-time organizations. Though other right-wing parties exist, ARENA overshadows them all. Founded by former Major Roberto D'Aubuisson in 1981, ARENA finally moved into the Presidential Palace with the 1989

election of Alfredo Cristiani. Though important municipalities, including San Salvador, alternated between ARENA and FMLN mayors, ARENA controlled the presidency until the election of the FMLN's Mauricio Funes in 2009. The FMLN maintained control of the presidency with the election of Salvador Sánchez Cerén in 2014.

Since its creation, two overall and interconnected trends stand out in ARENA's relationship to the past. First, its militaristic anthem. The lyrics declare, "El Salvador will be the tomb where the reds will be finished off." In this way, the anthem continues, America will be saved.[44] Finishing off "the reds" continues to inspire ARENA, despite the signing of the Peace Accords and the conversion of the FMLN into a political party. Especially during the war, "the reds" were a broadly defined group that included unarmed activists and religious figures imagined to be directly supporting the guerrilla. Second, and closely related to finishing off the reds—and the pinks, and the barely pink at all—is a refusal to entertain the idea that the military and its civilian allies did anything other than target guerrillas. More specifically, the idea that D'Aubuisson had any role in the assassination of monseñor Romero or the creation of death squads is anathema. The Comisión de la Verdad para El Salvador's (Truth Commission for El Salvador) conclusion to the contrary was fundamental in the right's rejection of the Commission's final report, *De la Locura a la Esperanza* (*From Madness to Hope*), as partial. D'Aubuisson's "biggest crime," according to an ad ARENA took out in *La Prensa Gráfica* shortly after the publication of *De la Locura a la Esperanza*, was to "awaken the Salvadoran people and prevent the triumph of international communism in our beloved fatherland." He did this when he taught Salvadorans to say "Yes to the Fatherland, no to communism!"[45] The monument to D'Aubuisson in Antiguo Cuscatlán features these words—"Patria SI; Comunismo NO." Those who align themselves with ARENA take accusations about human rights violations as an affront to D'Aubuisson, ARENA, and even the nation, and they feel this affront personally.

In Guatemala, political parties and party membership are unstable. Manolo Vela Castañeda and others argue that a "megaparty"—the right wing and pro-business Comité Coordinador de Asociaciones Agrícolas, Comerciales, Industriales y Financieras (CACIF, Coordinating Committee of Agricultural, Commercial, Industrial, and Financial Associations)—really controls politics in Guatemala, making sure its interests are looked after no matter who occupies the Presidential Palace.[46] CACIF, however,

does this from the shadows. CACIF lets its "lapdogs," as Vela Castañeda calls them, do its bidding, that is until the megaparty and these lapdogs have a falling out and CACIF finds another willing mouthpiece (i.e., presidential candidate).

Since the Accords were signed, the Partido de Avanzada Nacional (PAN, National Advancement Party), the Frente Republicano Guatemalteco (FRG, Guatemalan Republican Front), the Gran Alianza Nacional (GANA, Great National Alliance), the Unidad Nacional de la Esperanza (UNE, National Unity of Hope), the Partido Patriota (PP, Patriot Party), and the Frente de Convergencia Nacional (FCN, National Convergence Front) have all held the presidency, and then quickly faded into insignificance when they were voted out of the Presidential Palace. Founded by Efraín Ríos Montt in 1989, the FRG is the exception in this, and it is very much a result of who its founder is. Though the party's fortunes have declined since the presidency of Alfonso Portillo (2000–2004), the decline was less precipitous than for other parties and Ríos Montt and his daughter and successor, Zury Ríos, remain important political figures. This can be seen in the overturning of the Guatemalan court's guilty verdict in the trial against Ríos Montt for genocide and crimes against humanity. In 2013, conservatives, including CACIF, pressured judges to overturn the ruling. Though portions of the larger conservative community would likely balk at the thought of voting for the FRG, it remains that Ríos Montt has, in many ways, come to represent the past.[47] His has become the face of the military of the 1980s, of genocide, of counterinsurgency, of violence. Personal dislike or ideological differences aside, conservatives could not allow Ríos Montt to be guilty; they could not allow Guatemala to join the lists of countries where the state committed genocide against its own citizens.

The label of conservative, as with human rights community, is a convenient shorthand for heterogeneous groups of individuals who might only be united in their views about the past. The binary this project creates is an over simplification that I only sometimes complicate. The fractures, fissures, and fuzziness of group membership discussed here should not be forgotten, even as I describe discursive contests as being between the human rights community and conservatives.

The fluidity of group membership is evidence of this fuzziness of group membership. In El Salvador, for example, many former guerrillas, who, in a binary world, would not fit well in the category of either human rights activist or conservative, have become much more politically

conservative. They have become disillusioned with the FMLN, its in-fighting, and the changing power dynamics among the different factions that make up the party. Those who have crossed the floor to join the conservatives—and so do fit into the binary view of Salvadoran society I have painted—are harshly criticized by their former comrades. In Guatemala, on the other hand, important members of the human rights community have taken posts in conservative governments, though they have not abandoned their beliefs. Rather, they opted to work from within government to achieve change. Had these individuals begun to change their beliefs, they would most certainly have been expelled from the community they had once been part of. The borders of acceptable discourse are constantly policed and if they are crossed, reaction is swift.

The issue of policing will be explored in relation to the human rights community in Guatemala in Chapter 7, but conservatives also police their own. This can be seen in what happened to former ARENA president, Tony Saca (2004–2009). Saca was expelled from ARENA six months after his term ended. He was not expelled specifically for betraying ARENA's discursive focus on amnesty and forgetting; rather, the Consejo Ejecutivo Nacional (Coena, National Executive Council) voted to kick him out of the party for "acting against the party's principles," as the online Salvadoran newspaper *El Faro* rather vaguely reported.[48] The Coena, it should be pointed out, includes a Vice President of Ideology, though Ernesto Muyshondt, Vice President until late 2014, dedicated at least some of his time not to ideology but to slandering FMLN president, Mauricio Funes.[49]

Internal policing is even clearer in Guatemala, as seen in the reaction to the interview Colonel Otto Noack Sierra gave on Dutch radio in July 1998. As reported in *Siglo Veintiuno*, Noack recognized the military's "excesses and abuses" and concluded that the military should "repent." The High Command ordered his arrest for insubordination a few days later. He did not, the Army said, have military authorization to express his views.[50] It was clear, however, that this had little to do with having permission to give an interview and everything to do with what he said. The military was very obviously policing its own, and sending a clear message to others who might be tempted to voice similar opinions: you, too, will be arrested. You, too, will be stopped.

Christian Tomuschat, head of the CEH, visited Noack Sierra while he was detained and reportedly applauded his bravery and expressed a hope that others would do the same.[51] The military, however, could not arrest

Tomuschat. Those who opposed his words, such as president Álvaro Arzú (via the Minister of Foreign Relations), could only reject what Tomuschat had said and accuse him—a foreigner—of interfering in domestic matters. The implications of this were not lost on Tomuschat. In addition to Tomuschat stating that his declarations about Noack Sierra were those of the CEH as a whole (the other two commissioners were Guatemalan), commissioner Alfredo Balsells Tojo added that the commission hoped that the government was not trying to "prematurely delegitimize" the CEH's report, which was published the following year.[52] The military, therefore, could and did police one of its own when his words challenged the military's version of the conflict. The government, however, try as it might, could not police what members of the internationally-supported CEH might say or do. Its power in this regard was limited.

Just as they faced off against each other during the conflicts, conservatives and the human rights community have different views on a wide range of issues in the post-Peace era in both countries. Conservatives, including military officers, were in power during the conflicts, directing counterinsurgency efforts and, seen from the most generous angle, turning a blind eye to human rights violations. The conservative heirs of those in power during the conflicts have every reason to want what happened in the past to remain in the past, for the crimes of the past to remain buried, for the past, in short, to be forgotten. And they insist, using whatever language is available to them, using whatever language that will be heard, that forgetting is exactly what must be done. As for the human rights communities in the two countries, broadly speaking, they work to exhume the past, to keep the past relevant, to reveal the names of those responsible for past crimes; they work to keep the memory of the past alive and to find out what happened to the victims. This is unsurprising since they emerged out of the ashes the military and its proxies left in their wake as they disappeared activists, burned crops, and razed communities. They demand memory, truth, and an end to impunity for the military's crimes. These two contrasting discourses and are explored in the next chapters.

The Print Media

Much of the discussion about the past that is the focus of this book takes place in newspapers. This broad category of newspapers includes paid ads taken out by a range of individuals and organizations; more

straightforward (though never entirely straightforward) news stories that often contain quotes from politicians, judges, and members of government or human rights organizations; and opinion pieces written by editors and other commentators, many of whom have weekly columns in the various papers. Reading pieces written by the same individuals, week after week, year after year is indispensable in understanding conversations about the past that take place in the public sphere. Reading 20 years of newspapers and opinion pieces allows the reader to understand different commentators' general ideological and discursive tendencies and to observe ideas and truths doing battle as commentators respond to statements others made in their own opinion pieces. For example, in 2000, political cartoonist, José Manuel Chacón, better known as Filóchofo, responded to pro-military, conservative commentators Karen Escaler and Alfred Kaltschmitt's description of the Guatemalan army as "victorious." In *Siglo Veintiuno* on 17 March 2000, he asked them if there is anything victorious about the fact that, "of the 24 remains found in the last exhumation [in Chichicastenango]…10 were girls and boys, 11 were women, 2 were elderly."[53] Not all comments about the past are so obviously part of a conversation between different and explicitly identified speakers, but comments about the past are nevertheless clearly part of years-long conversations and debates not only about what happened in the past, but also about the role of the past in the present.

A brief exploration of select Guatemalan and Salvadoran newspapers, as well as the general climate in which journalists and commentators write, is useful. It is important to keep in mind, however, that newspapers are not the most commonly accessed source for information in either El Salvador or Guatemala.[54] Yet, as Centro Civitas reported, "in countries like Guatemala," which surely includes El Salvador, print media "still dictate the agenda" of non-print media.[55] Newspapers shape opinion, as anthropologist and political scientist Ricardo Sáenz de Tejada's study of electoral politics and participation in Guatemala, especially among the Maya, demonstrates. Sáenz de Tejada concludes that, "faced with the weakness of political parties…the media and especially those who control them, take charge of generating 'public opinion.' The media's influential role and how they accredit or discredit an institution or individual's image is recognized internationally. It is almost possible to say that the media are the ones who elect the president."[56]

David Gross argues a related point. He suggests that, since the mid-twentieth century, the mass media have become the dominant

framers of social memory, replacing the state (which had itself replaced the church) in determining what is remembered and forgotten. Gross suggests that while the mass media—the "overlapping and interpenetrating worlds" of print and electronic media, including newspapers, magazines, tabloids, film, radio, and television—are most concerned with pop culture, they also determine societal values and frame what is important enough to be remembered, and what is not. As such, the mass media have become the most important source of information about the past and dictate which aspects of it should be remembered. According to Gross, the media also determine what we should think about the past. He adds that the media are able to have such a key role in this because they seem to be "down-to-earth and democratic," in addition to being omnipresent.[57]

Newspapers must be read with a critical eye. A 2008 United Nations Development Project (UNDP) study offers some revealing information about how the media work in Guatemala. How the mainstream media operate, according to the UNDP is "free enough." There are no laws to prevent the free circulation of information, nor does the government use "official advertisements as a way to limit the spread of information." However, how information is selected and how it is processed is not "totally free." What information the media report on is not only determined—indeed, limited—by the editorial staff's political ideology and by how particular information might affect the newspaper's revenue, but also by the fact that the newspaper, "as a social agent, when it enters into contact with the reality in which it functions, finds itself subject to a series of forces," four of which are more important than the others: the owners or investors, political agents, the (most often self-interested) sources, and the audience.[58] These all set the limits on what is and is not written about in a newspaper. Thus, the report concluded, "private interests" still determine freedom of expression; these interests are most often tied to media owners, to corporate interests, or to other interested groups that influence the contents of the media.[59]

Many who write or comment about the Guatemalan media, including many who are journalists themselves, are highly critical of it. Journalist Marielos Monzón, for example, pointed to many of the same issues as the UNDP, but also added more depth to the discussion. Monzón, a columnist with *Prensa Libre*, commented not only that ownership of the media is concentrated in a very few hands, but that "freedom of expression is threatened" because the "media's agenda is constructed—almost

unanimously—based on one way of seeing and understanding the world," a way that almost completely reflects the perspectives and values of those who have traditionally had economic and political power. Other sectors, views, beliefs, etc., are made invisible. And, she added, this is not very different from other sectors; the same concentration that is clear in media ownership can also be seen in land ownership, industrial and agricultural production, and the financial and services sectors. While those who own the means of communication are not always the same as those who control the financial sector, they are certainly from the same "social class" and so, for the most part, share the same outlook on the world.[60]

Filóchofo, fired by *Siglo Veintiuno* in 2001, agreed. In an interview in *El Periódico*, the newspaper that would soon publish his work, he stated that he believed he had been fired for ideological reasons. *Siglo Veintiuno*, he said, supported neoliberal policies and his cartoons "contradict the ideas and the discourse of the free market." He added, echoing Monzón, that Guatemalan newspapers had historically been unable to allow space for different opinions and voices. Part of the reason for this, and another part of the reason he believed he had been fired, is that advertisers and owners pressure editors to control content; after all, an oil company would be unlikely to want to advertise in a newspaper that also published critiques of oil companies.[61] As the UNDP reminded readers, newspapers are privately owned and operate on a for-profit basis,[62] much of which comes from advertising; as a result, keeping advertisers happy is essential to a newspaper's existence. Editors and journalists must try not to criticize or offend those who pay their salaries.[63]

They must also try not to offend the powerful more generally. Monzón's experiences are illustrative. In June 2017, she denounced threats made against her and others via the publication of a list of journalists who had supposedly committed crimes. This list was reported to have been delivered to narcotraffickers and presented to them as a list of individuals responsible for judicial actions taken against them.[64] When she had first heard about the existence of this list weeks before she officially denounced it as an attack on freedom of expression, she wrote "The lists again?" where she offered a brief summary of the several times her name had appeared on a list.[65] Guatemalans who had lived through the conflict, and many who had not, would immediately have understood the connection she was making to the death squads of the past who had drawn up lists of targets and often made them public them to intimidate

their target and generally create a climate of fear. The first experience in Monzón's own list of lists took place in 2002, when she received a letter at work informing her, and the other journalist and human rights defenders on the list, that they would soon know "'the flavor of their bullets.'" Shortly before, Monzón had published an article about illegal adoptions during the conflict. The threat was followed by a violent home invasion and the theft of Monzón's computer, some disks, and documents. In 2011 and again in 2012, she was included in lists. This time, those on the lists were accused of a series of crimes committed during the conflict. As Monzón confirms, when some of these crimes were committed, she was three years old; in other cases, she had not yet been born.[66]

The goal of drawing up lists like this is clear: to intimidate and silence, either by creating fear or because someone actually followed through on the threat these lists represent. Guatemala's press freedom group reported that nine journalists were assassinated in 2016.[67] These lists are also, as Monzón wrote, attempts at character assassination so that the journalist will no longer be believed.[68] The authors of these lists are sometimes shadowy figures or organizations. Freedom House, for example, reported that in 2016, "President Jimmy Morales fired two high-ranking officers from the presidential security service after they came under investigation for unlawful surveillance of journalists, human right advocates, politicians, and business owners."[69] Whether these individuals graduated from surveillance to making lists is unclear, but also unimportant. Surveillance sends the same message as list-making. At other times, when lists are delivered as part of a denunciation to the Attorney General's office, the identities of those who created the list are clear (i.e., Asociación de Viudas de Militares y Especialistas del Ejército de Guatemala [Association of Widows of Soldiers and Specialists of the Guatemalan Army]; Movimiento por la Dignificación de Militares y Especialistas del Ejército de Guatemala [Movement to Dignify Soldiers and Specialists of the Guatemala Army]; Ricardo Méndez Ruíz of the Fundación contra el Terrorismo [Foundation against Terrorism]).[70]

In Guatemala, I read *Prensa Libre, Siglo Veintiuno*, and *El Periódico*. *Prensa Libre*, founded in 1951 by those openly opposed to the Arbenz regime, is by far the most read of the three and is, according to Monzón, the most influential. It is owned by Grupo Prensa Libre, which also owns *Nuestro Diario*, the most read and far more sensational newspaper in the country. The Grupo Prensa Libre as a whole controlled 82% of the

market between April and June 2007. Centro Civitas reported an average daily printing of 126,000 distributed throughout the country in 2009. Prensalibre.com also is the most visited of Guatemala's online newspapers, with over 4.5 million visits per day in 2016.[71] *Siglo Veintiuno*, founded in 1990 by a group of businessmen, is owned by the Corporación de Noticias, S.A., and printed a daily average of 26,000 issues in 2009, most of which are distributed in Guatemala City. The newspaper is considered to voice the views of the business and conservative religious sectors, such as Opus Dei. From April to June 2007, the Corporación de Noticias, which also owns the newspaper *Al Día*, controlled 9% of the market.[72] Finally, *El Periódico* was first published in November 1996 after journalist José Rubén Zamora and others split from *Siglo Veintiuno*. Aldea Global, S.A., of which Zamora is president, owns the newspaper. Between April and June of 2007, Aldea Global controlled 5% of the market.[73] It should also be noted that the media in Guatemala is further concentrated in the hands of the Marroquín family, members of which head *Prensa Libre*, *Siglo Veintiuno*, and *La Hora*, another daily. Rick Rockwell and Noreene Janus, who study the media in Central America, describe the situation in Guatemala as a media oligarchy. A dozen families control non-print media, while nine families dominate all of Guatemala's newspapers and 99% of circulation. These same families also own the main industries in Guatemala and many are large-scale landowners.[74]

This kind of situation has led Chappell Lawson and Sallie Hughes to argue that the average Latin American "gets information about politics from oligopolistic systems characterized by concentrated ownership, collusion between owners and political elites, tabloidization, and spotty journalistic standards."[75] This idea of oligopoly is certainly clear in the case of El Salvador, as it was in Guatemala. As well, in El Salvador levels of collusion are high. According to the United Nations, *El Diario de Hoy* and *La Prensa Gráfica*, both of which were consulted for this investigation, control 87% of the market. Both print approximately 100,000 copies per day and are closely tied to the political right, and to ARENA in particular. The remaining 13% is controlled by the leftist *Diario Co-Latino*, which was also consulted for this book, and *Diario el Mundo*.[76] In addition to so few papers circulating, ownership of the media is highly concentrated. *La Prensa Gráfica* is owned by the Dutriz family, which also owns the third most read newspaper in the country, while *El Diario de Hoy* is owned by the Altamirano family, which also owns the fourth most read newspaper. Both belong to El Salvador's "fourteen families"

who have traditionally controlled wealth in the country, and both are connected to the political right. For example, as journalist Carlos Martínez, of the online investigative and independent newspaper *El Faro*, noted, recent editors-in-chief of *La Prensa Gráfica* have had close relationships with the ARENA presidency.[77]

In his analysis of the influence of the media in politics, Lawrence Michael Ladutke paints a rather grim picture of the situation in El Salvador. He argues that ARENA was able to win election after election in part by instilling fear in voters, and so in newspaper readers, about the consequences of voting for the FMLN. Journalists wrote about the terrible things that Salvadorans would suffer if the FMLN won. This is combined with these newspapers' refusal to publicize events the human rights community organized, their insistence on charging these organizations higher advertising rates, and a very obvious bias in favor of those who violated human rights both during the Civil War and after.[78] These helped ensure ARENA's electoral victories, as did the fact that death squads continued to operate, especially in the early post-Peace era, using threats and violence to prevent the full enjoyment of freedom of expression.[79]

Sonja Wolf's view on the Salvadoran media is only a bit less dire. Wolf acknowledged that the post-Peace era was characterized by greater freedom of expression and greater plurality. Ownership and audience, however, are still highly concentrated and the main media outlets, most notably *El Diario de Hoy* and *La Prensa Gráfica* but also the country's telecommunications giant, Telecorporación Salvadoreña, do not question the conservative status quo; rather, they support it and ARENA wholeheartedly.[80] Indeed, Freedom House described Telecorporación Salvadoreña as "ARENA-aligned."[81] The media, thus, continues to protect elite interests, as they did during the Civil War, allowing only a narrow range of voices and perspectives to be heard, creating a "homogeneous, uncritical and biased coverage." This is especially true during elections, when conservative media outlets transform into what Wolf describes as "party mouthpieces." While "open censorship" no longer exists, businesses and the government use advertising dollars to manipulate what the media does and does not report. As well, while *La Prensa Gráfica*'s journalists "enjoy relative independence and encounter limits only when the owners consider their social and economic status to be threatened," the owner of *El Diario de Hoy* "exercises internal censorship" and writes the newspaper's daily editorial column. Wolf concluded, drawing on the work of Sallie Hughes, that an "authoritarian news model" exists in El Salvador,

where the interests of the owners, the government, and the private sector converge, silencing alternative visions of the world.[82]

Yet it is not only the Salvadoran right that sees the benefit of having control over the media. During Mauricio Funes' presidency, government control over state media increased significantly; Funes, a former journalist and popular television presenter, transferred control over the various state media outlets, in particular Canal 10 and Radio Nacional, to the presidency.[83] As well, though it has a smaller circulation that either *Diario de Hoy* or *La Prensa Gráfica*, the leftist *Diario Co-Latino* can hardly be accused of impartiality. The newspaper is often little more than a "party mouthpiece," though for the FMLN instead of ARENA.

The media in El Salvador and Guatemala are most definitely not the best places to try to collect information about what happened; but they are excellent places to find out what particular sectors believe about what happened, or what those sectors want others to believe or remember. Newspapers, and those who write for them, reproduce and also produce public narratives of the past and the meaning attached to those events; as such, they are a useful source for exploring public discourse.[84] Yet given their limitations, newspapers, and especially mainstream newspapers, cannot be the only source consulted. Other sources, most importantly human rights organizations and their allies' publications and advertisements, are necessary to counter the tendency of the mainstream media to silence views that are not their own.

The subject of this investigation is on what intellectuals, politicians, activists, and commentators say and write, and on what other intellectuals, politicians, activists, and commentators understand those words to mean. Discourse is formed in dialogue between members of different groups and between members of the same group. These conversations continually push discourse to expand or contract, to shapeshift. There will be no discussion of whether or how what intellectuals, journalists, activists, and politicians say resonates with "the average Salvadoran" or "the typical Guatemalan," in the unlikely event that such people exist.

Notes

1. Carole Blair, Greg Dickinson, and Brian L. Ott, "Introduction: Rhetoric/Memory/Place," in *Places of Public Memory: The Rhetoric of Museums and Memorials*, eds. Greg Dickinson, Carole Blair, and Brian L. Ott (Tuscaloosa: University of Alabama Press, 2010), 6.

2. Antonio Gramsci, "The Intellectuals," in *Selections from the Prison Notebooks*, eds. Quintin Hoare and Geoffrey Nowell Smith (New York: International Publishers, 1971), 15.
3. Gramsci, "The Intellectuals," 5.
4. Gramsci, "The Intellectuals," 9–10.
5. Tani Marilena Adams, *Cumulative Impact Case Study: Consumed by Violence: Advances and Obstacles to Building Peace in Guatemala Fifteen Years after the Peace Accords* (CDA Collaborative Learning Projects, April 2011), 11.
6. Adams, *Consumed by Violence*, 11–12.
7. Adams, *Consumed by Violence*, 12, 50.
8. Adams, *Consumed by Violence*, 50.
9. Kirsten A. Weld, *Paper Cadavers: The Archives of Dictatorship in Guatemala* (Durham, NC: Duke University Press, 2014), 250.
10. Weld, *Paper Cadavers*, 220–221.
11. Weld, *Paper Cadavers*, 40.
12. PBS, "About the Characters," http://www.pbs.org/pov/granito/about-the-characters/.
13. Kate Doyle, "'I Wanted Him Back Alive.' An Account of Edgar Fernando García's Case from Inside 'Tribunals Tower,'" *Unredacted: The National Security Archive Blog*, 26 October 2010, https://nsarchive.wordpress.com/2010/10/26/i-wanted-him-back-alive-%E2%80%9D-an-account-of-edgar-fernando-garcias-case-from-inside-tribunals-tower/ and Kate Doyle, "27 Years Later, Justice for Fernando García," *The National Security Archive*, 18 February 2011, http://nsarchive.gwu.edu/NSAEBB/NSAEBB337/.
14. Weld, *Paper Cadavers*, 41, 80–82.
15. Ombudsman are elected by Congress among three candidates chosen by civil society. To be reappointed, the candidate would need 2/3 of the vote. For more on this process, see the Ley de la Comisión de los Derechos Humanos del Congreso de la República y del Procurador de los Derechos Humanos and Weld, *Paper Cadavers*, 296, note 5.
16. Weld, *Paper Cadavers*, 223–233.
17. Ibid.
18. Adams, *Consumed by Violence*, 11.
19. A member of the El Salvador's Comisión de Derechos Humanos de El Salvador (CDHES, Human Rights Commission of El Salvador) suggested to me that part of the reason why Salvadoran NGOs have difficulty getting funding from international donors, specifically compared to Guatemala, is that indigenous issues and genocide sell. Civil War does not (29 May 2012).
20. For a brief discussion of some recent developments in Guatemalan social movements, see Simona Violetta Yagenova, "Guatemalan Social

Movements: From the Peace Process to a New Cycle of Popular Struggle, (1996–2013)," in *Handbook of Social Movements across Latin America*, eds. Paul Almeida and Allen Cordero Ulate, 327–334 (New York: Springer, 2015).

21. Michelle Bellino, *Youth in Post-war Guatemala: Education and Civic Identity in Transition* (New Brunswick, NJ: Rutgers University Press, 2017).
22. The Unidad de Protección a Defensoras y Defensores de Derechos Humanos (UDEFEGUA, Human Rights Defenders Protection Unit) publishes annual reports about the state of human rights activism in Guatemala and charts the variety of threats made against human rights defenders (UDEFEGUA, *Informe sobre situación de Defensoras y Defensores de Derechos Humanos* [Guatemala City: Udefegua, 2016], http://udefegua.org/wp-content/uploads/2017/05/Informe-Genaral-2016-FINAL6.pdf). Victoria Sanford recounts the various threats forensic anthropologists have received in *Buried Secrets: Truth and Human Rights in Guatemala* (New York: Palgrave, 2003).
23. For a long history of organizing in El Salvador, see Paul Almeida, *Waves of Protest: Popular Struggle in El Salvador, 1925–2005* (St. Paul: University of Minnesota Press, 2008), translated and updated in Spanish as *Olas de movilización popular: moviemientos sociales en El Salvador, 1925–2010* (San Salvador: UCA Editores, 2011). Charles Brockett's comparative study of Guatemala and El Salvador, *Political Movements and Violence in Central America* (Cambridge: Cambridge University Press, 2005), also has useful information.
24. Time will tell if Pope Francisco's decision to make Gregorio Rosa Chávez a cardinal in 2017 will push the Salvadoran church to become less conservative. Rosa Chávez was a friend of monseñor Romero and is among the least conservative of the Church hierarchy.
25. Margaret Popkin, *Peace without Justice: Obstacles to Building the Rule of Law in El Salvador* (University Park: Pennsylvania State University Press, 2000), 161–162, 193. For a thorough discussion of the FMLN's rising and falling electoral fortunes, see Michael E. Allison and Alberto Martín Alvárez's "Unity and Disunity in the FMLN," *Latin American Politics and Society* 54, no. 4 (2012): 89–118 and Michael E. Allison's "The Transition from Armed Opposition to Electoral Opposition in Central America," *Latin American Politics and Society* 48, no. 4 (2006): 137–162.
26. Ralph Sprenkels, *The Price of Peace: The Human Rights Movement in Postwar El Salvador* (Amsterdam: Centre for Latin American Research and Documentation, 2005), 56, 63.
27. Sprenkels, *The Price of Peace*, 74–75.

28. Sprenkels, *The Price of Peace*, 82.
29. See, for example, Cynthia Arnson, "Introduction," in *Comparative Peace Processes in Latin America*, ed. Cynthia Arnson (Washington, DC: Woodrow Wilson Center Press, 1999), 22. That said, two "high level UN officials" Adams interviewed suggest that "the role of the ASC and other civil society groups may have been enhanced and perhaps embellished by the international community" (Adams, *Consumed by Violence*, 17–18).
30. Sprenkels, *The Price of Peace*, 81–88.
31. Sprenkels, *The Price of Peace*, 91.
32. Sprenkels, *The Price of Peace*, 79–81, 90.
33. Gloria Guzmán Orellana and Irantzu Mendia Azkue, *Mujeres con Memoria: Activistas del Movimiento de Derechos Humanos en El Salvador* (Bilbao: Hegoa, 2013), 78.
34. Guzmán Orellana and Mendia Azkue, *Mujeres con Memoria*, 76–77.
35. Guzmán Orellana and Mendia Azkue, *Mujeres con Memoria*, 81–97.
36. Guzmán Orellana and Mendia Azkue, *Mujeres con Memoria*, 76.
37. Sprenkels, *The Price of Peace*, 89. See also, Guzmán Orellana and Mendia Azkue, *Mujeres con Memoria*, 53. The case of the CDHES is also illustrative. The organization experienced similar divisions related to resources and focus in 1997, with different factions seemingly split along ideological lines (i.e., the Resistencia Nacional [RN, National Resistance] versus the ERP), though CDHES members also told Sprenkels that the conflicts were of a personal and not ideological nature (Sprenkels, *The Price of Peace*, 90).
38. Ministerio de Gobernación y Desarrollo Teritorial, "Gobernación entrega personería jurídica al Comité de Madres y Familiares de Detenidos-Desaparecidos y Asesinados Políticos de El Salvador 'Monseñor Óscar Arnulfo Romero,'" Ministerio de Gobernación y Desarrollo Teritorial, 28 January 2013, http://www.gobernacion.gob.sv/index.php?option=com_content&view=article&catid=1:noticias-ciudadano&id=154:gobernacion-entrega-personeria-juridica-al-comite-de-madres-y-familiares-de-detenidos-desaparecidos-y-asesinados-politicos-de-el-salvador-monsenor-oscar-arnulfo-romero&Itemid=77 and Member of Co-Madres, interview with author, 7 May 2012.
39. Congreso de la República de Guatemala, "Legislatura," accessed 10 January 2018, https://www.congreso.gob.gt/el-congreso/organos-del-congreso/diputados-buscador-general/?tipo=Bloque&bloque=10. See Allison's "The Guatemalan National Revolutionary Unit: The Long Collapse," *Democratization* 23, no. 6 (2016): 1042–1058, for a discussion of the URNG and its troubled post-Peace existence. Allison's "The Transition from Armed Opposition to Electoral Opposition in Central America" has a comparison to the FMLN.

40. See, for example, Manolo Vela Castañeda, "El Megapartido y Sus Perritos Falderos," *El Periódico*, 6 July 2014, http://elperiodico.com.gt/es/20140706/domingo/250343.
41. The Pro-Monument Committee included Mujeres por la Dignidad y la Vida (Las Dignas, Women for Dignity and Life), Tutela Legal del Arzobispado de San Salvador (Tutela Legal, Archbishop of San Salvador's Legal Aid Office), Museo de la Palabra y la Imagén (MUPI, Museum of the Word and the Image), Asociación Pro-Búsqueda de Niñas y Niños Desaparecidos (Pro-Búsqueda, Pro-Search Association of Disappeared Girls and Boys), Asociación Centro de Paz (CEPAZ, Center of Peace Association), Centro para la Promoción de los Derechos Humanos "Madeleine Lagadec" (CPDH, Center for the Promotion of Human Rights "Madeleine Lagadec"), Comisión de Derechos Humanos de El Salvador (CDHES, Human Rights Commission of El Salvador), Comité de Familiares de Victimas de Violaciones a los Derechos Humanos "Marianella García Villas" (Codefam, Committee of Relatives of Victims of Human Rights Violations "Marianella García Villas"), Co-Madres, Comité de Madres y Familiares Cristianos de Presos, Desaparecidos y Asesinados (COMAFAC, Christian Committee of Mother and Relatives of Prisoners, the Disappeared, and Assassinated), Asociación de Radios y Programas Participativos de El Salvador (ARPAS, Association of Radio and Participatory Programs of El Salvador), Asociación Yek Ineme, and the UCA.
42. Guzmán Orellana and Mendia Azkue, *Mujeres con Memoria*, 80.
43. Adams, *Consumed by Violence*, 12, 50.
44. ARENA, "Marcha Oficial de ARENA," 2011, http://arena.org.sv/partido/marcha/.
45. "A la conciencia nacional e internacional ARENA," *La Prensa Gráfica*, 18 March 1993. Paid ad.
46. Vela Castañeda, "El Megapartido."
47. This is clear, for example, in political cartoonist Filóchofo's work, which is discussed at various points in this book.
48. Sergio Arauz, "Arena expulsa al ex presidente Saca," *El Faro*, 14 December 2009, http://www.elfaro.net/es/200912/noticias/730/. According to Freedom House, he was also expelled for corruption. Indeed, he was detained on charges of corruption in 2016 (Freedom House, "Freedom in the World, 2011: El Salvador," accessed 17 March 2015, https://freedomhouse.org/report/freedom-world/2011/el-salvador#.VQiuqGYjhG4 and David Gagne, "Ex-President of El Salvador Arrested on Corruption Charges," *InSight Crime*, 31 October 2016, https://www.insightcrime.org/news/brief/el-salvador-ex-president-arrested-for-embezzlement-money-laundering/).

49. ARENA, "Coena," http://arena.org.sv/noticia-coena/.
50. "Arrestan al coronel Noack Sierra," *Siglo Veintiuno*, 18 July 1998.
51. "Arrestan al coronel Noack Sierra" and Carlso Castañaza Rosales, "Caso coronel Noack: Gobierno arremete contra Tomuschat," *Siglo Veintiuno*, 21 July 1998.
52. Castañaza Rosales, "Caso coronel Noack" and Julie López, "Caso Noack: Sigue pugna entre Gobierno y CEH," *Siglo Veintiuno*, 22 July 1998.
53. On the left side of the cartoon, running up and down, Filóchofo added, "Historically….the army has never defended the sovereignty of the country…the only thing that has been defended are the interests of small groups of power."
54. PNUD, *Guatemala, ¿Una Economía al Servicio del Desarrollo Humano? Informe Nacional de Desarrollo Humano 2007/2008*, Volume I (Guatemala: Programa de las Naciones Unidas para el Desarrollo, 2008), 511. See also, Lawrence Michael Ladutke, *Freedom of Expression in El Salvador: The Struggle for Human Rights and Democracy* (Jefferson, NC: McFarland & Company, Inc., Publishers, 2004).
55. Centro Civitas, "Guatemala, El Silencio de la Memoria: El Informe de la CEH en los Medios de Comunicación," in *La Persistencia de la Verdad: A Diez Años del Informe de la CEH*, eds. Impunity Watch y Convergencia por los Derechos Humanos (Guatemala: Editorial Serviprensa, 2009), 23.
56. Ricardo Sáenz de Tejada, *Elecciones, Participación Política y Pueblo Maya en Guatemala* (Guatemala City: Instituto de Gerencia Política, 2005), 253.
57. David Gross, *Lost Time: On Remembering and Forgetting in Late Modern Culture* (Amherst: University of Massachusetts Press, 2000), 117–118, 122.
58. PNUD, *Guatemala*, 506, 516.
59. PNUD, *Guatemala*, 527. Chappell Lawson and Sallie Hughes agreed. In a study about freedom of the press in 2002, where a higher number means there is less freedom, Guatemala scored 49, while El Salvador got 35 (Chappell Lawson and Sallie Hughes, "Latin American's Postauthoritarian Media," in *(Un)Civil Societies: Human Rights and Democratic Transitions in Eastern Europe and Latin America*, eds. Rachel A. May and Andrew K. Milton [Lanham, MD: Lexington Books, 2005], 172).
60. Marielos Monzón, "Con los Mismos Anteojos," in *¿Por Qué Nos Odian Tanto? Estado y Medios de Comunicación en América Latina*, ed. Omar Rincón (Bogotá: Centro de Competencia en Comunicación para América Latina and Friedrich Ebert Stiftung, 2010), 55–57.
61. Luis Urrutia, "Filóchofo: tinta peligrosa," *El Periódico*, 14 January 2001.
62. PNUD, *Guatemala*, 507.
63. PNUD, *Guatemala*, 514–515.

64. Carlos Álvarez and Roni Pocón, "Periodista Marielos Monzón denunica intimidación y calumnias," *Prensa Libre*, 26 June 2017, http://www.prensalibre.com/guatemala/justicia/periodista-marielos-monzon-denuncia-intimidacion-y-calumnias.
65. Marielos Monzón, "¿Otra vez las listas?" *Prensa Libre*, 13 June 2017, http://www.prensalibre.com/opinion/opinion/otra-vez-las-listas.
66. Monzón, "¿Otra vez las listas?"
67. "Once periodistas fueron asesinados en nueve meses, según Cerigua," *Prensa Libre*, 3 May 2017, http://www.prensalibre.com/guatemala/politica/once-periodistas-fueron-asesinados-en-nueve-meses-segun-cerigua.
68. Marielos Monzón, "Soy Marielos, no Tania," *Prensa Libre*, 20 December 2011, http://www.prensalibre.com/opinion/Marielos-Tania_0_612538765.html.
69. Freedom House, "Freedom in the World, 2017: Guatemala," https://freedomhouse.org/report/freedom-world/2017/guatemala.
70. See, for example, Rosmery González, "Suman 32 denuncias contra exguerrilleros," *Prensa Libre*, 30 November 2011, http://www.prensalibre.com/noticias/Suman-denuncias-exguerrilleros_0_600539963.html; José Andeés Ochoa, "Méndez Ruiz: un secuestro político, una demanda política," *La Plaza Pública*, 27 January 2012, https://www.plazapublica.com.gt/content/mendez-ruiz-un-secuestro-politico-una-demanda-politica; and Nic Wirtz, "Otto Pérez Molina and the Guatemalan Justice System," *Americas Quarterly*, 21 December 2011, http://www.americasquarterly.org/node/3167.
71. The Grupo Prensa Libre is also involved in television through Guatevisión. PNUD, *Guatemala*, 509–511; Centro Civitas, "Guatemala, El Silencio de la Memoria," 24; Monzón, "Con los Mismos Anteojos," 57; and Alvaro Raúl Sarmiento, "65 años informando y formando," *Prensa Libre*, 23 August 2016.
72. Centro Civitas, "Guatemala, El Silencio de la Memoria," 24; PNUD, *Guatemala*, 510–511; and Monzón, "Con los Mismos Anteojos," 58. Sixty percent of *Siglo Veintinuo* is now owned by Costa Rica's *La Nación* (Guillermo Mastrini and Martín Becerra, *Los Monopolios de la Verdad: Descifrando la Estructura y Concentración de los Medios en Centroamérica y República Dominicana* [Prometeo Libros: Buenos Aires, 2009], 108–109).
73. PNUD, *Guatemala*, 509–511; Monzón, "Con los Mismos Anteojos," 58; and Mastrini and Becarra, *Los Monopolios de la Verdad*, 108–109. In 2010, when Monzón's investigation of the media in Guatemala was published, Gonzalo Marroquín Godoy was the managing editor of *Prensa Libre*, Juan Carlos and Luis Marroquín Godoy were in charge of the company which owns *Siglo Veintiuno*, and Oscar Clemente Marroquín

Godoy and his sons owned *La Hora*, another of Guatemala's leading newspapers (Monzón, "Con los Mismos Anteojos," 57–78 and Mastrini and Becerra, *Los Monopolios de la Verdad*, 100–101).

74. Mastrini and Becarra, *Los Monopolios de la Verdad*, 108–109.
75. Lawson and Hughes, "Latin American's Postauthoritarian Media," 163.
76. Ricardo Valencia, "La Estrategia del Cambio," in *¿Por Qué Nos Odian Tanto? Estado y Medios de Comunicación en América Latina*, ed. Omar Rincón (Bogotá: Centro de Competencia en Comunicación para América Latina and Friedrich Ebert Stiftung, 2010), 116 and Ladutke, *Freedom of Expression*, 70–71, 82.
77. Mastrini and Becerra, *Los Monopolios de la Verdad*, 88–89.
78. Ladutke, *Freedom of Expression*, 80–83, 109.
79. Ladutke, *Freedom of Expression*, 54–59.
80. Sonja Wolf, "Subverting Democracy: Elite Rule and the Limits to Political Participation in Post-war El Salvador," *Journal of Latin American Studies* 41 (2009): 440–442.
81. Freedom House, "Freedom in the World, 2017: El Salvador," accessed 10 January 2018, https://freedomhouse.org/report/freedom-world/2017/el-salvador.
82. Wolf, "Subverting Democracy," 440–442.
83. Valencia, "La Estrategia del Cambio," 119–120.
84. Lisa Laplante and Kelly Phenicie's argument about the media and transitional justice in Peru is interesting here. Laplante and Phenicie focus in particular on reporting about the Peruvian Truth and Reconciliation Commission and on the trial of former president Alberto Fujimori. They assert that, since the findings of truth commissions and trial proceedings about past human rights violations are often not disseminated except by the media, how the media "frame" stories about the past plays an essential role in shaping collective memory, for, as the "social construction of reality theory" suggests, the media create the meaning of particular events. Lisa J. Laplante and Kelly Phenicie, "Media, Trials and Truth Commissions: 'Mediating' Reconciliation in Peru's Transitional Justice Process," *International Journal of Transitional Justice* 4 (2010): 208, 213–214.

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CHAPTER 3

Schizophrenic Memory in the Land of *La Eterna Primavera*

Alleged genocidaire and former general Otto Pérez Molina was inaugurated as President of Guatemala in January 2012. Shortly thereafter, someone—perhaps trying to make the best of a bad situation—reminded the "assassin president" that "The Ixil does not forget you. The Ixcán does not forget you." This message appeared on the side of a government building in downtown Guatemala City. It was painted over with a thin layer of white paint within 24 hours (Fig. 3.1).[1]

This was not the only time Pérez Molina's military past was denounced on Guatemala City's streets, nor would it be the last. Yet this unsuccessful and incomplete attempt at whitewashing the past, at revising the version of history told in public spaces, is particularly interesting because it depicts the country's struggle between memory and forgetting almost perfectly.

This chapter peels back the layers of meaning or intention that lie hidden below the surface of the things people say about past repression. The focus of this chapter is the un-said, the things that lurk beneath Guatemala's discursive scaffolding, which is discussed in the next chapter. The archaeological project involved in exploring the implications of or intentions behind discourse is akin to pentimento, when an artist "repents," or changes her mind about the work and paints over her original idea. With time, as Lillian Hellman described, as paint fades, it is sometimes possible to see through the top layer of paint to the layers below; "a tree will show through a woman's dress, a child makes way for a dog, a large boat is no longer on an open sea." "Perhaps," she wrote,

R. Hatcher, *The Power of Memory and Violence in Central America*,
https://doi.org/10.1007/978-3-319-89785-1_3

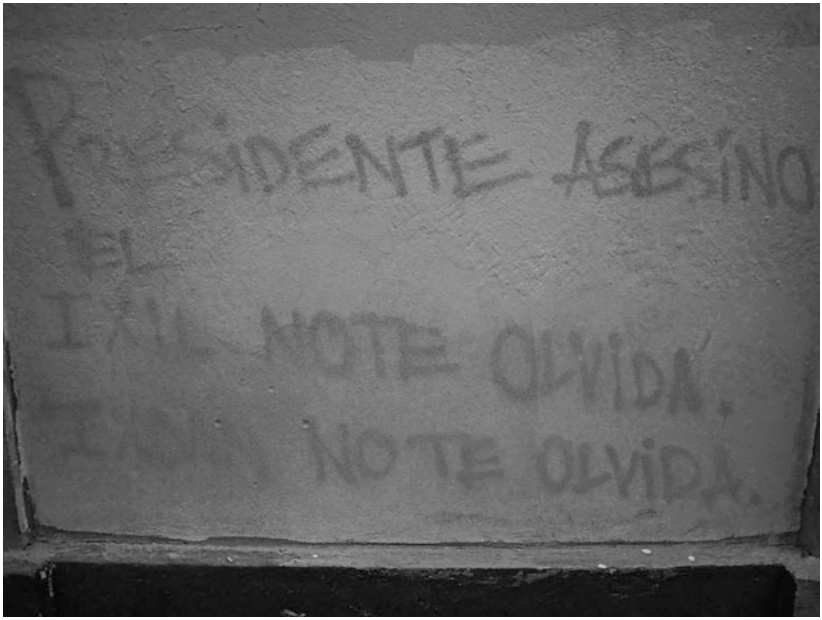

Fig. 3.1 Photo by author. 15 March 2012

"it would be as well to say that the old conception, replaced by a later choice, is a way of seeing and then seeing again."[2] In Guatemala's post-Peace discursive scaffolding, the issue is not about one artist repenting. Certainly, the activist-street artists who reminded Pérez Molina of the Ixil and Ixcán's long memories did not return with a bucket of paint later that day because they had changed their mind about something—the color of paint, perhaps? Would red have been better than blue? Rather, in Guatemala, pentimento relates to when one person tries to discursively cover over the work of someone else.

Thus, the broader human rights community insists that Guatemalans talk about the conflict and that they do so within the framework that demands that the past be remembered so that it never happens again, as will be seen in the next chapter. This is the tree in the original version of Hellman's painting. Those who prefer that the past be forgotten—those

who prefer a woman wearing a skirt to a tree—"paint over" or reshape the discursive scaffolding by speaking of reconciliation and *perdón*. They paint over the tree, hoping to mask it completely. Yet they cannot paint an entirely different picture than the one that already existed. They must work within what is already on the canvas to make sure that their addition is not out of place; they must speak of amnesty, reconciliation, and *perdón*, and not forgetting, to promote it.

The Ley de Reconciliación Nacional as Forgetting

On 29 December 1996, amidst much fanfare, the Accord for a Firm and Lasting Peace was signed, officially ending Guatemala's 36-year-long conflict. From then until the 26 April 1998 assassination of monseñor Juan Gerardi, various conservative actors worked to make sure that memories of the conflict would remain sealed in a memory box and destined for oblivion.[3] The Ley de la Reconciliación Nacional, better known as the Amnesty Law,[4] was passed on 27 December 1996 and was, in this initial post-Peace period, the most significant of the range of discursive and legislative tactics used to promote a purposeful forgetting. In debates about the law, struggles about words and meaning are clear, about what reconciliation and the nature of its relationship to forgetting are.

