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Former Guatemalan dictator to stand trial

by Zoe Ryan



Former Guatemalan dictator Efraín Ríos Montt answers questions at the Supreme Court of Justice in Guatemala City Jan. 26. (CNS/Reuters/William Gularte)

Former Guatemalan dictator Efraín Ríos Montt will stand trial on charges of genocide and crimes against humanity in a Guatemalan court after his indictment Jan. 26, news outlets reported, and experts are saying this is "huge news" for Guatemala and the world.

Guatemala's attorney general, Claudia Paz y Paz, is charging Ríos Montt as the intellectual author of the crime of genocide and crimes against humanity that occurred when he was head of the military during the 1980s civil war. Judge Carol Patricia Flores Blanco ruled that Ríos Montt should stand trial for his part in the genocide, saying there was enough evidence to link him to it, The Associated Press reported.

Former general Ríos Montt, 85, was president of Guatemala for 17 months during the years 1982 and 1983, years that saw some of the worst violence of Guatemala's civil war. His defense said that he could not be charged because he did not control battlefield operations, according to news reports.

About 200,000 people, mostly Mayan Indians, were killed in the war, which lasted from 1960 to 1996,

and many are still missing. The government used a "scorched earth" policy to rid the country of left-wing guerrillas, but families of the dead and the Commission for Historical Clarification, Guatemala's truth commission, say it was a massacre of people caught in the crossfire, according to Reuters.

The truth commission, which sprang from the 1996 peace agreement that ended the war, also condemned in its 1999 report U.S. involvement in reinforcing Guatemala's national intelligence apparatus and training officers in counterinsurgency techniques.

Genocide is rarely prosecuted, said Amy Ross, a geography professor at the University of Georgia with a special research area in genocide.

Ross said this is the first instance she knows of that a national court is prosecuting its own citizen for genocide. Genocide trials typically have been prosecuted in international court.

Charges were not brought against Ríos Montt before because as a member of Guatemala's Congress he had immunity. He left Congress Jan. 14.

Impunity has "reigned" in Guatemala, said Mary Jo McConahay, a journalist and author of a new book on Guatemala and Chiapas, Mexico, *Maya Roads: One Woman's Journey Among the People of the Rainforest*. She has 30 years experience covering Central America, including articles for *NCR*.

A lot of persistence from the indigenous community brought the case to where it is today, she said, as well as work from previous prosecutors, the current prosecutor, a "very brave" judge and the attorney general.

The unprecedented case is definitely a victory, Ross said, but people should take a note of caution: An out-of-power 85-year-old is being prosecuted, not anyone currently in power in Guatemala with "blood on their hands" from the civil war.

Ross said her colleagues in Guatemala say that there is elation in the attorney general's courage.

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Paz y Paz, attorney general since late 2010, last year prosecuted four soldiers in connection with civil war killings in 1982 in the town of Dos Erres. Each soldier received 30 years for each of the 201 people killed, according to Reuters.

Pamela Yates is a filmmaker for Skylight Pictures who directed the documentaries "Granito" (2011) and "When the Mountains Tremble" (1983), both based in Guatemala. At the latter film's first public showing in Guatemala, an international lawyer investigating the genocide case approached Yates.

The best place for this case is Guatemala, said Yates, who is currently in the country.

"That way the survivors can see justice being carried out and their suffering acknowledged," she said. Inside and outside the courtroom, hundreds of indigenous people came "to be part of this historic moment," she said.

The prosecution used Yates' June 1982 interview with Ríos Montt, she said, a part included in the film "Granito" where he asserts that he was at the top of the chain of command.

From the film "Granito: How to Nail a Dictator" (Skylight Pictures) on Vimeo.

It's good news for the people that Ríos Montt is being indicted, said Paul Jeffrey, an ordained elder in the Methodist church and a journalist who lived in Central America for 20 years and covered it for *NCR* and other publications. But there are still a lot of bodies to be found, he said. More than 80 exhumations have taken place in Guatemala, according to McConahay's book, *Maya Roads*.

In 1998, a group of Catholic bishops in Guatemala released as part of the Recovery of Historic Memory Project (REMHI) "Guatemala: Never Again," a four-volume collection of stories from Guatemalan people who lived through the violence. The project's head, Bishop Juan Gerardi, was killed two days after the report's release. Military personnel were charged with his death. Ríos Montt's brother, Mario Enrique Ríos Mont (name spelled differently), currently an auxiliary emeritus bishop in the Guatemala archdiocese, helped with REMHI. The brothers are very different, Jeffrey said.

A photo of Ríos Montt in handcuffs appearing in newspapers after January's trial "takes your breath away," history professor Virginia Garrard-Burnett said. Some people never thought they would live long enough to see this day, she said. Ríos Montt is now under house arrest.

Although some people -- partly thinking of Ríos Montt's born-again Pentecostalism -- called the killings "a holy war," Garrard-Burnett said that label is too simplistic. Ríos Montt "was after everyone, not just Catholics," said Garrard-Burnett, who teaches at the University of Texas-Austin and recently wrote a book, *Terror in the Land of the Holy Spirit: Guatemala Under General Efraín Ríos Montt 1982-1983*.

About 12 clergy were assassinated, and Garrard-Burnett considers them martyrs who "haven't really gotten their due." People recognize clergy martyrs from other countries that went through similar violence, she said, but the mainstream has not recognized these ones from Guatemala's war.

In other attempts to prosecute high-ranking military officials in Latin America, a common defense has been to claim to be mentally unfit for trial. Garrard-Burnett's guess is that Ríos Montt, having so much military stature and pride, will not say he is mentally unfit.

His daughter, Zury Ríos, "completely backs him" as he goes through this, Garrard-Burnett said. Zury Ríos is major political figure, heading the Guatemalan Republican Front political party. She is married to former Illinois Congressman Jerry Weller.

Guatemalans on all sides of the debate will follow this closely, Garrard-Burnett said. Along with being president and general, Ríos Montt was a born-again Pentecostal preacher. When he preached on television on Sunday nights, he would describe his vision for Guatemala -- a "shining city on the hill" vision, Garrard-Burnett said. Because of this, some really liked him then, and some still really like him now, she said.



The recently elected Guatemalan President Otto Pérez Molina has

been criticized over his dealings in the war as a top military official. He has said he will not stand in the way of the trial, according to news reports.

He may be thinking that the eyes of the international community are on him now, Jeffrey said. Or he may be allowing this prosecution, Ross said, to avoid charges against himself. News reports hinted at his cooperation being in hope of restoring aid from the U.S., which eliminated aid to Guatemala in 1978.

The other complex part of this victory, Ross said, is the current condition of the poor in Guatemala, who are still living in abject conditions.

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