Murder with impunity: Guatemala: Not ready for ‘never Again’

by Douglas Cassel in the June 17, 1998 issue

Nearly all of Guatemala’s political murders, massacres and disappearances have been double violations of human rights: first the act of violence, then the impunity for the murderers. And it appears that the April 26 assassination of Auxiliary Bishop Juan José Gerardi Conedera will be no exception.

My friend Ronalth Ochaeta, legal director of the Archbishop’s Human Rights Office in Guatemala, had asked me to be present at the cathedral in Guatemala City on April 24 for the release of the church’s report on human rights violations during more than three decades of bloody civil war. The report was titled *Guatemala: Nunca Más* --“Guatemala: Never Again.”

“I’d be honored,” I said. “But why?”

“It could be dangerous,” Roni answered. “The report is very strong. We need an international presence to discourage violence.”

I was skeptical. Since the peace accords were signed in 1996, the level of political violence in Guatemala had fallen dramatically. In all of 1997, for example, the U.S. State Department reported no credible allegations of disappearances committed by security forces. While Guatemalan human rights groups might take issue with that assessment, all agreed that political violence was down sharply.

But I was not about to second-guess Roni. He has been legal director of the archbishop’s office since it opened in 1989 under the pastoral direction of Bishop Gerardi. Like Gerardi, Roni and his family have faced many threats and at times been forced to leave the country. If Roni wanted me there, I would be there.

The April ceremony was bold and moving. The country’s bishops were seated at the altar. The pews were filled by peasants, many in beautifully colored indigenous garb. Extra chairs were brought in for ambassadors and United Nations officials.

The coordinator of the report, Edgar Gutiérrez, began by explaining how church workers had interviewed more than 6,000 survivors in rural areas, many in their native Mayan languages. Roni followed with a summary of the findings: an estimated 150,000 dead, more than 55,000 documented victims of human rights violations, and more than 400 massacres. Eighty percent of the violations were attributed to the Guatemalan armed forces.

Then came the homily. I recall thinking, and later telling a friend, that the choice of Bishop Gerardi for this role meant that the church had decided to stare the army straight in the face.

During the worst of the violence in the 1980s, Gerardi had been bishop of Quiché, the mountainous, mostly Mayan diocese where the army concentrated much of its fire. After several priests and church workers were killed and Gerardi himself narrowly escaped an attempted assassination, he flew to Rome to inform the pope. On his return, he was denied entry into the country and forced into exile in Costa Rica. When he returned four years later, it was thought prudent that he serve in the relative safety of Guatemala City.

In his homily Gerardi was prophetic: “We wish to contribute to the building of a different country. That is why we have recovered the memory of the people. This road was and continues to be full of risks. But the building of the kingdom of God has risks, and its builders are only those who have the strength to face them.”

The ceremony ended with each bishop personally handing a copy of the report--actually its first two volumes, all that were ready--to representatives from each diocese. Gerardi handed his to Guatemala’s Noble Peace laureate, Rigoberta Menchú.

I remember thinking, as we filed out to a reception in the archbishop’s adjacent residence, how Guatemala had changed. Even a few years ago these truths could not have been spoken safely.

Then, barely 48 hours after the ceremony, Gerardi was found beaten to death in his garage. He had been brutally bludgeoned to the point where his face was unrecognizable; a priest identified him by his ring. Nothing of value was taken; men were reportedly seen fleeing in two getaway cars.

Guatemala had not changed as much, it seems, as I had thought. This was not an attack on a man; it was a renewed attack on a people.

That evening I attended the first of three days of vigil in the cathedral. So, too, did Guatemala's President Alvaro Arzú. On television later that night I saw an extraordinary sight: the president with his entire cabinet, facing the camera, denouncing the murder, proposing a joint commission of government ministers and church officials to oversee a vigorous investigation. It dawned on me then that the murder was most likely directed as well at President Arzú and his peace process.

Wisely, the church declined the president's offer for a joint commission, although it has shared information with the government and been briefed by its investigators--wisely, because the investigation to date, like so many others in Guatemala, lacks credibility.

The circumstances of the crime--its victim, its timing and its cruelty--should have made political assassination the leading theory for official investigators, as it has been for the church, human rights groups and ordinary Guatemalans. But not so. Based on nothing more solid than shaky identifications by two homeless men, the government's principal suspect, detained almost immediately, was an habitual drunk, so small and weak of mind and body as to raise doubts about his ability either to plan the crime or to undo the six-foot, three-inch bishop. This unlikely suspect, with an equally unlikely motive of robbery, occupied the first few weeks of investigation.

But as no further evidence emerged, the suspect and the robbery theory became untenable. By mid-May church lawyers called for his release from pretrial detention; by early June they all but declared him innocent.

At this point, the "volunteer" lawyer for the suspect, on the basis of a tape recording supposedly received from a petty criminal, put forward the theory that the murder had been a "crime of passion." According to this theory, which reportedly was also being given by military intelligence to President Arzú's cabinet the day after the murder, the parish priest of Bishop Gerardi's church was a homosexual who had been jilted by Gerardi. In a rage of jealousy, the priest had killed the bishop, who, according to the lawyer, was a boozer who had been unfaithful with women.

It is a measure of the brazen heights of impunity in Guatemala that such material can be peddled with a straight face. The lawyer moved to take the priest's

deposition but the judge refused, and the priest has sued for slander.

All three theories--robbery, jealousy and politics--remain on the table. Now, however, officials seem to be inching toward considering the church's claim that this was a political assassination. On June 8 authorities announced the arrest of a second suspect--a man who had been implicatedin the 1994 murder of Belgian priest Alfonso Stessel, which was linked at the time by the church to Guatemalan security forces. But the initial evidence against him in the Gerardi case appears weak.

In the meantime, violence in Guatemala has escalated ominously. Since Gerardi's assassination, a mayor and a high-profile prosecutor have been murdered, one apparently by a political rival and the other by a common criminal. The Italian priest who gave the homily at Gerardi's funeral has himself been forced to leave the country after receiving death threats.

Guatemala's long ordeal of violence and impunity is not yet at an end. It remains a land where the task of building God's kingdom entails serious risk. Only those with Gerardi's strength of faith need apply. cass