The Ley de Reconciliación Nacional begins with the declaration that, to achieve "reconciliation," to achieve a "firm and lasting peace," certain political crimes and common crimes connected to them should not be prosecuted. The exceptions, listed in Article 8, were "genocide, torture, and forced disappearance," as well as other crimes included in international agreements Guatemala had signed. The Law's "complete elimination of penal responsibility" benefitted perpetrators, their accomplices, and those who covered up crimes committed during the conflict, as well as all those individuals involved in peace negotiations. The Amnesty Law was overwhelmingly approved in Congress days before the final Peace Accords were signed.

Human rights and anti-impunity activist Helen Mack has explored the understanding of reconciliation that dominates in Guatemala's official circles, as seen in the Ley de Reconciliación Nacional. She argues that the Law's limited conception of reconciliation (i.e., limited to

those involved in the conflict and peace negotiations) is rooted in the Central American peace processes of the 1980s. At that time, reconciliation was "only and exclusively understood as the laying down of arms and as ceasefire."[5] In the Guatemalan peace process, as Mack wrote in a piece about the "absent process" of reconciliation in Guatemala, reconciliation was only mentioned in the agreement about reincorporating the guerrilla into civilian life; that is, reconciliation was only discussed in relation to the agreement that laid the legal foundation for what would become the Ley de Reconciliación Nacional.[6] In this Agreement on the Basis for the Legal Integration of the Unidad Revolucionaria Nacional Guatemalteca (URNG, Guatemalan National Revolutionary Unity) the signatories agreed, among other measures, that Congress would draft a "National Reconciliation Act whose object shall be…to promote a culture of harmony and mutual respect that will eliminate any form of revenge or vengeance, while safeguarding the fundamental rights of the victims, as prerequisites for a firm and lasting peace." The signatories further agreed that, "Guatemalan society needs to develop conditions conducive to reconciliation and lasting governability" and that "the legal integration of members of the URNG, in full exercise of their constitutional rights and duties and in security and dignity, will contribute to the democratic process and its consolidation, the restoration of the social fabric in Guatemala, reconciliation, and the establishment of a firm and lasting peace."[7]

Though these passages from the Agreement on the Basis for the Legal Integration of the URNG include, for example, a declaration about the need to reweave Guatemala's social fabric, nevertheless, as Mack wrote, reconciliation in the Peace Accords was rooted in *not* holding actors in the conflict legally responsible for their actions.[8] Acisclo Valladares Molina, former Attorney General and two-time presidential candidate, wrote in *El Periódico* in 2008 that this was essential to the peace, for "those who were in power were not ready to accept that peace meant that they would have to spend the rest of their days in prison, and nor were those who wished to achieve power. Peace and amnesty, therefore, were inseparable: take them or leave them, but together."[9] The left-leaning Frente Democrático Nueva Guatemala (FDNG, New Guatemalan Democratic Front) rejected this kind of reasoning when they voted against the law, arguing that it was little more than an amnesty for the

military and the guerrilla.[10] It is important to point out that, though this kind of comment can be understood as equating military and guerrilla responsibility for violations, it is clear that the military and its proxies are responsible for the lion's share (i.e., 93%) of the human rights violations committed during the conflict.

Paul Ricoeur has suggested that amnesty laws are a form of "institutional forgetting."[11] This is clear in the *Oxford English Dictionary's* definition of amnesty as "forgetfulness, oblivion; an intentional overlooking." The second entry narrows the definition to "an act of oblivion, a general overlooking or pardon of past offenses, by the ruling authority." Yet amnesty is more than forgetting legal responsibility for a crime. Ricoeur adds that "the proximity, which is more than phonetic, or even semantic, between amnesty and amnesia signals the existence of a secret pact with the denial of memory, which…distances it from forgiving, after first suggesting a close simulation."[12] Amnesty, thus, is nothing more than forced forgetting. He wrote that,

> It is certainly useful—this is the right word—to recall that everyone has committed crimes, to set a limit to the revenge of the conquerors, and to avoid compounding the excesses of combat with the excesses of justice. More than anything, it is useful, as it was in the time of the Greeks and the Romans, to reaffirm national unity by a liturgy of language, extended by the ceremonies of hymns and public celebrations. But is it not a defect in this imaginary unity that it erases from the official memory the examples of crimes likely to protect the future from the errors of the past and, by depriving public opinion of the benefits of *dissensus*, of condemning competing memories to an unhealthy underground existence?[13]

Ricoeur's assertion that the way amnesty fades into amnesia prevents past crimes from serving as a warning or as an example to the future finds many echoes in Guatemala's post-Peace discourse, as will be seen. More relevant for the moment is how the Amnesty Law promoted amnesia and forgetting behind a façade of reconciliation, seeking not only to forget responsibility for the crimes of the past, but also to forget the crimes themselves. This is clear in a second piece Valladares Molina wrote in 2008. In this piece, Valladares Molina described the amnesty as a "truly cruel institution" and as "the final slap in the face for the victims." More

than eliminating the possibility of trials for the crimes committed during the conflict, the law made it "as if the crimes had never been committed."[14] In Valladares Molina's view, and as Ricoeur pointed out, the crimes themselves would be forgotten with the National Reconciliation/Amnesty Law. With comments like this, amnesty's forgetting easily attached itself to reconciliation.

Mack was highly critical of this tangling of reconciliation, forgetting, and *perdón*, or pardon, which will be explored in more depth in the next section. Mack argued that it "was, without a doubt, deliberate, because the concept of 'reconciliation' inevitably requires the promotion of large scale social, political, and institutional transformations, something Guatemalan society has not been prepared for, especially not groups that hold power unlawfully." Understanding reconciliation as related to forgetting and *perdón* excludes "institutional transformation, economic improvement, the reconstruction of a social fabric damaged by so many years of war, the repairing of personal and interpersonal trust, the recuperation of the dignity of those who survived the violence, and the search for social justice," all essential aspects of reconciliation. Mack concluded that, since the Peace was signed, those with political, economic, or social power "have tried to establish the ideas of 'wiping the slate clean,' of 'looking to the future and not toward the past,' and of 'not seeking reprisals or vengeance' as synonyms for reconciliation."[15] For activists like Mack, the state sought to forget.

Comisión de Esclarecimiento Histórico (CEH, Historical Clarification Commission) commissioner Alfredo Balsells Tojo also made this point. He described the Amnesty Law as an attempt to "throw the veil of forgetting over the Guatemalan nightmare" by hiding history, by "absolv[ing] the torturers, the massacrers, the executioners of extrajudicial deaths, the members of death squads, the offenders of humanity's most basic norms, of guilt." The amnesty, he continued, sought to prevent future generations from knowing "what happened inside police dungeons and military barracks to thousands of their compatriots who were not part of the warring factions."[16]

Yet, as much as critics accused the law of promoting forgetting, and as much as Ricoeur points to forgetting as being an integral part of amnesty, the law itself does not openly call for forgetting. Rather, in Article 10, the Law supported the search for truth. The Law described the CEH as contributing to making the "historical truth" of the armed conflict known "to prevent such acts from being repeated" and re-confirmed

the state's support for the body, declaring that state institutions "should provide the required support to the Commission." Indeed, when the CEH began its investigation, the Procurador de Derechos Humanos (Human Rights Ombundsman), Julio Arango Escobar, and the head of the Secretaría de la Paz (Sepaz, Secretariat of the Peace), Raquel Zelaya, used Article 10 to criticize the state for not providing information to the Commission.[17]

As much as reconciliation was tangled up with amnesty and forgetting in debates about the Ley de Reconciliación Nacional, the Law itself required memory. Before amnesty could be granted, something had to be remembered. Before amnesty could be granted, the crime had to be recognized. The way the amnesty dictated what to remember can be seen in the Myrna Mack and Jorge Carpio Nicolle cases. Myrna Mack was an anthropologist who worked with communities that had been displaced by the military's scorched earth campaigns, campaigns that she denounced. She was killed by a death squad on 11 September 1990. Jorge Carpio Nicolle, on the other hand, was a journalist and politician who founded the Unión del Centro Nacional (UCN, National Centrist Union). Defeated in the second round of the 1990 presidential elections, Carpio remained active in politics until the paramilitary Patrullas de Autodefensa Civil (PACs, Civil Self-defense Patrols) assassinated him on 3 July 1993. In the Mack case, defense attorneys declared that they would seek amnesty for their defendants not because their defendants were or were not guilty—that seemed to be irrelevant—but because the assassination was a political crime. As such, it was covered by the amnesty. Lawyers used Myrna Mack's sister Helen Mack's statements that the crime had been politically motivated to make their case. Furthermore, the lawyers wondered how it was even possible to separate Myrna Mack's assassination from the conflict given the fact that she had worked with those who had been displaced as a direct result of it.[18] The defense for the PACs accused of assassinating Carpio sought amnesty for their clients using a similar strategy. The lawyers argued that Carpio's widow had always asserted that the crime was political, and so the defendants were protected by the amnesty.[19]

In these and many other cases, lawyers were required to demonstrate, first, that the perpetrators had served in the military or the guerrilla or had been members of a state institution and, second, that the crimes had been committed in the context of the conflict and so were politically motivated.[20] Thus, especially in cases where the individual had been

targeted by the state, the first step toward amnesty was remembering the crime. In this, it was essential to remember why they had been killed so that the perpetrators could qualify for amnesty. Thus, the victims' work had to be remembered. This is so important because their work was a powerful indictment of the many kinds of injustice in Guatemala, injustices that the victims were trying to eliminate and that remained in the post-Peace era. Remembering the victims' work reminds Guatemalans that there is still work to be done. For these reasons, remembering was and is dangerous for those who wish to maintain the status quo.

Amnesty, therefore, was not only amnesia. In seeking amnesty, the political had to be remembered and proven so that the crime would be forgotten.[21] As well, and stepping back, remembering the crime and details about it, including the political motivation behind a particular crime, ultimately showed that the official version of what had happened (a version that suggested, for example, that activists had not been disappeared, but had run off with their mistresses) was a lie. In these cases, the amnesty allowed "the historic truth" to be known.

Despite applications for amnesty in a few cases after Gerardi was assassinated, as in the Dos Erres and El Jute cases, as well as in the case against genocidaire, Efraín Ríos Montt,[22] most discussions about amnesty were concentrated in the years between December 1996 and Gerardi's assassination in April 1998. Those so critical of the Amnesty Law may have felt slightly hopeful as soldiers and other members of state institutions were consistently refused amnesty. This hope surely disappeared as it became clear that those who sought to keep Guatemala's memory box open would do so at their own risk, for human rights and other kinds of activists are consistently threatened in relation to their work. The rejection of amnesty applications also meant that amnesty, and the at least temporary remembering it involved, was not the best way to forget. The even short-lived presence of the past in the public sphere that applications for amnesty required was, perhaps, still too much remembering for certain sectors.

Perdón as Forgetting

The failure to speak of reconciliation as something other than amnesty/amnesia meant that reconciliation was also tied to *perdón*, for pardoning perpetrators is precisely what an amnesty law permits. The links between *perdón*, reconciliation, and forgetting can be seen in the

FDNG's description of the Ley de Reconciliación Nacional as "the Law of *Perdón* and Forgetting."[23] Yet *perdón*, and the verb *perdonar*, have more than one meaning. In addition to meaning pardon in the legal sense, *perdón* also means forgiveness, and even absolution. To maintain some of the fluidity of the word *perdón*, the Spanish will be used here.

The multiple dimensions of *perdón* can be seen in *Prensa Libre*'s 1997 report about Edelberto Torres-Rivas' response to the Amnesty Law. Torres-Rivas, one of Guatemala's leading scholars, wrote in the inaugural issue of *Diálogo*, the monthly publication of the Facultad Latinoamericana de Ciencias Sociales (FLACSO, Latin American Social Sciences Institute), that the Law created "the possibility to *perdonar* common crimes committed in connection with political crimes." For Torres-Rivas, *perdón* for the crimes was possible, as long as this was done with the support of "the only people capable of granting it," "the offended, their families, and society itself."[24] Here, *perdón* shifted from meaning forgetting criminal responsibility for a crime to something more like forgiveness. It is not pardon that only the families can grant, for pardon is something the courts grant. Relatives of the victims are, however, the only ones who can forgive the perpetrators.

Helen Mack's piece, "Amnesty and Impunities," also demonstrates *perdón*'s ability to shape-shift. Using *perdón* much as Torres-Rivas had, Mack wrote that when the idea of seeking justice for crimes committed during the conflict arises, "forgetting and *perdón* without prior judgment are proposed." Yet, "peace and reconciliation cannot be constructed on top of the victims' pain, nor on top of forgetting converted into impunity." The state, she wrote, "can *perdonar* the acts that have affected it, such as the armed uprising. That is to say, it is authorized to forget or *perdonar* the crimes that…threatened it, such as rebellion, treason," and other crimes that took place in the context of the war. But the state does not "have the right to forget and *perdonar* in the name of those who suffered political violence that originated in the internal armed conflict."[25] Only those who suffered can *perdonar*.

In addition to Mack's clear attempts to rescue reconciliation from forgetting, her use of *perdón* points to the word's fluidity. For Ricoeur, "the question of forgiving arises when there has been an indictment, a finding of guilt, and a sentencing." Yet when an amnesty exists, the possibility of determining guilt is usually denied. Thus, in the passage of amnesty laws, the "boundary between forgetting and forgiving is crossed surreptitiously,"[26] and so the danger exists that forgetting a political crime will

melt into forgiving that crime, without the necessary acknowledgement of responsibility.

The discursive connection made between amnesty and *perdón*, though the word is not used in the Ley de Reconciliación Nacional, is more clearly seen in newspaper reports from early 1997 that describe applications to benefit from the "Law of *Perdón* and Forgetting." The intellectual authors of Myrna Mack's assassination, for example, "ask to be *perdonados*," they ask to be pardoned/forgiven. This, at least, was the headline *El Periódico* used for the article.[27] The newspaper repeated this the following two days. On 8 January, "the accused for [the] Xamán [massacre] ask for *perdón*," while on 9 January, Noel Betata, the soldier who had already been convicted as the material author in Myrna Mack's assassination, "also wants *perdón*."[28] The idea that reconciliation/amnesty/forgetting were tied to *perdón* can clearly be seen in other pieces. In early January 1997, for example, Balsells Tojo likened the Amnesty Law to forgetting and wrote that both sides had agreed to it as a way to "*perdonar* themselves for the offenses inflicted." "They ask for *perdón*," he wrote, "they ask for forgetting, but they do not want to talk about justice as the minimum tribute that should be paid to their compatriots sacrificed in this deaf war, this hidden war, but a war impossible to deny."[29] The Amnesty Law, and the related concept of *perdón*, promoted forgetting—a not knowing, a lack of memory about the atrocities of the past. Thus, in discussions about the Amnesty Law, reconciliation, amnesty, forgetting, and *perdón* are spoken of in one breath, creating a sort of discursive continuum where amnesty and *perdón* are seen as steps on the path to reconciliation and forgetting, as necessary pre-requisites for or as synonymous with them.

As *perdón*-pardon became *perdón*-forgiveness, as discussions of amnesty/amnesia became fewer, the relationship between *perdón* and forgetting became clearer—and more important to deny. President Álvaro Arzú announced in December 1998 that he would ask for *perdón* for the "excesses" committed during the conflict, something that on the surface seems to fit into Trudy Govier and Wilhem Verwoerd's definition of a moral apology—very basically, "an expression of sorrow for moral wrongdoing."[30] Arzú made this announcement at a critical moment. In December 1998, the first guilty verdict for a massacre committed during the conflict was passed down and three patrollers were condemned to death, a sentence that was appealed before the month ended; the twists and turns of the Gerardi case continued as the government's attorney

stepped down, archbishop Próspero Penados Barrios accused the military of the assassination and the government accused the Valle del Sol criminal group, and the priest involved in the assassination was admitted to hospital; an armed group operating in the southwestern part of the country was rumored to be composed of ex-guerrillas; investigations into a 1982 massacre in Nebaj got underway; the case related to the Xamán massacre also continued twisting and turning; David Stoll's book, *Rigoberta Menchú and the Story of All Poor Guatemalans*, was published, sparking debate about Menchú's "lies," (this, of course, days after she had met with French president Jacques Chirac and her work was celebrated); the campaigns related to the constitutional referendum continued; and, last but certainly not least, the country waited (im)patiently for the publication of the CEH report. The climate in Guatemala was tense, to say the least.

A glance at the headlines in December 1998 is enough to see that Arzú's announcement would not ease these tensions. *Prensa Libre*, for example, published "A polemical *perdón*" the day after Arzú's initial announcement.[31] That Arzú's decision was indeed polemical is clear, not only from the range of passionate reactions to it, but also from the fact that he felt the need to repeat his call for the importance of *perdón* mid-month.[32] *Prensa Libre* followed this up on the front page on 29 December with "Debate about *perdón* two years after the Peace." *El Periódico* announced that, "Arzú's proposal generates criticisms."[33] For *Siglo Veintiuno*, it was "The most controversial *perdón*" and "The *perdón* of discord."[34] As expected, these articles featured the opinions and reactions of various individuals from a range of social and political sectors, some expressing support for the *perdón* and others wholeheartedly rejecting it.

Looking beyond the headlines, the editors of *Prensa Libre* wrote in December 1998 that Arzú's plan to ask for *perdón* was not only about *perdón*; it would also contribute to the "achievement of forgetting, understood not as synonymous with impunity, but as the acceptance that, as a country and as a human group, we Guatemalans were victims of circumstance beyond our control that erased the division between 'the good' and 'the bad,' that made all of us responsible for what happened, whether by action or omission."[35] At other times, of course, the editors had called for memory. Vice president of *Prensa Libre*, Mario Antonio Sandoval, contributed to the same issue of *Prensa Libre*. His piece, "*Perdón*, forgetting and knowing," echoed support for *perdón*,

highlighting the fact that, given Arzú's role in the repressive Lucas García and Serrano Elias regimes, he had a personal reason to ask for *perdón*, He also connected *perdón* to forgetting when he wrote, "deep pain requires a heavy dose of forgetting." Underscoring the importance he evidently placed on requests for *perdón*, he went on to argue that the guerrilla should also ask for *perdón* since they were "equally guilty."[36] In both the *Prensa Libre* editorial and in Sandoval's piece, far from being statements in support of wholesale forgetting, the authors were proposing what Elizabeth Jelin and others describe as remembering a different truth.[37] The authors of both pieces, however, framed their arguments within the context of memory versus forgetting and saw the value of at least some forgetting. Sandoval, especially, prescribed forgetting as a way to achieve reconciliation.

Not all of Guatemala's conservative commentators were so bold as to openly describe the remembering of different truths as forgetting. Pro-military commentator Karin Escaler's view of the "truth" of the conflict was clear when she asked, much as Sandoval had, if the guerrilla were also going to ask for *perdón*. She added that it was cynical of Arzú to ask "widows and orphans, people who saw their property destroyed and their pockets plundered, to forget."[38]

Escaler's understanding of *perdón* as forgetting finds an echo in many other commentaries written in the weeks before the second anniversary of the Peace, and her comments contribute to the pushes and pulls involved in the construction of Guatemala's discursive scaffolding. Human rights activists and more left-leaning individuals, surprisingly, agreed with Escaler that *perdón* was forgetting, though their idea of what Arzú wanted forgotten, as well as their understanding of the "truth" of the conflict, certainly diverge from hers; the human rights community was not primarily concerned with the destruction of property and the plundering of pockets.

The leaders of both the Central General de Trabajadores de Guatemala (CGTG, Confederation of Workers of Guatemala) and the Alianza contra la Impunidad (ACI, Alliance against Impunity) asserted that Arzú's act of "political hypocrisy" was little more than an effort to "wipe the slate clean."[39] Journalist and feminist Laura E. Asturias described Arzú as attempting to "promote a sort of *perdón and forgetting*." What true reconciliation required was that the perpetrators be punished and the victims compensated; "anything else is an insult."[40] Helen Mack concurred. Guatemalans did not know the truth of what

had happened, and so, though she saw Arzú's announcement as a step forward, she also believed that it was not the right moment. She added that she hoped that "when the Truth Commission delivers its final document, the parties that were involved in the conflict truly ask Guatemalans for *perdón* so that what happened never happens again." She also offered her thoughts on the fact that Arzú intended to ask forgiveness for "excesses" and declared that what had happened in the conflict was more than excesses; instead, it was a well thought out campaign to violate human rights.[41]

Mack's mention of the CEH report is significant. Many activists believed that the timing of Arzú's *perdón* was meant to promote a pre-emptive forgetting of what the CEH was rumored to have concluded: that state security institutions were responsible for the vast majority of the violations committed during the conflict. Mack, to be sure, did not state this explicitly, nor did Jesuit Juan Hernández Pico when he wrote, "it was not the same to ask for *perdón* before knowing the [contents of the] disturbing CEH report."[42] Miguel Ángel Sandoval and Mario Monteforte Toledo, however, were clearer. Sandoval, who had signed a number of the Peace Accords on the URNG's behalf and would go on to be their presidential candidate in 2007, wrote in "*Perdón*…and a clean slate" that it seemed to him that Arzú was trying to "kill two birds with one stone: one, to stay ahead of the CEH report and its possible recommendations and, two, to give Guatemalans a reason to 'celebrate' this 29 December" when, in reality, there was nothing to celebrate.[43] Monteforte Toledo, an author and member of both the Juan José Arévalo and Jacobo Arbenz governments, believed that Arzú had decided to ask for *perdón* shortly before the CEH report was published with the hope of "minimiz[ing] the contents of this fundamental work and mak[ing] the perpetrators of genocide vanish,"[44] condemning them to oblivion. Interestingly, the Secretary of the Peace, Raquel Zelaya, waded into the discussion and used the same language to assure Guatemalans that the government was not seeking to "wipe the slate clean." The *perdón*, she added, did not eliminate the victims' "right to truth, justice, and compensation," which were guaranteed in the Peace Accords.[45]

A few months later, commentators' beliefs that Arzú's *perdón* was motivated by a wish to forget was supported by his actions when the CEH was finally published. In addition to refusing to walk on stage to accept the report when it was presented to the public in February 1999,

Arzú declared it "one more investigation," and one whose findings were "arguable and provisional."[46] His truth, it seems, was quite a different one.

Activists and progressive commentators believed that, with his decision to ask for *perdón*, Arzú hoped to finally be able to declare an end to the conflict. It was his way of closing the book on the past, and then putting that book back on the shelf to gather dust. His request for *perdón*, combined with the Amnesty Law, sent a clear message: Arzú hoped that the crimes committed during the conflict and the military's "excesses" would be forgotten. This, perhaps, is why the human rights community has insisted so loudly and frequently that state security institutions, as the CEH would soon conclude, had committed 93% of the tens of thousands of human rights violations committed during the conflict. They saw the *perdón* as a political move. Asking for *perdón* was Arzú's attempt to reduce the impact the CEH's findings were sure to have. He just wanted the past to be forgotten.

However, calling for reconciliation before the CEH's clarified history had been made public and imagining that well-planned and extremely violent counterinsurgency campaigns were "excesses" was more insidious than openly promoting forgetting. Arzú was attempting to dictate what was remembered and what was forgotten. He was seeking to create what Foucault has called a "regime of truth." Foucault describes regimes of truth as the "types of discourse which [a society] accepts and makes function as true; the mechanisms and instances which enable one to distinguish true and false statements."[47] Describing what the CEH would conclude were acts of genocide as "excesses" was Arzú's attempt to forget institutional responsibility. He hoped this would be excluded from Guatemala's post-Peace regime of truth and so understood as untrue. Instead, human rights violations would be understood as the result of individual soldiers or patrollers' decision to rape, torture, massacre, and destroy communities.

But of course individuals *had* committed human rights violations. Though the CEH, prohibited from naming names, would find state institutions responsible as institutions, individuals had wielded machetes with deadly effect and tossed infants down wells. Many members of human rights organizations and their allies, therefore, insisted that *perdón* was impossible without knowing what had happened and who was responsible. *Perdón*—a real *perdón*—required memory. Political cartoonist Filóchofo, for example, asked Arzú, who is always drawn wearing a conquistador's hat, to "tell us who" to *perdonar* on 29 December 1998. He added that "If the *perdón* is not going to be demagogic…It is

necessary to compensate the victims and know the names of the perpetrators, so that their crimes are never repeated."[48]

Human rights activist Miguel Ángel Albizures wrote passionately on the issue. He was critical of the *perdón* and demanded that the names of the perpetrators be known, for how else can one *perdonar*? He wrote that, "More than asking for *perdón* for crimes [that "the current president of the Republic, the Minister of Defense, the Interior Minister and the Director of the Police"] did not commit, they should foster justice and, just as [the church has] put the names of thousands of victims on pillars in front of the Cathedral, there should be a place where the people can read the names of the perpetrators, so that they never forget their executioners."[49] Though the more conservative Mario Antonio Sandoval was against naming because "a country like Guatemala should be sure to reduce its problems, not add to them," historian Nery Villatoro Robledo agreed with Albizures in "*Perdonar* is not to forget." He wrote that he supported Arzú's move and that it showed some courage on his part to "ask *perdón* for the crimes and atrocities that others ordered and committed." But, he added, these "others" must also ask for *perdón*, for, to *perdonar*, the question of "who?" must be answered. And this, he continued, "brings us inevitably to the theme of justice." Without justice, "asking for *perdón* only has the meaning of *wiping the slate clean*, of forgiving and forgetting," all of which would make reconciliation, which was the aim of Arzú's *perdón*, quite difficult. And, he added, in a statement that fits perfectly within post-Peace Guatemala's discursive scaffolding where memory prevents repetition, "forgetting our history is to invite a new tragedy."[50]

At the ceremony celebrating the anniversary of the Peace, Arzú asked for forgiveness in the name of the state as planned. He asked forgiveness for the violence Guatemalans suffered "as a result of the decisions of political power and the actions of the army and of the security forces of the time."[51] The army also asked forgiveness, and declared that it was not a forgiveness that sought to silence the truth. On the contrary, as Erick Campos reported in *Prensa Libre*, Minister of Defense Héctor Barrios Celada insisted that "the clear, transparent truth must emerge, not a malicious one, and much less a partial one."[52] With the publication of the CEH report, *Memoria del Silencio*, however, Barrios Celada surely felt that the truth he had so lauded had been betrayed.

In these discussions, Guatemala's discursive battle lines are clearly drawn as different sectors struggle to be able to define what Guatemalans

understand by *perdón*. Is it related to forgetting, or not? Interestingly, and evidence of the power of memory as an idea and the influence of the human rights community that champions it, forgetting is generally understood as something bad, as something that should be avoided. It is condemned as the path Guatemala should not follow.

The close relationship between *perdón* and forgetting, the way that many believed that *perdón* was simply a different way to promote forgetting, can also be seen in other moments not related to official requests for *perdón*. This is clear in the words of Wendy Santizo Méndez, a member of Hijos e Hijas por la Identidad y la Justicia contra el Olvido y el Silencio (HIJOS, Sons and Daughters for Identity and Justice against Forgetting and Silence), who was interviewed by the Oficina de Derechos Humanos del Arzobispado de Guatemala (ODHA, Human Rights Office of the Archdiocese of Guatemala) for their publication about the ten years that had passed since the presentation of *Nunca Más*. Santizo Méndez described the state's request for *perdón* as "a joke, a farce," and recalled that the HIJOS' slogan is "Neither forgetting, nor *perdón*."[53]

The relationship between *perdón* and forgetting continues. On 15 April 2013, *El Periódico*'s Juan Luis Font wrote "*Perdón* and forgetting." The piece underscored the relationship between the two, and brought the discussion back to Ricoeur. Speaking of the genocide trial of Efraín Ríos Montt and Mauricio Rodríguez Sánchez, Font wrote of a refusal on the part of Guatemalans who lived through the early 1980s to admit even a small amount of responsibility for supporting one side or the other in the conflict. It is worthwhile, he wrote, to read Nelson Mandela's autobiography, for he is "able to admit the consequences of his actions." He highlighted that those who support the violations of the 1980s also point to Mandela as an example to follow, though in their case he is an "example of *perdón* and forgetting." But, Font declared, no one in South Africa forgot. Speaking of the South African Truth and Reconciliation Commission's "truth for amnesty" deal, he wrote, "there was *perdón*, but only after a recognition of the crime committed by one's own hand." In an optimistic understanding of the South African process and its results, he added that "only then was [the perpetrator] freed from responsibility. Only then was it possible to look ahead and leave behind what was suffered." In Guatemala, however, the perpetrators have not admitted responsibility,[54] preventing *perdón*.

Reconciliation as Forgetting

Returning to reconciliation, the relationship between it and forgetting was clear from the first days of the post-Peace era when journalists and commentators relabeled the Ley de Reconciliación Nacional the Ley de Amnestía. Whenever conservative actors called for or spoke of reconciliation, the human rights community would once again spring into action, denouncing attempts to "wipe the slate clean" or "turn the page on the past." The speaker whose words had sparked the denunciations could only deny that they wanted to forget, often insisting more loudly that Guatemalans must remember so that the past would not be repeated. In this back and forth between activists and conservative actors, the struggle between memory and forgetting is clear, as is the struggle over what words mean. Furthermore, in accusations and denials about forgetting, a post-Peace discursive scaffolding that demands memory is very clearly being constructed. Word by word and phrase by phrase, the human rights community especially is building scaffolding that insists on memory and loudly condemns conservatives, often with ties to the military, who seek to promote forgetting from behind the discursive protection of words.

Yet what a word means depends on who is speaking. Days before he was assassinated, Gerardi declared, "We are called to reconciliation. Christ's mission is one of reconciliation. His presence calls us to be agents of reconciliation in this broken society and to try to place the victims and perpetrators within the framework of justice."[55] No one believed that he was secretly hoping Guatemalans would forget. On the other hand, when Arzú called for *perdón* and reconciliation, when a conservative Congress passed the Ley de Reconciliación Nacional, progressive sectors and the human rights community were unwavering in their belief that forgetting hid behind this talk of reconciliation. Historian Arturo Taracena Arriola, for example, wrote in 2007 that, "under the slogan of 'reconciliation,' official memory in Guatemala advocates forgetting [and] stimulates silence" in an effort to avoid fulfilling the CEH's recommendations and as a way to perpetuate impunity. There was little hope for the creation of democracy "when consecutive governments call for a 'reconciliation' they understand as forgetting."[56] In discussions about reconciliation and in denials about it, it is perhaps most clear that, for post-Peace Guatemala, the speaker, as much as the words spoken, determine meaning.

The strength of the association between reconciliation and forgetting can be seen most clearly in the human rights community's insistence that reconciliation did not, in fact, mean forgetting. In these statements, they were recuperating Gerardi's belief, echoed by the CEH, that reconciliation was rooted not in forgetting, but in justice.[57] Activist Frank LaRue, for example, declared shortly after the CEH report was published that "It is the time for reconciliation, but this does not imply forgetting, which constitutes a danger for the future of a country."[58] The Instancia Multiinstitucional por la Paz y la Concordia (Multi-institutional Initiative for Peace and Harmony) explained that, if there was to be any hope for reconciliation, all Guatemalans must "know and make known to others the causes, development, and consequences of the Internal Armed Conflict."[59] They expanded on this in *El Libro Azul*, which would guide the basic principles behind the government's Programa Nacional de Resarcimiento (PNR, National Reparations Program). Reconciliation, the Instancia insisted, was only possible if it was rooted in a "knowledge of the past, access to justice, the reconstruction of the social fabric, and the improvement of the socioeconomic conditions" of those the conflict had affected.[60] This understanding of reconciliation mirrored the CEH's in many ways, and the Instancia acknowledged that their use of the term drew on the CEH's view that "truth would lead to reconciliation." "Furthermore," commissioners wrote, "coming to terms with the truth is the only way to achieve this objective."[61]

Jesuit Juan Hernández Pico agreed, writing that "refusing to forget history and recuperating it with humanity, with lucidity and, moreover, with dedication, implies fully embarking on the path to reconciliation."[62] Margarita Carrera and Helen Mack concurred. Carrera, a regular contributor to *Prensa Libre* who also authored a book about Gerardi, wrote in 2005 that, "Reconciliation is impossible if the past is forgotten, if the truth and the search for justice are not known, and if war criminals and their victims continue living together, the former protected by impunity and the latter drowning in helplessness."[63] For Mack, truth and justice were the bases of reconciliation. They were, in fact, the "indispensable preconditions" for it.[64] For the human rights community, (an often undefined) reconciliation is based on memory, truth, and justice.[65] They repeated demands for memory, truth, justice, and reconciliation over and over as the Peace, and the hope that accompanied its signing, receded into the past. And they felt compelled to do so because they believed that conservative sectors and those with ties to the military were masking

forgetting with talk of reconciliation, trying to hijack the word and turn it into something else. When conservative actors and government officials spoke of reconciliation, the human rights community understood forgetting. This was in part because these officials grouped reconciliation with amnesty and *perdón*. In addition to being understood as synonymous with forgetting, both amnesty and *perdón* are also closely related to the denial of justice, which activists so clearly saw as a necessary requirement for reconciliation.

In 2010, journalist Marcela Gereda wrote that, "if something characterizes this era [an era where 'the country is drowning, and us with it' because of the high number of *femicidios*, the increase in poverty, the assassination of bus drivers, and social cleansing, because violence has become a way of being among youth], it is forgetting, indifference, the little or non-existent interest in the history of what has happened to us to make us as we are."[66] Members of the human rights community and its allies would point to the right and their legislative and discursive efforts to re-imagine reconciliation, *perdón*, and amnesty as forgetting as key to what Gereda laments as Guatemala's tendency to forget. In response, activists promote reconciliation based on memory, on remembering 36 years of state violence. Yet is reconciliation the best way to explore "what has happened to us to make us as we are"? What implications for Guatemala's longer history does talking about reconciliation have?

Reconciliation suggests that there was something in the past, some element of past social relations, that had, unfortunately, broken but was worth being rescued. In the definition of *reconciliar*, the Real Academia Española describes this as "friendship." Thus, to reconcile, the friendship must be repaired. In the Guatemalan case, and given how the Peace Accords are framed, all that must be done is to go back to 1959, before the internal armed conflict officially started, find the seed of friendship, and plant it again in 1996 (or in 2018).

Yet a quick glance reveals that Guatemalan history is certainly not one of "friendships." While José Roberto Morales Sic and others described Guatemalan history as a series of genocides,[67] the CEH is more measured. The Commission concluded that the causes of the conflict can be traced back at least to independence in 1821, when a racist, hierarchical, and exclusionary state was installed that used violence against the poor and indigenous to maintain power.[68]

Though Helen Mack and others certainly have a nuanced and deep understanding of what reconciliation is, as seen in her comment that

"the concept of 'reconciliation' inevitably requires the promotion of large scale social, political, and institutional transformations,"[69] it is nevertheless worth asking whether reconciliation works to forget or sanitize Guatemala's long history of conflict and exploitation. If Guatemala is described as needing to be reconciled, is history re-written to erase centuries of exclusion and inequality? If so, then the reasons the guerrilla took up arms and the reasons labor, student, and peasant activists struggled for rights are also erased and their ideals and politics eliminated. Rather than having fought for the radical transformation of a racist, violent, exploitative, and exclusive state, guerrillas and activists become the ones who destroyed the "friendship" that had (in this new version of Guatemalan history) previously existed and that had to be recreated in the post-Peace era. Guerrillas and activists are transformed, as during the conflict, into common criminals who seek only profit or vengeance. The question of what reconciliation forgets, even if it is a reconciliation based on memory, is important to consider. Yet in the larger context of international transitional processes and "post-conflict" societies, it seems unlikely that the word will fall out of favor.

Returning to Hellman, we might imagine reconciliation as a blank canvas the international community gives to societies transitioning away from conflict, leaving it up to those societies to fill the canvas with their view of what reconciliation is. In Guatemala, conservatives and the human rights community each "paint" their understanding of reconciliation—that is, their understanding of Guatemala's future—on the canvas. Conservatives paint reconciliation as forgetting, the human rights community paints over this with reconciliation as memory, then conservatives respond by painting reconciliation as forgetting, which the human rights community rejects in favor of reconciliation as memory, and so on. In this never-ending cycle of painting and painting over, both the contents and limits of Guatemala's public discourse take shape and are contested. The next chapter further explores the boundaries of what can and cannot be said in post-Peace Guatemala.

Notes

1. Michelle Bellino points out that students do not know the history that a well-known, and much photographed, mural tells in Comalapa, and this despite the fact that their parents and grandparents lived through the conflict. It is important to remember that, even if history

is written or painted on walls, it does not necessarily reflect general levels of knowing (*Youth in Post-war Guatemala: Education and Civic Identity in Transition* [New Brunswick, NJ: Rutgers University Press, 2017], 24–28). Elizabeth Oglesby also points to the failures of education in Guatemala ("Historical Memory and the Limits of Peace Education: Examining Guatemala's Memory of Silence and the Politics of Curriculum Design," in *Teaching the Violent Past: History Education and Reconciliation*, ed. Elizabeth A Cole, 175–203 [Lanham, MD: Rowman & Littlefield Publishers, Inc., 2007]).

2. Lillian Hellman, *Pentimento: A Book of Portraits* (Boston: Little, Brown & Company, 1973), 3.
3. Steve Stern uses this idea of a memory box in his study of post-Pinochet Chile. He describes memory boxes as being built by a community and foundational to it. The contents of a particular community's box include "several competing scripted albums, each of them works in progress that seek to define and give shape to a crucial turning point in life." Together with these albums, the box contains "'lore' and loose memories, that is, the stray photos and mini-albums that seem important to remember but do not necessarily fit easily in the larger scripts." The contents of the box change as people add memories and argue about others (Steve J. Stern, *Remembering Pinochet's Chile: On the Eve of London 1998* [Durham, NC: Duke University Press, 2004], xxviii).
4. For a discussion of the complicated relationship between amnesties, international human rights law, and transitional justice, see Lisa J. Laplante, "Outlawing Amnesty: The Return of Criminal Justice in Transitional Justice Schemes," Marquette University Law School Legal Studies Research Paper Series, Research Paper No. 08–26, 2008. See also, Priscilla B. Hayner, *Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions* (New York: Routledge, 2011).
5. Fundación Myrna Mack, "Justicia Transicional: Una Deuda Pendiente (Extracto de un Estudio a Publicarse en marzo del 2010 Titulado Procesos de Justicia Transicional: ¿Cómo Están Cumpliendo los Estados latinoamericanos con los Estándares Internacionales?)," 10 January 2010.
6. Helen Mack, "La Reconciliación en Guatemala: un proceso ausente," in *Verdad, Justicia y Reparación: Desafíos para la Democracia y la Convivencia Social*, eds. Gilda Pacheco Oreamuno, Lorena Acevedo Narea, and Guido Galli (Stockholm and San José, Costa Rica: Instituto Internacional para la Democracia y la Asistencia Electoral / Instituto Interamericano de Derechos Humanos, 2005), 196.
7. For a range of perspectives about the peace process, see Susanne Jonas's *Of Centaurs and Doves: Guatemala's Peace Process* (Boulder, CO: Westview Press, 2000); Rachel McCleary's *Dictating Democracy:*

Guatemala and the End of Violent Revolution (Gainsville: University Press of Florida, 1999); Cynthia Arnson's *Comparative Peace Processes in Latin America* (Washington, DC: Woodrow Wilson Center Press, 1999); and Nicola Short's *The International Politics of Post-conflict Reconstruction in Guatemala* (New York: Palgrave, 2008).

8. Mack, "La Reconciliación en Guatemala," 196.
9. Acisclo Valladares Molina, "¿Fue necesaria la amnistía?" *El Periódico*, 27 March 2008, http://www.elperiodico.com.gt/es/20080327/opinion/51062/.
10. "En Vigencia la Ley de la Reconciliación Nacional," *Prensa Libre*, 29 December 1996.
11. Paul Ricoeur, *Memory, History, Forgetting*, trans. Kathleen Blamey and David Pellauer (Chicago: University of Chicago Press, 2004), 453.
12. Ibid.
13. Ricoeur, *Memory, History, Forgetting*, 452–453.
14. Acisclo Valladares Molina, "Ingratitud," *El Periódico*, 29 March 2008, http://www.elperiodico.com.gt/es/20080329/opinion/51282/.
15. Mack, "La Reconciliación en Guatemala," 196–197.
16. Alfredo Balslls Tojo, "¿Cuál guerra sucia?" *El Periódico*, 30 January 1997.
17. "Arango: La CEH debería ser más firme," *Siglo Veintiuno*, 3 April 1998; "Esclarecimiento Histórico: Arango denuncia falta de colaboración," *Siglo Veintiuno*, 7 April 1998.
18. "Amnistía para militares," *El Periódico*, 6 January 1997; Martín Juárez, "Militares piden ser perdonados," *El Periódico*, 7 January 1997. The Attorney General and courts finally agreed that neither the intellectual nor the material authors of the crime, the latter of whom had sought amnesty after the former did, would receive amnesty since Myrna Mack's assassination had not been committed within the framework of the conflict, as required by the law (Martín Juárez, "Beteta también quiere el perdón," *El Periódico*, 9 January 1997; Julia Corado, "Sala deniega amnistía a militares sindicados del asesinato de Myrna Mack," *Siglo Veintiuno*, 11 September 1997; "A siete años del crimen de Myrna Mack, Sala deniega amnistía a militares acusados," *Prensa Libre*, 11 September 1997). The intellectual authors were later found guilty.
19. Martin Juárez, "Presuntos asesinos de Carpio se acogerán a la amnistía," *El Periódico*, 11 January 1997. Little has come of the case.
20. In the first years of the post-Peace era, the only successful applications for amnesty mentioned in the newspapers were made by guerrillas. See, for example, "Otorgan libertad a primer guerrillero amparado en Ley de Reconciliación," *Prensa Libre*, 28 February 1997; "Segundo guerrillero fue beneficiado con amnistía," *Prensa Libre*, 2 March 1997; "Gaspar Ilom no puede ser detenido al ingresar al país, dice Pablo Monsanto," *Prensa*

Libre, 6 February 1997; "Gaspar Ilom podría arribar al país después de Semana Santa," *Prensa Libre*, 16 March 1997. Lawyers of those tied to state security apparatuses had a difficult time convincing judges to grant amnesty to their clients. See, for example, the Cándido Noriega case ("Sala declara sin lugar amnistía a favor de excomisionado Noriega," *Prensa Libre*, 28 February 1997; "Fiscalía rechaza petición de amnistía de Cándido Noriega," *Prensa Libre*, 12 February 1997; "No procede amnistía a sindicado de 38 asesinatos," *El Periódico*, 18 January 1997).

21. This stands in stark contrast to the tactics of re-labeling commonly used to encourage the forgetting of politically motivated post-Peace crime. For post-Peace crimes, as in Gerardi's assassination and attacks against human rights defenders, various state representatives and members of Guatemala's conservative sectors vocally rejected the political, and hoped to convince the Guatemalan public by talking about the crimes as common and by proposing theories about robbery and sex to distract from the victims' work.
22. Estuardo Paredes and Verónica Gamboa, "Juez niega amnistía a Ríos Montt," *Prensa Libre*, 15 December 2014, http://www.prensalibre.com/noticias/Juez-niega-amnistia-Rios-Montt-Guatemala-Conflicto-Armado-Video-exmilitar_3_655764420.html.
23. "En vigencia la Ley de la Reconciliación Nacional," *Prensa Libre*, 29 December 1996.
24. "Gobierno abre posibilidad de perdonar crimenes contra civiles, señala FLACSO," *Prensa Libre*, 7 March 1997. I was unable to obtain a copy of the original investigation.
25. Helen Mack, ed., *Verdad y Justicia: Discursos y Ponencias Escogidos* (Guatemala City: Fundación Myrna Mack, 2007), 34–35.
26. Ricoeur, *Memory, History, Forgetting*, 452–453.
27. Martín Juárez, "Militares piden ser perdonados," *El Periódico*, 7 January 1997.
28. Martín Juárez, "Acusados de Xamán solicitan perdón," *El Periódico*, 8 January 1997; Martín Juárez, "Beteta también quiere el perdón," *El Periódico*, 9 January 1997.
29. Baleslls Tojo, "¿Cuál guerra sucia?".
30. Trudy Govier and Wilhelm Verwoerd, "The Promise and Pitfalls of Apology," *Journal of Social Philosophy* 33, no. 1 (2002): 67. For in depth discussions of apologies and the "age of apologies" (Mark Gibney, Rhoda E. Howard-Hassmann, Jean-Marc Coicaud, and Niklaus Steiner, eds. *The Age of Apology: Facing Up to the Past* (Philadelphia: University of Pennsylvania Press, 2008), see Nicholas Tavuchis's *Mea Culpa: A Sociology of Apology and Reconciliation* (Stanford, CA: Stanford University Press, 1991); Martha Minow's *Between Vengeance and Forgiveness:*

Facing History after Genocide and Mass Violence (Boston: Beacon Press, 1998); Michael R. Marrus's "Official Apologies and the Quest for Historical Justice" (*Journal of Human Rights* 6, no. 1 [2007]: 75–105); and Ernesto Verdeja's "Official Apologies in the Aftermath of Political Violence" (*Metaphilosophy* 41, no. 4 [2010]: 563–581). Marrus usefully offers a list of elements apologies should contain: "1. An acknowledgment of a wrong committed, including the harm that it caused; 2. An acceptance of responsibility for having committed the wrong; 3. an expression of regret or remorse both for the harm and for having committed the wrong; and, 4. A commitment, explicit or implicit, to reparation and, when appropriate, to non-repetition of the wrong" (Marrus, "Official Apologies," 79). Minow, for her part, writes that apologies "acknowledge the fact of harms, accept some degree of responsibility, avow sincere regret, and promise not to repeat the offense" (Minow, *Between Vengeance and Forgiveness*, 112).

31. Juan Caros Ruiz C, "Un perdón polémico," *Prensa Libre*, 10 December 1998.
32. Francisco Martínez and Danilo Valladares, "Presidente reitera llamado al perdón," *Prensa Libre*, 15 December 1998.
33. Juan Carlos Llorca, "Propuesta de Arzú cosecha críticas," *El Periódico*, 10 December 1998.
34. Julia Corado, "El perdón más controversial," *Siglo Veintiuno*, 27 December 1998; Carlos Bendfeldt, "El perdón de la discordia," *Siglo Veintiuno*, 29 December 1998.
35. "Pedir perdón, gran paso adelante," *Prensa Libre*, 11 December 1998. Editorial. The editors' comment about "circumstances beyond our control" clearly "forgets" the perpetrators' responsibility, as does the comment that all Guatemalans are responsible.
36. Mario Antonio Sandoval, "Perdón, olvido y conocimiento," *Prensa Libre*, 11 December 1998.
37. Elizabeth Jelin, "Memorias en Conflicto," *Puentes* 1, no. 1 (2000): 7–8. Jelin's work with Susana G. Kaufman underscores the falseness of the remembering/forgetting dichotomy (Elizabeth Jelin and Susana G. Kaufman, "Layers of Memory: Twenty Years after in Argentina," in *Commemorating War: The Politics of Memory*, eds. Timothy G. Ashplant, Graham Dawson, and Michael Ropers [New Brunswick, NJ: Transaction Publishers, 2004], 106).
38. Escaler also believed that the Church should ask for *perdón* for not doing enough to support the government in their fight against the guerrilla (Karin Escaler, "¿Y van a pedir perdón la guerrilla y la Iglesia?," *Siglo Veintiuno*, 16 December 1998).
39. "No pedirán perdón," *Siglo Veintiuno,* 21 December 1998.

40. Laura E. Asturias, "Borrón y cuenta nueva," *Siglo Veintiuno*, 19 December 1998. Emphasis in original.
41. Julia Corado, "Jornada conmemorativa: El perdón más controversial," *Siglo Veintiuno*, 27 December 1998.
42. Juan Hernández Pico, *Terminar la Guerra, Traicionar la Paz: Guatemala en las Dos Presidencias de la Paz, Arzú y Portillo (1996–2004)* (Guatemala City: FLACSO, 2005), 170.
43. Miguel Ángel Sandoval, "¿Perdón… y cuenta nueva?," *El Periódico*, 19 December 1998.
44. Mario Monteforte Toledo, "Hay perdones imperdonables," *El Periódico*, 19 December 1998. Years later, Claudia Samayoa also suggested as much in the 2009 Impunity Watch/Convergencia por la Verdad publication, *La Persistencia de la Verdad*. She wrote that, "presumably," Arzú asked for *perdón* because of the "rumors that the CEH report was going to be more forceful than expected, given that it would include genocide and State terrorism" (Claudia Virginia Samayoa, "Evaluación del cumplimiento de las recomendaciones de la Comisión para el Esclarecimiento Histórico," in *La Persistencia de la Verdad: A Diez Años del Informe de la CEH,* eds. Impunity Watch y Convergencia por los Derechos Humanos [Guatemala: Editorial Serviprensa, 2009], 49.
45. Francisco Martínez, "Justicia y verdad," *Prensa Libre*, 21 December 1998. And in fact, the CEH found Arzú's *perdón* lacking. "Taking into account [Arzú's] request for perdón," *Memoria del Silencio* nevertheless recommended that the state, and the guerrilla, ask for *perdón* (CEH, *Guatemala: Memoria del Silencio,* Volume 5, *Conclusiones y Recomendaciones* [Guatemala City: CEH, 1999], 61).
46. Hernández Pico, *Terminar la Guerra, Traicionar la Paz*, 169. Discussions of official forgetting in December 1998 were not limited to Arzú's *perdón*, though certainly these other discussions lent weight to the idea that the *perdón* was not sincere and that Arzú really sought to forget. On 11 December, *Prensa Libre* reported that Congress "forgot" the posthumous tribute to Gerardi which had been agreed on in Acuerdo Legislativo 21–98, passed 28 April of the same year. While Luis Mijangos, of the ultra-conservative Frente Republicano Guatemalteco (FRG, Guatemalan Republican Front), stated that this forgetting was simply another example of the "government's general policy of downplaying the importance of the crime," the FDNG's Nineth Montenegro argued that it suggested that the government was not really interested in true forgiveness. Given that the tribute had been forgotten, she described Arzú's actions as "demagogic." The newspaper's editorial for the next day declared that "it cannot be forgotten that, in light of the behavior of groups and people related to the official party, a forgetting of this nature can easily be

considered as a premeditated action, stemming from a superior order" ("Una nueva duda en el caso Gerardi," *Prensa Libre*, 11 December 1998).

47. Michel Foucault, *Power/Knowledge: Selected Interviews and Other Writings, 1972–1977*, ed. Colin Gordon, trans. Colin Gordon, Leo Marshall, John Mepham, and Kate Soper (Brighton: The Harvester Press, 1980), 131–132.
48. José Manuel Chacon, *Siglo Veintiuno*, 29 December 1998. To be sure, many do know exactly who killed family members because they live in the same or a neighboring community (Simonne Remijnse, *Memories of Violence: Civil Patrols and the Legacy of Conflict in Joyabaj, Guatemala* [Amsterdam: Rozenberg Publishers, 2002]; Victoria Sanford, *Buried Secrets: Truth and Human Rights in Guatemala* [New York: Palgrave, 2003]; and Judith Zur, *Violent Memories: Mayan War Widows in Guatemala* [Boulder, CO: Westview Press, 1998]).
49. Miguel Ángel Albizures, "¿Quiénes llenarán la plaza el 29?," *El Periódico*, 16 December 1998.
50. Nery Villatoro Robledo, "Perdonar no es olvidar," *Siglo Veintiuno*, 12 December 1998. Emphasis in original.
51. Juan Carlos Llorca, "Un perdón a medias….," *El Periódico*, 30 December 1998; "Los discursos del perdón (extractos)," *El Periódico*, 30 December 1998. This was of course not the first time Arzú had denied a link between *perdón* and forgetting. In a speech given the day the final Peace Accord was signed, he highlighted the importance of *perdón* and called for "*perdón* without forgetting" (Ramón Hernández and Emilio Godoy, "Arzú dice: Misión cumplido y llama a un perdón sin olvido," *Prensa Libre*, 30 December 1996). Notably, Arzú's *perdón* does not meet all of either Minow or Marrus's requirements for a true apology.
52. Erick Campos, "Pide perdón al pueblo," *Prensa Libre*, 30 December 1998.
53. The original HIJOS is an Argentine organization. Their slogan is "no olvidamos, no perdonamos, no nos reconciliamos." As a member of HIJOS explained to Vincent Druliolle, "It's impossible [to reconcile], it's impossible because… We think they have to reconcile themselves with history, with this country, with society. They have to say where [the disappeared] are, they have to say what they did, where our brothers and sisters are, don't they? They have to tell us the truth that we've come to ask for. So we are not those who have to reconcile, they are. They have to reconcile with society, they have to really account for what … They won't do it, that's the problem. So no reconciliation is possible. They won't do it" (Vincent Druliolle, "H.I.J.O.S. and the Spectacular Denunciation of Impunity: The Struggle for Memory, Truth, and Justice and the (Re-)

Construction of Democracy in Argentina," *Journal of Human Rights* 12, no. 2 [2013]: 272).

54. Juan Luis Font, "Perdón y olvido," *El Periódico*, 15 April 2013, http://www.elperiodico.com.gt/es/20130415/opinion/226926/.
55. ODHA, *Guatemala: Never Again!* (New York: Orbis Books, 1999), xxiii.
56. Arturo Taracena Arriola, "Historia, Memoria, Olvido, Conflicto Armado y Violaciones de los Derechos Humanos. Los Avatares de la Comisión de Esclarecimiento Histórico de Guatemala," in *Entre Historias y Memorias: Los Desafíos Metodológicas del Legado Reciente de América Latina,* ed. Maria Rosaria Stabili (Madrid: Iberoamericana, 2007), 109.
57. The CEH staff declared, for example, that "truth, justice, reparation and forgiveness are the bases of the process of consolidation of peace and national reconciliation" (CEH, *Conclusiones y Recomendaciones*, 62).
58. Rodolfo A. Flores García, "¿Y ahora, qué hacer con el informe de la CEH?," *Siglo Vientiuno*, 28 February 1999.
59. Instancia Multiinstitucional por la Paz y la Concordia, *Cumplimiento de la Recomendación Número 36 de la CEH: Propuesta para la Reforma Educativa (Educación Secundaria)* (Instancia Multiinstitucional por la Paz y la Concordia, 2009), 4.
60. Instancia Multiinstitucional por la Paz y la Concordia, *El Libro Azul: Política Pública de Resarcimiento*, (Instancia Multiinstitucional por la Paz y la Concordia, 2003), 5.
61. Comisión para el Esclarecimiento Histórico, *Guatemala: Memoria del Silencio,* Volume 1, *Causas y Orígenes del Enfrentamiento Armado Interno* (Guatemala City: CEH, 1999), 16. The CEH commissioners did recognize, however, that "no one today can be sure that the enormous challenge of reconciliation, through knowledge of the truth, can be successfully faced." See also Edgar Alfredo Balsells Tojo, *Olvido o Memoria: El Dilema de la Sociedad Guatemalteca* (F&G Editores: Guatemala City, 2001), 16.
62. Hernández Pico, *Terminar la Guerra, Traicionar la Paz*, 91, 115.
63. Margarita Carrera, "Memoria histórica," *Prensa Libre*, 19 August 2005.
64. Mack, *Verdad y Justicia*, 133, 136. See also Marcelo Colussi, "El Rol del Estado en el Proceso de Reconciliación de Guatemala 1996–2008," in *Entre Pasado y Olvido: Políticas de Reconciliación en Guatemala, 1996–2008*, ed. Secretaría de la Paz (Guatemala City: Secretaría de la Paz, Guatemala, 2009), 108, 111.
65. It is also, as Helen Mack made clear, based on structural reforms to reduce or eliminate injustice and inequality, but again, this project focuses on memory and forgetting.
66. Marcela Gereda, "¿Inermes o dormidos?," *El Periódico*, 17 May 2010, http://www.elperiodico.com.gt/es/20100517/opinion/151627/.

67. CALDH, *Genocidio, la Máxima Expresión del Racismo: Primer Encuentro en Guatemala sobre Racismo y Genocidio* (Guatemala: Industria Litográfica Maga, 2004), 47; Marcelo Colussi, "El Rol del Estado," 103.
68. CEH, *Causas y Orígenes del Enfrentamiento Armado Interno*, 82–83.
69. Mack, "La Reconciliación en Guatemala," 196–197.

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CHAPTER 4

Nunca Más in Guatemala

"Telling the truth," Frank LaRue said in 1998, "is not a discredit." A Nobel Peace Prize nominee, LaRue made this seemingly self-evident statement in reaction to conservative academic Armando de la Torre's assertion that the various processes then underway to recover Guatemala's historical memory would tell only one side of the story. For de la Torre, what Guatemala really needed was a "scientific investigation" written "from the perspective the passage of time gives and with more complete information." De la Torre also argued that projects that sought to reclaim historical memory were "part of the ideological war against the Army and a justification for the subversion" and would contribute only in a minimal sense to reconciliation. LaRue, then-director of the Centro para la Acción Legal en Derechos Humanos (CALDH, Center for Legal Action in Human Rights), added, "I do not know why [these projects] would be partial if what emerges are the testimonies. The indication that the Army is responsible for 85% of human rights violations is not a product of the reports, but of reality."[1]

The projects de la Torre was referring to include the Catholic Church's Proyecto Interdiocesano de Recuperación de la Memoria Histórica (Remhi Project, Interdiocesan Project for the Recuperation of Historical Memory), the UN-backed Comisión de Esclarecimiento Histórico (Historical Clarification Commission, CEH) and another by the Asociación de Veteranos Militares de Guatemala (Avemilgua, Association of Military Veterans of Guatemala). LaRue, for his part, was only speaking of the Church and CEH's investigations. Based on

R. Hatcher, *The Power of Memory and Violence in Central America*,
https://doi.org/10.1007/978-3-319-89785-1_4

the thousands of testimonies collected, as well as historical and documentary investigations, the Remhi Project and the CEH concluded—or acknowledged[2]—that the truth of the conflict was that the military and its proxies, most significantly the Patrullas de Autodefensa Civil (PACs, Civil Self-defense Patrols), had committed the vast majority of the human rights violations suffered during the armed conflict. Significantly, in addition to forced disappearance, torture, rape, and over 600 massacres, the CEH concluded that the military had committed acts of genocide. In total, military actions account for 93% of the violations.

The editors of *Siglo Veintiuno* ran LaRue's interview alongside that of de la Torre under the headline "No agreement on historical memory" shortly after Remhi's report, *Nunca Más*, or *Never Again*, was published. The juxtaposition of the two points of view is a visual display of struggles over Guatemala's past. As LaRue had said, the Remhi report found the military overwhelmingly responsible for the human rights violations committed during over three decades of conflict. De la Torre rejected this finding as biased.

The following year, shortly after the CEH report, *Memoria del Silencio*, or *Memory of Silence*, was published, *Siglo Veintiuno* once again paired an interview with LaRue with an interview with a more conservative figure, in this case right-wing politician Jaime Cáceres Knox.[3] LaRue affirmed his support for the contents of the CEH when he said, "I believe the numbers and the acts speak for themselves….if the weight of responsibility falls more heavily to one side, it is because it happened that way. This does not imply bias." Echoing his support for the truth of the testimonies, he responded to journalist Rodolfo A. Flores García's question about whether the CEH's attribution of "93% of the massacres" to the army was "a real number," by stating, "it happened that way because [that is what] the testimonies established."[4]

Like de la Torre before him, Cáceres Knox disagreed. "The complete history [of the conflict] and the true instigators should be known," he said, but the CEH report was distorted. In response to the same question about the army's responsibility for 93% of the massacres, for example, he declared that, as a mathematician, he knew that "statistics can be manipulated to tell the biggest lies."[5]

It is unsurprising that LaRue, a human rights activist, believed that the Remhi and CEH reports, and the testimonies contained therein, were true, while those on the right, de la Torre and Cáceres Knox in this case, did not. After all, Halbwachs writes that members of different

social groups have different memories and understandings about the past. Yet when de la Torre and Cáceres Knox were faced with two internationally-supported and celebrated investigations into the past whose conclusions did not match their own beliefs, why did they not call for forgetting? As the next chapter demonstrates, this is what conservatives did in El Salvador in 1993 when confronted with a similar situation. There, the president called for the entirety of the past to be "erased" and passed an unconditional amnesty law to legislate forgetting. Why not call for forgetting in Guatemala? Why mask hopes for forgetting behind reconciliation, *perdón*, and amnesty?

President Álvaro Arzú insisted that, "We cannot forget, we should not forget"[6] because what Roseberry describes as a discursive framework exists in Guatemala that prevented him from openly declaring that forgetting would work for non-repetition and reconciliation. For Roseberry, a discursive framework "[sets] out the central terms around which and in terms of which contestation and struggle can occur."[7] To be heard[8] in Guatemala, to be able to promote your own version of the past, you have to celebrate memory and call for *nunca más*, as poet Humberto Ak'abal did when he wished "That your memory remains alight / and that the flame of memory / never goes out… / No more blood / no more pain / never again…."[9] To be sure, Ak'abal's embrace of memory is more whole hearted than either de la Torre's or Cáceres Knox's. Yet, whole hearted or not, space exists within this memory-centered framework to promote different versions of the past for different emblematic memories exist in Guatemala. The idea of scaffolding is useful here because it highlights the interconnectedness of and interdependence between a discursive framework focused on memory and emblematic memories that either embrace or reject testimony as truth. Had the CEH report confirmed the military's version of the conflict, conservatives' support of memory would have been complete; a wish to forget would not have lurked behind their declarations to remember. Thus, discursive frameworks and emblematic memories are built simultaneously, each giving shape to and supporting the other. In this, they function as scaffolding does in the construction of a given structure.

It is worthwhile to look briefly at the idea of testimony itself. Jenny Edkins takes a critical view and it is interesting to consider here given my focus on (un)common discursive frameworks and struggles for discursive hegemony. Edkins argues that abuse, when it is perpetrated by the state, is unspeakable. To label it unspeakable, she continues, "reflects

the view of survivors that what they have been through cannot be communicated." This is because, "though survivors of the state's abuse have a very real need to speak, the only words they have are the words of the very political community that is the source of their suffering. This is the language of the powerful, the words of the status quo, the words that delimit and define acceptable ways of being human within that community." After state-sponsored trauma, survivors of abuse feel that the "social order" has been destroyed. After trauma, when the social order, including language, has crumbled, "what we *can* say no longer makes sense; what we *want* to say, we can't. There are no words for it."[10]

Indeed, since trauma is "outside the realm of language," "to bring it back to within that realm by speaking of it, by setting it within the linear narrative form, is to destroy its truth."[11] When testimony, which Edkins argues is a form of resistance, is spoken, when trauma is put into words, it is converted into a form that can more easily be "appropriated and co-opted." Those with testimony to give, especially "marginal or isolated" groups, "lose control" over their own experiences and how those experiences are more generally understood. Once put into words, testimony, she argues, is more easily appropriated into "state-building or money-making projects."[12]

Edkins' focus is not on hegemony and resistance, though she does certainly recognize that remembering, and especially remembering trauma, is political and closely tied to power. Her description of survivors as inhabiting a world without words, however, does point to a broader understanding of "discursive" scaffolding and the state's struggle to dictate how subalterns contest their domination. In this view, words themselves, and even orality, are the state's framework, while silence and non-words are subalterns' framework and how they communicate. When survivors do decide to speak, they are agreeing to use the language of domination (i.e., orality) to be heard; in this moment, the state's framework dominates once again. Drawing on Roseberry, when survivors decide to speak, a common discursive framework that revolves around orality itself is created.

Edkins' views are thought-provoking. Truth commissions including both the Remhi Project and the CEH are nation-building projects, the latter more obviously than the former. And the new nation is imagined as being built on the foundation of victims' testimonies, an idea I will return to in my discussion of Salvadoran monuments. As well, once victims have shared their experiences, they have indeed lost control over

how they will be perceived and to what uses they will be put. Victims, for example, have no control over how many foreign researchers will quote their testimony and what we will say about them.

Staff at the Remhi Project have a different view of testimony. Staff wrote that *Nunca Más* is more than a denunciation of human rights violations; it is, instead *un anuncio*, an announcement of "the resurrection of the martyred people."[13] In his work on massacres in Guatemala's Ixcán, Ricardo Falla expands on this. "Testimony," he says, "is good news." It "states an existentially positive reality for [the witness]: that he is alive…. The more terrible the account of what he witnessed, the more awesome the reality that he announces: I am alive."[14] In this view, spoken testimony is strong, and it is this view, rather than Edkins', that I use here.

For the purposes of this chapter, following Foucault's discussion of discourse analysis that focuses not on "the half silent murmur of another discourse"[15] but on what statements are made, the words public figures utter and write will largely be taken at face value and explored as such. This chapter will not "give voice to the silence that surrounds [statements]," nor will it "rediscover the unsaid whose place [a statement] occupies." Rather, it will "define a limited system of presences."[16]

Remember so That *Nunca Más*

Given the Remhi Project's and CEH's conclusions about responsibility, conservatives might be expected to promote forgetting. Who would want Guatemalans (or the international community) to remember that the military forcibly disappeared thousands and raped and tortured many thousands more? It is important to point out that while some post-Peace conservative figures do not have direct ties to the perpetrators, they do share a political project and ideology and their interests generally coincide. For example, just as the military would rather that their commission of genocide not be a frequent topic of conversation, the business sector also has a keen interest in making sure their involvement in, and responsibility for, genocide is not widely known or discussed, as investigative journalist Martín Rodríguez Pellecer makes clear.[17]

Yet rather than openly call for forgetting, conservatives follow the human rights community in rejecting oblivion and insisting that Guatemalans remember. One of the most significant of the voices calling for remembering in the post-Peace era was then-president Álvaro Arzú. More than simply telling Guatemalans that "We cannot forget,"

Arzú called on Guatemalans to *perdonar* one another in this "new chapter of history" that the nation was about to begin (on the eve of 1997). *Perdón*, he stated, is the only "path that allows for the construction of a prosperous and democratic nation," a task he knew would be difficult to accomplish. Yet *perdón* did not mean forgetting "images of violence, since the widows, the orphans, and the wounded of the conflict will always carry these images of pain with them."[18] Arzú added, "It is one thing to *perdonar* to pursue a path of rebuilding our wounded society with positive and fraternal spirit, and it is something else to forget." Historical memory, he said, is essential for a people who wish to reconcile; there must, he added, exist a "collective need to turn the page and overcome our recent unrest, but with the full awareness and knowledge of what happened to us, of what we were capable"[19]; only this "full awareness of what happened" would prevent repetition.[20]

Former general and president Otto Pérez Molina repeated the same memory-centered refrain in his inaugural speech on 13 January 2012. Pérez Molina, who had been one of the military's representatives in the peace negotiations and is named as a genocidaire by Guatemalan and international human rights organizations, was sworn in as Guatemala's president shortly after the 15th anniversary of the Peace. He stated, in a manner reminiscent of 1996, "We should not forget the past but overcome it, to be able to collectively accept responsibility as a society, to be able to really *perdonar* ourselves, and to be able to look forward to construct a society and a culture of peace."[21] A few weeks later, Pérez Molina held a press conference where he asserted that "we should not forget so that [the past] is not repeated"; "we should look," he added, "for a way to reconcile ourselves with each other."[22]

Leaving aside that the human rights community "translated" *perdón* and reconciliation as forgetting (meaning that Pérez Molina was really saying that "we should not forget the past, but we should forget the past"), Arzú and Pérez Molina both loudly repeat the framework that demands memory as the best path for Guatemala to follow. They underscore the fact that the past must not be forgotten. They insist on it, explicitly rejecting forgetting and refusing to leave any room for others to question their commitment to memory. Arzú and Pérez Molina's forceful statements against forgetting and in support of memory as key to non-repetition are clear evidence that a discursive framework focused on memory exists in post-Peace Guatemala, yet that conservatives speak of remembering in one breath and push for oblivion masked

as *perdón* and reconciliation in the next clearly points to the fact that this framework is not their own. Rather, it is the human rights community's, as will be seen in greater depth below. Memory and *nunca más* are what Roseberry describes as "languages of domination," though certainly the human rights community is not the dominant force in society. Conservatives use these languages and manipulate them to promote their own ends.

The *nunca más* discourse dominates thanks in part to the human rights community's tireless efforts and insistence at great personal risk that their loved ones not be forgotten and that their whereabouts be revealed. The discourse dictates what language those who oppose remembering must use, for open calls for forgetting are rare. But the strength of this once marginalized and now common discourse cannot be over-estimated. The forces pushing for forgetting continue to have the most economic, cultural, and political power, and their will to forget is as strong as ever.

Testimonial Truth

Arzú's calls to remember are an echo of the refrains in the reports of both the Catholic Church's Remhi Project and the CEH and in discussions that surround them. But, within a discursive framework that centers on memory, discussions about the reports also reveal the struggle over "truth," over what to remember. This is not surprising. Guatemalan political and social scientist Manolo Vela Castañeda is not alone in commenting that ceasefires and decisions to lay down arms do not end wars. After the weapons have been silenced, battles continue over the "clarification" of the violence suffered during the conflict.[23] This is why truth commissions are created. As Kimberly Theidon wrote in her exploration of Sendero Luminoso and reconciliation in Peru, the general equation that inspires truth commissions is "more memory = more truth = more healing = more reconciliation,"[24] with a key aspect of reconciliation being non-repetition.

For the human rights community, the truth of the conflict—the "clarified" history of the violence—is found in the testimonies shared with the two commissions. Conservatives' belief that the truth of the testimonies is at best partial—and at worst, lies—is explored in the next section.

Remhi's final report, *Nunca Más*, was published on 24 April 1998. The project's director, monseñor Gerardi, championed the work truth

does when he declared that the Remhi project was fundamentally oriented toward "know[ing] the truth that will make us all free (Jn 8:32)" for, "if we orient ourselves according to the Word of God, we cannot hide or cover up reality. We cannot distort history, nor should we silence the truth." The Remhi Project, he continued, collected the testimonies of the survivors of the conflict to find the truth of what happened, a truth that "has been twisted and silenced," "intentionally distorted in our country through thirty-six years of war against the people."[25] Unsilencing the silenced, knowing the truth, would allow for peace,

> a peace that is born from the truth that comes from each one of us and from all of us. It is a painful truth, full of memories of the country's deep and bloody wounds. It is a liberating and humanizing truth that makes it possible for all men and women to come to terms with themselves and their life stories. It is a truth which challenges each one of us to recognize our individual and collective responsibility and to commit ourselves to action so that those abominable acts never happen again.[26]

Recuperating and reclaiming historical memory, reconstructing history, discovering the truth—this is what the ODHA and the Church hoped the testimonies and *Nunca Más* would achieve. The collection of the survivors' testimonies, the writing of the report, and work in the communities related to the report were part of the recuperation of memory, the reconstruction of history, and the discovery of truth. In this understanding, (historical) memory, history, and truth are different ways to say the same thing, and all are rooted in the testimonies. The Remhi project created a discursive synonymity for words that otherwise are understood to be at least partly distinct. Importantly, neither (historical) memory, history, nor truth had thrived during the conflict, when history was distorted and the truth silenced, and their recuperation would work to reweave the social fabric and prevent a repetition of the past.

The refrain "never again" and the understanding that remembering was forward-looking were also repeated in the report itself. To prevent future violence, for example, the ODHA recommended the rewriting of "official history" to include the findings of Remhi and the CEH,[27] suggesting that the official history that existed at the time was, at the very least, problematic. Gerardi's and Remhi's comments shed light on Elizabeth Jelin's argument that the clearly political struggle for memory and about memory is often imagined and described as a struggle against forgetting or against

silence, a struggle to remember so as not to repeat.[28] We can certainly see this in Guatemala's common discursive framework, and even more so in conservatives' denials about forgetting. Yet Jelin argues that the struggle is really about competing memories. Memory's battle against forgetting "hides what is in reality an opposition between different rival memories, each one of which incorporates its own forgettings." In the end, the struggle is "memory against memory."[29]

Alan Megill and Steve Stern repeat this point. Megill points out that we should not think of memory and forgetting as binaries, for they are "so closely tied up with each other that they are inseparable." Instead, it is better to speak of the acceptance or rejection of certain narratives—each of which is itself a bundle of rememberings and forgettings.[30] As for Stern, he writes that "the social actors behind distinct frameworks are seeking to define that which is truthful and meaningful about a great collective trauma. They are necessarily selective as they give shape to memory, and they may all see themselves as struggling, at one point or another, against oblivion propagated by their antagonists." Yet, though different actors imagine themselves as struggling against forgetting, they are often struggling against other memories that other sectors imagine as truth. As a result, Stern insists that imagining memory to be in a battle to the death against forgetting is too "restrictive," "tend[ing] to align one set of actors with memory and another with forgetting."[31]

It is clear that, even if they speak of remembering and forgetting as if they were located on opposite ends of a spectrum, the Guatemalans (and Salvadorans) included here are not unaware that the dichotomy is false. Despite the title, CEH commissioner Alfredo Balsells Tojo's 2001 work, *Forgetting or Memory: The Dilemma of Guatemalan Society*, makes this clear. He wrote that while "the eternally weak" promote memory and seek "peace and harmony by way of an awareness of the truth and the application of justice," those in "the highest circles of power" promote forgetting as "the best way to avoid justice" for they are implicated in the human rights violations the CEH revealed. Yet it is clear that Balsells Tojo sees forgetting as akin to lying. He wrote that the powerful's wish to forget the past continues "the official policy of lies, impunity and a moral deterioration that smothers us."[32] He understands that forgetting is akin to remembering "lies," rather than the CEH's testimonial truth.

Balsells Tojo's work is also interesting in that he clearly defines the different groups that exist in Guatemala—the powerful and the eternally

weak—and their different positions on memory. As Halbwachs wrote, different groups do have different memories. For Balsells Tojo, they also have different ideas about memory, and about whether the past ought to be remembered.

Returning briefly to the issue of silencing and Gerardi's rejection of Guatemala's history of silencing, it is important to note that the memories of Guatemala's survivors had been silenced *by* something; they had been silenced by fear, to be sure, but also by the state's own version of the past and indeed by the state's general silence about what had happened during the conflict. As Vela Castañeda writes, the state has never tried "to explain the war. Put simply, it was not a theme that was addressed. Unlike what happens in other countries that remember their wars, in Guatemala heroes are not exalted, battles are not remembered, important dates are not commemorated, not even monuments have been erected.… It is not possible to say that the state exploited the memory of the war in Guatemala." Instead, "The official history of the war is silence."[33] We can thus also frame the (imagined) struggle between memory and forgetting as one between memory and an active silencing. Continuing in this vein, Remhi's unsilencing of the survivors' past was intended to allow that past to be heard; this unsilencing would in turn silence, and delegitimize, the twisted history that had dominated during the conflict, a history where Grupo de Apoyo Mutuo (GAM, Mutual Support Group) member Rosario Godoy de Cuevas was not assassinated but killed in a car accident. (In what car accident are breasts bitten and underwear bloodied? In what car accident are passengers' finger nails torn out?[34])

Before the Remhi report could unsilence the past, the state silenced "the voice of the voiceless."[35] On 27 April, Guatemala awoke to the news that Gerardi had been bludgeoned to death. With Gerardi's assassination, it seemed that the forces of the past sought to return Guatemala to an era of fear and darkness,[36] a fear that, in Gerardi's words, had silenced Guatemalans and silenced truth.[37] Remhi quite rightly asserted that the assassination was clearly linked to Gerardi's work of "reconstructing the memory of the people," and specifically to the public presentation of *Nunca Más*. Now more than ever, they declared, it was essential that *Nunca Más* and its testimonial truth be made known so as to contribute to the process of social reconstruction and reconciliation[38]; now more than ever it was essential to know the truth of the past that the testimonies told if there was to be any hope that Guatemala's "dark night"[39] would not be repeated.

As part of its attempts to silence Gerardi and the report, the state dedicated itself to distracting the public from its own responsibility for the assassination by proposing a series of theories about the crime. All of these were related to the assassination being a common crime. In this, they hoped not only to obstruct the investigation and mask the state's own responsibility but also to smear Gerardi's reputation, thereby making Guatemalans doubt the veracity of the Remhi report. The insistence that the assassination was "common" also certainly brings Ellen Moodie's work on critical code-shifting in post-Peace El Salvador to mind, where all crime had to be common because the state and guerrilla had agreed to end the war (i.e., political violence).[40] The state's responsibility for Gerardi's assassination would ultimately become clear[41] and their efforts to silence the truth behind the testimonies would fail, in part because of the moral outrage many felt at the assassination, but also because of the publication of the CEH's report the following year.

The CEH and Remhi reports are similar in many ways, no doubt due to the fact that many of the same people, especially historians and foreign researchers, were involved in both projects; as well, Remhi provided testimonies and other information to the CEH. Thus, the Remhi project's *nunca más* framework finds an echo in that of the CEH. It might be more appropriate to say the opposite, that the CEH's recipe for non-repetition is echoed in the Remhi project's, for this framework is clear in the Acuerdo sobre el establecimiento de la Comisión para el Esclarecimiento Histórico de las violaciones a los derechos humanos y los hechos de violencia que han causado sufrimiento a la población guatemalteca (Agreement on the establishment of the Commission to clarify past human rights violations and acts of violence that have caused the Guatemalan population to suffer), signed 23 June 1994. The CEH was meant to clarify "the human rights violations and acts of violence that have caused the Guatemalan population to suffer." Yet, as in *Nunca Más*, the meaning of words blends into one another. For the CEH, clarified history is also truth, for "the people of Guatemala have a right to know the whole truth concerning these events, clarification of which will help avoid a repetition of these sad and painful events and strengthen the process of democratization."[42]

The connection between truth and the CEH's clarified history—clarified through the collection and analysis of testimonies—was further solidified when the CEH was called a Truth Commission or when its work was described in relation to truth. Indeed, in September 1997, the CEH

had made this connection itself. In an ad placed in *Prensa Libre*, the Commission affirmed, "It is time to tell the truth!" "Knowing our history," the ad continued, "we will be sure that it never happens again."[43] Beyond this, on 1 August 1997, *Prensa Libre*'s front-page headline read, "Truth Commission begins work with 50,000 denunciations."[44] Arzú repeated the equation of historical clarification and truth the same month.[45] As well, when the CEH's final report was published on 25 February 1999, *Prensa Libre* reported that a "massive" number of people were expected to attend the ceremony. Those present, the article read, would witness the moment when "the truth of what happened was made known."[46]

The former guerrilla of the Unidad Revolucionaria Nacional Guatemalteca, (URNG, Guatemalan National Revolutionary Unity) made a similar connection between truth and the CEH, though perhaps more significant was their albeit limited acknowledgement that they had committed "errors and excesses…[and] injustices" in "concrete situations" during the conflict. As for truth and never again, the URNG declared its complete support for efforts to clarify what had happened during the conflict, to find out the truth of the events, and to contribute to reconciliation. To that end, they announced that they would supply the CEH with "documentation and testimony" so that "the Guatemalan people…are fully aware of the bloodiness of the armed confrontation… so that it never again happens."[47] For the guerrilla as well, truth was located in testimony.

All of these statements and comments about truth affirm that the truth/history/(historical)memory of the conflict had been unknown until the Remhi Project and even more so the CEH conducted their testimony-based investigations and published their reports. This suggests that only lies had been known. Indeed, though the Accord that created the CEH was greatly criticized for having created a weak Commission, the simple statement that the whole truth must be known, and the implication that the then-dominant understanding of the conflict, an understanding imposed and promoted by state institutions and the media, was not the whole truth, was an indictment of the state and its campaigns of disinformation. It also represents a significant shift from previous decades when those who came forward to tell their stories about the military's human rights violations were brushed aside, detained, or killed.

Judge Jasmin Barrios further underscored the truth of the testimonies in the 2017 sentence condemning an officer and a military commissioner for rape, forced disappearance, and assassination for the domestic

and sexual slavery of over a dozen indigenous women and the assassination or forced disappearance of their husbands at Sepur Zarco, near El Estor, Izabel. She declared that "we firmly believe the testimonies," which were key evidence in the trial. To be sure, Moisés Galindo, the lawyer for one of the accused did not. He argued the women were prostitutes, not sex slaves.[48] We will see Galindo again in Chapter 7. Despite Galindo's comments, Barrio's clear statement in support of the truth of the testimonies works to expand truth beyond the testimonies contained in the Remhi and CEH report, as has the use of testimonies to condemn perpetrators over the years.

Testimonial Non-truths

Arzú's comments about the importance of having "full awareness and knowledge of what happened to us, of what we were capable"[49] are vague. When he spoke of this "full awareness," he could have been talking about almost anything, just as Pérez Molina could have been when he said, "We should not forget the past."[50] What past did he mean? When Guatemalan legislators penned the Ley de Reconciliación Nacional and described the CEH as contributing to making the "historical truth" of the armed conflict known, they could have been expecting that the truth the CEH would reveal would be the same one that had been imposed on the country during the conflict. Surely the CEH's clarified history of the conflict would turn out to be the same version the conservative media, military, and government had repeated for decades. After all, the CEH was charged with investigating both the guerrillas' and the military's violence.

Conservatives, often with ties to the military or the paramilitary groups the reports named as responsible for gross human rights violations, largely rejected the Remhi Project and CEH's findings and the emblematic memory of the conflict the reports constructed. These are the sectors Balsells Tojo described as promoting forgetting from "the highest circles of power." Yet those who disagree with the numeric breakdown of responsibility do so in the same language as those who accept these findings, by declaring that it is important to remember, to know history, to know the truth. Following Jelin, these conservative and often military sectors are not promoting forgetting; they are promoting a different historical narrative of the conflict. They are insisting that the testimonies from which the Commissioners' drew their conclusions are

not the truth of the conflict. The most generous would say the testimonies are not the *only* truth.

Arzú's response to the publication of *Memoria del Silencio* is clear evidence of the battle between (emblematic) memories of the conflict, between understandings of its truth, and between narratives of the past. The report was presented in late February, but it was not until mid-March that an official reaction was issued. In an advertisement taken out in newspapers, the government's "initial position" about the report was that "the historical *interpretation* about the internal armed conflict is a contribution for a task which, given the complexity of the issue and its controversial character, has barely begun." In Jesuit Juan Hernández Pico's mind, this was simply "reducing the CEH Report to being one more investigation, and a debatable one at that."[51] The official reaction to *Memoria del Silencio* was, therefore, not to explicitly reject it, but to undermine it from within a scaffolding where it is important to know what happened in the past. Indeed, much like de la Torre's, Arzú's rejection is worded as a need to know more about the complexities of the conflict.

The need to know what had happened in the past was not openly challenged, nor could the CEH report be silenced through assassination and disappearance, as opposition had been silenced since the 1950s, and as recently as 1998. Such strategies for silencing views that were contrary to elite interests may have worked in previous decades, but the post-Peace era was (at least a little) different; things had to be done with greater subtlety, though Gerardi's assassination was of course not subtle. In addition to declaring the CEH report to be simply one interpretation of history, this involved writing an alternate history of the country. The Ministry of Education published the *Historia Sinóptica de Guatemala* in 1999. In the letter introducing this *Summarized History of Guatemala*, Minister of Education Arabella Castro Quiñones stated, "It is impossible to imagine the construction of a renewed nation pretending to ignore the importance of knowing its past." The knowledge she spoke of, furthermore, would help guide Guatemala to a better future, a future of "unity within diversity."[52] The *Historia Sinóptica de Guatemala* is the government's response to *Memoria del Silencio*; while, according to Arzú, the latter offered one "interpretation" of history, the former offered what can only be understood as "the history" of Guatemala.

Arabella Castro's words fit well within Guatemala's discursive scaffolding, but the internationally supported CEH, the creation of which the government had agreed to and that was tasked with doing precisely what the *Historia Sinóptica* claimed to do, is barely mentioned. Nor does the short, very basic chronology of the conflict at the end of the volume mention genocide, the CEH's most significant conclusion. Instead of including information from the report, readers are told to read the report itself to learn more about, for example, Ríos Montt's scorched earth strategy.[53] This is a ridiculous suggestion, one which the Remhi Project understood when they published an illustrated version of *Nunca Más*. The CEH report is over 5000 pages long and much of it is written in legal and complex language. While Guatemala has 82% adult literacy, a number that drops for the indigenous population, 43% of the population do not speak Spanish, and less than 50% are enrolled in secondary school.[54] To suggest Guatemalans read the report for themselves is akin to silencing it. While not explicitly declaring the CEH report to be full of lies, as Cáceres Knox had, the government challenged the CEH by putting the weight and resources of the state behind a different version of history, a version full of its own silences.

Former Director of Military Intelligence Mario Mérida's many opinion pieces in *El Periódico* and the few books he has published about the conflict also promote a distinct truth of the conflict, framed within an equally distinct emblematic memory. Fashioning himself a historian, in *Denied History* Mérida offered readers a compilation of "documents for debate" to help clarify "part of what happened during the internal armed conflict…so as to stimulate an exploration of its real origins." He sought not to exculpate those "charged with defending the State," nor to declare that the CEH was "absolutely false." Rather, in his effort to clarify parts of history, he wanted only to "record the partiality of a few aspects [of the CEH] that prevent it from attaining the description of 'official history.'"[55] For Mérida, there could be no doubt that the CEH report "twist[ed]" reality, a result of the fact that the Commission "undoubtedly" sympathized with the guerrilla.[56] Given this, Mérida declared that it was necessary to "listen to all versions of history with critical judgment," to write history as it should be—"self-critical, without ideological nuances, and unlike fiction."[57] It is especially important, he added, for the youth to know all versions of history "so they can judge what happened impartially and prevent its repetition."[58] Though

Mérida clearly rejected the truth of the CEH, he spoke of the benefits of history and truth in much the same way as did those who believed in the CEH's truth. He celebrated the benefits of knowing what had happened in the past (i.e., preventing repetition).

Mérida brought memory and truth into his discussion in "Restoring memory," revealing a kind of (false) equivalence between what Mérida understood as "restoring memory," what the CEH understood as "clarifying history," and what Remhi understood as "recuperating historical memory." In the piece, he drew on guerrilla documents from the early 1980s to argue that the guerrilla's tactics, and not the state's, targeted Guatemala's indigenous groups; however, lest he be accused of trying to "refute what has been written about the supposed genocide," he stated that he merely sought to "correct the inexact allusions made regarding Plan Victoria 82."[59] For Mérida, as for Arzú and de la Torre, the problem with the CEH report is that it did not tell *enough* of the past; additional investigations were therefore necessary. As he explains in "Restoring memory," the guerrilla orchestrated a campaign of disinformation both in Guatemala and internationally. This campaign cast the military in a negative light, leading to the arrival of unspecified international observers. Fortunately, Mérida wrote, these observers found evidence to show that the guerrilla also committed massacres and that the army was not solely responsible.[60] The testimonies, therefore, were not true. Mérida continued. As a result of these investigations, "other opinions are known," evidence that "certain reports about the armed conflict are not the only truth."[61]

Mérida and Arzú's comments about different versions of history, different opinions about or interpretations of the past, and the existence of more than one truth seem almost post-modern. Not all conservatives, of course, embrace these ideas. Avemilgua is an excellent example of this. At the bottom of every page on the veterans' association's website, they declare that "There is something more powerful than history….the truth. and….Guatemalans deserve to know the truth!" The Avemilgua portal also included a separate page on "The Only Version of our History." Perhaps tellingly, in 2012, this page was blank.[66] Avemilgua has since updated their webpage. It no longer includes declarations about the one version of history. Instead, the page advertises Avemilgua's books, *Guatemala Besieged* and *How the Peace Was Manipulated*. In announcing the books, the Asociación wondered, "Is it worth it to look to the past?" The question was left unanswered, though

Avemilgua's foray into history suggests that it is, even if the way they ask the question suggests that the answer is no.

In the historical context of the post-Peace era, Arzú and Mérida's sudden embrace of post-modern ideas about truth is opportunistic. Before Remhi and CEH's findings were made public, conservatives, including Arzú, declared that the CEH would reveal "the truth" of the conflict and become the official history of that era. Once the findings about responsibility and violations were known, conservatives shifted their discourse. They rejected the Commission's findings by affirming that there was more than one truth about the past, and by reaffirming how important it was to know it. The battle for memory is not waged against forgetting, but against the different memories different social groups understand as truth.

Official Remembering

This chapter and the previous one placed the human rights community as standing in opposition to conservative sectors, including representatives of the state, with little suggestion that the situation might be more complex. Yet the line between these groups is often blurry; speaking of state institutions, Tani Adams describes human rights activists as "mov[ing] fluidly in and out of government positions" in the post-Peace era.[63] Not including the presidency of Álvaro Colom, who, as the nephew of assassinated politician Manuel Colom Argueta, identified with the victims and was the most progressive of Guatemala's extremely conservative post-Peace presidents, this was especially true during the conservative administrations of Óscar Berger and Alfonso Portillo. Those who served in Berger's administration, at least for a time, include Rosalina Tuyuc as the head of the Programa Nacional de Resarcimiento (PNR, National Reparations Program), Víctor Montejo as the Secretary of the Peace, and Frank LaRue as the head of the Comisión Presidencial Coordinadora de la Política del Ejecutivo en Materia de Derechos Humanos (Copredeh, Presidential Human Rights Commission). In Portillo's Frente Republicano Guatemalteco (FRG, Guatemalan Republican Front) administration, former guerrilla leader Pedro Palma Lau served as Secretary of Agrarian Affairs, former CEH commissioner Otilia Lux de Cotí served as the Secretary of Culture and Sport, and Remhi's Edgar Gutiérrez served (quite polemically) as the head of the Secretaría de Análisis Estatégico (SAE, Secretariat of Strategic Analysis).

These individuals worked within state institutions and often promoted agendas that were at odds with the agendas or interests of other state institutions, whether explicitly or implicitly. Gutiérrez, for example, agreed to work in the FRG government because, as Diane Nelson writes, it was a chance to "clea[n] up the infamous Security Section and creat[e] an entirely new, clean, democratic way to gather information and make use of it." Though many would wonder if he was being "duped," "Transforming the security apparatus," Nelson adds, "was a primary part of the peace accords that he and everyone else had been assiduously pursuing for so many years."[64]

Activists also sometimes, as in the case of the PNR, integrated the human rights community's discourse into the functioning of state institutions. The PNR was finally created in 2003, several years after the CEH recommended it be created and due in large part to the human rights community's reaction to Berger's announcement that he would pay ex-PACs for the "services" they had given to the military during the conflict. The legislation creating the PNR spoke only of "national reconciliation," "the construction of a culture of harmony and mutual respect," and a firm and lasting peace, so the PNR itself was left to flesh out its own mission and vision. In 2002, prior to the PNR's creation, the Instancia Multiinstitucional por la Paz y la Concordia (Multi-institutional Agency for Peace and Harmony) had published a report, known as *El Libro Azul*, that the PNR adopted as its guiding principles.[65] To repair some of the damage done to the social fabric, the Instancia, and later the PNR, promoted "processes directed toward knowing the truth, with an emphasis on the study and comprehension of the causes and effects of the armed confrontation." The authors of *El Libro Azul* wrote that "only based on effectively knowing and recognizing the past, access to justice, and reparations and compensation, can the foundations of reconciliation be laid."[66] They optimistically added that the state's commitment to create the PNR was "a sure sign that the lesson of history has been learned" and that the state sought to avoid repetition.[67]

The PNR, initially directed by Tuyuc, respected human rights activist and founder of the Coordinadora Nacional de Viudas de Guatemala (Conavigua, National Coordinating Committee of Widows of Guatemala), adopted much of the Instancia's vision, as seen in the Executive Director's 2005 report. The report declared that it would continue to work to contribute to "community cohesion" and to support "the construction of the social fabric." These, for the PNR, were the

"foundation for the non-repetition of human rights violations."[68] The "preserv[ation of] historical memory" and knowing "the truth of what happened" were imagined as measures that would contribute to the dignification of the victims. The PNR also hoped to create museums in public spaces to help Guatemalans know the truth of the past "as a guarantee of non-repetition."[69]

In this report, the PNR, a state institution, fully embraces the human rights community's discursive framework centered on remembering, very likely because the PNR's operating principles were rooted in a document produced by a human rights organization and because the PNR was originally directed by a celebrated human rights activist. It must be added that the PNR is a troubled institution. In 2015, the Centro de Análisis Forense y Ciencias Aplicadas (CAFCA, Center for Forensic Analysis and Applied Sciences) published a series of damning conclusions about the PNR. Chief among this is that the way the PNR operates violates human rights; revictimizes survivors; "criminalizes" victims' organizations; "violates the guarantees of non-repetition"; violates international principles related to reparations; and has become clientistic, favoring organizations of the same mind as whatever government is in power. In addition, there is evidence of corruption.[70] Much like conservatives' embrace of memory, the depth of the state's commitment to the guiding principles the PNR adopted when Tuyuc was director is questionable.

"*Desalojos* Continue the Genocide"

Declarations that practices of the past were returning to darken the present, that powerful individuals and sectors from the past were gaining power once again, form an additional part of Guatemala's post-Peace discourse. Not only must the past be remembered so that it never happens again, but the past *was* happening again. With each assassination, each clash between police and civilians, each military operation, each act of violence newspapers reported on in the post-Peace era, concerns were raised that these were signs that past patterns of violence were reemerging. Comparisons between past and present violence and policies are well founded. Joint military-police operations against criminal organizations or protestors did bear a striking resemblance to tactics used during counterinsurgency campaigns. The assassination or intimidation of activists and the raiding of their offices was very similar to the actions taken

against labor, students, and victims' activists. *Femicidio* was very like the violence women had suffered during the conflict.

Yet more than a return to the past, there is continuity with the past. As Sam Colop wrote in 2002, "the awful past was never left behind. It has always been present, just as the general of the scorched earth has."[71] For Colop, Efráin Ríos Montt, "the general of the scorched earth," represented a continuation of the past in the present. Ríos Montt's continued power and position in the post-Peace suggests that Arzú's speech on 29 December 1996, when he declared that the signing of the Peace marked the beginning of a new chapter in Guatemala's history, was empty rhetoric. The continued power and presence of men like Ríos Montt and the ex-PACs spurred many to confirm that the past, and its antagonists and practices, were neither dead not buried. Instead, the past was alive, haunting the halls of Congress, the Presidential Palace, and the highways of the Petén. As Vela Castañeda wrote, "we must stop thinking as if the past were something foreign and strange compared to what we are now."[72]

Street artists' denunciations of government policies also highlight continuity between past and present. *Desalojos*, or violent evictions, in the Polochic Valley inspired artists to write, "*Desalojos* continue genocide" in downtown Guatemala City.[73] The artists added, "civilian or military government…history repeats itself." A house in flames appears on one side of the wall. On the other, the artist has painted a woman's face and the question "¿Donde estás?," the quintessential question about the disappeared. The artist asks the woman, "Where are you?" The question goes unanswered. She responds with silence, a silence the government imitates. Likely the work of various artists, the wall is a visual representation of the conflict and post-Peace discourse about the ghosts of the past. "Where are you?" rejects forgetting. The woman is reminded that she has not been forgotten, and passersby are not allowed to forget her. The question is a call for memory and a statement that at least one person remembers. "*Desalojos* continue the genocide" is also a call for memory, a call to remember what the state and military did to its own citizens, as revealed in thousands of testimonies and numerous documents, and what they continue to do. "*Desalojos* continue the genocide" is a statement that the past lives on, that history is repeating itself; it is a statement, as the artist said, that little changed in the shift from military to civilian government.

Desalojos are carried out for economic reasons, at the request of large landowners who ask the military to remove peasants who have "invaded" "their" land so that more land can be planted with export crops.[74] The links between economic interests and state-sponsored violence are on full display in the idea that "*desalojos* continue the genocide." During the conflict, "development" and national security were closely linked, as seen in the National Plan for Security and Development, put into effect in April 1982.[75] The Río Negro massacre, which was linked to the construction of a hydroelectric dam on the Chixoy River, also clearly demonstrates these links, as does the presence of numerous army detachments in eastern parts of Guatemala where the guerrilla were far less active than in the highlands and other regions. Among these, Sepur Zarco stands out for the abuses committed there. As survivors testified, soldiers at the base coordinated with landowners in the region to target indigenous activists seeking title to their land. Just how successful the military-landowner alliance was is clear in the continued domination of *fincas* and ranches in the eastern part of the country, including the Polochic Valley. The 1978 Panzós massacre, sexual slavery at Sepur Zarco, and the 2011 *desalojos* of several communities in the Polochic Valley, located just to the south of Panzós, are examples the lengths the military and landowners were willing to go.

While "*desalojos* continue the genocide" links past and present repression and violence against rural communities, it does more than this. Unlike other calls for memory that focus on remembering the violations and the victims, "*desalojos* continue the genocide" also reminds passers-by of the links between powerful economic sectors and state-sponsored violence committed both during the conflict and after its official end. It recalls the ties between the economic elite (i.e., the Comité Coordinador de Asociaciones Agrícolas, Comerciales, Industriales y Financieras [CACIF, Coordinating Committee of Agricultural, Commercial, Industrial, and Financial Associations]), Ríos Montt's de facto government, and counterinsurgency campaigns, as the CEH and Rodríguez Pellecer pointed out. In this, it responds to Adams' criticism of the simplistic and binary narrative of the conflict that circulates in the public sphere.

"*Desalojos* continue the genocide" also recalls continued inequality and the failure of the Peace Accords to transform Guatemala and eliminate the causes of the conflict,[76] of the "need" for violently evicting

peasants from the communities they founded and the land they farm. In this, it is perhaps even more powerful a reminder than "*Dónde estás?*," which focuses on state-sponsored violence but does not bring the depth and range of the government's motivations to mind in the same way as "*desalojos* continue the genocide." The latter is an indictment of post-Peace Guatemala's extreme inequality, and of the failure of the Peace Accords to address the situation.

More than simply a failure to remember, this is why the past is present in post-Peace Guatemala. Remembering and truth were not the only things tasked with preventing repetition. The entirety of the Peace Accords were oriented toward this goal. Many of these agreed upon reforms were repeated in the CEH and Remhi reports' own list of recommendations oriented toward non-repetition and reconciliation, some of which were more comprehensive than the Peace Accords. The failure to comply with the Peace Accords or fulfill at least the CEH's potentially transformative recommendations is an essential part of the explanation as to why the "ghosts of the past"[77] have reappeared. These ghosts refuse to go quietly to their graves because the causes of the conflict remain, and continue to inspire.

Notes

1. Mynor Amézquita, "Una memoria histórica sin acuerdo: entrevista con Armando de la Torre y Frank la Rue," *Siglo Veintiuno*, 5 July 1998. Given how the editors presented the interviews, they seem to have interviewed de la Torre first and then LaRue, for the latter responded more directly to de la Torre's comments, while de la Torre did not respond to LaRue's. It was not a conversation between the two men.
2. Priscilla B. Hayner, *Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions* (New York: Routledge, 2011), 20.
3. Cáceres Knox had been part of the military governments of Carlos Arana Osorio and Kjell Laugerud García in the 1970s, and then ran for vice president for the right-wing Movimiento Nacional de la Liberación (MLN, National Liberation Movement).
4. Rodolfo A. Flores García, "¿Y ahora, qué hacer con el informe de la CEH?," *Siglo Vientiuno*, 28 February 1999. The CEH, to be sure, had not concluded that the army was responsible for 93% of the *massacres*. This finding related to all human rights violations.
5. Ibid.

6. Ramón Hernández and Emilio Godoy, "Arzú dice: misión cumplido y llama a un perdón sin olvido," *Prensa Libre*, 30 December 1996.
7. William Roseberry, "Hegemony and the Language of Contention," in *Everyday Forms of State Formation: Revolution and the Negotiation of Rule in Modern Mexico*, eds. Gilbert M. Joseph and Daniel Nugent (Durham, NC: Duke University Press, 1994), 360–361.
8. William Roseberry, "Hegemony, Power, and Languages of Contention," in *The Politics of Difference: Ethnic Premises in a World of Power*, eds. Edwin N. Wilmsen and Patrick McAllister (Chicago: University of Chicago Press, 1996), 81–82.
9. Humberto Ak'abal, "Dolor a Flor de Rostro," in *Rescatando Nuestra Historia: Represión, Refugio y Recuperación de las Poblaciones Desarraigadas por la Violencia en Guatemala*, eds. Jonathan "Jonás" Moller and Derrill Bazzy (Guatemala City: F&G Editores, 2009).
10. Jenny Edkins, *Trauma and the Memory of Politics* (New York: Cambridge University Press, 2003), 7–8. For Veena Das, "If the process of naming the violence presents a challenge, it is because such naming has large political stakes, and not only because language falters in the face of violence" (Veena Das, *Life and Words: Violence and the Descent into the Ordinary* [Berkeley: University of California Press, 2007], 205).
11. Edkins, *Trauma and the Memory of Politics*, 214.
12. Edkins, *Trauma and the Memory of Politics*, 177–178, 190.
13. Remhi Project, *Guatemala: Nunca Más*, Volume 1: *Impactos de la Violencia* (Guatemala City: ODHA, 1998), xiv.
14. Ricardo Falla, *Massacres in the Jungle: Ixcán, Guatemala, 1975–1982*, trans. Julia Howland (Boulder, CO: Westview Press, 1994), 2.
15. Michel Foucault, *The Archaeology of Knowledge*, trans. A.M. Sheridan Smith (New York: Routledge, 2002), 31.
16. Foucault, *The Archaeology of Knowledge*, 134–135. It is important to repeat that there will be little discussion in this chapter about the absence of reform to address Guatemala's many deeply rooted inequalities, inequalities that pushed many to organize for change and/or take up arms to achieve their goals. The focus of this chapter, as with the book, is on the work that memory is tasked with doing in post-Peace Guatemala. Few would say that Guatemala's numerous problems will all be solved by remembering the past. Yet it is also true that if memory is the starting point of a discussion about contemporary Guatemala, it becomes clear that its primary task is to reconcile and prevent repetition.
17. Martín Rodríguez Pellecer, "Los militares y la élite, la alianza que ganó la guerra," *Plaza Pública*, 21 August 2013, http://www.plazapublica.com.gt/content/los-militares-y-la-elite-la-alianza-que-gano-la-guerra.

18. Ana Fresse, "Arzú exhorta al pueblo a perdonarse," *Siglo Vientiuno*, 30 December 1996.
19. Hernández and Godoy, "Arzú dice: misión cumplido."
20. "Extracto del discurso de Alvaro Arzú," *El Periódico*, 30 December 1996.
21. Carolina Gamazo, "Pérez comienza 'la era del cambio,'" *El Periódico,* 15 January 2012 and "Discurso de investidura de Otto Pérez Molina," *Plaza Pública*, 15 January 2012, http://www.plazapublica.com.gt/content/discurso-de-investidura-de-otto-perez-molina.
22. Daniela Castillo, "En Guatemala no hubo genocidio," *El Periódico*, 27 January 2012.
23. Manolo Vela Castañeda, "Las Pesadas Cargas del Pasado: la tradición de la violencia en Guatemala," in *El Lado Oscuro de la Eterna Primavera: Violencia, Criminalidad y Delincuencia en la Guatemala de Post-guerra*, eds. Manolo Vela Castañeda, Alexander Sequén-Mónchez, and Hugo Antonio Solares (Guatemala City: FLACSO, 2001), 76.
24. Kimberly Theidon, *Intimate Enemies: Violence and Reconciliation in Peru* (Philadelphia: University of Pennsylvania Press, 2013), 269. Yet how exactly truth would prevent future violence is unclear, as Theidon acknowledged when she questioned the mathematics behind the equation.
25. ODHA, *Guatemala: Never Again!* (New York: Orbis Books, 1999), xxiv.
26. ODHA, *Guatemala: Never Again!*, xxv.
27. ODHA, *Guatemala: Never Again!*, 315.
28. Elizabeth Jelin, "Memorias en Conflicto," *Puentes* 1, no. 1 (2000): 7–8.
29. Ibid. Jelin's work with Susana G. Kaufman underscores the falseness of the remembering/forgetting dichotomy. The authors suggest that forgetting is the "presence of the absence." Forgetting is the "representation of what was once there and no longer is, the representation of something that has been erased, silenced or denied" (Elizabeth Jelin and Susana G. Kaufman, "Layers of Memory: Twenty Years after in Argentina," in *Commemorating War: The Politics of Memory*, eds. Timothy G. Ashplant, Graham Dawson, and Michael Ropers [New Brunswick, NJ: Transaction Publishers, 2004], 106).
30. Allan Megill, *Historical Knowledge, Historical Error: A Contemporary Guide to Practice* (Chicago: University of Chicago Press, 2007), 73.
31. Steve Stern, *Remembering Pinochet's Chile: On the Eve of London 1998* (Durham, NC: Duke University Press, 2004), xxvii.
32. Edgar Alfredo Balsells Tojo, *Olvido o Memoria: El Dilema de la Sociedad Guatemalteca* (F&G Editores: Guatemala City, 2001), 3–5.
33. Manolo Vela Castañeda, "Memorias de una batalla," unpublished manuscript, 23.
34. Kate Doyle and Jesse Franzblau, "Historical Archives Lead to Arrest of Police Officers in Guatemalan Disappearance," *The National Security*

Archive, 17 March 2009, http://www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB273/. Jean-Marie Simon's photos from the conflict offer chilling evidence of the state's actions (*Guatemala: Eternal Spring, Eternal Tyranny* [New York: W.W. Norton & Co., 1988]).

35. Miguel Ángel Albizures, "Caso Gerardi: el móvil político aparece con más claridad," *El Periódico*, 28 April 2001.
36. Remhi Project, "Comunicado del Equipo Interdiocesano de la Recuperación de la Memoria Histórica de Guatemala," *Prensa Libre*, 4 May 1998.
37. ODHA, *Guatemala: Never Again!*, xxv.
38. Remhi Project, "Comunicado del Equipo."
39. Carolina Escobar Sarti, "Nuestra Memoria," *Prensa Libre*, 14 May 1998. The importance of memory, of truth, of knowing what happened in the past so that it would never happen again, and more generally so that the future would be better is also clear in the words and work of others who commented on both Remhi and the CEH. See, for example, Claudia Argueta, "Tomuschat no promete milagros para esclarecer los excesos de la guerra," *Siglo Vientiuno*, 2 August 1997 and Julio F. Lara, "Justicia y reivindicación de los mártires de la guerra piden en Marcha de la Verdad," *Prensa Libre*, 2 August 1997.
40. Ellen Moodie, *El Salvador in the Aftermath of Peace: Crime, Uncertainty, and the Transition to Democracy* (Philadelphia: University of Pennsylvania Press, 2010), 55–63.
41. For a thorough exploration of the Gerardi assassination, see Francisco Goldman's *The Art of Political Murder: Who Killed the Bishop?* (New York: Grove Press, 2007). In the end, members of the Estado Mayor Presidencial (EMP, Presidential General Staff) were found guilty of the assassination. The priest who shared the parish house with Gerardi was also sentenced as an accomplice.
42. Agreement on the Establishment of the Commission to Clarify Past Human Rights Violations and Acts of Violence that Have Caused the Population to Suffer. Signed 23 June 1994, http://www.usip.org/sites/default/files/file/resources/collections/commissions/Guatemala-Charter.pdf. "Human rights violations" were those acts committed by the state, while the "acts of violence" were those committed by the guerrilla.
43. CEH, "Hay verdades que no se cuenta a cualquiera," *Prensa Libre*, 25 September 1997.
44. *Prensa Libre*, 1 August 1997. See also, for example, "Piden a Comisión de la Verdad investigar la muerte de Flaquer," *Prensa Libre*, 31 July 1997; Julio F. Lara, "Justicia y reivindicación de los mártires de la guerra piden en Marcha de la Verdad," *Prensa Libre*, 2 August 1997; Eduardo Antonio Velázquez Carrera, "Fin del tema: las Comisiones de la Verdad,"

Siglo Veintiuno, 26 August 1997. Marielos Monzón opted to call both *Memoria del Silencio* and *Nunca Más* "truth reports" (Marielos Monzón, "Históricas sentencias," *Prensa Libre*, 15 December 2009).

45. Francisco Mauricio Martínez, "Tomuschat exhorta a víctimas a denunciar violaciones registradas durante la guerra," *Prensa Libre*, 1 August 1997.
46. Julieta Sandoval and Miguel Acabal, "Esperan masiva audiencia," *Prensa Libre*, 25 February 1999. See also, Nery Villatoro Robledo, "El informe de la CEH," *Siglo Vientiuno*, 14 January 1999; Nery Villatoro Robledo, "La CEH: una comisión del milagro," *Siglo Veintiuno*, 27 February 1999; Mario Antonio Sandoval, "La verdad duele, pero además libera," *Prensa Libre*, 26 February 1999; "Algo más sobre el reporte de la CEH," *Prensa Libre*, 27 February 1999; and Balsells Tojo, *Olvido o Memoria*.
47. URNG, "Un compromiso con el escalrecimiento, la verdad y la reconciliación," *El Periódico*, 23 February 1998. Paid ad. That said, however, they were quick to state that their tactics did not include "repression, torture, massacre, vengeance or injustice," which was, the ad implied, precisely the nature of their opponents' tactics. Reporting on the URNG's acknowledgement, *El Periódico* pointed out quite correctly that the URNG did not clarify what excesses they were talking about ("La mea culpa de la URNG," *El Periódico*, 23 February 1998).
48. José David López, "Tribunal condena a autores de vejámenes cometidos en Sepur Zarco," *El Peridódico*, 27 February 2017, https://elperiodico.com.gt/nacion/2016/02/27/tribunal-condena-a-autores-de-vejamenes-cometidos-en-sepur-zarco/.
49. Hernández and Godoy, "Arzú dice: misión cumplido."
50. Carolina Gamazo, "Pérez comienza 'la era del cambio,'" *El Periódico*, 15 January 2012 and "Discurso de investidura de Otto Pérez Molina," *Plaza Pública*, 15 January 2012, http://www.plazapublica.com.gt/content/discurso-de-investidura-de-otto-perez-molina.
51. Juan Hernández Pico, "'Memoria del silencio': un informe estremecedor," *Revista Envío* 205 (April 1999), http://www.envio.org.ni/articulo/935, and reprinted in FLACSO's publication of his works. Emphasis added.
52. Ministerio de Educación, *Historia Sinóptica de Guatemala* (Guatemala City: Ministerio de Educación, 1999), ix. See Elizabeth Oglesby or Michelle Belino for an in-depth discussion of post-Peace education (Elizabeth Oglesby, "Historical Memory and the Limits of Peace Education: Examining Guatemala's Memory of Silence and the Politics of Curriculum Design," in *Teaching the Violent Past: History Education and Reconciliation*, ed. Elizabeth A. Cole, 175–203 [Lanham, MD: Rowman & Littlefield Publishers, Inc., 2007] and Michelle Bellino, *Youth in Post-war Guatemala: Education and Civic Identity in Transition* [New Brunswick, NJ: Rutgers University Press, 2017]).

53. Ministerio de Educación, *Historia Sinóptica de Guatemala*, 451.
54. UNESCO, "Guatemala," accessed 11 January 2018, http://uis.unesco.org/country/GT and UNESCO, "Guatemala," accessed 11 January 2018, https://en.unesco.org/countries/guatemala.
55. Mario Mérida, *La Historia Negada: Compendio acerca del Conflicto Armado Interno en Guatemala* (2010), 29.
56. Mérida, *La Historia Negada*, 42.
57. Mérida, *La Historia Negada*, 31.
58. Mérida, *La Historia Negada*, 42.
59. Mario Mérida, "Restaurando la memoria," *El Periódico*, 19 July 2011. Plan Victoria 82 was the army's counterinsurgency strategy and a key piece of evidence human rights activists use to denounce the military and its actions.
60. Mérida repeated much the same thing in conversation in 2012, stating that exhumations being conducted in Guatemala were unearthing hard evidence of the guerrilla's crimes (Conversation with author, 29 February 2012).
61. Mérida, "Restaurando la memoria."
62. Avemilgua, "La Única Versión de nuestra Historia," *Asociación de Veteranos Militares de Guatemala*, accessed 6 October 2013, http://www.avemilgua.org/lahistoria.html.
63. Tani Marilena Adams, *Consumed by Violence: Advances and Obstacles to Building Peace in Guatemala Fifteen Years after the Peace Accords* (Cambridge, MA: CDA Collaborative Learning Projects, April 2011), 11–12.
64. Diane Nelson, *Reckoning: The Ends of War in Guatemala* (Durham, NC: Duke University Press, 2009), 70.
65. PNR, "Informe de la Evaluación Conjunta del Programa Nacional de Resarcimiento y de los Programas de Apoyo al PNR de GTZ y PNUD," (2007), 33, http://www.berghof-peacesupport.org/publications/GT_Informe_Final_EC_PNR.pdf.
66. Instancia Multiinstitucional por la Paz y la Concordia, *El Libro Azul: Política Pública de Resarcimiento* (Instancia Multiinstitucional por la Paz y la Concordia, 2003), 3–5.
67. Instancia Multiinstitucional por la Paz y la Concordia, *El Libro Azul*, 9–10.
68. PNR, *Informe Final del Director Ejecutivo del PNR* (Guatemala City: Programa Nacional de Resarcimiento, 2005), 2.
69. PNR, *Informe Final*, 21–22. To be sure that the truth was known throughout the country, the PNR proposed to deliver copies of the CEH report to communities which had suffered massive and systematic human rights violations, as the CEH had intended but ultimately failed to do.

70. CAFCA, *Auditoría social a la política de reparación del Estado de Guatemala* (Guatemala City: CAFCA, 2015), 16.
71. Sam Colop, "Las huestes del general," *Prensa Libre*, 26 June 2002.
72. Vela, "Memorias de una batalla," 1.
73. Seen in January 2012. For an in-depth analysis of this piece of street art, see Rachel Hatcher, "'The Work…of a Thousand Different Hands' Holding a Thousand Cans of Spray Paint and Buckets of Glue: How Guatemala's Street Artist-Historians Expand the History of the Country's Violent Past," *The Public Historian* 39, no. 1 (2017): 10–34.
74. See, for example, Guatemala Human Rights Commission/USA, "Polochic Evictions," http://www.ghrc-usa.org/our-work/current-cases/polochic/.
75. Ejército de Guatemala, "Plan Nacional de Seguridad y Desarrollo," http://www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB419/docs/VII.%20Plan_Nacional_de_Seguridad_y_Desarrollo_%28PNSD%29,_1.4.82.pdf.
76. Again, Tani Adams, adds that CACIF campaigned strongly against the 1999 referendum which would have allowed many of the Peace Accords provisions to be enacted (Adams, *Consumed by Violence*, 22–23).
77. As many called them. See, for example, Carlos Ajanel Soberanis, "Violencia política: Denuncian retorno de fantasmas del terror," *Siglo Veintiuno*, 15 Mayo 1999 and Martín Rodríguez, "'Estamos de regreso al pasado,'" *Prensa Libre*, 31 August 2003.

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CHAPTER 5

Verdad or *Olvido* in *El Pulgarcito de América*

A loud and unmasked struggle over words exists in El Salvador: truth and forgetting, and the sectors that support each, do discursive battle, seeking to sway public opinion. Much as shops in MetroCentro try to attract customers by playing music louder than the shop across the way, the sectors that support forgetting try to convince Salvadorans of its benefits by speaking louder than those who call for truth. There are few limits on how Salvadorans talk about the past. Quite unlike Guatemala, where the human rights community's discursive framework dictates that Otto Pérez Molina must, at least on the surface, support the work that memory does, there is no common way of talking about the past in El Salvador that determines what people must say if they want to be heard. Conservatives in El Salvador, including those with ties to the military, do not have to dance around forgetting as Pérez Molina did in Guatemala.

But El Salvador's uncommon discursive framework that pits truth against forgetting did not emerge fully formed in the post-Peace era, as seems to be the case in Guatemala. Instead, the way Salvadorans talk about the role of the past in the present took just over one year to take root. In the initial post-Peace period, the human rights community and conservatives agreed on the need to know the truth of the past, as would be revealed by the Truth Commission, to prevent repetition. After this brief flirtation with truth, and as it became clear that the Truth Commission's truth would not match their own, conservatives increasingly rejected the value of truth and fully embraced amnesty and

R. Hatcher, *The Power of Memory and Violence in Central America*,
https://doi.org/10.1007/978-3-319-89785-1_5

forgetting as best working toward non-repetition. This was in March 1993; since then, as conservatives celebrate the work amnesty and forgetting do to prevent repetition, as they equate the Peace Accords with amnesty, the human rights community has insisted that only by knowing the truth of what happened will the future be distinct from the violent past. This, they are clear, is only possible without amnesty.

Truth and forgetting are El Salvador's competing discourses and discursive scaffoldings, and the struggle between them is clearest precisely when the 1993 Amnesty Law is threatened. It is at this and other moments of rupture and debate when conservatives' dominant discourse is questioned and the hegemonic process reveals itself. In these moments, struggles over language and meaning appear and it becomes most apparent that, other than to declare that the past—often vaguely labeled "it"—must not happen again, Salvadorans do not have a common way to talk about either the past or the present.[1] Rather, two groups with not always stable membership have each established their own way of talking about the past; they each have their own discursive scaffolding that gives form to, supports, and becomes tangled with what each believes the truth of the war to be. Thus, and as Erik Ching's study of life histories makes clear in the case of the civilian elite, officers, *comandantes*, and the rank-and-file (and, notably, not the human rights community), different groups have also each created an emblematic memory that dictates which events will be included in the group's collective memory and which will be forgotten or "pushed back toward the fringes," as well as what meaning these events will be imbued with.[2]

Though El Salvador's different sectors do not share a discursive framework, the debate between truth and amnesty/forgetting does itself bear a striking resemblance to such a framework, with the struggle between the two setting the limits of what can be said about the past in El Salvador. Certainly, few promote a third option.

One final comment is necessary. The Comisión de la Verdad plays a central role in the development of post-Peace El Salvador's discourse, yet, from 1993 until 2016, the Commission itself was rarely mentioned in the conservative media or in conservative discourse. (The Truth Commission and its report were discussed a bit more often among more progressive sectors). This changed in 2016 when the Amnesty Law was declared unconstitutional and suddenly *El Diario de Hoy* and *La Prensa Gráfica* started citing the report and its findings. "According to the

Truth Commission," for example, "between 10 and 13 December 1981, units from the elite Atlacatl Battalion tortured and 'deliberately and systematically' executed children, men, and women" in El Mozote and neighboring communities.[3] There are various reasons for this silence, not the least of which is likely the firm grip conservatives have on mainstream media and their interest in not talking about past actions that paint them in a negative light. Another reason might be that much of the information in the Truth Commission report was known prior to the signing of the Peace Accords. According to Salvador Samayoa, the real importance of the report, *De la Locura a la Esperanza*, lies in fact that it corroborated and supported information that was already circulating and helped to spread that information further.[4] This, it should be stated, is precisely what Priscilla Hayner argues truth commissions do; they often do not uncover new truths.[5] The Salvadoran Truth Commission mandate and report are discussed here because they are pivotal in the right's rejection of truth and embrace of forgetting, and because they are clear and official examples of human rights organizations' truth-centered discursive framework. They are both also very public and early examples of that framework.

Amnesty and Reconciliation

The ink was hardly dry on El Salvador's final Peace Accord when newspapers exploded with a debate about the work of the Comisión de la Verdad. The government and Frente Farabundo Martí para la Liberación Nacional (FMLN, Farabundo Martí National Liberation Front) had negotiated and agreed on the mandate of the Comisión de la Verdad in the Mexico Accords, signed 27 April 1991.[6] This bare bones outline of the Commission and its work was fleshed out in the Annex to those Accords, signed the same day. The government and FMLN "reaffirmed" their commitment to reconciliation and acknowledged both that "the complete truth" about key acts of violence must be known and that "the resolve and means to establish the truth [must] be strengthened." Taking these general principles into consideration, the Commission was charged with "investigating serious acts of violence that have occurred since 1980 and whose impact on society urgently requires that the public should know the truth." In selecting which acts of violence to investigate, the commissioners were instructed to take into account:

(a) The exceptional importance that may be attached to the acts to be investigated, their characteristics and impact, and the social unrest to which they gave rise; and
(b) The need to create confidence in the positive changes which the peace process is promoting and to assist the transition to national reconciliation.

The Truth Commission, furthermore, was tasked with making recommendations that "may include measures to prevent the repetition of such acts, and initiatives to promote national reconciliation." The government and FMLN agreed to comply with the Commission's recommendations. The Truth Commission's work and its recommendations would help to ensure that "such acts" were not repeated in the future. In this initial, common framework, knowing the truth about grave acts of violence was not only essential in and of itself, but would also contribute to national reconciliation and help ensure non-repetition.

In the months after the final Accord was signed, conservatives did not necessarily challenge this vision,[7] but they passed a partial amnesty nevertheless and quickly began to challenge the truth the Truth Commission's investigations would reveal, though not the benefits of truth itself. The January 1992 Ley de Reconciliación Nacional and subsequent concerns about the Truth Commission's bias served both to undermine the work of the Truth Commission and its ability to foster reconciliation, and began to temporarily shift the terms of discussion away from truth and toward amnesty and *perdón*.

As soon as the Alianza Republicana Nacionalista (ARENA, Nationalist Republican Alliance) proposed the partial amnesty that would become the Ley de Reconciliación Nacional, conservatives rushed to support the idea that amnesty and *perdón*, and not truth-seeking, were the most appropriate ways to address past violence. The President of the Legislative Assembly, ARENA's Roberto Angulo, announced his support for a full amnesty that granted "*perdón* for all" and called on Salvadorans to look for true reconciliation instead of rubbing salt in the country's wounds. The conservative Partido de la Conciliación Nacional (PCN, National Conciliation Party) echoed Angulo's support for a complete amnesty that reconciled the military and the FMLN, declaring that *perdón* must be neither "restricted nor partial."[8]

The Law passed unanimously on 23 January, one week after the final Peace Accord was signed. As the PCN's comments suggest, and much

like in Guatemala, the Amnesty focused on members of the FMLN, ensuring that they would be able to participate in politics after laying down their arms. Though the law spoke of "social coexistence based on mutual respect," its overarching motivation it to promote "a process of national reconciliation in which *perdón* plays an important role." Journalists at *La Prensa Gráfica* agreed. When the newspaper announced the passage of the Law, it was described as "the first legislative step in the process of 'reconciliation.'"[9]

In the text of the Law and in reactions to its passage, neither the work of the Truth Commission nor that of truth itself were openly challenged. In the short discussion that took place the day they voted on the law, members of the Legislative Assembly declared their support for the Truth Commission and insisted that its work was also essential for reconciliation. The Ley de Reconciliación Nacional itself affirms the necessity of "giv[ing] the Truth Commission time to carry out its investigations."[10] However, while not directly challenging the work of truth or that of the Truth Commission, the Law did impose time limits on the search for truth, and for justice. Lawmakers reasoned that, "to reconstruct our society, it is convenient to establish a sensible time period so that those citizens who feel that they are victims of the acts that took place in those years can request the clarification of those acts," adding, "it is also equally important to prevent the uncertainty of judicial prosecution from burdening society for an undefined length of time." Support, even if only nominal, for the work of both truth and the Truth Commission can further be seen in the fact that the Law explicitly excludes the cases that the Truth Commission would investigate. Six months after the publication of the Commission's report, the Law granted the Legislative Assembly the power to award amnesty in these cases as it saw fit.[11] Six months, apparently, was enough time for truth to create reconciliation; if it had not succeeded by then, amnesty would be given a chance.

Though it is unclear how it is possible to not grant amnesty to those responsible for an undetermined list of crimes drawn up by an unformed Commission, it is nevertheless clear that neither the Law nor conservative politicians and journalists were explicitly denying the value of truth or the need to find it. Though the Law might more appropriately be seen as limiting truth and justice, the Law fits within the common framework the Peace Accords established that says that knowing the truth about past violence would contribute to reconciliation. Lawmakers

and commentators, however, were also introducing an alternate way to achieve reconciliation and prevent repetition: amnesty and *perdón*. Thus, the Peace was not even a week old when the terms of the peace—i.e., the pairing of truth with reconciliation and non-repetition, as in the Truth Commission mandate—were questioned and consumed by a conservative-led discussion about amnesty and *perdón* and how *these* were best for the country. In the right's introduction of this alternative method of working toward reconciliation, in this subtle and incomplete, yet still clear, attack on the work of truth, the first hints of a discursive struggle emerge. In the right's support of the Law, it is possible to see the beginnings of what would become the right's amnesty and *olvido*-centered framework for talking about the past and its usefulness in the present.

A Partial Truth I

With the passage of the Ley de Reconciliación Nacional, conservative groups were already leaning toward the idea that amnesty and *perdón*—soon to be joined by *olvido*—would perform the work that the Mexico Accord had set out for truth. Yet conservative sectors could not simply reject truth as guaranteeing non-repetition. Given the accusations of non-compliance they made against each other, ARENA and the FMLN seemed to be involved in a competition over who was fulfilling their part of the Peace Accords best. To overtly reject truth would have opened ARENA up to criticisms about non-compliance. So, with the groundwork laid for equating amnesty and *perdón* with reconciliation and non-repetition, conservative journalists, commentators, politicians, and military officers shifted their focus. In addition to generally undermining the Truth Commission's work, they questioned whether the Commission would reveal the *whole* truth. These concerns further prepared Salvadorans to accept president Alfredo Cristiani and the military's rejection of the truth revealed in the report when it was published.

In an opinion piece in *El Diario de Hoy*, Rubén Zeledón offered an eloquent reminder that the FMLN was also responsible for human rights violations. He called on the commissioners to keep in mind that, "the other side [i.e., the FLMN]…was not walking around handing out candy during 12 years of fighting."[12] "Not handing out candy" included assassinating mayors in FMLN-controlled areas; assassinating then-Minister of the Presidency, Antonio Rodríguez Porth; and assassinating judges

and other judicial personnel. Conservative commentators suggested at various points that all of these crimes be investigated.[13] Commentator Antonio de Sandoval-Martínez y Urrutia added that "the truth commission," in quotation marks and lower case, seemed to only have come to El Salvador to investigate the left's truth because people only talked about "monseñor Romero, the Jesuit priests, etc." His response was to offer the Commission a long list of crimes to investigate.[14] Carlos Girón S. also expressed concern about the Truth Commission's work, and displayed his fondness for quotation marks. He wrote that "the 'Truth Commission'" had arrived in the country to investigate the past in an "attempt to clarify the 'crimes'" committed during the conflict, a conflict that, he noted, the FMLN had unleashed. "Even though," he wrote, "it is said that 'the war crimes' will be clarified," the only ones discussed are those connected to the Armed Forces. "According to the pattern of 'truth' that has been adopted and in accordance with how it is 'nourished' with pertinent information," he added, "the Salvadoran people doubt very much that, 'the Truth Commission' will really succeed in clarifying the acts." He also pointed to the "'evidence'" the Commission used to raise questions about its impartiality. He concluded by calling on the Commission to investigate the FMLN's assassinations.[15]

Girón's disdain for the Truth Commission and its investigation is clear, but the way he discredits the Commission does not necessarily contradict the idea put forward in the Mexico Accord and its annex that truth is essential for reconciliation. Indeed, he and other critics do actually seem to believe in the power of truth. This can be seen in Armando Calderón Sol's January 1993 statement to that effect. Calderón Sol, the leader of ARENA at the time, and the next president of El Salvador, reminded commissioners that they must "keep the search for the truth and the complete and absolute reconciliation of our society in mind."[16] In these statements, truth was not specifically being undervalued; Girón, Calderón Sol, and others simply wanted the truth—indeed, the regime of truth—that emerged from the Truth Commission's report to be their own. They did not want the Commission to only investigate the military's violence. After all, this was what the Ad Hoc Commission was for.

Concerned that the Truth Commission's investigations into the truth would not be complete, many state institutions cooperated with the Commission. This included the Armed Forces, for, as Minister of Defense René Emilio Ponce said, "We have nothing to hide"; "there is no need to fear truth."[17] While offering to cooperate with the Truth

Commission and actually cooperating are very different things, few openly opposed the Truth Commission's work. They worked within this reality and the truth-focused framework the Mexico Accord established to try to ensure that the truth revealed would be neither incomplete nor biased, at least not in their eyes, for an incomplete or biased truth would certainly not lead to reconciliation. The military's delivery of information regarding 327 of the FMLN's violations to the Truth Commission[18] is evidence of this.

Cristiani's affirmations in the weeks before the Truth Commission report was published illustrate conservatives' increasing doubts about the Commission's work, as well as the power of the Peace Accords' truth-centered framework in preventing an open rejection of the work of truth in promoting non-repetition. Before the Truth Commission published its report, conservatives expressed their concerns within the discursive boundaries the Peace Accords created. Cristiani, therefore, repeated that the report was supposed to lead to reconciliation. The whole purpose of finding the truth was to help the "wounds" of the past "close and heal." The truth was supposed to guarantee that "this type of situation" would not be repeated in the future. And he hoped that it did.[19] Here, as others had done, Cristiani was both supporting the work of truth and expressing his doubts about the work of the Truth Commission.

Yet what Cristiani really seemed to believe was that a limited, incomplete truth would best lead to reconciliation. He declared that it would be best not to name names, not just yet, as it could lead to "confrontation," precisely what the report was meant to prevent.[20] Rather than immediately naming the names of the perpetrators, he proposed that the UN do so at a more opportune moment.[21] His solution was an incomplete or delayed truth, or even an incomplete *and* delayed truth. This type of truth would, as Cristiani said in his requests to the UN, "make the path toward reconciliation easier."[22] So while, on the one hand, an incomplete truth that did not include the FMLN's crimes would not lead to reconciliation or work to guarantee non-repetition, an incomplete truth without the perpetrators' names, or a delayed truth (delayed until it would do less harm to ARENA's election campaign) would. But, regardless of the kind of truth being promoted, the idea remained that truth, in some form, would lead to a better future for El Salvador.

Not everyone on the right, however, agreed that a nameless (i.e., incomplete) or delayed truth was as necessary as Cristiani did.

These differences of opinion reveal some of the fissures in what often seems to be a homogenous and monolithic Salvadoran right. In early March, though they would soon write the opposite,[23] *La Prensa Gráfica*'s editors reminded readers that the whole point of the Truth Commission was "to contribute, through the most truthful knowledge about what happened during the war, to reconciliation," and to make recommendations to prevent a repetition of the past. Given this, and since it was necessary to "forever close a tragic chapter in our history," the editors expressed their doubts that the best way to do that was "to know a generic part [of it], or to aim to defer knowing the full report." The editors continued, affirming that, if the investigation was meant to unearth "a truth that was really true, it would be necessary to prepare for a bitter pill to swallow." Everyone had always known that, "And so why delay this until 'an opportune moment' if the dynamics of the process" say that it is now? Indeed, the truth was the best way to honor the suffering Salvadorans had experienced, though the editors did recognize that it would never be a complete truth or a perfect one.[24] Nor did Calderón Sol see much point in not naming names, as long as there was enough evidence to do so; to support his argument, he reminded Salvadorans of Jesus' statement that "the truth will set you free."[25] Commentator Hermann W. Bruch was also strongly in favor of truth and its salutary effects. It was necessary to know the contents of the report, he wrote, for "internal peace…demands that [conflict] ends with the public disclosure of [that conflict's] black parts." He was sure that after the report was published, all Salvadorans would vow to "never, ever again fall into a similarly repugnant maelstrom of collective behavior." Only in that way, he concluded, would El Salvador achieve lasting peace.[26]

The "Whole Truth"

When it became clear that the truth would be neither delayed nor incomplete in the way Cristiani wished, the discourse shifted, from undermining the work of the Truth Commission while declaring that some kind of truth was necessary, to undermining the work of truth itself by declaring that what El Salvador really needed was amnesty, and forgetting. Conservatives' positioning of amnesty and forgetting in opposition to an inconvenient truth recalls Elizabeth Jelin and Steve Stern's reminders that the framing of memory in opposition to forgetting

masks what is in fact the struggle between distinct memories that different sectors embrace as truth. In this scheme, rather than frame opponents' truth as lies, the importance of remembering truth itself is questioned. Thus, rather than limit themselves to rejecting the truth of the Truth Commission's truth, conservatives also wholeheartedly dedicated themselves to undermining the Mexico Accord, Truth Commission, and even transitional justice's broad discursive foundation that celebrate the work truth does.

Though hints of this discourse had been heard the previous year in connection to the Ley de Reconciliación Nacional, those voices had hardly challenged the work of truth itself. In early 1993, however, conservatives increasingly proclaimed that amnesty and *perdón*, and not truth, would work best to achieve reconciliation and non-repetition. Notably, in January 1993, in the days leading up to the first anniversary of the Peace, Calderón Sol stated that reconciliation was only possible through complete amnesty.[27] This is in stark contrast to his decisive rejection of amnesty 11 months earlier. At that time, he rejected amnesty by declaring that "It is not possible that these bloody acts [i.e., the FMLN's assassination of mayors] remain unpunished."[28]

While Calderón Sol and a handful of other conservative figures waffled on the usefulness of truth and amnesty, most repeated Cristiani's sentiments, expressed in January 1992, in support of the Ley de Reconciliación Nacional, comments he repeated with greater force the night before the presentation of *De la Locura a la Esperanza* in March 1993. He stated that *perdón*, amnesty, and forgetting were the best course for El Salvador to follow. In a message broadcast on radio and television and then printed in newspapers, Cristiani proposed amnesty and called for "mutual *perdón*." He did not deny that truth and the report, with all the "limitations" it might contain, were important; but, he said, "it is time to *perdonar*." To this end, and to make it so the report "produced the fruits of reunification for which it was conceived," he proposed a "general and absolute" amnesty.[29]

The Ley de Amnistía General para la Consolidación de la Paz (General Amnesty Law for the Consolidation of Peace) declared that a "sweeping, absolute, and unconditional amnesty" was essential if El Salvador were to achieve reconciliation. This was how lawmakers, led by Cristiani and ARENA, increasingly described the work of amnesty. The Mexico Accords had tasked truth with working toward reconciliation, but by March 1993 it was clear to conservatives that truth—at least the truth

in *De la Locura a la Esperanza*, which was certainly not their truth—was actually working against reconciliation. Thus, repeating much of the discourse surrounding the limited 1992 amnesty, Cristiani and his allies called for absolute amnesty. Amnesty and forgetting, and not truth, would lead to reconciliation.

A Partial Truth II

In the week before the 1993 Amnesty Law was passed, while Cristiani promoted amnesty, *perdón*, and *olvido* as working in favor of reconciliation and non-repetition, he and many others also sought to discredit the truth the Commission revealed and the larger regime of truth it promoted that focused on the military's violations. This regime of truth, if accepted, would have helped Salvadorans distinguish between truths and lies, and would have revealed just how many lies the military and its conservative allies had told. Conservatives, thus, attacked truth and the Truth Commission from two sides: not only were amnesty and forgetting a better way to achieve reconciliation, but, in any case, the truth described in *De la Locura a la Esperanza* was not really true. While some had specific complaints about the Truth Commission,[30] ARENA's Gloria Salguero Gross and others criticized the Report for generally being partial. This can be seen in her comments in support of the 1993 Amnesty Law. As the *La Prensa Gráfica* headline declared, she stated that the amnesty would "correct holes and errors" in the report.[31] But, bringing Tzvetan Todorov's comment that "Memory is a partial forgetting, in both senses of the word,"[32] to mind, the report was also partial in the sense of being biased. Commentator Hermann W. Bruch, for example, who had lauded the work that truth did at the beginning of March, had changed his mind by the end of the month, at least in regard to the specific truth of "'the truth commission'" report. The report, he said, exhibited a "lack of balance, impartiality, [and] ethics."[33] In this, Bruch seems to disagree with the rest of Todorov's comment about memory being partial forgetting, namely that it "is indispensable to making sense of the past."[34]

Former Brigade commander Francisco Elena Fuentes had no doubt that the report was partial, and his comments about the "so-called 'truth commission'"—the "terrible" Truth Commission—and its report bring together many different types of criticism. Elena Fuentes said that the Commission, "made up of foreigners who lent their ears to groups

related to the subversion [i.e., human rights organizations], presented a partial report that clearly tramples on the sovereignty of a people like ours." The report was "absurd and false" and those mentioned in the report were the victims of slander. Elena Fuentes, it must be said, and *El Diario de Hoy* did, was accused of participating in the plot to the kill the Jesuits. His response to this was that he was only defending his country.[35] The Commissioners, it seems, had not heeded the advice they had been given about being impartial and about which crimes they should investigate.

The editors of *La Prensa Gráfica* were very clear that the Truth Commission had only revealed a sample of the truth, and a "crude" one at that.[36] They did, in fact, have good reason to speak of a sample of the truth. The Truth Commission discussed only 32 cases in depth and, in addition to a statistical breakdown of responsibility, simply provided overviews of the general types of violations each side had committed during the war. The report and the truth it contained certainly were partial in the sense that they were incomplete, for how could the Commission have found the whole truth of 12 years of war in the few short months the Mexico Accord had given it to investigate? So when conservatives (with reason, in this sense) criticized the incompleteness of the report, were they, at root, calling for more truth? When Vice President Francisco Merino said that the conclusions were "imprecise, and incomplete" since they did not identify those responsible for all of the war's 75,000 casualties,[37] was he actually demanding that the truth of all those deaths be revealed and the perpetrators named? Was he rejecting President Cristiani's call that the perpetrators not be named? Was this some sort of reaffirmation of truth's reconciliatory powers?

Clearly not, and not only because he also called the report "poorly-timed."[38] Those on the right would likely have been satisfied with a partial-incomplete truth if it had reflected their truth about the war. And Cristiani's call that the report not name names is clear evidence that such an incomplete report would not have been entirely unwelcome. But the report was incomplete in a different way; it was incomplete because it did not include as many of the FMLN's crimes as conservatives knew the FMLN had committed. And so, in addition to being incomplete, the report was biased. Indeed, the truth the Truth Commission revealed was partial-incomplete *because* it was partial-biased, a bias that was, perhaps, the result of the fact that, as Elena Fuentes said, the commissioners were foreigners who listened to subversives (Surely it could not be true that

the "terrorists" of the FMLN had committed only 5% of the violations!). Thus, the partial-incomplete truth Cristiani and others had promoted the previous week was quite distinct from the partial-incomplete truth revealed on 15 March. In addition to being incomplete in different ways, the second incomplete truth (i.e., the Truth Commission's truth) would most certainly not work to prevent a repetition of the past and foster reconciliation, whereas, in the eyes of those who called for the perpetrators not to be named, apparently the first would. Indeed, this incomplete truth would have promoted reconciliation even more if it had also been a delayed truth. It seems that whether complete or incomplete, biased or unbiased, poorly-timed or delayed, truth is temperamental, slippery even, contributing to reconciliation at one moment and working to open the wounds of the very recent past in the next. Perhaps, rather than trusting truth with the important task of ensuring non-repetition, amnesty would be best?

The editors of *La Prensa Gráfica* and many others agreed. Now that the "exemplary sample" of the truth was known, to continue "stirring up the waters…is inconvenient for the [peace] process and for the country," they wrote. Thus, a "total and absolute amnesty," passed as soon as possible, would be best.[39] But it was not only journalists and politicians who wished for amnesty. According to Cristiani, Salvadorans did, too. Now that the report had been published, it was clear that it did not correspond to the desire of the "majority of Salvadorans" for *perdón* and *olvido*. To further explain the need for amnesty, he pointed out that the report contained merely a sample of the violence; "it is important to see what we will do about erasing, eliminating, and forgetting the entirety of the past," he declared, for it is not "fair" that some might have to face the consequences of their actions while others, "for the simple fact that they were not part of the sample," do not.[40] The report's incompleteness was, thus, the result of some sort of statistical problem, where the sample used to reflect a larger trend was not representative.

Having established that the report was incomplete and that he was interested in doing the right thing, Cristiani urged Salvadorans to support a "general and absolute" amnesty to "turn this painful page of our history and to look for a better future for our country." Interestingly, he also reaffirmed his belief that the report should serve to "build the El Salvador in which we all want to live: an El Salvador at peace, moving forward, and free."[41] The logic of Cristiani's thinking seems flawed. How exactly could the report help build the new El Salvador if all of the

past was to be erased, eliminated, and forgotten? Here, Cristiani seemed stuck in a framework, dictated by the Peace Accords, that insists that the Truth Commission and its work were important for El Salvador's future. Almost everything he says contradicts this, but he seems unable to actually say those words. He seems unable to break out of this framework, despite the glaringly obvious fact that he disagrees with it.

Unsurprisingly, the military was also critical of the report and doubted that it would contribute to reconciliation. Soon after the Ley de Amnistía was passed, the Armed Forces placed an ad in daily newspapers calling the report "unfair, incomplete, illegal, unethical, biased, and insolent." In interviews, Minister of Defense Ponce said that, instead of "heal[ing] the wounds" of the past and "support[ing] the process of moral and material reconstruction," the report was clearly an attempt to "destroy…the social peace." Far from fostering reconciliation, the report "creates an atmosphere contrary to the spirit of harmony and the reunification of the Salvadoran family."[42] Hermann Bruch echoed this point. He argued that the Report had done exactly the opposite of what it had been intended to do. Rather than contributing to "conciliation," it had "managed to aggravate the mood."[43] Rather than truth, the editors of *La Prensa Gráfica* assured readers that only amnesty would "stabilize the national spirit, with an eye toward reconciliation."[44] Not only was the truth partial, but it was actually working against reconciliation; to correct this, amnesty was necessary.

This is El Salvador's dominant discourse: amnesty, *perdón*, and *olvido*, and not truth, will lead to reconciliation. Since early 1993, conservatives have repeated it over and over again, most clearly and often in discussions that have taken place since then about revoking the Amnesty Law. These discussions most often take place in response to legal proceedings in the Inter-American system[45] or to reject attempts to have the law revoked. Thus, the formula that amnesty fosters reconciliation and that repealing it would open old wounds reappeared, for example, in 2000 when the Corte Suprema de Justicia (CSJ, Supreme Court of Justice) declared the Amnesty Law constitutional,[46] and again in 2002, 2004, 2005, 2006, and 2010 when the FMLN, the Oficina de Tutela Legal del Arzobispado de San Salvador (Tutela Legal, Archbishop of San Salvador's Legal Aid Office), the FMLN once again, a UN Working Group, and the UN Human Rights Committee, respectively, proposed that the law be revoked.[47]

The Amnesty was finally declared unconstitutional in 2016 and the more limited Ley de Reconciliación Nacional came back into force. At that moment, the conservative media exploded once again with articles and opinion pieces in support of the Amnesty Law. Many of them reminded readers that only the promise of amnesty had finally convinced the parties to sign the Peace Accords. Valeria Guzmán's "The Peace as a Paradox" makes this point quite clearly. She asked General Mauricio Ernesto Vargas about his views on the Constitutional Chamber's decision. Vargas had signed the Peace Accords as a representative of the military and was a member of ARENA and the Legislative Assembly in 2016. He replied that "Without amnesty, there wouldn't be an accord." Declaring transitional and restorative justice to be "good in theory," but not in practice, he asked, "Do you think that the members of the Armed Forces and the FMLN would give up their arms to go to Mariona? Would I…have agreed to sign [the Peace Accords] to go to Mariona?"[48] The answer is obvious: no one would have signed the Peace Accords if it meant going to prison.[49] Without the amnesty, El Salvador would be unreconciled; indeed, without the amnesty, the country would still be at war.

Minister of Defense David Munguía Payes' comments repeat this view on the centrality of amnesty to peace, though his focus is not on the laying down of arms. He commented that "In some way, the Amnesty Law enabled national reconciliation and I do not want to think that repealing the law could come to turn the country on its head." He feared the Court's decision would lead to renewed ideological and social confrontation, a "witch hunt," and political destabilization.[50] Former Minister of Defense Otto Romero agreed. In his view, eliminating the Amnesty Law "will not help society reconcile."[51] Though the two officers seem to disagree on whether El Salvador is already reconciled or is still in the process of reconciling, both agree on the importance of amnesty to reconciliation.

The former president of the same Constitutional Chamber that declared the law unconstitutional echoed a similar refrain. José Domingo Méndez said he was "worried that this could open wounds," that people would seek vengeance, and that these would mean the country does not "stabilize."[52] Belarmino Jaime, the only judge out of the five in the Constitutional Chamber who voted to uphold the Amnesty Law, "warned of the risks" of the other four judges' decision. In the article about these four judges' "excesses," as the headline described them, *La Prensa Gráfica* journalist

Jessica Ávalos quoted Jaime's declarations that the Amnesty allowed for "national reconciliation" and that, "instead of bringing peace and tranquility," eliminating the amnesty, would "provoke greater unrest and insecurity than already exist."[53]

A week later, Jaime's colleague in the Constitutional Chamber, Florentín Meléndez, reminded Salvadorans that they had not annulled the Amnesty Law. The difference between declaring a law unconstitutional and annulling or repealing it were likely lost on most Salvadorans, and Meléndez's statement that only crimes against humanity would no longer be covered by the Amnesty likely did not help. Even so, the judge was very clear on the reason why the Amnesty remained valid; the Chamber hoped it would "contribute to reconciliation and peace."[54]

The Amnesty Law is a memory knot. It is, as Stern wrote, a "sit[e] where the social body screams." It "evince[s] a power of almost sacred connection to the past, and consequently stir[s] up and project[s] polemics about memory and amnesia."[55] In El Salvador, there is less discussion about memory and much more about truth and forgetting, though, as in Guatemala, and given Stern's description of memory as "the meaning we attach to experience,"[56] memory and truth are not so different. In discussions about the Amnesty Law, the social body is certainly screaming, either because old wounds—the wounds from the war—had healed but were being torn open again by calls to revoke the amnesty, or because, as the human rights community would likely argue, those decades-old wounds still bleed.

Amnesty and *Olvido*

Amnesty, as Ricoeur pointed out, is little more than forced forgetting; it is forgetting dictated by law. This is certainly how it was understood in El Salvador. Connections were made between forgetting and the 1992 Ley de Reconciliación Nacional when, for example, Justice Minister René Hernández Valiente described it as "*perdón* and *olvido*."[57] Yet the equation of amnesty and *olvido* really came to dominate in the public sphere in early 1993. Cristiani, of course, had stated that what Salvadorans really wanted was *perdón* and *olvido*, adding that the entirety of the past must be erased, eliminated, and forgotten. Others agreed. ARENA's Roberto Angulo, for example, described the Amnesty as a "step toward reconciliation" because it granted *perdón* and *olvido* for what had happened during the war, a comment conservative analyst

Kirio Waldo Salgado agreed with.[58] For his part, the PCN's Marco Valladares linked amnesty with forgetting a crime so as to "reestablish harmony and social concord."[59] Thus, a very open forgetting worked to promote reconciliation; it was a step in the right direction.

The connection between amnesty and *olvido*, however, is most clear in statements human rights, victims', and like-minded organizations made against amnesty, about both the 1992 Ley de Reconciliación Nacional and the 1993 Amnesty Law. When those not tied to the military or ARENA made comparisons between amnesty and *olvido*, they used *olvido* to criticize the amnesties, positioning both as opposite to truth and as working against reconciliation. Amnesty and *olvido* were instead working in favor of impunity, identified by many as one of the causes of the war.[60] If the amnesties were perpetuating one of the causes of the war, then how could they also be working to prevent repetition? Quite simply, they could not. As Benjamín Cuéllar, director of the Instituto de Derechos Humanos de la Universidad Centroamericana "José Simeón Cañas" (IDHUCA, Human Rights Institute of the UCA) and one of the sponsors of the suit against the constitutionality of the Amnesty Law, commented in July 2016, the Amnesty Law was a "guarantee of repetition."[61]

As part of the Instituto de Estudios Jurídicos de El Salvador (IEJES, Institute of Legal Studies of El Salvador), Félix Ulloa was opposed to the form of the 1992 amnesty. Ulloa's father had served as rector of the Universidad de El Salvador (UES, University of El Salvador) before his assassination in 1980. Ulloa was not, however, against *perdón* itself, as long as it was granted once the truth was known and justice served. He wrote that ARENA's attempt to push through a "general and automatic" amnesty, one that would be little more than *perdón* and olvido, was a slap in the face to those who had hoped for justice. It is impossible, he added, that those who had committed "horrendous crimes" during the war go unpunished, "sheltered by the noble and legitimate desire for national reconciliation."[62] The Comité de Madres y Familiares de Desaparecidos y Asesinados Políticos de El Salvador "Monseñor Óscar Arnulfo Romero" (Co-Madres, Committee of Mothers and Relatives of the Disappeared and Political Victims "Monseñor Óscar Arnulfo Romero") rejected the Amnesty for similar reasons, arguing that amnesty, which only meant "*borrón y cuenta nueva*"[63] and *perdón* and *olvido*, would continue impunity. From their point of view, they could only *perdonar* after justice had been done.[64] The Comité de Familiares

de Victimas de Violaciones a los Derechos Humanos "Marianella García Villas" (CODEFAM, Committee of Relatives of Victims of Human Rights Violations "Marianella García Villas") spoke against the 1993 Amnesty using similar language. Not only was the Amnesty an attempt to "throw a mantle of *olvido*" over the crimes committed during the war, but it continued the impunity that had "dominated for two decades and makes space for death squads to be resurrected and for human rights violations to continue." Rather than amnesty, they called for truth and justice.[65] The Centro para la Promoción de los Derechos Humanos "Madeleine Lagadec" (CPDH, Center for the Promotion of Human Rights "Madeleine Lagadec") took a more combative stance, declaring that "the usual suspects" are against truth and justice. "They want," according to the CPDH, "to make the people believe that reconciliation is the same as *olvido* (as in their day, they wanted to make us believe that Peace was the same as the Peace of the Cemeteries—full of dead opponents)."[66]

Whereas Cristiani believed amnesty, *perdón*, and *olvido* would benefit El Salvador and help lead to reconciliation, human rights groups saw all three as undermining the work truth was meant to do. Indeed, they saw all three as working to ensure a repetition of the violent past. Scholar and writer Rafael Lara-Martínez made this point quite clearly when he said that "Those who only say that we must look to the future want to found a forgetful nation, a nation without history, a nation that disowns itself, which mutilates itself. It would be collective suicide."[67] Comments like this demonstrate a commonly held view in the human rights community that an amnesty that is not based on truth cannot lead to reconciliation, nor can it work to ensure non-repetition.

There are clearly two fundamentally different ideas and discourses related to truth and amnesty and the relationship between these and reconciliation in El Salvador. Cristiani and those of a similar mind came, between January 1992 and March 1993, to declare that truth—that is, the partial truth revealed in the Truth Commission report—would lead to continued and even increased division in Salvadoran society. The remedy, they argued, was amnesty, *perdón*, and *olvido.* Amnesty would perform the work that truth had been mandated to perform in the México Accord: reconciliation and non-repetition. This is El Salvador's dominant but, following Roseberry, uncommon discursive framework, for members of and those connected to human rights, victims', and more progressive organizations embrace a counterdiscourse that rejects amnesty

as the sole ingredient in the recipe for reconciliation and non-repetition. They believe, for the most part, that amnesty could be the final step in the long process of reconstructing the social fabric. But before amnesty and *perdón* can be granted, the truth must be known and justice must be done. Throughout the post-Peace era, they have argued that reconciling El Salvador is the work that truth does. It is not a task for amnesty alone, and it most certainly is not something that can be achieved with the heavy dose of forgetting that conservatives understand amnesty to involve.

The different formulas for reconciliation and how it would and will be achieved are certainly imagined as being diametrically opposed, most certainly because when conservatives spoke of amnesty as *perdón* and *olvido*, *perdón* and *olvido* were just as sweeping, absolute, and unconditional as the 1993 Amnesty itself. There was no space for truth, and certainly not for trials. Yet there is nothing in the two Amnesty Laws that says that truth cannot precede *perdón*. The amnesties seem to have only legal effects. In the text of the laws, there is no mention of forgetting (though members of the PCN did speak of forgetting in the Legislative Assembly the day the Law was approved[68]). That the laws were described in the media as ways to forget the entirety of the past points to a paradox of amnesty in El Salvador. By passing the amnesties, conservatives wanted all of the war to be forgotten, and perhaps especially those parts of it in the Truth Commission report, especially given that the passage of the 1993 Law filled in the holes of the 1992 Amnesty. Yet these crimes are precisely the crimes most discussed in the public sphere, and more specifically in the conservative media.[69] The Amnesty Law did not, despite Cristiani's wishes and best efforts, lead to a forgetting of the whole past. Before 2016, the Law certainly prevented trials from taking place within El Salvador, but the most horrific of the crimes for which the military's and ARENA's heroes (i.e., Domingo Monterrosa and Roberto D'Aubuisson) are responsible are known and occasionally present in public debate, even if the perpetrators are not always mentioned in mainstream media. These include the 1980 assassination of Romero, the 1989 Jesuit massacre, and the 1981 El Mozote massacre. These crimes are, to be sure, present because human rights organizations refuse to allow them to be forgotten; they refuse to allow either the right's silence or its particular version of the past to be the only truth present in the public sphere. Human rights organizations refuse, as well, to accept amnesty and legislated forgetting. Thus, it is most often in response to

threats to the Amnesty Law that the past enters the (conservative) present, and when the right and their opponents most clearly insist on the truth of their own truth and that only amnesty will prevent a repetition of the past and promote reconciliation.

The Need for Truth

While Cristiani and his allies came to view amnesty and forgetting as working toward reconciliation and non-repetition, the human rights community promoted a counterdiscourse based on truth, and they continue to argue that truth works to reconcile society. Only when truth is known and justice done can amnesty, but not forgetting, be granted. They do not necessarily reject amnesty completely, but see it as a final step in a long process. One does wonder, however, if Salvadorans are prepared "for the spectacle of a 'penitent' Pol Pot [or, if he were still alive, Domingo Monterrosa], freed, morally cleansed, at liberty to go about his business in a humanely restored milieu!" This is the question Wole Soyinka posed in his reflection of the logic of truth commissions, and one that the Savadoran human rights community embraces, that truth leads to reconciliation. He continues, in reference to the South African Truth and Reconciliation Commission and its "truth for amnesty" deal:

> This risk-free parade of villains, calmly—and occasionally with ill-concealed relish—recounting their roles in kidnappings, tortures, murders, and mutilation, at the end of which absolution is granted without penalty or forfeit, is either a lesson in human ennoblement, or a glorification of impunity.[70]

Yet Soyinka does not completely reject truth commission, arguing that the "missing link" in the idea that truth will lead to reconciliation is reparations. They "serve as a cogent critique of history and thus a potent restraint on its repetition."[71]

Returning to El Salvador, *De la Locura a la Esperanza*, unsurprisingly, championed the work that truth does to promote reconciliation and prevent repetition and insisted on the truth of the Commission's truth, rejecting criticisms about partiality. The Commissioners wrote,

> The truth, the whole truth and nothing but the truth, as the oath goes. The overall truth and the specific truth, the radiant but quiet truth. The whole and its parts, in other words, the bright light shone onto a surface

> to illuminate it and the parts of this same surface lit up case by case, regardless of the identity of the perpetrators, always in the search for lessons that would contribute to reconciliation and to abolishing such patterns of behavior in the new society.
>
> Learning the truth and strengthening and tempering the determination to find it out; putting an end to impunity and cover-up; settling political and social differences by means of agreement instead of violent action: these are the creative consequences of an analytical search for the truth.[72]

The truth was a cure for all of El Salvador's ills, but it could not be a partial truth, such as the one Cristiani proposed when he suggested that the Truth Commission not name names. The commissioners wrote that

> the whole truth cannot be told without naming names. After all, the Commission was not asked to write an academic report on El Salvador, it was asked to investigate and describe exceptionally important acts of violence and to recommend measures to prevent the repetition of such acts. This task cannot be performed in the abstract, suppressing information (for instance, the names of persons responsible for such acts) where there is reliable testimony available.[73]

The Truth Commission did not only reject Cristiani's view on naming names because of their mandate. The commissioners also wrote that "Not to name names would be to reinforce the very impunity to which the Parties instructed the Commission to put an end."[74] For them, the report's truth was neither biased nor incomplete. The report was simply the record of the violence committed during the war. Though it may have been a sample of the violations committed, it was certainly a representative sample that revealed the truth of the war, and established a regime of truth; this truth should serve to foster reconciliation and prevent repetition, just as the Mexico Accord had mandated.

The human rights community, including the Jesuits at the UCA, the non-governmental Comisión de Derechos Humanos de El Salvador (CDHES, Human Rights Commission of El Salvador), IDHUCA, and the Centro (later Fundación) de Estudios para la Aplicación del Derecho (CESPAD, Center/Foundation for the Study of the Application of Law), repeated the Mexico Accord and Truth Commission's support of the work that truth does and spoke out against Cristiani's vision of amnesty and forgetting. Their argument is representative of the discourse those opposed to the Amnesty use to explain how best reconciliation

and non-repetition can be achieved. The Jesuits and the IDHUCA are the elite of the human rights community, and much of what they and other organizations write and say does not reach many Salvadorans. But their rejection of amnesty and support for the work of truth are also at least occasionally embraced by less "elite" individuals and groups, and the truth discourse can reach more than those who read newspapers or other publications. The truth discourse also makes an appearance from time to time on the streets of San Salvador. Visible in April 2012 on one of the streets near the busy MetroCentro shopping plaza were the words "Ni perdón ni olvido." Though the phrase was lacking in context, it is likely a rejection of the Amnesty Law given how often the Law has been described as *perdón* and *olvido*. Not too far away, peace-themed murals had been painted on the concrete walls surrounding the UES. One declared, "Peace requires four conditions: truth, justice, love, liberty." Another proclaimed, "There will not be peace without justice and equity." The work of the Museo de la Palabra y la Imagen (MUPI, Museum of the Word and the Image), which includes school programming, is even more significant in the promotion of memory.[75] Thus, there are more popular echoes of the truth discourse that reach more Salvadorans than ads or articles in newspapers. And certainly, paint on concrete can be a more durable and long-lasting medium than newsprint (Fig. 5.1).

The Jesuits at the UCA believed fiercely in the Truth Commission's truth, as well as in the work that truth does, and argued that amnesty, and the impunity it creates, work against reconciliation. In the UCA's weekly publication in *Diario (Co-)Latino*, they spoke forcefully in favor of the truth and against the passage of a hasty amnesty. To pass Cristiani's proposed amnesty would "[not] help prevent what happened [in the past and] that today horrifies us so much from happening again." Nor would Cristiani's amnesty lead to reconciliation, "given that it is directed exclusively toward burying the truth report along with its recommendations."[76] Amnesty, as given shape in the Amnesty Law, works to facilitate the repetition of a horrific past, much as IDHUCA director Benjamín Cuéllar repeated in 2016. Not revealing the truth about the past, which was what Cristiani proposed with his call for amnesty and *olvido*, created the risk of "instability and confrontation."[77] CESPAD also rejected Cristani's amnesty because it would keep "the bitterness that impunity produces" alive. It would not, they insisted, lead to reconciliation. Instead, they proposed a conditional amnesty, one that began with the

Fig. 5.1 Photo by author. 24 April 2012

acceptance of guilt and was followed by asking for *perdón* and promising to never again repeat whatever crime that individual had committed. Only this kind of amnesty, "amnesty-contrition" and not "amnesty-gift," would lead the country toward *perdón* and reconciliation.[78]

The CDHES repeated much of the same reasoning. The "next logical step," they wrote after the Truth Commission report was published, was not amnesty. The Commission's report "sets us on the path toward a new stage: that of justice, which should be sealed with *perdón*…and not by official forgetting."[79] The main problem with Cristiani's Amnesty Law was that it sought, therefore, to "impose an 'easy' forgetting of the atrocities" committed in the war.[80]

The Jesuit's 2017 argument in favor of commuting the sentence of Guillermo Benavides, sentenced to 30 years in prison for his role in the 1989 Jesuit massacre, follows a similar logic. University Rector Andreu Oliva stated that "the process of truth, justice, and reparation has been

fulfilled" and so it is the UCA's place to "grant *perdón*." Repeating much of what Edelberto Torres-Rivas had said in Guatemala, José María Tojeira, affirmed that only the victims can grant this kind of *perdón*, and then only when there is evidence of *arrepentimiento* (repentance or contrition) and "recognition of the error," both of which the Jesuits had "indirect" verification of. Yet the UCA's request that Benavides' sentence be commuted did not mean that the Jesuit massacre case was closed. The Jesuits still insist on their right to truth and justice, specifically in relation to the intellectual authors of the crime.[81]

Though the reality is not so black and white, this chapter places the conservative discourse that had developed by 1993 and was based on a rejection of the Truth Commission report and a celebration of amnesty and *olvido* in opposition to the human rights community's discourse that insists that truth and justice, and then perhaps *perdón*, work for reconciliation and non-repetition. The discourse in El Salvador, where truth is counter to amnesty and forgetting, is more in line with Jelin and Stern's arguments that the memory/forgetting binary is false. Forgetting is better imagined as struggling against truth.

The war was about power and what the future of El Salvador would look like; when the Peace Accords were signed, both sides agreed to fight about these things at the ballot box. The post-Peace features a discursive battle about truth, a struggle between truth and amnesty/*olvido*, a struggle that also has to do with what is best for the future. For nearly 20 years, conservatives dominated this debate, insisting that only amnesty and *olvido* would lead to peace. In that time, those who rejected this discourse loudly and insistently declared that amnesty and *olvido* would most certainly not lead to peace, and that lasting peace was only possible if built on a foundation of truth. The pro-truth discourse received some additional, though not unproblematic, support with the 2009 election of the FMLN to the presidency, the Constitutional Chamber's 2013 decision to hear human rights organizations' case against the constitutionality of the Amnesty Law, and the Supreme Court's 2014 decision recognizing victims' right to truth. In the Supreme Court decision, the Court pointed to truth, and specifically the truth about the army's massacre at San Francisco Angulo, as essential to combating impunity and guaranteeing non-repetition.[82]

These faltering steps in support of truth culminated in July 2016 when the Constitutional Chamber of the CSJ declared the 1993

Amnesty Law unconstitutional. This decision allowed the right to forcefully come out in favor of amnesty and gave quite a boost to their version of the war, as will be seen in the next chapter. Yet it also pushed the Truth Commission and its quite damning (for the right and the military) report back into the public eye after 25 years of near absence and, more significantly, provided an opportunity to chip away at the right's discourse about the amnesty being the cornerstone of both peace and of the Peace Accords.

The Constitutional Chamber's ruling, which was quoted repeatedly in newspapers, stated that the Peace Accords made no mention of amnesty and were, on the contrary, oriented toward ending impunity. Indeed, as four of the five judges confirmed in their majority ruling, the Peace Accords themselves contained clauses designed to "combat impunity and guarantee justice for the serious human rights violations that happened during the armed conflict."[83] The conservative press quoted or paraphrased this reasoning numerous times in the days after the ruling was announced.[84] Conservative commentators did not necessarily accept this argument and responded by insisting over and over again that the Amnesty Law made peace possible and that the Chamber's decision would only destabilize the country. Indeed, as guerrilla-turned-conservative-commentator Paolo Lüers wrote on the 25th anniversary of the signing of the Peace Accords, and months before the Chamber's ruling, the mood in the country "is poisoned by the old and absurd debate about the amnesty."[85]

The dominance of a particular discursive scaffolding that shapes how the past is talked about is never permanent; in El Salvador, the dominance of the rights' discursive scaffolding is more fragile than it seems. After 25 years of promoting unconditional Amnesty and forgetting as the only way to guarantee non-repetition, all that remains is a partial amnesty and partial forgetting (i.e., the Ley de Reconciliación Nacional). As the terms of their struggle against truth shift, the right will have to decide how best to move forward, how best to challenge the truth-centered discourse they have opposed for a quarter of a century.

If the actions of the Colectivo Víctimas del Terrorismo El Salvador (Victims of Terrorism Collective—El Salvador) are any indication, the right will take a practical route. In February 2017, the Víctimas del Terrorismo denounced FMLN President Sánchez Céren for war crimes and, as reported in *La Prensa Gráfica*, formally requested that the Attorney General reopen investigations against the FMLN high

command. The newspaper reported former ARENA representative, Lilian Díaz Sol, as commenting that wanting to have justice and to know the truth was not "an expression of vengeance, but a need of the Salvadoran people for truth."[86] At the beginning of March, *La Prensa Gráfica* published an article about another Víctimas del Terrorismo suit against Sánchez Cerén and Vice President Óscar Ortíz, among others, for the FMLN's use of mines and its forced recruitment of minors during the war. Fernán Camilo Álvarez, who represents the Collective, declared that "We want the whole truth to be revealed."[87] The Collective followed this up in April 2017 with a request to the Attorney General to investigate the FMLN's crimes, and especially the assassination of 10 mayors and five civil servants, as genocide. This was, Álvarez said, part of a larger campaign discussed in the Truth Commission report targeting opposition politicians.[88]

After repeating over and over that the Amnesty was necessary for peace, at least some on the right diversified their strategy to be able to determine how Salvadorans talk about and remember the past. In addition to maintaining their belief in the powers of amnesty and forgetting, they have gone back to how they talked about the work of truth and the Truth Commission between 1992 and 1993. Some on the right now support the work of truth and even go so far as to declare that Salvadorans need to know the truth. At the same time, they do all they can to make sure that it is their own truth that is a protagonist in the work of non-repetition. The right has never stopped insisting on the truth of their own truth, and on the guilt of the guerrilla.[89] Nevertheless, the right has embraced the opportunity to use the court system to prove that their truth is true. The struggle over truth is the focus of the next chapter.

Notes

1. At least in terms of memory and forgetting. Ellen Moodie makes it clear that Salvadorans do have a kind of common discursive scaffolding that shapes how post-Peace crime is talked about, and it is clear that they also have a broadly common way to talk about gangs, i.e., as the cause of all that is bad in the country (Ellen Moodie, *El Salvador in the Aftermath of Peace: Crime, Uncertainty, and the Transition to Democracy* [Philadelphia: University of Pennsylvania Press, 2010]).

2. Steve J. Stern, *Remembering Pinochet's Chile: On the Eve of London 1998* (Durham, NC: Duke University Press, 2004), 105–106.
3. Jonathan Laguán and Fátima Membreño, "Militares implicados en masacre El Mozote serán acusados de nueve delitos," *La Prensa Gráfica*, 30 March 2017, http://www.laprensagrafica.com/2017/03/30/continua-presentacion-de-militares-acusados-de-masacre-el-mozote-en-juzgado.
4. Xiomara E. Lazo Fuentes and Eduardo Rey Tristán, "Es la Justicia el Precio de la Paz? Logros y Limitaciones en el Proceso de Paz salvadoreño," in *Conflicto, Memoria y Pasado Traumáticos: El Salvador Contemporáneo*, eds. Eduardo Rey Tristán and Pilar Cagiao Vila (Santiago de Compostela: Universidade de Santiago Compostela, 2011), 225.
5. Priscilla B. Hayner, *Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions* (New York: Routledge, 2011), 20.
6. David Escobar Galindo, one of the government's negotiators, wrote that the Truth Commission was negotiated in one day, in the midst of heavy debate about constitutional reform, meaning that the Accord creating the Truth Commission was largely unnoticed (David Escobar Galindo, "Las jornadas de abril," *La Prensa Gráfica*, 2 May 1998). For additional information about the Peace Process, see Cynthia Arnson's *Comparative Peace Processes in Latin America* (Washington, DC: Woodrow Wilson Center Press, 1999); Diana Negroponte's *Seeking Peace in El Salvador* (New York: Palgrave, 2012); and Christine Wade's *Captured Peace: Elites and Peacebuilding in El Salvador* (Athens: Ohio University Press, 2016).
7. See, for example, Mauricio Ernesto Vargas, "Amanece en El Salvador," *La Prensa Gráfica*, 13 December 1992.
8. Alba Elsia Lizama, "Pugna política por términos de la amnistía que aprobará Asamblea," *La Prensa Gráfica*, 22 January 1992.
9. "Aprobada a medianoche Ley de Reconciliación," *La Prensa Gráfica*, 24 January 1992.
10. Asamblea Legislativa de El Salvador, "Acta No. 36, Sesión Plenaria Ordinara, del 23 de enero de 1992," https://www.slideshare.net/elfaronet/acta-n-36-del-23-enero1992, 1992.
11. See, for example, "Aprobada a medianoche."
12. Rubén Zeledón, "Sobre la comisión de la verdad," *El Diario de Hoy*, 8 January 1993.
13. "Comisión deberá investigar los asesinatos de alcaldes," *El Diario de Hoy*, 13 February 1992; "Comisión de la Verdad llegará mañana al país," *El Diario de Hoy*, 13 July 1992; and "Casos de jueces asesinados por FMLN a Comisión de la Verdad," *El Diario de Hoy*, 21 July 1992.
14. Antonio de Sandoval-Martínez y Urrutia, "Los 'observadores' de ONUSAL (II)," *El Diario de Hoy*, 19 August 1992. Hermann W. Bruch

would explain what all the lower case meant at the end of March 1993, after the report had been published. He wrote truth commission in lower case (*minúsculos*) because it had minor (*minúsculo*) value (Hermann W. Bruch, "Una verdad que no es seria, deja de ser verdad," *La Prensa Gráfica*, 28 March 1993). *El Diario de Hoy* employed a similar strategy to delegitimize the Truth Commission's work, calling it the "so-called 'truth commission'" throughout April 1993 (for example, on 4, 15, 16, 24 April).

15. Carlos Girón S., "Llega la 'Comisión de la Verdad,'" *El Diario de Hoy*, 16 July 1992. In 1994, he called it the Comisión de la Vergüenza, the Commission of Shame, and said that Salvadorans needed, "once and for all, to throw the report of 'Commission of Shame' into the trash" (Carlos Girón S., "Hay que olvidarse de la 'Comisión de la vergüenza,'" *El Diario de Hoy*, 23 May 1994).
16. "Critican a Comisión Ad Hoc por actuar con subjetividad," *El Diario de Hoy*, 16 January 1993.
17. "Demandan investigación y castigo de crímenes FMLN," *El Diario de Hoy*, 8 July 1992 and "El Ejército no dejó zonas minadas afirma Gral. Vargas," *El Diario de Hoy*, 21 August 1992.
18. "Informe de delitos e imputados en crímenes del Fmln da la FA," *La Prensa Gráfica*, 9 October 1992.
19. "Informe de Comisión de la Verdad deberá construir no desunir," *La Prensa Gráfica*, 2 March 1993.
20. Ibid.
21. "Cristiani espera no afecte reconciliación el Informe," *La Prensa Gráfica*, 12 March 1993.
22. "Acuerdo establece que ONU hará publica Informe," *La Prensa Gráfica*, 4 March 1993.
23. "La hora del 'punto final,'" *La Prensa Gráfica*, 15 March 1993. Editorial.
24. "Lo que se busca con la verdad," *La Prensa Gráfica*, 3 March 1993. Editorial.
25. "Que se publique Informe de la Verdad pide Calderón Sol," *La Prensa Gráfica*, 11 March 1993 and "Presidente de ARENA demanda publicar informe Comisión de la Verdad," *Diario Latino*, 3 March 1993.
26. Hermann W. Bruch, "La verdad: estamos listos para recibirla?" *La Prensa Gráfica*, 7 March 1993.
27. "Sólo con una amnistía general se puede reconciliar sociedad," *El Diario de Hoy*, 12 January 1993.
28. "Comisión deberá investigar los asesinatos de alcaldes," *El Diario de Hoy*, 13 February 1992.
29. "Perdón mutuo y amnistía total propone Cristiani," *La Prensa Gráfica*, 15 March 1993 and "Mensaje del señor presidente de la República,

Licenciado Alfredo Cristiani, con respeto al Informe de la Comisión de la Verdad," *La Prensa Gráfica*, 16 March 1993.

30. See, for example, "A la conciencia nacional e internacional ARENA," *La Prensa Gráfica*, 18 March 1993. Paid ad; Lisandro Antonio Manzano, "La ofensiva 'Hasta el tope' del 1989," *El Diario de Hoy*, 1 April 1993; "Categótico rechazo hizo anoche la FA al Informe," *La Prensa Gráfica*, 24 March 1993; and "Identifican a masacrados por FMLN," *El Diario de Hoy*, 15 April 1993.
31. "Con la amnistía se corrigen vacíos y errores del Informe," *La Prensa Gráfica*, 29 March 1993.
32. Tzvetan Todorov, *Hope and Memory: Lessons from the Twentieth Century*, trans. David Bellos (Princeton: Princeton University Press, 2003), 127.
33. Hermann W. Bruch, "Una verdad que no es seria, deja de ser verdad," *La Prensa Gráfica*, 28 March 1993.
34. Todorov, *Hope and Memory*, 127.
35. "Dice Helena [sic] Fuentes: Comisión se prestó a juego de izquierda para destruir F.A.," *El Diario de Hoy*, 2 April 1993.
36. "La verdad: el adecuado tratamiento," *La Prensa Gráfica*, 17 March 1993. Editorial.
37. "Gobierno analiza situación de militares involucrados en el Caso Jesuitas," *Diario Latino*, 19 March 1993.
38. Ibid.
39. "La verdad: el adecuado tratamiento." Editorial.
40. "Mensaje dirigido a la nacion por el excelentismo señor presidents de la República, Licenciado Felix Alfredo Cristiani el día 18 de marzo 1993," *La Prensa Gráfica*, 19 March 1993.
41. Ibid.
42. "Categótico rechazo hizo anoche la FA al Informe," *La Prensa Gráfica*, 24 March 1993; "Fuerza Armada critica informe Comisión de la Verdad," *Diario Latino*, 24 March 1993; and Fuerza Armada de El Salvador, "Posición de la Fuerza Armada de El Salvador ante el Informe de la Comisión de la Verdad," *Diario Latino*, 24 March 1993. Paid ad.
43. Bruch, "Una verdad que no es seria, deja de ser verdad."
44. "La amnistía es oportuna," *La Prensa Gráfica*, 23 March 1993. Editorial.
45. For example, in 2000 when the CIDH found the Salvadoran state responsible for Romero's assassination and recommended the amnesty be eliminated (Omar Cabrera, "Comisión resuelve en caso Monseñor Romero," *La Prensa Gráfica*, 7 January 2000; "'No tuve que ver ni en ese ni otro hecho sangriento,' Alfredo Cristiani," *Diario Latino*, 29 March 2000; and Mauricio Granillo Barrera "El régiment interamericano de derechos humanos en El Salvador," *La Prensa Gráfica*, 31 March 2000).

46. Edward Gutiérrez and Roxana Hueza, "Constitucional Ley de Amnistía," *El Diario de Hoy*, 4 October 2000.
47. Roberto Alas, "Debaten petición contra Ley de Amnistía de 1993," *La Prensa Gráfica*, 22 November 2002; Ernesto Mejía, "Presidente Saca rechaza derogar Ley de Amnistía," *La Prensa Gráfica*, 9 September 2004; "Saca no avala derogar amnistía," *La Prensa Gráfica*, 14 April 2005; Bernardo Valiente, "Mandatario defiende la Ley de Amnistía," *La Prensa Gráfica*, 9 February 2007; Bernardo Valiente, "Saca reitera que no derogará Ley Amnistía," *La Prensa Gráfica*, 16 February 2007; and "Veteranos del Ejército contra derogar amnistía," *El Diario de Hoy*, 30 October 2010.
48. Valeria Guzmán, "La paz como paradoja," *Revista Séptimo Sentido*, 15 January 2017, http://www.laprensagrafica.com/2017/01/15/la-paz-como-paradoja.
49. Though the prison in Mariona is officially named "Hope," it is more often simply called Mariona. Today, Mariona is described as a hell-hole ("El oscuro historial del infierno llamado Mariona," 17 January 2017, http://diario1.com/nacionales/2017/01/el-oscuro-historial-del-infierno-llamado-mariona/).
50. Jessica Ávalos and Luis Laínez, "Sala habilita a juzgar crímenes de la guerra civil," *La Prensa Gráfica*, 14 July 2016, http://www.laprensagrafica.com/2016/07/14/naj1407-leyamnistia01.
51. Mauricio Qüehl, "Exmilitares y políticos cuestionan fallo sobre Ley de Amnistía," *La Prensa Gráfica*, 15 July 2016, http://www.laprensagrafica.com/2016/07/15/exmilitares-y-politicos-cuestionan-fallo-sobre-ley-de-amnistia.
52. "Expdte. Sala: 'Sentencia Amnistía puede abrir heridas que no contribuyen a estabilización,'" *La Prensa Gráfica*, 14 July 2016, http://www.laprensagrafica.com/2016/07/14/expdte-sala-sentencia-amnistia-puede-abrir-heridas-que-no-contribuyen-a-estabilizacion.
53. Jessica Ávaloz, "Magistrado señaló excesos de sus colegas de sala constitucional," *La Prensa Gráfica*, 15 July 2016, http://www.laprensagrafica.com/2016/07/15/magistrado-sealo-excesos-de-sus-colegas-de-sala-constitucional.
54. Ángela Medina and Cristian Meléndez, "Magistrado Meléndez: 'No hemos anulado la Ley de Amnistía,'" *La Prensa Gráfica*, 22 July 2016, http://www.laprensagrafica.com/2016/07/22/magistrado-melendez-no-hemos-anulado-la-ley-de-amnistia.
55. Steve J. Stern, *Remembering Pinochet's Chile*, 120–123.
56. Stern, *Remembering Pinochet's Chile*, 105–106.
57. "Amnistían 80 subversivos dice Hernández V.," *El Diario de Hoy*, 12 February 1992.

58. "Podría aprobar hoy o lunes la Amnistía," *La Prensa Gráfica*, 20 March 1993 and Kirio Waldo Salgado M., "La masacre de Nueva Trinidad," *La Prensa Gráfica*, 26 April 1993.
59. "Porqué fue aprobada Amnistía explica PCN," *La Prensa Gráfica*, 30 March 1993.
60. Conservatives and the human rights community had fundamentally different interpretations of the causes of the war. While the human rights community point to dictatorship, injustice, and repression, conservatives blame international communism.
61. "Ley de Amnistía era garantía de repetición de crímenes de guerra, según demandante," *La Prensa Gráfica*, 20 July 2016, http://www.laprensagrafica.com/2016/07/20/ley-de-amnistia-era-garantia-de-repeticion-de-crimenes-de-guerra-segun-demandante. Part of Cuéllar's argument was that the amnesty granted in 1932 after the massacre paved the way for the 1982 El Mozote massacre.
62. Instituto de Estudios Jurídico de El Salvador, "Justicia y democracia, los vectores de la paz," *Diario Latino*, 22 January 1992. Paid ad.
63. That is, "wiping the slate clean."
64. Co-Madres, *Diario Latino*, 27 March 1993. Paid ad. Monseñor Arturo Rivera Damas agreed with Co-Madres about the mantle of forgetting in the case of Romero ("Arzobispo critica al gobierno de echar manto de olvido a crímenes," *La Prensa Gráfica*, 22 March 1993).
65. CODEFAM, "Amnistia general: ofensa a la dignidad del pueblo salvadoreño," *Diario Latino*, 23 March 1993. Paid ad.
66. CPDH, "!!Bienvenidos informe Comisión de la Verdad y pastores por la paz!!" *Diario Latino*, 19 March 1993. Paid ad.
67. Lya Ayala, "De Azatlán a Cozcatlán," *3000: suplemento cultural*, 14 January 2012.
68. Asamblea Legislativa de El Salvador, "Acta No. 101, Sesión Plenaria Ordinara, del 20 de marzo de 1993," https://www.slideshare.net/elfaronet/acta-n-101-del-20-marzo1993, 1993.
69. Matthew Neufeld and Rachel Hatcher, "Civil War Stories in Lands of Commanded Forgetting: Restoration England and Late Twentieth-Century El Salvador," in *Civil War and Narrative: Testimony, Historiography, Memory*, eds. Karine Deslandes, Fabrice Mourlon, and Bruno Tribot (New York: Palgrave, 2017), 191–210.
70. Wole Soyinka, *The Burden of Memory, the Muse of Forgiveness* (Oxford: Oxford University Press, 1999), 28–29.
71. Soyinka, *The Burden of Memory*, 83.
72. Comisión de la Verdad para El Salvador, *From Madness to Hope: The 12-Year War in El Salvador: Report of the Commission on the Truth for El Salvador*, 1993, 4, http://www.usip.org/resources/truth-commission-el-salvador.

73. Ibid.
74. Ibid.
75. See Mneesha Gellman, "Teaching Silence in the Schoolroom: Whither National History in Sierra Leone and El Salvador?" *Third World Quarterly* 36, no. 1 (2015): 147–161 and Annette Georgina Hernández Rivas, "Cartografía de la memoria: actores, lugares y prácticas en El Salvador de posguerra (1992–2015)," PhD diss., Universidad Autónoma de Madrid, 2015.
76. UCA, "El informe de la verdad," *Realidad Nacional* 1, no. 39 (1993).
77. UCA, "Cercano informe de la Comisión de la Verdad," *Realidad Nacional* 1, no. 38 (1993).
78. CESPAD, "Amnistia: una tesis alternativa: perdonar a quienes pidan perdón," *Diario Latino*, 16 March 1993. Paid ad. The same ad was published in *La Prensa Gráfica* the next day.
79. CDHES, "La Comisión de Derechos Humanos de El Salvador, ante la propuesta de una amnistía inmediata y general, manifiesta...," *La Prensa Gráfica*, 20 March 1993. Paid ad.
80. Sínoda Luterana Salvadoreño, Socorro Jurídico Cristiano "Monseñor Romero," CDHES, IDHUCA, "El perdón no se impone por decreto," *La Prensa Gráfica*, 24 March 1993. Paid ad.
81. Margarita Moreno, "Solicitud de conmutación de pena a favor de Guillermo Benavides," *UCA Noticias*, 7 June 2017, http://www.uca.edu.sv/noticias/texto-4830.
82. Sala de lo Constitucional de la Corte Suprema de Justicia, "665-2010," 10 February 2014, http://www.dplf.org/sites/default/files/el_salvador_-_proceso_de_amparo_665-2010.pdf.
83. Sala de lo Constitucional de la Corte Suprema de Justicia, "665-2010," 10–11.
84. See, for example, Joaquín Salazar, "Sala declara inconstitucional Ley de Amnistía," *Diario Co-Latino*, 13 July 2016, http://www.diariocolatino.com/sala-declara-inconstitucional-ley-de-amnistia/; José Zometa, "Sala declara inconstitucional la Ley de Amnistía," *El Diario de Hoy*, 13 July 2016, http://www.elsalvador.com/noticias/nacional/195142/sala-declara-inconstitucional-la-ley-de-amnistia/; and Jessica Ávalos and Luis Laínez, "Sala habilita a juzgar crímenes de la guerra civil," *La Prensa Gráfica*, 14 July 2016, http://www.laprensagrafica.com/2016/07/14/naj1407-leyamnistia01.
85. Paolo Lüers, "En el aniversario de la paz, una defensa de la amnistía," 16 Jan 2016, https://segundavueltasv.wordpress.com/2016/01/16/en-el-aniversario-de-la-paz-una-defensa-de-la-amnistia-de-paolo-luers/.
86. Gabriel García, "Denuncian a presidente Sánchez Cerén en FGR por crímenes de Guerra," *La Prensa Gráfica*, 8 February 2017, http://

www.laprensagrafica.com/2017/02/08/denuncian-a-presidente-de-la-republica-por-crimenes-de-guerra.

87. Ezequiel Barrera, "Piden investigar a Sánchez Cerén y Ortiz por reclutamiento de niños durante la Guerra," *La Prensa Gráfica*, 3 March 2017, http://www.laprensagrafica.com/2017/03/03/piden-investigar-a-sanchez-ceren-y-ortiz-por-reclutamiento-de-nios-durante-la-guerra.
88. "Colectivo 'Víctimas del Terrorismo' solicita a Fiscalía que indague crímenes del FMLN," *El Diario de Hoy*, 25 April 2017, http://www.eldiariodehoy.com/noticias/nacional/38096/colectivo-victimas-del-terrorismo-solicita-a-fiscalia-que-indague-crimenes-del-fmln/. Álvarez made it clear that these targets were part of a group with their own political identity. He also assured reporters that he understood the meaning of genocide.
89. For a recent example, see Cristian Meléndez, "Sánchez Cerén fue de los beneficiados con amnistía, dice ARENA," *La Prensa Gráfica*, 10 February 2016, http://www.laprensagrafica.com/2016/02/10/sanchez-ceren-fue-de-los-beneficiados-con-amnistia-dice-arena.

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CHAPTER 6

The Past as Monument in El Salvador

Pope John Paul II visited El Salvador in February 1996. Approximately 400,000 Salvadorans heard the Pope denounce both "unbridled capitalism and Marxism" for "tearing apart the fabric" of Salvadoran society and for having "unchained the horrors of hate and death." He then called on Salvadorans to forgive and to never stop working for peace.[1] President Alfredo Cristiani described the visit as the "balm" that would "erase the scars of that tragedy, that will only be remembered as a historical lesson, so that it never happens again."[2]

The contrast between Cristiani's hope that the war be remembered so that it never happens again, and the declaration he had made a few years earlier that the whole of the conflict must be forgotten is striking. How can both forgetting *and* memory lead to non-repetition? How can this contradiction be resolved?

If the depths of what lies below the surface discourse are explored, if what Foucault called "the half silent murmur of another discourse"[3] is fully given voice, it becomes clear that conservatives discursively construct the past as a monument. Remembering is what monuments and the commemorative ceremonies that surround them is supposed to accomplish; yet, as Jeffrey Olick and Joyce Robbins point out, monuments are paradoxical, for "once we assign monumental form to a memory, we have to some degree divested ourselves of the obligation to remember."[4] Peter Carrier adds that

R. Hatcher, *The Power of Memory and Violence in Central America*,
https://doi.org/10.1007/978-3-319-89785-1_6

> the transmission of history as an aesthetic medium for mass consumption…categorizes and fixes the past in a given form that ritually creates and fulfills an appetite for uncritical information, and thereby renders ineffective the pertinence of the past in the present. It petrifies the past both literally and metaphorically by imposing monolithic form which, ritualized and banalized, is historically redundant and effectively invisible.[5]

James Young, an outspoken critic of traditional, static monuments, argues that such monuments provide only the illusion of permanence and remembering.[6] He pushes this a step further; "the initial impulse to memorialize events such as the Holocaust," he writes, "may actually spring from an opposite and equal desire to forget them."[7]

It is instructive to keep these comments in mind when thinking about the right's use of the past and their views on remembering for they reveal the right's wish to monumentalize the past so that it no longer matters to the present. Yet rather than erect a physical monument to "that tragedy," the right talks about the importance of remembering the past in a way that "assigns monumental form" to it; the right petrifies the past, making it "historically redundant and effectively invisible," undermining its own (occasional) statements about the importance of remembering. The right does this in not always subtle ways. Cristiani, for example, spoke of "only" remembering the past "as a historical lesson so that it never happens again." In this "only," we understand that the past should not be used to inspire current activism or organizing or to make demands on the present. And it most certainly should not be used to lay blame or judge. In this view, the past should be kept in mind as an example of what the future should not be like. Like art in a museum, the past is something you look at, do not touch, and then turn away from as you continue on to the next masterpiece. With the 2016 declaration that the 1993 Amnesty Law was unconstitutional, conservatives have been forced to take a different approach to the past. They have begun to hesitatingly de-petrify it and use it in their continued struggle against the guerilla.

The human rights community rejects the idea of the past as monument, built to be forgotten and serving no real purpose in the present. Rather, the past lives and breathes and is highly pertinent to the present for it explains and inspires. The human rights community also rejects what the right considers "the past," and indeed historical memory, to be. Certainly the Monumento a la Memoria y la Verdad's (Monument to

Truth and Memory) inscription about responsibility for massacres would not resonate with conservatives: "Massacres were not isolated assassinations, they consisted of massive exterminations of the population, carried out by members of the armed forces and paramilitary groups."

Remembering to Prevent Repetition

Cristiani was not alone among conservatives in calling on Salvadorans to remember. For example, in the midst of a rapidly increasing crime rate, the editors of *La Prensa Gráfica* followed the ever more defined and widespread equation, especially in the wake of the publication of Chile's Rettig Report, that historical memory might help to prevent repetition. Recognizing that "the wounds, the scars, and their traces will not be erased overnight," the editors wrote in December 1993 that,

> The historical memory of the conflict, which will naturally tend to become submerged in the collective subconscious, will act as a vaccine against war; nevertheless, the consequences of the conflict must be faced in reality. Becoming aware of this is the first of the challenges of the peace. It is like looking in a mirror where we see the cruelty of which we were capable, so as to move on to civilized and peaceful frameworks of coexistence where [this cruelty] will never again be repeated.[8]

On the surface, as with Cristiani's comments in the context of the Pope's visit, the editors support the usefulness of remembering to prevent repetition. Yet, rather like the construction of one of the traditional stone monuments Young is so critical of, the way conservatives talk about the past monumentalizes it, making it unnecessary to actually engage with the past in any other way than lamenting "that tragedy," as the Salvadoran government did in 2006. This is not surprising; Cristiani and other conservatives' "initial impulse," using Young's phrase, was to forget the past via amnesty. Faced with the human rights community's continued rememberings, the right sought new ways to promote forgetting. Discursively monumentalizing the past is just one of them. Yet rather than memorializing the past "spring[ing] from an opposite and equal desire to forget," conservatives' hope for forgetting far outweighs their wish to remember.[9]

Cristiani and the editors talk about historical memory as a monolithic and concrete thing, something that is fixed and cannot change. They

fundamentally misunderstand what historical memory is and the way it shape-shifts as some things are purposefully remembered and other things forgotten, often based on the needs of different groups struggling for power in the present. In this, they talk about historical memory rather like they might talk about history—it happened, it is over, it is impossible to change. Indeed, one wonders how it could change? In addition to being "submerged in the collective subconscious," it is past, and the past cannot change. Historical memory, and the past that is its substance, is petrified; they have been set in stone and cannot change form as, for example, new information is revealed and incorporated into memory. Indeed, in 1993 Cristiani openly rejected the idea that new information should be added to the story of the past. That year, the US declassified thousands of documents in the wake of a series of attacks on members of the Frente Farabundo Martí para la Liberación Nacional (FMLN, Farabundo Martí National Liberation Front), which was not yet a political party. The report about these documents confirmed the continued existence of death squads in post-Peace El Salvador. In addition to rejecting the report, Cristiani declared that it was not worthwhile to "investigate what happened in the past," as *El Diario de Hoy* reported. The newspaper also quoted Cristiani as stating that, "We must waste neither ink nor saliva on questions of the past….the important thing is that [it] does not happen again."[10] If the report had concluded that illegal armed groups no longer existed in El Salvador or that they never had existed, Cristiani's response would very likely have been different.

Cristiani's very clear and firm rejection of further investigating the past undermines all the vague declarations he made about how important it is to remember the past to prevent repetition. But it also reveals his understanding of "the past" as something that is unchanging, and in fact as something that should not change. This (mis)understanding of the past, as with the editors of *La Prensa Gráfica*'s (mis)understanding of historical memory, sees the past as a heavy stone monument that, having been erected, is impossible to alter. More than being impossible to alter, however, the past becomes inevitable. Michel-Rolph Trouillot argued that commemorations "sanitize" and "mythicize" history; they "adorn the past with certainty," a false certainty that revolves around the fact that a particular event is commemorated regularly, without fail. These yearly celebrations mask the fact that a given event was not inevitable; only its celebration is.[11] Trouillot's comments about inevitability fit well with conservatives'

un-critical approach to the past, though the only events the right regularly commemorates are Roberto D'Aubuisson's birth and death.[12]

The editors' description of historical memory as a vaccine fits well into conservatives' general petrification of the past and the monumentalized form of (not) remembering they promote. Getting vaccinated is often a one-time measure. Once the body has been vaccinated, it can safely enter into situations where it might be infected again, though booster shots might be necessary every so often to maintain the body's immunity. Translating this metaphor to the social body where historical memory immunizes Salvadorans to tragedy, to fratricidal confrontation, this is hardly a celebration of memory and the work it does to prevent repetition. In fact, imagining historical memory as a vaccine works against non-repetition by eliminating the need to actually work *for* non-repetition, for example by eliminating the social, structural, and political causes of the war. This is not surprising; Cristiani and the editors' support for a monolithic memory of "that tragedy" is schizophrenic and based on an open and clearly stated wish to forget.

The imagery, such as a vaccine, conservatives use to talk about the past reveals their hope for forgetting. This can also be seen in Cristiani's body metaphor. He asserted that the Pope's visit would erase the scars of the war. In itself, this comment about the scars of the war is telling. In this view, and in stark contrast to the human rights community's view that the wounds of the past remain open, El Salvador was well along the path to national reconciliation because the social body's wounds had healed and only the scars remained. Amnesty, *perdón*, and *olvido*, which Cristiani had previously tasked with healing/reconciliation were clearly working well. But the scars remained and reminded Salvadorans of the original wound. Celebrating the Pope's visit as an opportunity to erase the scars is to suggest that this one very tangible reminder of the war (for Alianza Republicana Nacionalista [ARENA, Nationalist Republican Alliance] governments had refused to construct monuments related to the war, memorials to the victims, or to declare a commemorative day for the victims) *should* be erased, that the war should be completely forgotten. Erasing the scars is the final step in Cristiani's plan for reconciliation: first the wounds are healed with amnesty, *perdón*, and *olvido*, and then the Pope erases the scars.

The way Cristiani and the editors talk about the past is reminiscent of John Gillis' discussion of the "national" phase of commemoration, which he suggests began with the revolutions in the eighteenth century in the

United States and France and ended in the 1960s. Hoping to build a new future for their nations, revolutionary figures engaged in a kind of collective, and conscious, amnesia of particular parts of the past. Part of this involved commemoration, which helped post-revolution societies break with the past and differentiate between the past and the present, the old and the new.[13] This is precisely what Salvadoran conservatives do in the post-Peace era. Conservatives remember a petrified past to highlight the distance between it and the present. This distance grows when the 1993 version of a Salvadoran is imagined as incapable of the kind of "cruelty" the 1992 version committed, as per the editors at *La Prensa Gráfica*. It grows when the role of the past in the present is limited to only preventing repetition, just as it grows when investigating what happened in the past is described as worthless. This (at least partially manufactured) break between past and present means that the past is not an integral part of the present; it is only something that can be turned to if, for example, El Salvador seems to be losing its way. (Conservatives' support of a selective forgetting of the past will be seen below, though it is also clear in Cristiani's comments in response to death squads' continued operation.)

The past, of course, does not have to be monumental in the way that Young and Carrier describe. When Maya Lin spoke of her vision of the Vietnam War Memorial in Washington, DC, she said, "I thought about what death is, what a loss is. A sharp pain that lessens with time, but can never quite heal over. A scar. The idea occurred to me there on the site. Take a knife and cut open the earth, and with time the grass would heal it."[14] Charles and Stephen Griswold, pointed out that this process of healing would only ever be partial.[15] Lin's comments are especially relevant in relation to Cristiani's views about how the Pope would erase the scars of the war. They are also relevant in relation to what might be assumed from *La Prensa Gráfica*'s editors' comment about scars; to say that "the scars…will not be erased overnight" suggests that some day they will be. For Lin, however, the scar is an essential reminder of the past, of death, and of pain. To wish it gone, as the editors and Cristiani certainly do, further underscores their hope for oblivion, despite declarations in support of memory and the uses to which it can be put.

Conservatives' discursive monumentalization of the past clashes with and struggles against the human rights community's commitment to memory and this group's frequently repeated declarations that the past must actively be remembered to prevent repetition. The leftist

organization Equipo Maíz, for example, was enthusiastic about the role of memory in the present when they announced the publication of *El Salvador: Imágenes para No Olvidar, 1900–1999* in *El Diario de Hoy* in November 1999. The images that must not be forgotten are a visual reminder of "a century in the life and struggle of the people," with a focus on the popular movement, the guerrilla, and those who had been killed in that struggle. The announcement declared that the best way to prevent a repetition of past errors is to not forget them, "to always have them present in one's memory."[16] The difference between always having past errors present in one's memory to prevent repetition and vaccinating oneself with historical memory to prevent repetition is clear.

Equipo Maíz did not paint over memory with a thick coat of oblivion as Cristiani and others had. They were also far more specific about what should be remembered. Yet remembering a century of struggle is more than simply a whole-hearted embrace of memory. Not only does remembering a century of struggle point to long-standing social injustice as a root cause of the war, it rejects Cristiani's hope that the past would only be remembered to prevent repetition. For Equipo Maíz, always keeping the past in mind and remembering this century of struggle remind Salvadorans of their long history of organizing to demand change and encourages them to continue to do so. This is not "only" remembering the past so that it does not happen again. Equipo Maíz does not create a distance between past and present or manufacture an (over-exaggerated) break with the past.

Jesuit José María Tojeira's 2000 opinion piece in *Diario Co-Latino*, shortly after the 30th anniversary of the assassination of monseñor Romero, pushes this point further. He wrote that, "We cannot forget, not only because the people assassinated were respectable, in many cases more respectable and exemplary than we are, but also because we do not want the evil to be repeated." He added that remembering the human rights violations committed during the war, including massacres and the assassination of mayors—that is, violations committed by both sides—always contains an "element of denunciation," and these crimes must be remembered, for forgetting them does little more than justify them.[17] Tojeira continued his discussion of memory in early November 2004. He wrote that memory "rescues a past full of pain, and demands the transformation of all those attitudes and behaviors that created tragedies in the past and continue to produce problems in the present."[18] For Tojeira, the past and present are not so distant and memory does more

than just serve as a counterexample. For the human rights community, memory denounces violations and demands change. And these, too, are part of the process of ensuring non-repetition. They are tools memory uses in the work that it does.

The members of the Asociación Intersectorial para el Desarrollo Económico y el Progreso Social (CIPED, Intersectoral Association for Economic Development and Social Progress) expanded on this idea that memory demands change. Celebrating the 15th anniversary of the Peace and the 75th anniversary of the 1932 massacre, CIPED declared that historical memory is "necessary to build peace." As long as memory is absent and "the truth is not outlined, we will not be able to lay a firm foundation to build peace." Historical memory is also necessary for reconciliation, "especially when the reality of the present is full of injustice and social, political, economic, and cultural exclusion," precisely the factors that, CIPED noted, had led to both the 1932 massacre and the civil war.[19] This repetition of 1932 in the 1980s was possible precisely because the past and the causes of the war had been forgotten,[20] a forgetting Cristiani and others promoted through more than enthusiastic support for amnesty and *perdón*.

For the human rights community, to remember is more than just to know that something happened that should not happen again. Remembering is not passive. To remember is to denounce and demand change, and to actively work to achieve that change. It is to admit that the causes of past violence persist, to admit that the past is not as distant as it might seem and that the break between past and present that the Peace was supposed to create is at best incomplete. Eelco Runia sees commemorative processes in a similar way. Commemoration, he argues, is essentially the way that a society discovers who it is; commemoration is how a society searches for its essence, for the most basic purpose of commemoration is to answer the question, "who are we that that this could have happened?" Runia recognizes that this question is most often answered in an "identity-enhancing, yes, self-celebratory way," but potentially, if the past is commemorated with "self-exploration" in mind, it can lead to a coming to terms with some past societal trauma in which "we did things we didn't think we were capable of doing."[21] Thoughtfully commemorating past behavior we are not proud of will have the benefit of both helping us work through trauma and, he adds, will help us become the people who did not do the things we commemorate.[22]

What Must Be Remembered

There is no doubt that when the right says we must (not) remember, they have a very different past in mind than when the human rights community says it. This is clear in the right's reaction to/rejection of *De la Locura a la Esperanza*. The right's past—its truth of the conflict—is vague, at best, and sanitized, further undermining its ability to contribute to non-repetition. In statements that "that tragedy" must be remembered, just what happened in the past is unclear. Vague statements like this contribute to whitewashing the past and responsibility for human rights violations. This is even more true for comments about the "fratricidal confrontation," another of the phrases Cristiani used to talk about the past when he welcomed the Pope in 1996. "Fratricidal confrontation" works to sanitize the past in a way that "that tragedy" does not by obscuring the emotion tied to "tragedy." This raises the question, how can simply remembering an amorphous tragedy between brothers prevent repetition?

In addition to a lack of detail, the right is as partial as they accused the Truth Commission of being, for the right's past focuses almost exclusively on the FMLN's crimes. For example, in *In Defense of the Homeland: The History of the Armed Conflict in El Salvador, 1980–1992*, General Humberto Corado Figueroa called on Salvadorans to remember the death and destruction the FMLN had caused.[23] For *El Diario de Hoy*, the "Memories of the War" include the 1989 Offensive; the FMLN's destruction of the Cuscatlán bridge, which had a devastating impact on the economy; war stories from Arcatao; and one soldier's war stories.[24] Other bits of the war that must be remembered include the FMLN's sacking of the National Palace and the FMLN's blowing up of the newly constructed Puente de Oro, the Bridge of Gold, in 1981.[25] Though the stories from Arcatao centered on the army's violations, and did not dance around the military's responsibility, most of *El Diario de Hoy*'s reporting is heavily slanted against the FMLN. *La Prensa Gráfica* is perhaps a bit more open. This openness can be seen from time to time in the newspaper's magazine, *Enfoques*, which published a weekly series of "Memorias" in the late 1990s. These memories included both the FMLN's killing of Lieutenant Colonel Domingo Monterrosa and the 1989 Final Offensive, including the bombing of the Federación Nacional Sindical de Trabajadores Salvadoreños (FENASTRAS, National Trade Union Federation of Salvadorian Workers) and the assassination

of the Jesuits.[26] Significantly, though Tojeira named them in an interview published on the following page,[27] articles on the 1989 Offensive silence the identity of the both the intellectual and material authors of the Jesuit massacre. Also, in an attempt to justify the assassinations, they highlight that it was in the middle of a war and a specific action (i.e., the Offensive) the FMLN unleashed. Instead of focusing on the Jesuits, they underscore the death and destruction the FMLN caused and the fact that their action did not spark the general uprising they had hoped it would.[28]

The human rights community's non-monumentalized memory of the war is distinct from conservatives' monumentalized past, and the human rights community consistently works to challenge the right's memory. The human rights community's memory of the past largely corresponds to the truth of the past the Truth Commission revealed. This is clear in the events the human rights community chooses to commemorate—Romero's assassination, for example, but also the military's numerous rural massacres. It is also clear in the discourse used to describe the work and closing of the Oficina de Tutela Legal del Arzobispado de San Salvador (Tutela Legal, Archbishop of San Salvador's Legal Aid Office). Tutela Legal housed an extensive archive of denunciations of human rights violations committed by both sides, though, as the Truth Commission confirmed, the military was responsible for a large majority of them.[29] Tutela Legal described its work as documenting, preserving, and revealing the country's historical memory and ensuring that victims can exercise their rights as part of their contribution to non-repetition. Part of this work included providing information to the Truth Commission. Indeed, 80% of the cases included in *De la Locura a la Esperanza* are in Tutela Legal's archive.[30]

In descriptions of Tutela Legal's work, it is clear that it is these thousands of human rights violations that must be remembered to prevent repetition. This is even clearer in denunciations about the Archdiocese's 30 September 2013 closing of Tutela Legal, which Mneesha Gellman describes as an "act of forced forgetting."[31] Under the direction of Archbishop José Luis Escobar Alas, the Archdiocese announced that Tutela Legal had been closed to "adjust" the church's work to focus more on accompanying contemporary victims of human rights violations, for offering legal aid cannot "only focus on the human rights that were violated in that historical moment." The archives, which the church recognized were part of the country and church's historical memory, would

be transferred to a new Center for Documentation and Archives and "made available to researchers to help to build a society based on truth, justice, and respect for human rights."[32]

This sounds innocuous enough, and certainly there are countless victims of post-Peace violence who need legal aid and accompaniment, but based on informal conversations with members of human rights organizations, and as Tutela Legal declared on 1 October, the office was actually closed because the Corte Suprema de Justicia (CSJ, Supreme Court of Justice) was about to begin reviewing the constitutionality of the 1993 Amnesty. If the Amnesty were to be ruled unconstitutional (as it was in 2016), the perpetrators of human rights violations could be brought to trial.[33] Tutela Legal's vast archive contains evidence that would certainly have been used in these trials. The human rights community, therefore, believes that the Archbishop closed Tutela Legal as a way to protect the perpetrators and perpetuate impunity, as a way to truly contain evidence of gross human rights violations.

In protests that took place immediately after Tutela Legal was closed, employees denounced the action and called for a stop to the "kidnapping of historical memory." This belief that the archives are historical memory is shared by members of the Red Activista de El Salvador (Activist Network of El Salvador[34]), other activists, and relatives of the victims. Those protesting the closing carried signs declaring, "Historical memory is not private property" and "Memory is not for sale." Another protest was called "Un Abrazo a la Memoria," "An Embrace of Memory." The Comisión de Trabajo en Derechos Humanos Pro-Memoria Histórica de El Salvador (Comité Pro-Memoria Histórica, Pro-Historical Memory Human Rights Working Group of El Salvador) denounced the closing of Tutela Legal as a "serious setback for the preservation of the Historical Memory of our country, for the search for much-needed reconciliation."[35] The attack on the offices and archives of the Asociación Pro-Búsqueda de Niñas and Niños Desaparecidos (Pro-Búsqueda, Pro-Search Association of Disappeared Girls and Boys) that took place shortly after was denounced in a similar fashion.

The firm belief that the human rights violations committed during the war are (historical) memory and must be actively remembered—and denounced, as Tojeira affirmed—to prevent repetition, and the equally firm belief in the healing power of monuments, drove the human rights community to organize to build one and give a physical form to their memory of the war. It is also a physical rejection of both

the right's memory and the right's monumentalizing and petrification of the past. The names of over 30,000 victims of both guerrilla and military actions are carved into 85 meters of black granite in Cuscatlán Park. This Monumento a la Memoria y la Verdad is the work of the Comité Pro-Monumento a las Víctimas Civiles de Violaciones a los Derechos Humanos (Comité Pro-Monumento, Committee to Build a Monument to the Civilian Victims of Human Rights Violations), which sought to create an "established foci of resistance to the logic of amnesty and forgetting," as Alexandra Barahona de Brito, Carmen González-Enríquez, and Paloma Aguilar describe the logic of commemoration.[36] They also sought to create a space from which new struggles could be launched and denunciations made (Fig. 6.1).

Gloria Guzmán Orellana, who was heavily involved in promoting and organizing the construction of the Monument to Memory and Truth, and co-author Irantzu Mendia Azkue detailed some of the struggles the Comité Pro-Monumento faced in building the monument. The Comité Pro-Monumento was created in 1997 specifically to promote the construction of a monument to honor the civilian victims of human rights violations, and only in cases where the victim had died or disappeared.

Fig. 6.1 The Monument was still "alive" in 2017, when the relatives of Rafael Castillo del Valle added his name. Photo by author. 11 June 2017

The Comité Pro-Monumento's list of victims also includes combatants who died as civilians; it does not include combatants on either side who died while armed. This is unlike the conservative press's "Memorias" and also the leftist *Diario Co-Latino*'s list of "the fallen," the latter of which included fallen guerrillas.[37] The decision about which victims to honor was made after some debate. Ultimately, as the authors describe it, the Comité Pro-Monumento decided to honor this limited list of victims because it was inconceivable to think of having the names of the perpetrators and those they killed on the same monument.[38]

The construction of the Monument to Memory and Truth was meant to fulfill the Truth Commission's recommendation regarding moral reparations, a recommendation the state had failed to fulfill. Given the state's inaction, victims' and civil society organizations took it upon themselves to create a space, not only for relatives of the disappeared and victims to remember and mourn their loved ones, but also to prevent a more generalized forgetting. As the inscription, dedicated in 2003, reads, "This is a memorial for encounters, to never forget [the victims], to honor their memory, to return their dignity to them, to not allow the horror to be repeated, and to lay the foundation for a culture of peace and true reconciliation. This is a space for hope, to continue dreaming and to build a more just, humane, and fair society." This last phrase is exactly why conservatives monumentalized the past—to prevent it from being actively present in contemporary El Salvador or to inspire continued struggles.

The Monumento also rejects the forgetting associated with both conservatives' form of not remembering the past and with more traditional and heroic monuments because it locates the victims, hopefully "immortalized in the Salvadoran conscience," at the foundation, the base, of a new El Salvador. The Monument to Memory and Truth is not the only monument in El Salvador that situates civilian victims at the foundation of a new El Salvador. In El Mozote, the names of massacred children are also the foundation of something new, as Jesuit and Universidad Centroamericana "José Simeón Cañas" (UCA, Central American University "José Simeón Cañas") professor Mauricio Gaborit explained. The children's names are written at ground level on the tiles of the town's new church. The children, victims of brutal military oppression, are the very literal foundation of the new church.[39] They provide shape and strength to the base, both of which are required to build something new, something that will last. Without a strong foundation, buildings crumble and must be built once again.

It would have been impossible in more than one way to erect the new church without the commemorative tiles featuring the names of the children. In a similar fashion, it is impossible to build a new El Salvador without the victims named on the monument in San Salvador, the tens of thousands not named, and the dozens whose names have been added with pen and paper.[40] This repressive past, a past filled with death on all sides, is imagined as the foundation of the future, of a future where the past can never, and will never, happen again. In this view, the dead, their memory, and the truth of the Truth Commission are present and actively work for non-repetition and reconciliation.

Elizabeth Jelin and Susana G. Kaufmann's study of post-dictatorial Argentina points to a key factor in why monumentalized forms of remembering do not necessarily promote forgetting. For Jelin and Kaufman, the contents of the past being remembered play a central role in determining whether commemorating will promote forgetting or remembering. In this, they agree with Jenny Edkins, who argues that commemoration can facilitate forgetting if those in power "use accounts of heroism and sacrifice" to "tell a story of the founding of a state, a narrative of glorious origin."[41] The Monument to Memory and Truth certainly does not tell such a story. Jelin and Kaufmann argue that when a death, disappearance, or detention center is commemorated, "the labors of memory became more inclusive and shared, invading everyday life."[42] This invasion of everyday life itself works against forgetting or making the past banal. The authors continue, "It is hard work for everybody, on all sides of the controversies, for all people, of different ages and experiences. Facts are reorganized, existing perspectives and schemes of interpretation are shaken, voices of new and old generations ask questions, tell stories, create spaces for interaction, share clues about what they experienced, what they heard, what they silenced before."[43] Thus, the commemoration of repression, and not of great acts of heroism or victorious war, creates sites of struggle and so does not allow people to forget.

Dacia Viejo-Rose also differentiates between different kinds of memorials or commemorative events. For her, the difference lies not in what is being commemorated, but in how the memorials were created. She identifies two types of memorials—official memorials and grassroots or spontaneous memorials. Official memorials, especially those erected in transitional societies, are built "to mold memories in order to give legitimacy to the post-war administration." They "can be used to construct a mythology for the emerging power structure, one that supports

its claims of legitimacy and power." Grassroots memorials resist most of this logic.[44] Certainly, the Monumento a la Memoria falls into this second category. The two types, however, should not be viewed as polar opposites, but on a spectrum; depending on how they are used, official memorials can become grassroots memorials, and vice versa.[45] Viejo-Rose does not deny that memorials can be used as a means of social control, but she also argues that they can become sites of resistance. Official memorials and the memory they support can, in a hegemonic process similar to the one Roseberry describes, be supplanted by previously grassroots memorials and the understanding of the past that they embrace. Aspects of this are evident in presidential visits to El Mozote made in an effort to promote a specific agenda regarding the past, as will be seen below. All this brings Barahona de Brito, González-Enríquez, and Aguilar to mind. These authors recognize that the meaning of commemorations and monuments is not fixed, but that the struggle over both meaning and "ownership" keeps the past alive in the present and helps to prevent forgetting.[46] The extent that this is true in El Salvador is discussed below.

While the human rights community sees the victims as the foundation of a new nation, ARENA presidents, in contrast, declare that amnesty/forgetting are the foundation of the peace. Indeed, in 2013, former president Francisco Flores described the amnesty as the cornerstone of the peace[47]; more than simply being the foundation of the new El Salvador, amnesty/forgetting is the stone around which all other stones will be laid. Flores' comment, and conservatives' general belief in amnesty and forgetting, complements conservatives' monumentalizing of the past. Both are strategies to promote oblivion. In a framework where amnesty is the cornerstone of peace, the past had no place in the present, in the peaceful El Salvador that was supposed to be constructed in the post-Peace era. The same is true when the past is monumentalized. In comments about only remembering to prevent repetition, for example, or the false distance the right creates between a petrified past and present, the right discursively constructs the past as a monument, places it somewhere, and waits for it to be forgotten, as it should be since they have worked to construct a discursive, and of course legislative, framework where forgetting is essential for peace.

It is helpful to transfer these ideas onto the streets of San Salvador. In 2005, a monument in memory of "the heroes of the War of Legitimate Defense" was erected on the Boulevard of Heroes. Better, but not very

helpfully, known as the Soccer War, the War of Legitimate Defense pitted El Salvador against Honduras in 1969. Significantly, the monument was erected on the anniversary of El Salvador's attack on Honduras, and not on the anniversary of the negotiated ceasefire. The monument is forgettable for many reasons. A key aspect of this is the ancient Greek imagery the sculptor used. The woman, draped in a long, flowing robe and extending a crown made from olive branches in one hand, resembles Athena. This foreign imagery certainly creates a distance between the monument and most Salvadorans. But the monument is also easy to forget or ignore because, as centrally located as it might be, it is inaccessible. The monument was erected on the narrow strip of grass and trees between the thousands of cars, motorcycles, and buses traveling northeast, the thousands traveling southwest, the thousands quickly trying to switch lanes to exit onto John Paul II Drive, and the thousands merging from John Paul II Drive onto the Boulevard of Heroes. Though tens of thousands of Salvadorans pass by the monument every day, traffic prevents them from visiting it, facilitating its irrelevance, and the irrelevance of the event it commemorates, in daily life.

Conservatives create discursive traffic to prevent the past as monument from being remembered and integral to the present. This discursive traffic includes, among other things, openly celebrating amnesty and forgetting; limiting the past to only, and not very actively, preventing repetition; and petrifying the past. This traffic prevents Salvadorans from visiting the past as monument, no matter how centrally located it might be—and to be sure, it is not. But even if (a monolithic and unchanging) past replaced amnesty as the cornerstone of peace, were the right to speak about the past in the same way they do today, their discursive traffic would discourage all but the most dedicated visitors.

Re-writing the War

As conservatives discursively monumentalize the past with the clear aim of forgetting it, the human rights community has engaged in the construction of physical monuments to remember the repression and violence and actively engage with it so as to prevent repetition. They counter conservatives' monumentalized form of not remembering by insisting that remembering is an active, thoughtful, and ongoing process. In addition to building monuments, a key part of this process involves completely re-focusing understandings about the past.

In the human rights community's declarations in favor of a complete re-remembering of the past, the struggles between the right and the human rights community's past is most clear, lending weight to Jelin and Kaufmann's argument that the commemoration of repression (whether the military's repression or what the right imagines to be the FMLN's repression), and not of great acts of heroism or victorious war (like the Soccer War), creates sites of struggle and so does not allow people to forget.

The human rights community wants the victims' perspective to be the focus of stories about the past, as the Centro para la Promoción de los Derechos Humanos "Madeleine Lagadec" (CPDH, Center for the Promotion of Human Rights "Madeleine Lagadec") wrote in 2006. The CPDH proposed educating the youth with this new perspective with the aim of constructing a "more just society" in which human rights were respected.[48] They proposed, therefore, re-writing the narrative of the war so that the victims took center stage. In this, they and other organizations who support a similar re-writing seek to do what the Truth Commission ultimately failed to do.

President Mauricio Funes, elected in 2009 for the FMLN, agreed. Though he is not a member of the human rights community, many of Funes' actions related to the past reflect their wishes and discourse. Celebrating the anniversary of the peace in El Mozote in 2012, Funes asked for *perdón* in the name of the state for the massacre where nearly 1000 were killed over the course of several days in 1981.[49] He also recognized that Domingo Monterrosa, José Azmitia, and Natividad de Jesús Cáceres were responsible for the massacre. Funes then instructed the Armed Forces to "revise their interpretation of history in light of the historic recognition" he made that day. He told the military to stop honoring men like Monterrosa who were tied to the commission of gross human rights violations.[50] *Diario Co-Latino*'s 18 January editorial quoted Funes as declaring, "I am here in El Mozote to recognize the truth," a truth that included the names of three of those responsible for the massacre, "among others named by the Truth Commission." "[T]his painful truth," he added, was one that "some have wanted to hide for more than 30 years."[51] It was based on this truth—the truth *De la Locura a la Esperanza* revealed—that Funes instructed the military to revise its interpretation of history[52] and not to honor perpetrators as heroes. It is a truth that, as seen above, was itself based to a large extent on Tutela Legal's archive of denunciations and testimony.

In addition to being unprecedented in post-Peace El Salvador, Funes' request for *perdón*, his recognition of the military's responsibility for the massacre, and his public naming of Monterrosa, Azmitía, and Cáceres as perpetrators contributed to precisely the re-interpretation of history he called on the military and political parties to carry out, a history that affirms and does not deny the victims' memory/truth. ARENA governments, the media, and the military preferred to silence and forget the crimes of the past and forget and erase responsibility for them. Indeed, how could someone have committed crimes that had never really happened? To officially declare that Monterrosa was anything other than a hero who died saving the nation from the peril of terrorism and international communism was unheard of. This recognition alone was significant enough and showed Funes' belief in the victims' truth; as the elected president of the country, his declarations were finally (and very belatedly) an official recognition of that truth. Yet in addition to simply naming the perpetrators of the massacre and recognizing state responsibility for it, Funes requested *perdón* in the name of the same state that had ultimately been responsible. All of this is part of the process of re-interpreting the history of the conflict, this time placing the victims and their truth at the center of that history, for it is their truth that provides history's raw material.

Yet Funes asked the military to do more than re-interpret history based on the victims' truth. He was also asking the military to re-remember the war; he wanted the military to interpret and understand the war through the victims' eyes, through the eyes of those who see Monterrosa as a villain, not a hero. To insist that one of the perpetrators no longer be honored as a hero is to ask the military to re-imagine Monterrosa's role in the war and to alter its memory, a task which is exceptionally difficult (Fig. 6.2).

Some former officers saw an opportunity in Funes' statement; they saw an opportunity for the military to finally tell its version of events.[53] This attitude is in keeping with the work of retired officer, Juan Orlando Zepeda Herrera. In his 2008 book, Zepeda Herrera said he sought to "put light where there is still darkness, bring memory where there is forgetting, understand what happened, analyzing the causes and effects, that is, to revise the history of what happened in El Salvador."[54]

Retired officer Sigifrido Ochoa Pérez, who was named as one of the perpetrators of the 1982 El Calabozo massacre,[55] sought to do the same and was the most outspoken in his opposition to Funes' directive.

Fig. 6.2 The Military Museum in the El Zapote Barracks in San Salvador still has a room dedicated to Monterrosa, his heroism, and his life as a soldier and officer. Photo by author. 3 June 2012

La Prensa Gráfica's Fernando Romero reported Ochoa Pérez saying that it was "unfortunate" that Funes named Monterrosa, a friend of Ochoa Pérez, as "the main perpetrator of the El Mozote massacre" and ordered the Army to review its history. As Romero reported, Ochoa Pérez declared that Monterrosa "and all those who died giving their lives for the country are heroes."[56] *Diario Co-Latino* quoted a few of Ochoa Pérez's more fiery statements in an article describing the officer as "challenging" Funes. Ochoa Pérez said that, "For us, Azmitia and Monterrosa are heroes...he should not stick his nose into this business of wanting to change history."[57] Little energy was wasted in denying "the facts" of the massacre; the focus was on Monsterrosa's role in the war and the meaning and emotion attached to his life and death. The focus is on his reputation, on memory, and how he is remembered, thereby silencing the massacre to a large extent. And Ochoa Pérez refused to re-remember.

While Ochoa Pérez's statements were wrought with anger, the editors of *La Prensa Gráfica* rejected Funes' actions with less bile, though equal force, and they return to the issue of re-writing history (or, more appropriately, re-rememerbing it). The editors expressed their dismay at Funes' focus on the El Mozote massacre, responsibility for which the editors failed to mention. "As tragic and painful" as the massacre was, they wrote, to focus on just one event of "that period" is to continue the partiality with which the war is discussed. Funes' focus on one event contributed to the "fragmentation" of what happened, which "inevitably generates an interminable blame game." What was needed was a more complete view of the war. The editors further criticized Funes for his talk of "rewriting history" with all the "multiple distortions" that this has always involved. Though the editors recognized the importance of knowing the truth, it was important to search for it "without passion and without partiality." Salvadorans should know the truth, not so that they could blame each other for what happened, but so that the "truth becomes the supreme deterrent of any type of offensive or abusive behavior."[58]

Just as Cristiani limited the role of memory to "only" preventing repetition, the editors limited truth to being "the supreme deterrent of any type of offensive or abusive behavior." They were, however, clearer than Cristiani was when he spoke of memory; the past should certainly not be used to place blame. The editors also repeated the same critical discourse heard after the publication of *De la Locura a la Esperanza*. Funes' focus on the military's violations, like the Truth Commission's focus on the military's crimes, was not impartial. And Funes, like the Truth Commission, was "stirring up the waters," as the editorial was titled.

There are, it seems, surface truths and below the surface truths, truths that require the waters to be stirred if they are to emerge. While the former prevented repetition, the latter would only lead to renewed conflict. The editors' truth was not Funes' below the surface truth, nor was it the human rights community's truth. Though the "facts" might have been the same, the editors' truth was stripped of the passion and emotion that had inspired many activists to organize and fight for decades for the(ir) truth to be known and the fate of the disappeared to be discovered. It was a scientific truth, not a human one. But it was also not Ochoa Pérez's truth, which was nothing if not emotional. Calling for an impartial search for the truth (that would logically reveal an impartial truth) was also a rejection of Ochoa Pérez; how can calling anyone a hero be impartial?

The 2012 debates about the past, about truth and lies, were a continuation of debates that had been taking place since before the peace was signed in 1992. And the debate was not resolved with Funes' *perdón*. Far from it. In these discussions, which reached another peak in 2016, the validity of Barahona de Brito, González-Enríquez, and Aguilar's comments about debate and forgetting is demonstrated, for debates about the meaning of the past helped prevent the success of the right's campaign to forget. The Constitutional Chamber of the Supreme Court's ruling that the 1993 Amnesty Law was unconstitutional was a key victory for the human rights community, yet the Court's decision also created an opportunity for conservatives to remind Salvadorans of all the crimes the FMLN, including President Salvador Sánchez Céren, had committed. The Constitutional Chamber itself underscored the fact that violations had been committed by both sides in the press release announcing the decision.[59] and the conservative media seized the opportunity to repeat it.[60] *El Diario de Hoy*'s piece entitled "What is the Ley de Amnistía" is representative. "Simply put," the article stated, "the Ley de Amnistía *perdonó* [pardoned, forgave] both the military and the guerrilla for the crimes against humanity that were carried out during the war, which lasted from 1980 to 1992."[61] These comments about "both sides" silence just how uneven the Truth Commission's conclusions about responsibility were, as did *La Prensa Gráfica* journalist Cristian Meléndez's reporting on the Constitutional Chamber's decision. Meléndez wrote that the decision opened the possibility of trials in the 32 cases the Truth Commission investigated. "Of these, 20 are attributed to the military and 12 to the ex-guerrilla, from which various officials of the current party in government come."[62] For those interested in doing the math, if this breakdown of responsibility is extended to the more than 22,000 denunciation for gross human rights violations Meléndez's colleagues, Jessica Ávalos and Luis Laínez, report the Truth Commission received,[63] 37.5% of the violations would have been committed by the FMLN, and only 62.5% by the military and its proxies.

As true as it may be that the military and its proxies were responsible for 20 of the cases included in the Truth Commission report and the FMLN were responsible for 12, it is exceptionally misleading. To begin, as Ávalos and Laínez report, "85% of the testimonies assign responsibility to State agents, paramilitary groups, and death squads." They break this down further to 60, 25, 10%, respectively, and 5% for the FMLN.[64] Though Ávalos and Laínez's figures regarding the

division of responsibility between the various sectors tied to the state do not make sense, it is nevertheless clear that the FMLN did not commit 37.5% of the violations, as Meléndez's report suggests. As well, and quite importantly, though the Truth Commission's 32 cases were a key focus of both the Constitutional Chamber and reporting on its decision regarding the Amnesty Law,[65] for these cases were specifically and intentionally excluded from the 1992 Ley de Reconciliación Nacional, the effect of declaring the 1993 Amnesty Law unconstitutional extended beyond these 32 cases. With the Court's decision, communicated in its press release and in the decision itself, the perpetrators of all crimes against humanity, war crimes, and crimes that violate International Humanitarian Law, as well as those responsible for all crimes committed between 1 July 1989 and 16 January 1992, could be brought to trial.

Conservative newspapers' reporting on the 2016 ruling furthers the right's efforts to promote their own version of the war that focuses on the crimes the FMLN committed. They did not deny that the military had committed massacres, for example. Indeed, in articles published as the trial against officers accused in the 1981 El Mozote massacre got underway in early 2017, *La Prensa Gráfica*'s Jonathan Laguán and Fátima Membreño reported that "According to the Truth Commission…members of the elite Atlacatl Battalion tortured and 'deliberated and systematically' executed children, men, and women."[66] Instead of denying crimes like this, and apart from the Ávalos and Laínez piece published the day after the Amnesty Law was declared unconstitutional, articles simply silenced the state's responsibility by either misleading readers, as in the Meléndez article, or distracting them with general statistics about the 75,000 dead and 8,000 disappeared.[67] Newspapers also took the opportunity to remind readers about crimes committed by President Sánchez Cerén and other members of government.[68] In February 2017, an organization calling itself the Victims of Terrorism asked the Attorney General to investigate these "war crimes."[69] They followed this up in April with a request that the FMLN's assassination of mayors and civil servants be investigated and tried as genocide.[70] To be sure, efforts to bring the FMLN to trial were not reserved for high-ranking former guerrillas. In July 2017, the Attorney General ordered rank-and-file guerrillas detained for the assassination of US soldiers killed after their helicopter had crashed.[71] The Attorney General also opened an investigation into the military's massacre of civilians at El Calabozo and was petitioned to open an investigation Romero's assassination.[72] Time will tell whether this will turn into a Salvadoran "justice cascade."[73]

The right's discourse and its relationship to the past have shifted to some extent since the Court's 2016 ruling. Rather than a monumentalized form of remembering that promotes forgetting, the right has been forced to approach the past in a more active way. The Truth Commission, and even the past itself, have been given a second lease on life as a tool to remember FMLN's crimes.

The FMLN's Monumento a la Reconciliación (Monument to Reconciliation), unveiled by President Salvador Sánchez Cerén on the 25th anniversary of the Peace in 2017, adds an additional dimension to these struggles between physical and discursive monuments and the stories they tell. The Monument to Reconciliation is part of the larger Reconciliation Sculpture Park, which also includes the Path to Reconciliation, a plaque featuring the names of the signatories of the Peace Accords, and the "Footprints of the Jaguar" sculpture-mural. A Monument to Faith was added in November 2017. Of these, the Monument is clearly the focus. The much-larger-than-life, naked blue woman represents Mater Civis, "the citizenry." Her right hand is open, as if she is reaching to grasp something. She is pointing with her left hand. A female guerrilla and a male soldier stand in front of her. They have their arms around each other and are releasing doves into the air. Unsurprisingly, they represent the two parties involved in the war and who are now working toward peace and development, as *El Dario de Hoy* reported (Fig. 6.3).[74]

The Monument does not engage with the violent past or the victims that violence created and instead focuses on the guerrilla and the military. Indeed, the thousands of victims remembered in the Monumento a la Memoria y la Verdad have no place in the Monument to Reconciliation, nor are they featured in any other part of the larger site. One of the key reasons for this is that the reconciliation (between the FMLN and the military) the Monument celebrates has, to a certain extent, already been achieved. The various parties directly involved in the war now dispute issues through political means, though they do still talk about each other as if the Peace had never been signed. Elections are free and fair by international standards, and the FMLN took power in 2009 without incident. In this sense, the kind of reconciliation described in the Ley de Reconciliación Nacional and the Ley de Amnistía has been achieved.

The Monument does not promote reconciliation or imagine it as a project for the future. Instead, the Monument to Reconciliation and the larger Sculpture Park celebrate the reconciliation between the guerrilla

Fig. 6.3 Monument to Reconciliation. Photo by author. 11 June 2017

and the military that was achieved the day the final Peace Accord was signed. Certainly, Mater Civis's pointing finger introduces some uncertainty into the celebration of an already-attained reconciliation. She reminds the parties that they must not allow the past to be repeated; they must not, she declares, become un-reconciled.[75] Mater Civis's caution, however, is overwhelmed by the Park and Monument's larger, louder celebration that "we did it; we reconciled."

"We reconciled" is a bold and definitive statement. It leaves no room for the two parties featured in the Monument to continue reconciling, just as it leaves no room for other sectors to get involved, as the Monument to Memory and Truth insists is necessary. "We reconciled" is what Edkins describes the "story of the founding of a state, a narrative of glorious origin."[76] This is the heroic past the FMLN wants Salvadorans to remember. Yet it is a past that is easy to forget in an obviously unreconciled and incredibly violent present.

Notes

1. Juan Pablo II, "'Construid un future de esperanza con la sabiduría de la paz!'" *El Diario de Hoy*, 9 February 1996. See also, "El mensaje de Juan Pablo II: 'Que florezcan la paz y la justicia…,'" *El Diario de Hoy*, 9 February 1996.
2. Evidently forgetting his support for the work that amnesty and not truth does, he also said that the new El Salvador was built on the foundations of a respect for human rights and "guided by truth, liberty, and justice" ("Mensaje de Bienvenida a Su Santidad Juan Pablo II, Pronunciado por el Señor Presidente de la República de El Salvador, Doctor, Armando Calderón Sol," *El Diario de Hoy*, 9 February 1996). ARENA's René Figueroa took this to another level, stating in 1994 that "we should remember the violence, but only to ask God that the terror never returns to our beloved homeland." Taking this to an extreme, Figueroa removes responsibility for ensuring non-repetition from human, and even papal, hands, placing it on the shoulders of a power even higher than John Paul II ("Conmemorarán dos años de firma de Acuerdos de Paz," *La Prensa Gráfica*, 16 January 1994).
3. Michel Foucault, *The Archaeology of Knowledge*, trans. A.M. Sheridan Smith (New York: Routledge, 2002), 31.
4. Jeffrey K. Olick and Joyce Robbins, "Social Memory Studies: From 'Collective Memory' to the Historical Sociology of Mnemonic Practices," *Annual Review of Sociology* 24 (1998): 119.
5. Peter Carrier, "Historical Traces of the Present: The Uses of Commemoration," *Historical Reflections* 22, no. 2 (1996): 440.
6. James Young, *The Texture of Memory: Holocaust Memorials and Meaning* (New Haven: Yale University Press, 1993), 37, 47–48.
7. Young, *The Texture of Memory*, 5.
8. Editorial, "Viendo efectos de la guerra," *La Prensa Gráfica*, 9 December 1993. Whether the editors believed that the scars would be erased by a visit from the Pope is unclear. This imagery of a wound brings Diane Nelson's work on "a finger in the wound," which she uses to discuss Guatemala's post-Peace body politic (Diane Nelson, *A Finger in the Wound: Body Politics in Quincentennial Guatemala* [Berkeley: University of California Press, 1999]).
9. Young, *The Texture of Memory*, 5.
10. "Informes EU no merecen credibilidad: Cristiani," *El Diario de Hoy*, 12 November 1993.
11. Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Boston: Beacon Press, 1995), 116.

12. *El Faro* reported in October 2013 that the military honored Monterrosa and Azmitia with a military show not far from El Mozote (Daniel Valencia Caravantes, "Ejército salvadoreño homenajea a dos de los comandantes de la masacre de El Mozote," *El Faro*, 28 October 2013, https://www.elfaro.net/es/201310/noticias/13730/).
13. John R. Gillis, "Memory and Identity: The History of a Relationship," in *Commemorations: The Politics of National Identity*, ed. John R. Gillis (Princeton: Princeton University Press, 1994), 7–10. There was also a simultaneous drive to reject the past, but to remember it as a point of reference against which to contrast the present, a trend that continued into the mid-twentieth century, as seen in the West German government's use of the memory of Nazism to legitimize democracy (Peter Gray and Kendrick Oliver, "The Memory of Catastrophe," *History Today* 51, no. 2 [2001]: 11 and Paul Connerton, *How Societies Remember* [Cambridge: Cambridge University Press, 1989], 13, 61).
14. Maya Lin, quoted in Robert Campbell, "An Emotive Place Apart," *A.I.A. Journal* (May 1983): 151.
15. Charles L. Griswold and Stephen S. Griswold, "The Vietnam Veterans Memorial and the Washington Mall: Philosophical Thoughts on Political Iconography," *Critical Inquiry* 12, no. 4 (1986): 709. For Gillis, the Vietnam War Memorial represented a shift in monument-building and commemorative practices. The Memorial, he writes, is an "anarchy of memory" for visitors are made to remember (John R. Gillis, "Memory and Identity," 13–15).
16. Equipo Maíz, "La Marcha sigue su historia," *El Diario de Hoy*, 21 November 1999. Paid ad. Many others also declared that memory would lead to never again, including the Procuraduría para la Defensa de los Derechos Humanos (PDDH, Ombudman's Office for the Defense of Human Rights), the Mujeres por la Dignidad y la Vida (Las Dignas, Women for Dignity and Life), Guadalupe Mejía, the Comisión de Trabajo en Derechos Humanos Pro-Memoria Histórica de El Salvador (Comisión Pro-Memoria Histórica, Pro-Historical Memory Human Rights Working Group of El Salvador), and historian Roberto Turcios (PDDH, "Saludemos orgullosos el nacimiento de un nuevo El Salvador," *La Prensa Gráfica*, 14 December 1992, paid ad; Norma Vázquez, "Presentación," in *Y la Montaña Habló: testimonios de guerrilleras y colaboradoras,* eds. Mujeres por la Dignidad y la Vida [San Salvador, 1997], 5; Sandra Moreno, "Mi historia, Un día en la vida," *El Diario de Hoy*, 17 April 2000; Comisión de Trabajo en Derechos Humanos Pro Memoria Histórica de El Salvador, *Diario Co-Latino*, 16 January 2002, paid ad; and Roberto Turcios, "Ataque a la memoria," *La Prensa Gráfica*, 5 May 1998).

17. José M. Tojeira, "El Papa y las violaciones de los Derechos Humanos," *Diario Co-Latino*, 30 March 2000.
18. José M. Tojeira, "Difuntos, memoria y muerte," *Diario Co-Latino*, 2 November 2004.
19. CIPED, "Memoria Histórica; necesario para constuir la paz," *Diario Co-Latino*, 24 January 2007. Paid ad.
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23. General Humberto Corado Figueroa, *En Defensa de la Patria: Historia del Conflicto Armado en El Salvador, 1980–1992* (San Salvador: Tecnoimpresos, 2008), 280.
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27. '"La guerra no tenía sentido,'" *Enfoques*, 15 November 1998.
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30. Tutela Legal, "Tutela Legal informa a los comunicadores nacionales e internacionales y al pueblo salvadoreño," *Diario Co-Latino*, 3 October 2013. Paid ad; Member of CDHES, conversation with author.
31. Mneesha Gellman, *Democratization and Memories of Violence: Ethnic Minority Rights Movements in Mexico, Turkey, and El Salvador* (New York: Routledge, 2016), 161.

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33. Tutela Legal, "Tutela Legal informa."
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36. Alexandra Barahona de Brito, Carmen González-Enríquez, and Paloma Aguilar, "Introduction," in *The Politics of Memory: Transitional Justice in Democratizing Societies*, eds. Alexandra Barahona de Brito, Carmen González-Enríquez, and Paloma Aguilar (New York: Oxford University Press, 2001), 37.
37. See, for example, "Memoria de los caídos" (series), *Diario Co-Latino* 1 November 1999.
38. Gloria Guzmán Orellana and Irantzu Mendia Azkue, *Mujeres con Memoria: Activistas del Movimiento de Derechos Humanos en El Salvador* (Bilbao: Hegoa, 2013), 82–83.
39. Mauricio Gaborit, in conversation with author, 8 November 2013.
40. The victims listed on the monument are quite similar to those included in the Truth Commission report, though the list of victims on the monument is more complete. Not only are there more names (though not enough, as relatives or *compañeros* have added more names with paper and tape), but the monument also includes victims from before 1980, the start date of the Truth Commission's investigations. The Comité

Pro-Monumento was not alone in insisting that pre-1980 events be remembered. Equipo Maíz, for example, insisted that the student victims of the military's 30 July 1975 massacre be remembered (Equipo Maíz, "El 30 de julio: fuego que enciende a estudiantes," *La Página Maíz* 300 [30 July 2010]).

41. Jenny Edkins, *Trauma and the Memory of Politics* (New York: Cambridge University Press, 2003), 54.
42. Elizabeth Jelin and Susana G. Kaufman, "Layers of Memory: Twenty Years after in Argentina," in *Commemorating War: The Politics of Memory*, eds. Timothy G. Ashplant, Graham Dawson, and Michael Ropers (New Brunswick, NJ: Transaction Publishers, 2004), 96.
43. Ibid.
44. Dacia Viejo-Rose, "Memorial Functions: Intent, Impact and the Right to Remember," *Memory Studies* 4, no. 4 (2011): 469.
45. Viejo-Rose, "Memorial Functions," 467.
46. Barahona de Brito, González-Enríquez, and Aguilar, "Introduction," 37. See also, Pierre Nora, *Realms of Memory: The Construction of the French Past*, under the direction of Pierre Nora, English language edition edited by Lawrence D. Kritzman, trans. Arthur Goldhammer (New York: Columbia University Press, 1997) and Viejo-Rose, "Memorial Functions."
47. Gloria Morán, "Derogar Amnistía, un paso para la democracia," *Contrapunto*, 25 September 2013, http://www.contrapunto.com.sv/ddhh/derogar-amnistia-un-paso-para-la-democracia.
48. CPDH, *Informe de Investigación Temática: La Experiencia del CPDH "Madeleine Lagadec" en el Acompañamiento a Familiares de Víctimas en la Exigencia de Sus Derechos* (San Salvador, 2006), 42.
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50. Roberto Flores and Iván Escobar, "'Este pedido de perdón no pretende borrar el dolor': Presidente Funes," *Diario Co-Latino*, 16 January 2012 and Roberto Flores, "Presidente Funes instruye a militares revisar su interpretación de la historia," *Diario Co-Latino*, 17 January 2012. Revising history was not limited to the military. Funes made the same request to political parties and also announced that school textbooks would be edited "so that there would no longer be a continued denial of the human rights violations committed during the civil war" (Robeto

Flores, "Solicitud de perdón incluye programas de reparación para víctimas en El Mozote," *Diario Co-Latino*, 17 January 2012).

51. "El Mozote y los 20 años del Acuerdo de Paz," *Diario Co-Latino*, 18 January 2012. Editorial.
52. *Diario Co-Latino* reporter Beatriz Castillo, on the other hand, wrote that Minister of Defense José Atilio Benítez confirmed that a "commission to evaluate historical memory" would be created (Beatriz Castillo, "Ministro de Defensa confirma creación de comisión que evaluará memoria histórica," *Diario Co-Latino*. 19 January 2012). *La Prensa Gráfica*'s article on the same thing spoke only of reviewing the army's history (Fernando Romero, "Defensa crea comisión para revisar historia del Ejército," *La Prensa Gráfica*, 19 January 2012).
53. Fernando Romero, "Militares con reservas ante disposiciones de Funes," *La Prensa Gráfica*, 18 January 2012 and Romero, "Defensa crea comisión."
54. Juan Orlando Zepeda Herrera, *Perfiles de la Guerra en El Salvador* (San Salvador: New Graphics, 2008), 19–21.
55. "Los verdaderos héroes y heroínas son las víctimas civiles de la guerra," *Diario Co-Latino*, 20 January 2012. Editorial.
56. Romero, "Militares con reservas."
57. Zoraya Urbina, "Ochoa Pérez reta al presidente Funes," *Diario Co-Latino*, 17 January 2012. One wonders if Cáceres was also a hero.
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59. Sala de lo Constitucional, "Comunicado de prensa de la Sala de lo Constitucional: Sala declara inconstitucional la Ley de Amnistía," 13 June 2016.
60. See, for example, José Zometa, "Sala declara inconstitucional la Ley de Amnistía," *El Diario de Hoy*, 13 July 2016, http://www.elsalvador.com/noticias/nacional/195142/sala-declara-inconstitucional-la-ley-de-amnistia/; Jessica Ávalos and Luis Laínez, "Sala habilita a juzgar crímenes de la guerra civil," *La Prensa Gráfica*, 14 July 2016, http://www.laprensagrafica.com/2016/07/14/naj1407-leyamnistia01; Beatriz Calderón, "Los casos que podrían ser juzgados, abolida la Ley de Amnistía," *La Prensa Gráfica*, 14 July 2016, http://www.laprensagrafica.com/2016/07/14/estos-son-algunos-de-los-casos-que-podrian-ser-juzgados-abolida-la-ley-de-amnistia; "ONU: nulidad de Ley de Amnistía es un paso histórico para El Salvador," *La Prensa Gráfica*, 15 July 2016, http://www.laprensagrafica.com/2016/07/15/onu-nulidad-de-ley-de-amnistia-es-un-paso-historico-para-el-salvador; and Cristian Meléndez and Lourdes Quintanilla, "Abogados preocupados por repercusiones del fallo contra amnistía," *La Prensa Gráfica*, 15 July 2016,

http://www.laprensagrafica.com/2016/07/15/abogados-preocupados-por-repercusiones-del-fallo-contra-amnistia.

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CHAPTER 7

Contested Discourse in El Salvador and Guatemala

On 16 January 2012, Salvadoran President Mauricio Funes declared that, "As head of State, I recognize that in the villages of El Mozote, El Pinalito, Ranchería, Los Toriles, Jocote Amarillo, Cerro Pando, La Joya, and Cerro Ortiz, during the days and nights of 11, 12, and 13 December 1981, soldiers from the Atlacatl Immediate Reaction Infantry Battalion, part of the Armed Forces of El Salvador, assassinated close to 1000 people, the majority boys and girls."[1] In response to this recognition of the Atlacatl Battalion's responsibility for these massacres, retired officer Sigifredo Ochoa Pérez asserted, "Mr. President, treat soldiers well. We are not your enemies."[2] Across the border in Guatemala, the Legislative Assembly felt compelled to issue non-binding Resolution 3-2014 in response to a (second[3]) official, though short lived, recognition that in fact, *Si hubo genocidio*; that yes, there was a genocide. The Punto Resolutivo affirmed that "it is not legally viable that the elements that constitute the crimes mentioned could have happened in Guatemala, principally with regard to the existence in our homeland of a genocide during the internal armed conflict."[4] While in El Salvador, this official recognition of past atrocities came from the executive, in Guatemala, this recognition came from the judiciary. On 13 May 2013, Efraín Ríos Montt had been found guilty of genocide and crimes against humanity and condemned to 80 years in prison. In moments when tensions rise, tempers flare, and people feel that they must take action, the struggle between different discursive and memory scaffoldings is laid bare, as is

R. Hatcher, *The Power of Memory and Violence in Central America*,
https://doi.org/10.1007/978-3-319-89785-1_7

the impermanence of what might otherwise seem to be a dominant and deeply rooted way of talking about or understanding the past.

Moments of rupture, writes William Roseberry, are when "historical markers or monuments…provoke profoundly different meanings and memories for different groups within a social field." In these moments, the hegemonic process and the struggle over discourse become visible.[5] Steve Stern makes a similar point about what he calls memory knots. Memory knots, he writes, are "sites where the social body screams."[6] Taken as a group, these knots "stir up, collect, and concentrate memories, thereby 'projecting' memory and polemics about memory into public space or imagination." Memory knots demand that something be remembered. By so doing, they interrupt a "more unthinking and habitual life"[7] and insist that society keep the "troublesome past within the present" and not let it fade into oblivion.[8]

This chapter explores two such moments of rupture: Funes' 16 January 2012 "inevitably inadequate"[9] request for *perdón* for the El Mozote massacre, and the 2013 genocide trial of Ríos Montt, Guatemala's former head of state. Discussions about the past—and about the present and future—exploded in the public sphere at these moments, revealing how discursive scaffoldings work and how much, or little, it is possible to maneuver within the limits of pre-existing frameworks and what they have determined the truth of the past to be. Debates about the past are rooted in a desire to be able to dictate the contours and contents of a country's memory, to dictate what Guatemalans or Salvadorans believe the truth of the conflict to be. This is hardly surprising. As Jacques Le Goff noted, determining what people know and remember (or forget) about the past is "one of the great stakes…of dominated and dominating classes, all of them struggling for power or for life, for survival and for advancement."[10]

El Salvador

The Alianza Republicana Nacionalista's (ARENA, Nationalist Republican Alliance) political dominance certainly ruptured in 2009 with the election of the Frente Farabundo Martí para la Liberación Nacional (FMLN, Farabundo Martí National Liberation Front) and Mauricio Funes to the presidential palace. With this break, the official/governmental treatment of the past also shifted as Funes' words and actions increasingly resembled the human rights community's understanding of truth as essential

to non-repetition. Even more than this, and unlike in previous administrations, Funes's truth mirrored the human rights community's truth, and so that of the Truth Commission.

Yet, as much as the human rights community cheered the FMLN and Funes' victory, their relationship was not always close and easy. As Ralph Sprenkels argues, human rights activists have a general feeling of "disenchantment" with the FMLN and many feel that the FMLN has sidelined the very organizations that supported it during the war and were, in some cases, its public face.[11] For example, when the 1993 Amnesty Law was declared unconstitutional in 2016, the FMLN and FMLN president Salvador Sánchez Cerén, elected in 2014, were not whole-hearted in their support for the Constitutional Court's decision. Human rights organizations have concentrated a significant part of their efforts since 1993 on eliminating the law.[12] It is a key focus of their work. As *El Faro*'s Nelson Rauda Zablah reported, the FMLN's immediate response to the decisions the Constitutional Chamber published on 13 July, including its decision about the Amnesty Law, included the words "soft coup," "destabilization," and "inopportune."[13] This reveals the tension between the FMLN and human rights community's attitudes toward the Law and toward forgetting the past.

Funes' own relationship with the FMLN was also tense and complex. He was, after all, an outsider. Rather than imagining that Funes represents the FMLN, and so that the FMLN decided to embrace the human rights community's understanding of the past and the importance of truth (and not forgetting), it is more appropriate to understand Funes' position as being guided by the teaching and ideology of monseñor Romero, as he declared on various occasions.[14] This was more important in determining his discourse than his ties to the FMLN. Yet as much as his statements in favor of truth echoed the human rights community's repeated declarations, Funes asked that he not be pressured to repeal the Amnesty Law because it was not his responsibility as president to do so.[15] Promoting the truth of the war and the work truth does is one thing. It is something else entirely to take concrete steps to liberate the truth, to unshackle it from amnesty, and to allow it to actually work for non-repetition. In his decision not to address the Amnesty Law, the grey areas between the black and white descriptions of different sectors' discourse are revealed. While Funes may have embraced the truth of the human rights community and their view on the work of truth and memory, he nevertheless did not echo their discourse in its

entirety. The human rights community took note and criticized Funes as a result. They wanted him to be fully on the side of truth and memory and not located somewhere in between these and forgetting, likely because they failed to see what truth could accomplish if it were not accompanied by justice.

Despite these tensions, the FMLN and Funes are very different from ARENA and ARENA's loss of the presidency is a clear break with the past. With Funes as president, the official relationship with the past was different that it had been, something the Funes government was not shy in pointing out. In January 2012, for example, the Secretariat of Communications of the Office of the President published a special insert for the 20th anniversary of the Peace. "Leaving behind a past marked by the denial of what happened," the publication asserted, "the Salvadoran government is carrying out important efforts to rescue historical memory and spread the truth of what happened during the past armed conflict."[16] A few months later, the Office of the President published a news update declaring that "President Funes' government recognizes the truth and promotes reparation measures for the victims of the armed conflict." In this summary of the government's actions, the Presidency affirmed that Funes' actions were "[u]nlike previous governments'."[17]

These efforts to acknowledge and then spread the truth, to rescue historical memory, include, among other things: Funes' recognition of the massacred Jesuits' legacy and the granting of El Salvador's highest honor to them; his recognition of the state's responsibility for serious human rights violations and abuses of power committed during the war, and his related request for *perdón* in 2010; his request for *perdón* in relation to Romero's assassination and the construction of a mural at San Salvador's international airport in Romero's honor; and the creation, by executive decree, of the Comisión Nacional de Búsqueda de Niños y Niñas Desaparecidas durante el Conflicto Armado Interno (National Search Commission for Boys and Girls Disappeared during the Internal Armed Conflict).[18] As well, in 2011, on the 31st anniversary of the massacre at Las Aradas, Secretary of Culture Ramón Rivas confirmed his appreciation for grassroots efforts to "keep the historical memory of what happened alive." Declaring that remembering what happened would prevent repetition, he announced that he would work to get the massacre site officially declared part of El Salvador's cultural heritage, as the survivors wished. And it was the following year. Rivas added that declaring Las Aradas a cultural heritage site would help keep human

rights violations in the country's historical memory.[19] Similarly, and also breaking with the past, the Monumento a la Memoria y la Verdad (Monument to Memory and Truth) was declared a protected heritage site and former director of the Oficina de Tutela Legal del Arzobispado de San Salvador (Tutela Legal, Archbishop of San Salvador's Legal Aid Office), María Julia Hernández, was posthumously honored for her work recovering historical memory.[20]

All of these things worked little by little to open El Salvador's memory box, but Funes' announcement that he would travel to El Mozote to celebrate the 20th anniversary of the signing of the final Peace Accord and ask for *perdón* for the massacre truly forced it wide open. His announcement generated significant reaction. This is at least partly due to the fact that his request for *perdón*, on that day, in that place, tangled the memory knot of El Mozote with that of the anniversary of the signing of the Peace Accord. In the process, the knots became more knotted, causing the social body, and its various sectors, to scream even louder, each hoping to drown out the others.

Funes, as the editors of *Diario Co-Latino* described, began the day by declaring, "I am here in El Mozote to recognize the truth."[21] He then directed the military to "revise their interpretation of history," as discussed in Chapter Five. He also made a formal request for *perdón* for the El Mozote massacre. After recognizing the Atlacatl Battalion's overall responsibility for the massacre, Funes added,

> Endless acts of barbarity and human rights violations were committed here: innocents were tortured and executed; women and girls suffered sexual abuses and hundreds of male and female Salvadorans are now part of a long list of disappeared, while others were forces to emigrate and lose everything to save their lives.
>
> In the name of the Salvadoran State I ask the victims' families and nearby communities for *perdón* for this massacre, for the aberrant human rights violations and for the abuses committed.[22]

Funes asked for *perdón* from all the victims and their relatives, highlighting that he did not seek to "erase the pain" they felt; rather, his request for *perdón* was meant to "recognize and dignify" the victims of "this tragedy."[23] His speech also included a declaration that the Amnesty Law did not prevent the Attorney General's office from investigating human rights violations committed during the war.[24]

Funes' recognition of the military's responsibility, of Domingo Monterrosa's responsibility in particular, and his request for *perdón* are significant because they are an official recognition of what human right organizations had been insisting for over 20 years. This recognition is relevant in understanding why the human rights community did not reject his *perdón* as a way to promote forgetting, as similar groups did when Guatemalan president Álvaro Arzú asked for *perdón* in 1998.[25] Though *perdón* was discursively tied to amnesty and forgetting in both countries, Funes' *perdón* is distinct from Arzú's because of Funes' previous actions and the timing of his words. Funes, for example, did not ask for *perdón* as a way to undermine the victims and survivors' truth, nor were other declarations he had made in support of memory in previous years weak and/or contradictory, as in Arzú's case.

But the difference between *perdón* in El Salvador and Guatemala also lies in how *perdón* is framed. When Arzú asked for *perdón*, and announced a larger movement for *perdón* and reconciliation (a reconciliation already tied to forgetting), he did so in relation to violence that Guatemalans suffered from "as a result of the decisions of political power and the actions of the army and of the security forces of the time," as *El Periódico* reported.[26] Asking for *perdón* for everything might be just as empty as not asking for *perdón* at all. As well, relatives and survivors repeat that they need to know who killed their loved ones or razed their communities if they are to *perdonar*. Arzú, on the other hand, named faceless institutions. In this, Funes was more specific. More than simply recognizing that the military had committed atrocities, he named names. He, the president, spoke the victims' truth out loud. Though many see the tears he shed that day as insincere, this recognition is nevertheless significant.

Funes' *perdón* was also not seen as a way to promote forgetting under the guise of memory and truth because he asked for *perdón*; he did not simply lament what happened. This is significant when compared to the Salvadoran government's actions in 2006 in connection to the forced disappearance of the Serrano Cruz sisters. On 2 June 1982, Erlinda and Ernestina Serrano Cruz were disappeared in rural Chalatenango, taken from their family by the Atlacatl Battalion during the military's *Operación Limpieza* (Operation Cleansing). This is the same infamous, US-trained, special forces battalion Funes mentioned at El Mozote. The girls' relatives and the Asociación Pro-Búsqueda de Niñas y Niños Desaparecidos, (Pro-Búsqueda, Pro-Search Association of Disappeared

Girls and Boys) brought the case to the Inter-American system in 1999. The Corte Interamericana de Derechos Humanos (CIDH, Inter-American Human Rights Court) emitted a ruling in March 2005, condemning the state's failure to investigate and requiring the state to publicly "recognize responsibility" for the violations and to organize an act of *desagravio* "to repair the damage to the victims and their relatives and to prevent similar events from happening again."[27] The Real Academia Española defines an act of *desagravio* as either "eras[ing] or repair[ing] the offense, giving the offended party complete satisfaction" or "reimburse[ing] or compensate[ing] the damage that was caused."

Though the CIDH's sentence did not require the state to ask for *perdón*, the media reframed the discussion in this way.[28] The state, however, was clearly not going to ask for *perdón*. In "'We are looking for children, not the guilty,'" Foreign Minister Francisco Laínez made this clear. He is quoted as saying, "It is lamentable that things like this (the disappearance of the Serrano Cruz sisters), which took place in the context of a war where the parties involved committed errors, happened." In response to the journalists' question about the importance of "the request for *perdón*," he masterfully avoided saying the word and replied, "Recognizing that all Salvadoran families were involved in acts committed by one or the other side during the armed conflict reaffirms the need for peace and that what has been achieved by the process begun by the Accords should continue, be protected and preserved."[29] In his statements, Laínez did not say the word *perdón*, let alone ask the victims for *perdón*, a request they can refuse.[30] In addition, Laínez worked against the CIDH's ruling about the state's responsibility by repeating that the military was not the only one involved in the war and that both sides committed "errors."

When the moment came to speak, Laínez did not ask for *perdón*. Accompanied by the president of the Corte Suprema de Justicia (CSJ, Supreme Court of Justice) and Procuradora para la Defensa de los Derechos Humanos (Ombudsperson for the Defense of Human Rights), Laínez stated that, "The State of El Salvador deeply laments all the events that took place during the armed conflict that prevailed in our country for more than 12 years and that directly affected all Salvadoran families, and first and foremost those involving our youth. The state especially laments the events related to Erlinda and Ernestina Serrano Cruz."[31] His lamentation is quite distinct from how the media described what would happen.

The difference between asking for *perdón* for the army's forced disappearance of two young girls (or even simply recognizing the state's responsibility) and lamenting all of what happened was not lost on those present at the ceremony. Relatives and members of the human rights community rejected Laínez's words; they shouted out that the state must ask for *perdón*.[32] The following week, the Instituto de Derechos Humanos de la Universidad Centroamericana "José Simeón Cañas" (IDHUCA, Human Rights Institute of the Universidad Centroamericana "José Simeón Cañas") and Pro-Búsqueda took out ads in *La Prensa Gráfica*. In the first ad, IDHUCA and Pro-Búsqueda pointed out the insufficiencies in Laínez's non-request for *perdón*, highlighting that, "To lament something does not mean that any kind of responsibility has been recognized."[33]

Pro-Búsqueda also criticized the government for organizing the act not as way to ask for *perdón*, but as a way to announce the reunion of the Hernández family. The family was separated in 1981 and the government's official Comisión Interinstitucional de Búsqueda de Niños y Niñas Desaparecidos a Consecuencia del Conflicto Armado en El Salvador (Interinstitutional Search Commission for Boys and Girls Disappeared as a Result of the Armed Conflict in El Salvador) had worked to reunite them. After criticizing the Comisión Interinstitucional for working toward the reunion of children who had been "involuntarily separated" from their families—phrasing that silenced the military's responsibility for forced disappearances—Pro-Búsqueda was quick to point out that this was the Comisión's only success story and that the celebration of this success served to "make [the relatives of the Serrano Cruz sisters, and the real reason why the event had been organized] invisible."[34] *La Prensa Gráfica*'s reporting on the event in Chalatenango and the Hernández reunion in the days preceding Laínez's lamentation had a similar effect. In the majority of the articles about the expected request for *perdón*, the focus was on the happy reunion of the Hernández family, as seen in the newspaper's first articles about the event that appeared on 21 March 2006. Not only is the headline for the Serrano Cruz case smaller, but almost three-quarters of the space is dedicated to the general theme of children disappeared during the war and the Hernández reunion. The rest of the page was left for the "emblematic" Serrano Cruz case. *La Prensa Gráfica* worked to make the Serrano Cruz girls disappear (once again).

The state's refusal to recognize its responsibility and request *perdón* (even if this was not required by the CIDH), President Tony Saca's refusal to go to Chalatenango himself, and human rights organizations' very vocal denunciation of both these things, added weight to *perdón*. They linked *perdón* to truth, to the perpetrators' acknowledgement of their own responsibility. Álvaro Saravia's request for *perdón*, made a few days after Laínez's lament, only strengthened this connection. A former military officer, Saravia asked for *perdón* in the *Miami Herald* for his role in Romero's assassination.[35] Saravia's request for *perdón* certainly stood in sharp contrast to the state's actions in the Serrano Cruz case. Not only was he asking for *perdón*, but the identity of one of the perpetrators was revealed in his request. Saravia's request for *perdón*, like Funes' request six years later, revealed the truth of the past, a truth the human rights community had long insisted must precede *perdón*.

By the time Funes requested *perdón* in 2012, the word was very closely tied to truth, though it had begun its discursive career clearly tied to amnesty and *olvido*, as in Guatemala. So Funes' request for *perdón* was evidence of his solidarity with the victims, even if that solidarity did not extend to actively working to overturn the Amnesty Law. Certainly part of the transformation of *perdón* is related to the difference between granting *perdón* from above and asking for *perdón*, to the difference between granting pardon via amnesty and asking for a *perdón* rooted in truth, a request that can be denied. Yet, more than this, the government's 2006 decision to lament the war made *perdón* all the more important for survivors and the human rights community. As a result, when Funes began asking for *perdón* during his administration, not only for El Mozote but also for other human rights violations, the human rights community celebrated. While they may have preferred that requests for *perdón* come from the perpetrators themselves, and while they may have been critical of Funes' (in)action on important issues, they did not reject his request for *perdón* or understand it to be his attempt to whitewash the past, to cover over the state's responsibility with a lament about the cruelty of war. Rather, it was a long-overdue acknowledgement of truth.[36]

Conservatives pushed back against truth's incursion into forgetting, as well as the incursion of the human rights community's truth of the past on their own truth. This is unsurprising, for the issue of truth tends to generate debate. As Steve Stern writes, "the most dynamic forms of cultural and political debate about memory often take place as

a context over the primacy or 'truth' of rival emblematic memories, in a competitive process to establish which frameworks will displace others and approach a hegemonic cultural influence."[37] This is precisely what happened in 2012. In response to Funes' actions, conservatives threatened Funes, as seen in Ochoa Pérez's comments; refused to do as he instructed; and reminded Salvadorans of the guerrilla's actions, a key element of the conservative truth of the war. The mayor of San Salvador, ARENA's Norman Quijano, for example, described asking for *perdón* on the anniversary of the Peace in El Mozote as being one-sided. He lamented the massacre, but added that the guerrilla also committed "excesses," just as the military had. Who, he wondered, would go to the sites of those violations and ask for *perdón*?[38] Ochoa Pérez, then a member of ARENA and candidate for the Legislative Assembly, also wondered if Funes would ask for *perdón* for the "horrendous crimes" committed by the FMLN, including using women, the elderly, and children as "shields" during the war. He went much further than this, as suggested in his comments to Funes to "treat soldiers well." He took to the internet to "dare the president"; there, he declared, "As a soldier, I am ready to defend our Patria." He also wondered if Funes wanted another war, "Given that his rant and false actions point to this."[39]

In this back and forth about El Mozote and the history of the war, the limits of El Salvador's discourse are revealed and discursive battle lines are firmly drawn. As head of state, Funes could ask for *perdón* for various atrocities, honor the work of human rights activists, promote the work of truth in guaranteeing non-repetition, and recognize the military's responsibility for human rights violations. As important as these things are, this was all he could do. Funes could not change the discourse of those who reject all that he recognized. Those who wish to forget continue to call for forgetting and are heard, and the truth of the past remains as contested as ever.

The debates about *perdón* and El Mozote demonstrate that rupture can co-exist with continuity, that memory knots, even when tangled up with one another, do not necessarily lead to a complete break where countermemory becomes memory. Funes engaged in memory work and embraced the human rights community's truth, bringing the past into the present and interrupting a "more unthinking and habitual life," but little else changed. Funes' power was limited. As president, he could not even command the military to re-remember Monterrosa as a villain and El Mozote as a massacre of children, for El Salvador's dominant

discourse of oblivion and a truth rooted in the guerrilla's crimes remains as strong as the sectors that embrace it.

Guatemala

Much the same can be said of Guatemala; as much as conservatives follow the human rights community's lead and extol memory, their emblematic memory of the conflict is distinct. Both the strength of the memory-centered discourse and the equal strength of different sectors' different memories of the conflict are clear in the discussions that took place in Guatemala surrounding the 2013 genocide trial of Efraín Ríos Montt, the first trial against a high-ranking military officer that has taken place in Guatemala. It is also important to note that the trial took place during the presidency of Otto Pérez Molina, who the human rights community also accuses of being a *genocidaire*. With his election, the military took control of the government once again and the past was pushed into the public sphere. With this, street artists, for example, were pushed to remind Pérez Molina that neither the Ixil nor the Ixcán forget him. They told the "Kaibil President" that "whether you admit it or not, *si hubo genocidio*."[40]

The trial against Ríos Montt and his chief of intelligence, Mauricio Rodríguez Sánchez, began on 19 March 2013. On 10 May 2013, Ríos Montt was found guilty of genocide[41] and crimes against humanity related to the assassination of 1771 Ixils and condemned to 80 years in prison. Rodríguez Sánchez was absolved. The sentence against Ríos Montt was overturned on a technicality soon after.[42] In the months the trial lasted, and in the aftermath of the court's rulings, the public sphere exploded with debate about the past, and about justice. Rather than arguing that Guatemalans must forget, opponents of the trial argued that genocide had not been committed in Guatemala. They limited themselves to promoting a different truth of the conflict, as Mario Mérida and others had done before.

The declarations of Zury Ríos, her father's greatest champion, are a good example of how important it was that *no hubo genocidio*. *El Periódico* published an excerpt of an interview Ríos had given to the Salvadoran newspaper, *El Faro*, shortly after the trial started. In addition to reminding readers that the Ixil had voted for her father many times in the post-Peace era (and so *no hubo genocidio*), she declared that the dead were guerrillas and that this was why they had been killed, not because

they were indigenous (and so *no hubo genocidio*). In response to the journalist's comment that she spoke of "all the victims as if they had all been guerrillas," even the many children who died, Ríos confirmed that indeed many children had died and then asked her own clearly rhetorical question: "And who recruited them? Who put them at the front?"[43] The answer was obvious: the guerrilla. They, too, committed crimes during the conflict (and so *no hubo genocidio*). The artists who painted "Justice for genocide" and plastered photos of the victims in Guatemala's central square clearly disagreed (Figs. 7.1 and 7.2).

The conservative, pro-business Comité Coordinador de Asociaciones Agrícolas, Comerciales, Industriales y Financieras (CACIF, Coordinating Committee of Agricultural, Commercial, Industrial, and Financial Associations) also weighed in on the issue. In a news update published on their webpage, CACIF declared that thousands of "*campesinos*, workers, businesspeople, students, ladinos, indigenous peoples, soldiers,

Fig. 7.1 "Justice for genocide." Parque Central. Guatemala City. Photo by author. 28 February 2012

Fig. 7.2 "Justice for genocide." Parque Central. Guatemala City. Photo by author. 28 February 2012

guerrillas…" died, regardless of their "origin, social background, race or religion." Given this, CACIF affirmed that it was impossible to declare that there had ever been an attempt to eliminate a particular race, an assertion they repeated in paid ads in newspapers. *No hubo genocidio*, they concluded.[44]

Lest it be imagined that only non-indigenous Guatemalans deny genocide, CACIF does have some indigenous members, further adding to the fractured nature of the discursive environment in Guatemala. While many assume that the Ixil who arrived in Guatemala City to insist that *no hubo genocidio* were paid, and even tricked, by Ríos Montt's supporters,[45] it is more difficult to suggest that this is the case with indigenous members of CACIF. Instead, it is clear that not all indigenous people believe that genocide was committed during the conflict.[46] This is not unexpected, for indigenous peoples experienced the conflict in different ways and have different political leanings.[47]

Further adding to this increasingly muddy discursive landscape are the several publications of the ultra-right wing Fundación contra el Terrorismo (Foundation against Terrorism). That is, the guerrilla's terrorism, not state terrorism. In "The Church's Marxist Conspiracy," the fourth installment of their series "The Farce of Genocide in Guatemala," the Fundación affirmed that their hope was to "contribute to establishing the historical truth" of the conflict. Echoing much of the discourse that surrounded the publication of the Comisión para el Esclarecimiento Histórico (CEH, Historical Clarification Commission) report, the Fundación asserted that "The world deserves to know the truth!," a truth that the guerrilla and leftists had hidden in an attempt to "manipulate national and international public opinion with their lies and falsehoods." Spreading the truth of the conflict—a truth about which the title of their publications leaves little doubt—is essential. Without this truth, "authentic national reconciliation" would be impossible; without this truth, subsequent generations would only know the "slanted and compromised Marxist version" of the conflict where the military committed genocide.[48] The Fundación's truth is that the guerrilla, and specifically the Ejército Guerrillero de los Pobres (EGP, Guerrilla Army of the Poor), were terrorists and that *they* had committed genocide. What could the approximately 60 massacres of indigenous peoples, including Mam who were members of a group who refused to join the EGP in Ixtahuacán, be, if not genocide? What could the guerrilla's assassination of an Ixil spiritual leader and members of *cofradías* be, if not genocide?[49]

The Fundación's insistence that the guerrilla committed genocide—that *si hubo genocidio*—reveals the heterogeneity of the label "conservative." Not all conservatives, not all those with ties to military or who share its ideology, have the same ideas about the past. Certainly, the Fundación's belief that reconciliation requires knowing what happened in the past fits within broader conservative—and Guatemalan—discourse, as does the focus on the guerrilla's responsibility for violations. But the Fundación's affirmations regarding genocide stand in stark contrast to other conservatives' strong and even more numerous declarations that *no hubo genocidio en Guatemala*, that there was no genocide in Guatemala. In the Fundación's publications, the struggles within conservatives' seemingly concrete memory scaffolding are visible, as is this scaffolding's impermanence. For many years, conservatives had explicitly rejected the CEH's findings about genocide or more implicitly rejected it by simply not talking about it.

In asserting a distinct central focus of the group's memory, the well-connected Fundación contra el Terrorism sought to shift conservative memory. They seemed to be unsuccessful at the time but key figures in the organization continue to insist on the guerrilla's responsibility and take concrete action to this end, as well as to defend the military in court. Fundación director Ricardo Méndez Ruíz, for example, issued a formal complaint against Iván Velásquez, the head of the Comisión Contra la Impunidad en Guatemala (CICIG, International Commission Against Impunity in Guatemala), for overstepping the CICIG's mandate by becoming involved in a case against former officers for crimes committed during the conflict.[50] As well, Fundación co-founder Moisés Galindo acted as counsel for a highly problematic denunciation against a long list of former guerrillas for terrorism and crimes against humanity. *El Periódico* described him as "the lawyer of the military,"[51] and indeed, he does often represent military defendants, as in the Sepur Zarco case. It remains to be seen what effect all of this will have on memory in Guatemala.

The human rights community is also more diverse than it seems at first glance. Not all believe in the truth the CEH revealed; not all are guided by the assertion that *si hubo genocidio*. Former Secretary of the Peace, Raquel Zelaya, who also signed many of the Peace Accords for the government; Gustavo Porras, former guerrilla and member of the government's negotiating team in the 1990s; and Marta Altolaguirre, former president of the Inter-American Commission on Human Rights, declared on 16 April 2013 that *no hubo genocidio*. They are important political figures; while more conservative than most in the human rights community,[52] they had, in the past, shown a commitment to protecting human rights. Yet, in "Traicionar la paz y dividir a Guatemala," Zelaya, Porras, Altolaguirre, and others ventured outside the human rights community's memory scaffolding. They rejected the truth of the CEH and the larger human rights community, revealing the fissures in what I have described as a largely homogenous group. The authors asserted that "the accusation of genocide" might lead to "a heightening of social and political polarization." This is the "dividing Guatemala" part of the title. They then argued that if the trial were to continue, it would facilitate the return of political violence and so would mean that the goals of the peace had been "betrayed," as in the first half of the title. The authors concluded that their warning did not mean that "the atrocities that took place during the internal armed confrontation should not be known," or

that the victims did not have the right to begin legal procedures against those responsible. Nevertheless, *no hubo genocidio*. "The accusation of genocide is a legal fabrication"; furthermore, it does not "correspond to the wishes of the majority of the population to overcome the past and to find national reconciliation."[53]

How can it be that the trial would heighten polarization and facilitate repetition, but that the victims have a right to begin judicial proceedings against the perpetrators? How could they want the past to be known, but also oppose the trial, where, presumably, the events of the past would be revealed, where the judicial truth of the past would become clear? The Zelaya group's comments seem contradictory. They did, however, clarify some of their comments in a second ad, "Commitment to the truth and peace." Published nine days later as a response to criticisms from members of the human rights community, discussed below, the ad reiterated the point that the signers *did* want the past to be known. They also repeated their belief that genocide had not been committed, but clarified that it was because the conflict had been political, ideological, and economic, and not ethnic. In this, the apparent contradictions of their previous ad were explained. They were opposed to the trial because, as they argued, a trial for a crime that had not been committed would "create a social and political situation that would affect coexistence." This view allowed them to oppose the trial while still supporting the victims' "legitimate, undeniable, and inalienable" right to truth and justice (for crimes other than genocide).[54]

As mentioned above, many in the human rights community were critical of "Traicionar la paz y dividir a Guatemala," and their swift and forceful rejection of it demonstrate just how betrayed members of the human rights community felt with the Zelaya group's assertions, and denials. The broader human rights community rejected the Zelaya ad's conclusion about genocide, as well as the idea that the trial would lead to instability and threaten the peace. These ideas are linked. To argue that genocide had not been committed in Guatemala was understood to be the equivalent of promoting continued impunity. The Ley de Reconciliación Nacional had specifically excluded genocide from amnesty; to declare that the deaths of 1771 Ixils was not genocide meant that the perpetrators could seek protection from prosecution, thereby perpetuating impunity.

Helen Mack, her niece and future Minister of Health Lucrecia Hernández Mack, Manolo Vela Castañeda, publisher Raúl Figueroa

Sartí, a number of relatives of the victims, and journalists and contributors to various non-mainstream media outlets, decided to take out their own ad, "True peace is born from justice." After affirming that acts of genocide had indeed been committed in Guatemala, as the CEH had concluded, the Mack group asserted that justice "is not a threat." The trial, they insisted, would not facilitate the return of political violence, as the Zelaya group had suggested. Rather, if the past returned, it would be because "inequality, racism, exclusion, poverty, and conflict" still exist, despite the social and economic reforms and attempts to "rescue historical memory" included in the Peace Accords. Indeed, far from allowing for a return to political violence, the trial was an opportunity to "strengthen the justice system." It was, they wrote, a chance to show "the country's capacity to build a future of democracy and peace." They concluded, "If we want reconciliation, we will have to know and condemn the unjust acts of the past and those who perpetrated [them] and give voice to the victims."[55] Justice would only do Guatemala good.

In the original ad and in the Mack group's reaction to it, it becomes clear that the broader human rights community is not a single, unified group with a unitary narrative of the conflict. When the limits of the narrative were challenged, when at least occasional allies affirmed their belief in an alternative to *si hubo genocidio*, even if this alternative did not deny that many thousands had been killed or that the state was responsible, the broader human rights community stood firm in their belief that there is only one way to understand the violence and that Ríos Montt did commit genocide.

The human rights community's rejection of "Traicionar la paz y dividir a Guatemala" was in many ways inevitable. Stern points out that emblematic memory, which emerges most clearly at moments of rupture to give meaning to trauma, "also creates a framework for organizing countermemory and debate."[56] How could the human rights community, operating within a framework that *si hubo genocidio*, not have rejected the Zelaya group's countermemory? They had been arguing against conservatives' explicit declarations or implied assertions that the state had not committed genocide for many years. They had also had to deal with conservatives' efforts to stall and derail trials and, of course, very real threats made and actions taken against those who seek justice. Zelaya and her co-signers' views fit into both conservatives' emblematic (counter)memory and their opposition to justice and so had to be rejected, and all the more loudly because in other moments, they had

worked with the human rights community. Thus, *si hubo genocidio*, and the human rights community was quick to discursively "police" those who suggested otherwise.

In this context, it is interesting to consider Edelberto Torres-Rivas' views on both genocide and the debate about it. Torres-Rivas was among the first to write against "Traicionar la paz y dividir a Guatemala." He wrote in *Plaza Pública* that maybe because 12 people signed the ad, "there is a Judas among them who wrote a short text, but one full of errors and mistakes." He continued that if "the 12 apostles" really believe that the debate about genocide "betrays the peace and divides Guatemala," they "will soon be among the ranks of the right, holding the veterans' bloody hand." This failure to support debate is central to his criticism of the ad. Instead of dividing the country, the trial and debates about genocide were "the beginning of a process that should eliminate the hate and rancor that divide us."[57] He was critical of Guatemala's "culture of monologue" and argued that, as *Prensa Libre* reported, "The fact that, for the first time in public, people speak in favor of and against the genocide, in favor of or against the trial, speaks well of democracy in Guatemala." It was not an indication, he said, of conflict. Yet as much as Torres-Rivas supports a culture of debate, he also found it "lamentable that these illustrious Guatemalans…see the defense of the historical truth as dangerous."[58]

Torres-Rivas does not fit neatly into only one category, at least in terms of his views on genocide. Torres-Rivas has characterized the conflict in different ways over the years. He seems at times to be searching for a third way to understand the violence, to construct a third (or fourth?) emblematic memory that could perhaps bridge some of the divide between the others. He was one of a second group of human rights activists to take out an ad in response to the Zelaya ad. His co-signers included Rosalina Tuyuc, Frank LaRue, Rigoberta Menchú, Otilia Lux de Cotí, and Bishop Álvaro Ramazini. In "There is no peace without truth and justice," Tuyuc and her colleagues placed Guatemala in the same category as Germany, Bosnia, and Rwanda. This was not the first time the comparison had been made. Torres-Rivas had, in 1999, said as much when he described the conflict as "the Guatemalan Holocaust."[59] He confirmed a similar view in his piece in *Plaza Pública*. He wrote that "ferocity does not qualify as genocide, but the logic of hate and rancor against racial, religious, and ethnic groups does. In this sense, acts of genocide were committed in the Ixcán and Ixíl."[60]

The declaration that *si hubo genocidio* stands in contrast to an opinion piece published in *El Periódico* in September 2012. Torres-Rivas begins "Was there genocide in Guatemala?" by declaring, "In Guatemala, *no hubo genocidio*, but something worse." This "something worse" was "the systematic persecution" of leftists, "their relatives and friends, of the suspect and, in the final stage, of indigenous communities that had to be destroyed to end the 'danger': international communism's far-reaching plot." He went on to talk about persecution based on fear and hate, mentioning religious persecution and the Holocaust before moving on to discuss political persecution. In Guatemala, "Homicidal persecution…, as an expression of inter-group violence, was committed in large measure to punish a way of believing, of seeing society, of thinking about it." "Killing because someone thinks differently," he added, "is another type of genocide," and this, too, would have been included in the UN Convention had the Soviets not opposed it.[61]

By insisting that politically inspired killing is also genocide, Torres-Rivas refuses to fall into the binary debate about genocide that revolves around the intent behind the military's actions. Unlike the Zelaya group and most of the human rights community, Torres-Rivas pushes the boundaries of the discourse by expanding the definition of genocide. Yet, as useful as proposing an alternate definition of genocide might be in the long term, it does little in the short term. In the short term, lawyers must use laws that already exist and these laws guide commentators in drawing conclusions. Thus, Torres-Rivas also participates in debates about *si hubo genocidio* or *no hubo genocidio* to take a firm stand against those who seek to use *no hubo genocidio* to promote forgetting and impunity. In this and in his declarations that the Zelaya group was little different than the Fundación contra el Terrorismo, he is pulled into the struggle between Guatemala's competing emblematic frameworks.

This struggle also included the state and its institutions. The human rights community's memory of genocide received a 718-page boost from the Ríos Montt sentence. For those who might not read the entire sentence, newspapers published extracts of it, presumably what they viewed as the most important parts. *Prensa Libre*, for example quoted the judges' affirmation that "We firmly believe that recognizing the truth will help to heal the wounds of the past" and that justice must precede peace.[62] "The truth" they mentioned was, of course, the truth the testimonies and expert witnesses revealed—that Ríos Montt was responsible for genocide. It was this truth that the judges believed would lead to

reconciliation. In addition to concluding that genocide had been committed, the judges strengthened the human rights community's discourse and truth by entering both the CEH report and the report of the Church's Proyecto Interdiocesano de Recuperación de la Memoria Histórica (Remhi, Project Interdiocesan Project for the Recuperation of Historical Memory) as evidence with "probative value."[63] By affirming the probative value of Guatemala's recuperated historical memory and the country's clarified history, the judges were legally and officially declaring the reports to be the truth of the conflict, thereby confirming what the human rights community had always insisted. With this, the judges pushed back against Zelaya and her co-signers' denial about genocide, as well as the Fundación's declaration that the guerrilla, and not Ríos Montt, was responsible.

This was a clear rejection of the Fundación and the Zelaya group's assertions that *no hubo genocidio*, just as it was a rejection of Pérez Molina's identical declarations.[64] The Legislative Assembly decided to get involved in the debate in 2014 with Punto Resolutivo 3-2014. Luis Fernando Pérez and Pedro Gálvez, both of the Partido Republicano Institucional (PRI, Institutional Republican Party), the FRG's attempt to whitewash its past through reincarnation and a name change, proposed the non-binding resolution. Pérez Molina's Partido Patriota (PP, Patriot Party) was seemingly not involved in the framing of the bill, though all the PP's representatives supported it.[65] Newspapers translated the resolution's meandering language, quoted at the beginning of this chapter, for their readers. *Siglo Veintiuno*, for example, reported on the resolution in "Congress denies genocide in Guatemala." *Prensa Libre* reported on it in "Punto Resolutivo that denies genocide approved."[66] This denial of genocide was only one phrase of the resolution's many phrases, the rest of which were based on the belief that the state was responsible for "promot[ing] and facilitat[ing] peaceful coexistence." Given that the trial had increased "polarization between brothers, fostering conditions that are counter to peace and that prevent a definitive national reconciliation," the lawmakers "urged" the executive to continue to work in favor of and defend "the spirit of reconciliation" that had originally inspired the passage of the Ley de Reconciliación Nacional and the signing of the Peace Accords.

The Punto Resolutivo passed on 13 May 2014, shortly after the first anniversary of Ríos Montt's conviction. The previous year, the judges had made history by turning Guatemala into the first country to try and condemn its own leaders for genocide in domestic courts. The judges

also helped to support the CEH's official version of the conflict by concluding that the Ixil had been victims of acts of genocide and that Ríos Montt was responsible. In addition, hoping to contribute to a reinterpretation of history, the judges declared 23 March, the day Ríos Montt had taken power, the Día Contra el Genocidio, the Day Against Genocide. With this, the judges were shifting the meaning of the day to focus on the victims and to promote *nunca más*, so that "never again" would have a very present place in the public sphere. With the overturning of the verdict, this shift was reversed. Furthermore, in 2014, a conservative Congress wrote over the importance of 10 May by claiming 13 May as its own, as the day that genocide was not committed.

Just like the Ley de Reconciliación Nacional, Congress's resolution is little more than legislated forgetting. In the name of reconciliation, the Ley de Reconciliación Nacional prevented trials from taking place for a range of political crimes and common crimes connected to political crimes. Notably, genocide, torture, and crimes against humanity were excluded from the amnesty. As Ricoeur suggests, amnesties such as the Ley de Reconciliación Nacional force a more general forgetting of the crimes amnestied, and not just punishment for them. In Guatemala, this means that the crimes (except genocide, torture, and crimes against humanity) never happened. Referencing a similar spirit of reconciliation, the Punto Resolutivo further limits the number of crimes that did, in fact, happen to two: torture and crimes against humanity.[67] With this official statement about genocide, which represents a shift in the official position regarding genocide from silence to denial, genocide is forgotten; it is written out of the historical narrative.[68]

The way denial promotes forgetting is clear in Frank LaRue's reaction to the proposal of the Centro para la Acción Legal en Derechos Humanos (CALDH, Center for Legal Action in Human Rights) to criminalize the denial of genocide. This proposal was made shortly after the Ríos Montt trial concluded. While the Cámara Guatemalteca de Periodismo (CGP, Guatemalan Chamber of Journalism) and many conservative commentators decried this proposal as limiting freedom of expression, as the UN's Special Rapporteur on Freedom of Opinion and Expression, LaRue offered a more thoughtful reaction. LaRue recognized that freedom of expression could only be limited to protect the human rights of others, which was not the case in Guatemala; rather like Torres-Rivas, he declared it impossible to see debates about history as "damaging." As a result, "statements in favor of or against historical events cannot be prohibited." Nevertheless countries like Germany and

Austria had made denying the Holocaust a serious crime in an attempt to "guarantee that the people do not forget historical errors and so there is no chance that they are repeated in the future."[69] Following this logic, passing an official resolution that denies genocide, even if it is non-binding, has the effect of allowing people to forget, and even encourages them to do so, by dictating that the absence of genocide is a central component of the official narrative of the past.

In the short term, however, the Punto Resolutivo did not silence the question of genocide. Rather, it had the opposite effect, keeping the question of genocide alive in the public sphere. And indeed, since it did not have any judicial effects, the resolution did not prevent Ríos Montt and Ródriguez Sánchez from being tried again. To date, all have of these trials have resulted in mistrial for one reason or another. Ríos Montt's death in April 2018 means that he will never spend any significant amount of time in prison for the crimes he committed.

Nevertheless, with the resolution, the aim was to convert Guatemala from a country where genocide had been committed, as per the CEH and the Court, into a country where genocide most definitely had not happened. With this, lawmakers hoped to whitewash the stain on the country's past, just as the denunciation of Pérez Molina, where street artists declared that neither the Ixil nor the Ixcán had forgotten "the assassin president," was whitewashed. Denying genocide, thus, becomes the new official narrative of Guatemala's past.

Arístedes Crespo, the President of Guatemala's Congress, declared in 2014 that "What Congress is saying is that we should forget the past, that we put ourselves to work, that we look for harmony, peace, and reconciliation."[70] And he was heard. Luis Pérez, the author of the Punto Resolutivo, made a similar point from the floor of Congress. Though the resolution itself did explicitly celebrate the benefits of forgetting, it nevertheless reflected Crespo and Pérez's views.

Even before the resolution was proposed and then quickly passed, the way Guatemalans talk about the past, and what they understand the past to be, was clearly expanding and contracting and shapeshifting as different groups defended their own positions, most particularly regarding genocide. Yet with these clear and simple statements in favor of forgetting, the political weakness of both the human rights community and its discursive scaffolding is revealed, and it becomes clear why activists are always repeating that only memory will work for non-repetition and reconciliation: though they denied it until 2014, the powerful (i.e., conservatives) want to forget.

Returning to Lilian Hellman and pentimento, with their explicit calls for forgetting, instead of simply painting over one image/memory with another, Crespo and Pérez were beginning to paint an entirely new work. With their calls for forgetting, they were re-shaping Guatemala's discursive scaffolding to revolve around forgetting, as conservatives have sought to do in less obvious ways since the Peace Accords were signed. It remains to be seen whether they will be successful. Exhumations continue to be undertaken, uncovering evidence of the state's responsibility for human rights violations, and the remains reburied with the necessary rites. The Archivo Histórico de la Policía Nacional (AHPN, Historical Archive of the National Police) continues to work, uncovering evidence of the state's responsibility for human rights violations. Trials continue to take place for various crimes the military committed during the conflict, and convictions are handed down confirming the state's responsibility for human rights violations. How easy will it be for Guatemalans to purposefully forget the 48 cardboard boxes containing human remains and the personal effects of victims brought to the court room as evidence in the Sepur Zarco sex slavery case?[71]

Though the Salvadoran context is distinct, Funes' request for *perdón* and his official recognition of the military's responsibility forced the past into the present. In the debates that followed, the struggles between different discursive and memory scaffoldings were visible. As Funes inched closer to the human rights community, as he pushed to expand the official narrative of the war to include the state's responsibility for the massacre of civilians at El Mozote, he was quickly brought back in line and reminded how limited his power was. The military did not change the name of the barracks in San Miguel and did not alter its curriculum to reflect the contents of *De la Locura a la Esperanza*.

In March 2017, 18 military officers were officially accused of murder, aggravated rape, aggravated deprivation of liberty, robbery, aggravated damages, forced entry, "special ravages," acts of terrorism, and intent to commit acts of terrorism in relation to El Mozote.[72] During the course of the trial, the state announced an official death toll for the massacre: 986. Of these, 552 were children.[73] As well, the defense recognized that what happened had been a massacre[74] and one of the accused, the former head of the Salvadoran Air Force, General Juan Rafael Bustillo, brought his copy of *De la Locura a la Esperanza* to court as evidence in his defense, thereby validating the report.[75] And indeed, with the Constitutional Court's ruling that the 1993 Amnesty Law is

unconstitutional, the Truth Commission and its report suddenly re-appeared in the public sphere and their findings cited as fact. El Salvador's moment of rupture, it seems, is far from over.

Notes

1. Gobierno de El Salvador, "El Mozote nunca más," *Diario Co-Latino*, 17 January 2012. Paid ad. This is one of the army's famous BIRIs, the Batallón de Infantería de Reacción Inmediata.
2. Diana Verónica Ayala, "Funes también debería pedir perdón por las masacres del FMLN," *La Prensa Gráfica*, 19 January 2012.
3. The first was of course the CEH. It was equally short-lived in officialdom. Beatriz Manz captures the importance of this first recognition well when she writes that "This judgement was of great moral importance to the people of Santa María Tzejá and so many others like them." They "no longer fe[lt] alone." Instead, they felt "vindicated" (Beatriz Manz, *Paradise in Ashes: A Guatemalan Journey of Courage, Terror, and Hope* [Berkeley: University of California Press, 2004], 225).
4. OAS, "IACHR Urges Guatemala to Continue Complying with Its International Obligations and Fighting Against Impunity," 16 May 2014, http://www.oas.org/en/iachr/media_center/PReleases/2014/058.asp.
5. William Roseberry, "Hegemony, Power, and Languages of Contention," in *The Politics of Difference: Ethnic Premises in a World of Power*, eds. Edwin N. Wilmsen and Patrick McAllister (Chicago: University of Chicago Press, 1996), 82–83.
6. Steve Stern, *Remembering Pinochet's Chile: On the Eve of London 1998* (Durham, NC: Duke University Press, 2004), 120–123.
7. Stern, *Remembering Pinochet's Chile*, 120–121.
8. Steve Stern, *Battling for Hearts and Minds: Memory Struggles in Pinochet's Chile, 1973–1988* (Durham, NC: Duke University Press, 2006), 244.
9. Martha Minow, *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence* (Boston: Beacon Press, 1998), 114.
10. Jacques le Goff, *History and Memory*, trans. Steven Rendall and Elizabeth Claman (New York: Columbia University Press, 1992), 97–98.
11. Ralph Sprenkels, *The Price of Peace: The Human Rights Movement in Postwar El Salvador* (Amsterdam: Center for Latin American Studies and Documentation, 2005), 82–104.
12. Gloria Guzmán Orellana and Irantzu Mendia Azkue, *Mujeres con Memoria: Activistas del Movimiento de Derechos Humanos en El Salvador* (Bilbao: Hegoa, 2013).

13. Nelson Rauda Zablah, "Al FMLN se le atraganta la inconstitucionalidad de la Ley de Amnistía," *El Faro*, 18 de Julio de 2016, https://www.elfaro.net/es/201607/el_salvador/18979/Al-FMLN-se-le-atraganta-la-inconstitucionalidad-de-la-Ley-de-Amnist%C3%ADa.htm. See also, Beatriz Mendoza, "FMLN sale a la calle para quejarse de la Sala," *La Prensa Gráfica*, 16 July 2016, http://www.laprensagrafica.com/2016/07/16/fmln-sale-a-la-calle-para-quejarse-de-la-sala and "GOES rectifica postura sobre nulidad de Ley de Amnistía," *La Prensa Gráfica*, 19 July 2016, http://www.laprensagrafica.com/2016/07/19/goes-rectifica-postura-sobre-nulidad-de-ley-de-amnistia. In the government's official response, Sánchez Cerén first declared his "commitment to continue working for justice, reconciliation and the promotion of a culture of peace that contributes to social coexistence." He went on to say that the Constitutional Court's resolutions "heighten" Salvadorans' daily struggles and do not correspond to the country's "actual and current problems" ("Mensaje a la nación del presidente de la república Salvador Sánchez Cerén," 15 July 2016, http://www.presidencia.gob.sv/mensaje-a-la-nacion-del-presidente-de-la-republica-salvador-sanchez-ceren/).
14. See, for example, Fernando Romero, "Funes viaja hoy al Vaticano por causa de Óscar Arnulfo Romero," *La Prensa Gráfica*, 22 May 2013.
15. Daniel Valencia Caravantes, "Funes pide no le presionen sobre derogación Ley de Amnistía," *El Faro*, 24 March 2010, https://elfaro.net/es/201003/noticias/1412/.
16. Secretaría de Comunicaciones de la Presidencia, "20 anos de la firma de los Acuerdos de Paz," *La Prensa Gráfica*, 15 January 2012. Paid ad.
17. "Gobierno del Presidente Funes reconoce la verdad e impulsa medidas de reparación a víctimas del conflicto armado," 4 June 2012, http://www.presidencia.gob.sv/index.php/novedades/noticias/item/2542-04-junio-2012-/-gobierno-del-presidente-funes-reconoce-la-verdad-e-impulsa-medidas-de-reparaci%C3%B3n-a-v%C3%ADctimas-del-conflicto-armado.html.
18. Ibid. and "Gobierno del Presidente Funes reconoce la verdad e impulsa medidas de reparación a víctimas del conflicto armado," *La Prensa Gráfica*, 15 January 2012. Paid ad.
19. Ramón D. Rivas, "La masacre de Las Aradas, río Sumpul," *Diario Co-Latino*, 20 May 2011. This is so important because "heritage" is protected by the Heritage Laws ("Se declara Bien Cultural de la Nación al caserío Las Aradas, Chalatenango," *ElSalvadorNoticias.net*, 15 May 2012, http://www.elsalvadornoticias.net/2012/05/15/declaran-bien-cultural-de-la-nacion-al-caserio-las-aradas-chalatenango/).

20. "Declaran patrimonio protegido el Memorial de las Víctimas de la Guerra," *VerdadDigital.com*, 16 March 2013, http://verdaddigital.com/archivo/index.php?option=com_content&view=article&id=3175&catid=44 and "Presidente Funes rinde homenaje y condecora de forma póstuma a luchadora social María Julia Hernández," 21 November 2013, http://www.transparenciaactiva.gob.sv/presidente-funes-rinde-homenaje-y-condecora-de-forma-postuma-a-luchadora-social-maria-julia-hernandez/. This seems to have continued in the early weeks of former Funes Vice President Salvador Sánchez Céren's administration. The PDDH congratulated the Equipo Argentino de Antropología Forense (EAAF, Argentina Forensic Anthropology Team) for 30 years of work in support of human rights, "the search for the truth and the construction of historical memory" in various countries around the world, including in El Salvador ("Procurador felicita a Equipo Argentino de Antropología Forense por su trabajo realizado durante 30 años," 2 July 2014, http://www.pddh.gob.sv/menupress/menuprensa/593-procurador-felicita-a-equipo-argentino-de-antropologia-forense-por-su-trabajo-realizado-durante-30-anos) and the Corte Suprema de Justicia (CSJ, Supreme Court of Justice), which is not part of the executive, acknowledged victims' right to truth in their ruling about the San Francisco Angulo massacre (Sala de lo Constitucional de la Corte Suprema de Justicia, 5 February 2014, http://perso.unifr.ch/derechopenal/assets/files/jurisprudencia/j_20140408_01.pdf).
21. Editorial, "El Mozote y los 20 años del Acuerdo de Paz," *Diario Co-Latino,* 18 January 2012.
22. Gobierno de El Salvador, "El Mozote nunca más."
23. Ibid.
24. Suchit Chávez, "Funes pide a FGR y CSJ investigar crímenes," *La Prensa Gráfica*, 17 January 2012 and Fernando Romero, Amadeo Cabrera and María José Saavedra, "Funes ordena reescribir la historia a la luz de la masacre de El Mozote," *La Prensa Gráfica*, 17 January 2012.
25. As well, Funes' apology also meets more of Marrus and Minow's respective critera for apologies (Michael R. Marrus, "Official Apologies and the Quest for Historical Justice," *Journal of Human Rights* 6, no. 1 [2007]: 75–105 and Minow, *Between Vengeance and Forgiveness*).
26. Juan Carlos Llorca, "Un perdón a medias….," *El Periódico*, 30 December 1998 and "Los discursos del perdón (extractos)," *El Periódico*, 30 December 1998.
27. CIDH, "Caso de las Hermanas Serrano Cruz vs. El Salvador: Sentencia de 1 de marzo de 2005," http://www.corteidh.or.cr/docs/casos/articulos/seriec_120_esp.pdf, 99.

28. See, for example, Adriana Valle and Gabriel Labrador, "Estado pide perdón por desaparición de hermanas Serrano," *La Prensa Gráfica*, 22 March 2006.
29. "Buscamos niños, no culpables," *La Prensa Gráfica*, 22 March 2006.
30. See, for example, Minow, *Between Vengeance and Forgiveness*, 115.
31. Adriana Valle, "Estado lamenta hechos ocurridos en la guerra," *La Prensa Gráfica*, 23 March 2006.
32. Ibid.
33. IDHUCA and Pro-Búsqueda, "La dignidad de las víctimas no tiene precio, La burla oficial, sí," *La Prensa Gráfica*, 25 March 2006. Paid ad.
34. Pro-Búsqueda, "El Estado de El Salvador no ha cumplido con las medidas de reparación orenadas por la Corte Interamericana de Derechos Humanos en el caso de las hermanas Serrano Cruz," *La Prensa Gráfica*, 30 March 2006. Paid ad.
35. Adriana Valle, "Saravia pide perdón por homicidio de Romero," *La Prensa Gráfica*, 25 March 2006. He also announced he was writing a book that would reveal the names of others of those responsible for Romero's assassination.
36. See for examples, Roberto Flores and Iván Escobar "'Este pedido de perdón no pretende borrar el dolor': Presidente Funes," *Diario Co-Latino,* 16 January 2012; Roberto Flores, "La desconocida sensación del perdón," *Diario Co-Latino*, 21 January 2012; Beatriz Castillo, "Pro Memoria Histórica insta a poder legislativo y judicial a promover la verdad," *Diario Co-Latino*, 18 January 2012; Natalia Zurlent, "Esther Alvarenga: '1932 se repite con mayor fuerza en 1980,'" *Diario Co-Latino,* 27 January 2012; Byron Sosa, "Iglesia católica avala acción de Funes," *La Prensa Gráfica*, 21 January 2012; For officials' reactions, see Zoraya Urbina, "Procurador Luna: 'fue una actitud valiente la del Presidente,'" *Diario Co-Latino*, 17 January 2012; Zoraya Urbina, "Presidente de la Asamblea: 'reconciliación debe basarse en la verdad y la justicia,'" *Diario Co-Latino*, 19 January 2012; and Hugo Martínez, "Nuestro compromiso con la verdad, la justicia y la reparación de las víctimas," *Diario Co-Latino*, 23 January 2012.
37. Stern, *Remembering Pinochet's Chile*, 106–107.
38. Amílcar Mejía and Valeria Menjívar, "Alcaldía conmemora en el Obelisco de la Paz," *La Prensa Gráfica*, 17 January 2012.
39. Zoraya Urbina, "Ochoa Pérez reta al presidente Funes," *Diario Co-Latino,* 17 January 2012 and Ayala, "Funes también debería." Shortly thereafter, Funes called Ochoa Pérez back to active duty, naming him the Minister of Defense representative on a commission dedicated to resolving problems related to delimiting El Salvador's borders. Ochoa

Pérez and many others saw it as an attempt to gag him, for it would have meant he could not run for office (Sergio Arauz and Gabriel Labrador, "Funes nombra a un general como director de la Policía Nacional Civil," *El Faro*, 24 January 2012, https://elfaro.net/es/201201/noticias/7345/). Ochoa Pérez did not return to active duty and won a seat in the Legislative Assembly.

40. Street art seen on Sixth Avenue, 21 May 2012.
41. See Marta Elena Casaús Arzú, *Genocidio: La Máxima Expresion del Racism en Guatemala?* (Guatemala City: F&G Editores, 2008); Marc Drouin, "Understanding the 1982 Guatemalan Genocide," in *State Violence and Genocide in Latin America: The Cold War Years*, eds. Marcia Esparza, Henry R. Huttenbach, and Daniel Feierstein (New York: Routledge, 2011), 81–103; and Victoria Sanford, *Buried Secrets: Truth and Human Rights in Guatemala* (New York: Palgrave, 2003).
42. The trial has had various incarnations since then. In October 2017 it took place behind closed doors ("Se reanuda juicio por genocidio contra Efraín Ríos Montt y José Rodríguez Sánchez," *Prensa Libre*, 13 October 2017, http://www.prensalibre.com/Content/Articles/2017/10/13/NAC-131017-RP-JUICIO-RIOS-MONTT).
43. E. De León and C. Mejía, "Se inicia juicio histórico por genocidio contra Ríos Montt," *Siglo Veintiuno*, 19 March 2013 and "Zuri [sic] Ríos: '*No hubo genocidio*,'" *Siglo Veintiuno*, 19 March 2013.
44. CACIF, "¡Ahora dicen que los guatemaltecos somos genocidas!" 19 March 2013, http://www.cacif.org.gt/index.php?option=com_content&view=article&id=1059&Itemid=468&lang=es. CACIF's use of "acts of violence" to talk about violence that took place in the armed conflict is interesting. Following the Peace Accords, the CEH had carefully categorized the state's violence as human rights violations and the guerrilla's crimes as "acts of violence." This raises the question of whether CACIF used the phrase intentionally, to underscore the guerrilla's actions without naming them. See also, CACIF, "CACIF llama a Corte de Constitucionalidad a preservar gobernabilidad y futuro del país," *El Periódico*, 13 May 2013. Paid ad.
45. See, for example, HIJOS Guatemala, Radio Guerrilla, and US journalist Xeni Garden's facebook and twitter feeds from 23 April 2013. These sources report that, when asked what the banners they were holding said, the women holding them admitted that they could not read. The signs declared that genocide was a lie.
46. David Stoll has made this point at various times in his career, though his assertions to this effect tend to generate much debate and are often rejected. David Stoll, *Between Two Armies in the Ixil Towns of Guatemala* (New York: Columbia University Press, 1993) and David Stoll,

"Guatemala—Was it Genocide?" 31 October 2013, http://sites.middlebury.edu/dstoll/files/2013/10/Guatemala-Was-It-Genocide.pdf).

47. Greg Grandin has discussed the diversity of indigenous political or ideological outlooks in depth in *The Blood of Guatemala: A History of Race and Nation* (Durham, NC: Duke University Press, 2000), though the focus of the book is not on the years of the conflict. Michelle Bellino makes a similar point in *Youth in Post-war Guatemala: Education and Civic Identity in Transition* (New Brunswick, NJ: Rutgers University Press, 2017).
48. Fundación contra el Terrorismo, "La Farsa del Genocidio en Guatemala: Conspiración Marxista desde la Iglesia Católica," *El Periódico*, 26 May 2013, 2. Paid ad.
49. Fundación contra el Terrorismo, "Conspiración Marxista desde la Iglesia Católica," 5, 8–9.
50. Tristan Clavel and David Gagne, "Head of Guatemala's CICIG Goes on Offensive Amid Smear Campaign," *InSight Crime*, 14 February 2017, https://www.insightcrime.org/news/analysis/head-guatemala-cicig-offensive-amid-smear-campaign/. It is important to point out that Méndez Ruíz's father was a military officer and, as reported in *Foreign Policy*, had he still been alive in 2012, would have been charged in relation to the 600 blindfolded and bound skeletons found in pits at a military base near Cobán (Saul Elbein, "The Field of Battle Is the Courts of Justice," *Foreign Policy*, 5 April 2016, http://foreignpolicy.com/2016/04/05/guatemala-civil-war-rios-montt-united-nations/).
51. Evelyn Boche, "Moisés Galindo, el abogado de los militares," 7 October 2017, *El Periódico*, https://elperiodico.com.gt/nacion/2017/10/07/moises-galindo-el-abogado-de-los-militares/.
52. Edelberto Torres-Rivas describes them as in being in the political center (Edelberto Torres-Rivas, "Torres-Rivas responde al campo pagado de los ex funcionarios de Arzú," *Plaza Pública*, 17 April 2013, http://www.plazapublica.com.gt/content/torres-rivas-responde-al-campo-pagado-de-los-ex-funcionarios-de-arzu).
53. Luis Flores Asturias, Eduardo Stein Barillas, Gustavo Porras, Raquel Zelaya, Richard Aitkenhead, Adrián Zapata, Arabella Castro de Paiz, Rodolfo Mendoza, Marta Altolaguirre, Marco Tulio Sosa, Mariano Ventura Zamora, and José Eljandro Arévalo Alburez, "Traicionar la paz y dividir a Guatemala," *El Periódico*, 16 April 2013. Paid ad.
54. Luis Flores Asturias, Eduardo Stein Barillas, Gustavo Porras, Raquel Zelaya, Richard Aitkenhead, Adrián Zapata, Arabella Castro de Paiz, Rodolfo Mendoza, Marta Altolaguirre, Marco Tulio Sosa, Mariano Ventura Zamora, and José Eljandro Arévalo Alburez, "Compromiso con la verdad y la paz," *El Periódico*, 25 April 2013. Paid ad.

55. Helen Mack, Juan Pensamiento Velasco, Karen Ponciano, Karin Slowing Umaña, Lucrecia Hernández Mack, Manolo Vela Castañeda, and Raúl Figeroa Sarti, "La verdadera paz nace de justicia," *Prensa Libre*, 22 April 2013. Paid ad.
56. Stern, *Remembering Pinochet's Chile*, 106–107.
57. Torres-Rivas, "Torres-Rivas responde."
58. "Edelberto Torres Rivas: Guatemala no tiene cultura de debate," *Prensa Libre*, 18 April 2013.
59. Edelberto Torres-Rivas, "Guatemala: la memoria histórica a prueba, reflexiones sobre la muerte, la verdad y el olvido," *Revista Memoria* 121 (March 1999), 49.
60. Edelberto Torres-Rivas, "Torres-Rivas responde." *Prensa Libre* published a few of his comments about the trial and the debate it was generating the next day. He is quoted, rather confusingly, as saying that "We do not know if genocide was committed or not." In cases of genocide, it was essential to determine who was responsible and "this, without a doubt, was the army" ("Edelberto Torres Rivas: Guatemala no tiene").
61. Torres-Rivas, "¿En Guatemala hubo genocidio?" *El Periódico*, 23 September 2012, https://web.archive.org/web/20121112035814/elperiodico.com.gt/es/20120923//218262.
62. Luis Ángel Sas, "Extractos del veredicto contra Efraín Ríos Montt," *Prensa Libre*, 12 May 2013, http://www.prensalibre.com/noticias/justicia/Extractos-veredicto-Rios-Montt_0_917908232.html.
63. Organismo Judicial, "Sentencia," C-01076-2011-00015, 662–663.
64. Martín Rodríguez Pellecer, "Quiero que alguien me demuestre que hubo genocidio," *Plaza Pública*, 25 July 2011, https://www.plazapublica.com.gt/content/quiero-que-alguien-me-demuestre-que-hubo-genocidio.
65. Pérez Molina is identified with the perpetrators of gross human rights violations, as seen in the graffiti calling him the "assassin president" and the "Kaibil president." As well, documentary evidence and video footage show him in the Ixil triangle in the early 1980s standing over a row of dead bodies. That the "Trial of the Century" took place during his presidency added to the atmosphere of debate, especially since he had denied that genocide had been committed in 2011 (Rodríguez Pellecer, "Quiero que alguien me demuestre"), in 2013 ("Pérez Molina insiste que en Guatemala no hubo genocidio," *Emisoras Unidas*, 10 May 2013, http://noticias.emisorasunidas.com/noticias/nacionales/perez-molina-insiste-que-guatemala-no-hubo-genocidio), and again in 2015 ("No hubo genocidio en Guatemala, sostiene presidente Pérez Molina," *La Nación*, 7 January 2015, http://www.nacion.com/mundo/centroamerica/genocidio-Guatemala-presidente-Perez-Molina_0_1462053787.html).

66. "Aprueban punto resolutivo que niega genocidio en Guatemala," *Prensa Libre*, 13 May 2014, http://www.prensalibre.com/noticias/justicia/diputados-aprueban-punto_resolutivo-negaria-genocidio-Guatemala_0_1137486508.html and "Congreso niega genocidio en Guatemala," *Siglo Veintiuno*, 13 May 2014, http://m.s21.com.gt/nacionales/2014/05/13/congreso-aprueba-punto-resolutivo-que-niega-existencia-genocidio.
67. More than one commentator seemed not to be bothered that crimes against humanity had been committed in Guatemala. The real issue was genocide. *Prensa Libre* columnist and self-described "lover of liberty and technology," Jorge Jacobs, for example, argued that *no hubo genocidio* because "the intention" aspect of the definition of genocide was absent in Guatemala. Intention is the key to determining if genocide had been committed or not, not the "acts" themselves. "Without this intention," he wrote, "these acts can be categorized as crimes against humanity, but not as genocide," and should be punished (Jorge Jacobs A., "Cuál genocido," *Prensa Libre*, 16 May 2013).
68. In February 2009, Mexican newspaper *La Jornada* reported that Colom asked for forgiveness from the victims of the armed conflict and recognized that what happened in Guatemala was, in fact, genocide ("En Guatemala 'hubo genocidio, etnocidio y destrucción de líderes', admite Álvaro Colom," *La Jornada*, 26 February 2006, http://www.jornada.unam.mx/2009/02/26/mundo/027n1mun). In Guatemala, however, this recognition of genocide went unmentioned. See, for example, "Demandan cumplimiento en entrega de resarcimiento," *Prensa Libre*, 26 February 2009.
69. Frank LaRue, "Libertad de expresión y libertad de opinión," *Prensa Libre*, 21 May 2013.
70. Alex F. Rojas, "Genocidio es negado por legisladores," *Prensa Libre*, 14 May 2014, http://www.prensalibre.com/noticias/politica/Genocidio-negado-legisladores_0_1138086211.html.
71. Carlos Álvarez y Jerson Ramos, "Sepur Zarco: Fiscalía lleva cajas con osamentas a juicio," *Prensa Libre*, 9 February 2016, http://www.prensalibre.com/guatemala/justicia/fiscalia-lleva-osamentas-a-tribunal-de-caso-sepur-zarco and Sonia Pérez D., "Muestran en tribunal osamentas de fallecidos en guerra interna," *El Periódico*, 9 February 2016, https://elperiodico.com.gt/nacion/2016/02/09/muestran-en-tribunal-osamentas-de-fallecidos-en-guerra-interna/.
72. Nelson Rauda Zableh, "Pedro Chicas resucita para enjuiciar a los responsables de El Mozote," *El Faro*, 1 April 2017, https://elfaro.net/es/201703/el_salvador/20194/Pedro-Chicas-resucita-para-enjuiciar-a-los-responsables-de-El-Mozote.htm.

73. "Estado oficializa en 986 cifra de víctimas mortales de masacre El Mozote," *La Prensa Gráfica*, 9 December 2017, https://www.laprensagrafica.com/elsalvador/Estado-oficializa-en-986-cifra-de-victimas-mortales-de-masacre-El-Mozote-20171209-0037.html.
74. Nelson Rauda Zableh, "Defensor del caso El Mozote admite que sí ocurrió una masacre," *El Faro*, 18 October 2017, https://elfaro.net/es/201710/el_salvador/21043/Defensor-del-caso-El-Mozote-admite-que-s%C3%AD-ocurri%C3%B3-una-masacre.htm.
75. Nelson Rauda Zableh, "Un general de la guerra valida el relato de la Comisión de la Verdad," *El Faro*, 20 October 2017, https://elfaro.net/es/201710/el_salvador/21065/Un-general-de-la-guerra-valida-a-la-Comisi%C3%B3n-de-la-Verdad.htm.

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CHAPTER 8

Conclusion: The Power of Words, and of Remembering

There are *lieux de mémoire*[1] scattered throughout San Salvador and Guatemala City, as well as outside the two capitals and their sprawling suburbs. These *lieux de mémoire* push Salvadorans and Guatemalans to recall various moments in the past, including the two countries' recently ended conflicts. Sometimes ephemeral, sometimes very permanent and extremely monumental, these places of memory are in often silent dialogue with each other.

In San Salvador, the Monument to Reconciliation, located on Monseñor Romero Boulevard, is just 500 meters away from the Major Roberto D'Aubuisson roundabout and monument. For better or for worse, the monument is not located directly on Monseñor Romero Boulevard. D'Aubuission, of course, is responsible for Romero's assassination. The Monument to the Salvadoran Solider, on the other hand, is located just below one of the Boulevard's overpasses. As the plaque reads, the larger Plaza to the Salvadoran Soldier was unveiled in 1984 as a token of "the Salvadoran people's recognition of the brave soldier who fights to consolidate democracy, achieve social justice, preserve liberty, and conquer peace." The Central American University "José Simeón Cañas" (UCA), with its various memory sites honoring the Jesuits and their collaborators who the state (and its soldiers) assassinated in 1989, is located one kilometer away from the Monument and Plaza to the Salvadoran Solider, and just a bit further from D'Aubuisson's monument. Monuments to the FMLN's Melinda Anaya Montes and Schafik Handal are further afield (Fig. 8.1).

R. Hatcher, *The Power of Memory and Violence in Central America*,
https://doi.org/10.1007/978-3-319-89785-1_8

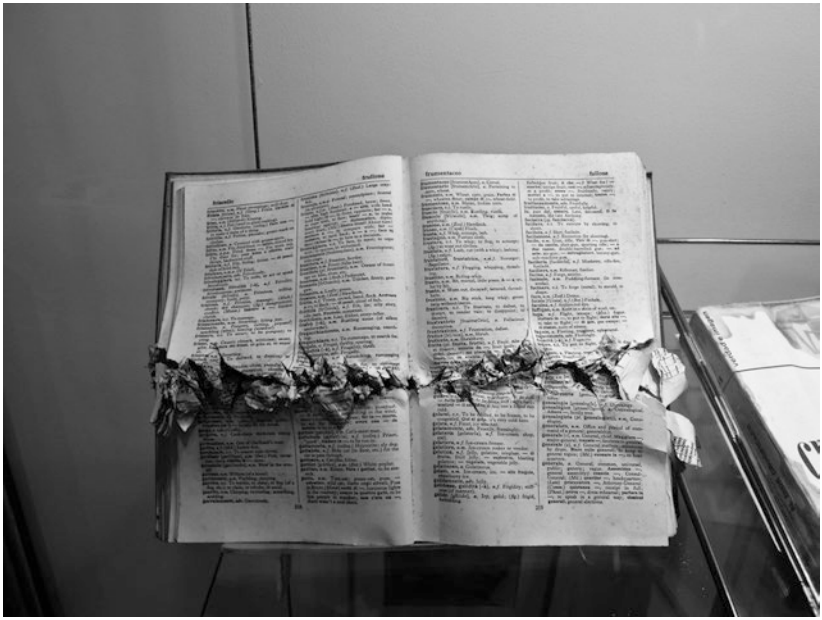

Fig. 8.1 A bullet's path in the Martyr's Museum at the UCA. Photo by author. 11 November 2013

Other sites scattered around the city also concentrate the memory of D'Aubuisson and Romero and celebrate one or the other of the two men. For D'Aubuisson, this includes his grave and, since August 2017, a memorial plaque laid in his honor by Santa Tecla's current mayor, and D'Aubuisson's son, also named Roberto D'Aubuisson. The older D'Aubuisson is honored as a *Tecleño ilustre*, or famous Santa Teclan.[2] The memory of Romero is concentrated in various sites around the city. For example, in the Hospitalito, the church where he was killed, and in the monument erected in his honor a short distance from El Salvador's most important monument, the Monumento al Divino Salvador del Mundo, or the Monument to the Divine Savior of the World. The list also includes the mural at El Salvador's newly renamed Monseñor Óscar Arnulfo Romero International Airport, the airport itself, and the crypt at the National Cathedral, where Romero's remains rest. He also, of

course, is a focal point of the Monumento a la Memoria y la Verdad (Monument to Truth and Memory), as he is in the Monumento a la Reconciliación.

The Universidad de El Salvador (UES, University of El Salvador), like the UCA, has its own memory sites commemorating especially the university's victims. At the top of this list are the unknown number of students disappeared on 30 July 1975 who have several murals and reliefs in their honor, in addition to a large white sculpture of two hands with bullet holes through them.[3] The UES's memory sites also includes the "Hebert Ernesto Anaya Sanabria" Auditorium. The plaque reads that Anaya Sanabria refused to break when he was threatened, when he was jailed, and even when he was kidnapped by the *policía de hacienda*. He was "assassinated by police agents dressed in civilian clothes on 26 October 1987." The auditorium was renamed on 30 October 1987, at a time when so publicly denouncing state agents as perpetrators was far from safe.[4]

Guatemala City perhaps has fewer permanent *lieux de mémoire*, and those that do exist seem concentrated in the city center. The Catholic Church has etched the names of the victims the Proyecto Interdiocesano de Recuperación de la Memoria Histórica (Remhi Project Interdiocesan Project for the Recuperation of Historical Memory) collected on the pillars in front of the cathedral in the city's main plaza, the Parque Central. The cathedral is located perpendicular to Guatemala's historic seat of government, the Palacio Nacional, or National Palace. Though the National Palace no longer functions as the seat of government, these names nevertheless challenge the government to forget, for the Presidential Palace, the Secretaria de Asuntos Administrativos y de Seguridad (SAAS, Secretariat of Administrative and Security Matters of the President), and Vice President's office, among others, are located in the next block. These latter are frequent targets of those seeking to create, using spray paint and glue, more ephemeral memory sites, as is the Parque Central itself, which is also a site of frequent protests. San Sebastián Parish is located just a few blocks to the north of the Parque Central. It is where monseñor Gerardi was assassinated by members of what is now the SAAS, but was formerly the Estado Mayor Presidencial (EMP, Presidential General Staff). Across the street from the parish are the new offices of the Asociación para el Avance de las Ciencias Sociales en Guatemala (AVANCSO, Association for the Advance of the Social Sciences in Guatemala) which for some time featured a plaque honoring

Myrna Mack, one of its founders. Mack was assassinated by the state in 1990 for her work with the Comunidades de Población en Resistencia (CPRs, Communities of Population in Resistance). Further northeast, in Zone 6, the Archivo Histórico de la Policía Nacional (AHPN, Historic Archive of the National Police) is something like a memory site within a memory site, for the Archive does not only contain archives documenting state terrorism. The building itself was used as a clandestine detention center and its interior walls are now covered with murals remembering the conflict and its victims.

A plaque in honor of assassinated student leader Oliverio Castañeda marks where he was killed south of the Parque Central and a portion of the Avenue has been re-named in honor of Myrna Mack, who was killed on that street when AVANCSO's offices were located there. A handful of other victims are remembered in similar ways around the city. The (difficult to access) Monument to Peace is located further south, in front of the Palace of Justice, where activists create ephemeral memory sites when they denounce human rights violations, remember the victims, demand trials, and celebrate victories, most often in the Human Rights Plaza. A metal sign has been erected on the bridge that crosses over the busy street between the Palace of Justice and the municipal offices to celebrate 20 years of peace. "Wars," the sign reads, "are useless."

Guatemala's military museum, located in the San José Fort, silently looks down on all of this, silently because the museum says very little one way or the other about the conflict. Explanatory plaques in front of the museum's various helicopters, airplanes, tanks, and trucks simply declare they were used during the internal armed conflict. That said, the overall purpose of the museum is of course to celebrate the "glorious Guatemalan Army," as Coronel Edwin Leonel Urrutia Hernández, the head of the Military History section of the Guatemalan Army, assures visitors to the museum's webpage. Just what the military's memory of the conflict might be is clear in Urrutia Hernández's emphasis on visitors to the museum learning to "value" the work the Army as an institution has done. Most importantly, he hopes visitors come to appreciate the "sacrifice that [soldiers] have made for the good of the country."[5]

Whether these different *lieux de mémoire* are in conversation or simply stare at each other across the city without saying a word depends, perhaps, on how much we anthropomorphize them. But certainly the groups who embrace the memory each of these sites recounts are in

heated conversation with each other, struggling to dominate the conversation and drown out other voices and their contrasting truths of the past. This can be seen in the fact that D'Aubuisson's various memorial sites do not include Major Roberto D'Aubuisson Arrieta Street. The mayor of San Salvador announced in 2014 that San Antonio Abad Street would be renamed after D'Aubuisson arguing that, like San Antonio Abad, D'Aubuisson was an important figure in Salvadoran history. Reaction to the mayor's announcement was swift. The human rights community mobilized to declare "No street with his name" and asked "Do you need a name for a street? I offer you 30,000."[6] Outside the UES, located at end of San Antonio Abad Street, someone wrote "D'Aubuisson, Assassin of a Prophet."[7] D'Aubuisson's monument is also a site of activists' occasional interventions, who painted "assassin" on one of the monument's façades. No trace of that action remains other than photos.

These very public, very visual, debates about the past, about who is a hero and who is an assassin—about whether assassins can be heroes—are matched by equally heated debates about and struggles over words. Words are not just words. They represent ideas and ways of seeing the world. And when strung together in phrases, words form discursive scaffoldings that shape and are also shaped by how Guatemalans and Salvadorans can talk about the past. These scaffoldings work to determine and limit not only what Guatemalans and Salvadorans know or believe to be true about the repressive past, but also the role of the past in the present and future. Thus, different sectors in Guatemala with different truths of the past repeat that the(ir) past must be remembered so that it never happens again. Guatemala's memory-centered discursive scaffolding dictated that conservatives' will to forget had to be whole-heartedly denied, and forgetting promoted more subtly from behind the façade of remembering. At least until 2014, there was no place to talk about the possible usefulness of forgetting. In El Salvador, on the other hand, few limits exist; no one has to hide their belief in forgetting's beneficial effects. Instead conservatives openly promote both forgetting and their truth as the human rights community even more openly rejects forgetting in favor of their own very distinct truth.

Why is forgetting so anathema to the human rights community when Søren Kierkegaard, for example, writes that, "to be complete, [each individual] must live as much in the hope that stems from forgetting as in the continuity that is produced by recollection"?[8] Friedrich Nietzsche

argues more forcefully for forgetting. He states that "life in any true sense is absolutely impossible without forgetfulness." Indeed, happiness itself is rooted in "the power of forgetting"; for those who cannot forget, happiness will remain elusive. He tempers his argument in favor of forgetting by stating that "we must know the right time to forget as well as the right time to remember."[9] Marc Augé, for his part, writes that "Oblivion is a necessity both to society and to the individual. One must know how to forget in order to taste the full flavor of the present, of the moment, and of expectation, but memory itself needs forgetfulness."[10] In her discussion of the Spanish Civil War and the role its memory has played in the democratization of Spain, Paloma Aguilar draws on the work of Trevor Lummis to argue that amnesia and memory are equally important. Lummis had argued that the parts of the past that are silenced are dangerous, and often more so than the past that is remembered; however, as Aguilar writes, "amnesia can also be as important as memory in cementing the peaceful bonding of a nation."[11] Amnesia becomes even more important when "offenses which must be pardoned are so unpalatable that reconciliation is only possible through amnesia."[12]

If it is so clear to Kierkegaard, Nietzsche, Augé, Aguilar, and others that remembering goes hand and hand with forgetting, why do Guatemalan and El Salvadoran human rights organizations, and similar organizations around the world, insist on uncompromised memory? In most cases, the answer does not lie in Tzvetan Todorov's view that, when we are called on to never forget a past, "we are not being asked to undertake any recovery of memory….What we are being invited to undertake is the defense of a particular selection of facts that allow its protagonists to maintain their status as heroes, victims, or teachers of moral lessons, against any other selection that might give them less gratifying roles."[13]

It is more useful to reflect on Ernest Renan's tangling of forgetting with nation-building. In his 1882 lecture, he argued that "forgetting, I would even say historical error, is essential to the creation of a nation." For Renan, the creation of a nation requires that its members "have a great deal in common and also that they have forgotten a great deal."[14] David Gross makes a related point about nation-building and argues that memory "can be very effective social cement." Society and social institutions, he adds, recognize this and so make decisions about what is worthy of remembrance and what is not. Thus, preserving certain

memories—and forgetting others—is "purposeful, intentional, and institutionally supported," and directed toward social cohesion.[15]

Memory can indeed be strong social cement, but human rights organizations' calls for memory are more complex than wanting Salvadorans or Guatemalans to feel part of the same nation. At the risk of idealizing human rights organizations, the issue of remembering, of forgetting, revolves around what the (new) nation looks like. Remembering is more complex than George Santayana's over-cited declaration that "Those who cannot remember the past are condemned to repeat it" suggests. Remembering means not allowing impunity to continue. Remembering rejects the absence of the rule of law. To remember is not only to refuse to allow the survivors, the dead, and the disappeared to fade into oblivion; it is to remember that they fought for something. It is to remember that there were good reasons to fight, and to remember that those reasons continue to exist. To forget—that is, to remember D'Aubuisson as a hero and not as an assassin—is to normalize post-Peace hyper-violence and to re-imagine violent death as peace.

Notes

1. Pierre Nora, "Between Memory and History: Les Lieux de Mémoire," *Representations Special Issue: "Memory and Countermemory"* 26 (1989): 1–6 and Pierra Nora, *Realms of Memory: Rethinking the French Past*, Volume 1, Conflicts and Divisions, under the direction of Pierre Nora, ed. and with a foreword by Lawrence D. Kritzman, trans. Arthur Goldhammer (New York: Columbia University Press, 1996).
2. Roberto Valencia and Nelson Rauda Zablah, "Homenaje al mayor D'Aubuisson enfrenta a Santa Tecla con un ayuntamiento español," *El Faro*, 10 August 2017, https://elfaro.net/es/201708/el_salvador/20712/Homenaje-al-mayor-D%E2%80%99Aubuisson-enfrenta-a-Santa-Tecla-con-un-ayuntamiento-espa%C3%B1ol.htm.
3. The artist is Napoleón Alberto Romualdo. Romualdo also created the Monumento a la Reconciliation, various statues of Romero, the monument to Rutilio Grande, the monument to the UES students disappeared in 1975, and a range of others scattered around the country (https://napoleonalbertoromualdo.wordpress.com/pag-prova-uno/sculture-monumentali/).
4. Irina Carlota Silber explores the "*unmarked* spots, the everyday landscape scarred by years of violence and suffering" (Irina Carlota Silber, "Commemorating the Past in Postwar El Salvador," in *Memory and the Impact of Political Transformation on Public Space*, eds. Daniel J.

Walkowitz and Lisa Maya Knauer [Durham, NC: Duke University Press, 2004], 211).

5. "Servicio de Historia Militar," http://www.museo.mil.gt/.
6. See the Asociación Pro-Búsqueda's facebook page, published 8 December and 1 December 2014.
7. Seen by author, 20 June 2017.
8. David Gross, *Lost Time: On Remembering and Forgetting in Late Modern Culture* (Amherst: University of Massachusetts Press, 2000), 139.
9. Friedrich Nietzsche, *The Use and Abuse of History,* trans. Adrian Collins (New York: The Bobbs-Merrill Co, Inc., 1949), 6–8.
10. Marc Augé, *Oblivion*, trans. Marjolijn de Jager (Minneapolis: University of Minnesota Press, 2004), 3.
11. Paloma Aguilar, *Memory and Amnesia: The Role of the Spanish Civil War in the Transition to Democracy,* trans. Mark Oakley (New York: Berghahn Books, 2002), 15.
12. Aguilar, *Memory and Amnesia*, 17–18.
13. Todorov, *Hope and Memory: Lessons from the Twentieth Century*, trans. David Bellos (Princeton: Princeton University Press, 2003), 175.
14. Ernest Renan, *Qu'est-ce que qu'une une nation? / What is a Nation?* trans. Wanda Romer Taylor (Toronto: Tapir Press, 1996), 19–20. He also argued that "the advance of historical study often poses a threat to nationality, for historical inquiry, in effect, brings to light the violent events that are at the source of all political formations, even those whose consequences have been beneficial."
15. Gross, *Lost Time*, 25.

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