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Ríos Montt found guilty of Guatemalan genocide

by Mary Jo McConahay

Guatemala City — *UPDATED: Guatemala's highest court annulled the conviction of Ríos Montt on May 20.*

OUR EARLIER STORY: In a historic decision, former Guatemala head of state Gen. Efraín Ríos Montt, the U.S.-supported dictator who presided over state terror and mass murder in the 1980s, was found guilty May 10 of genocide and crimes against humanity, immediately beginning an 80-year sentence in a high-security prison in the capital.

Tears flowed among survivors and some 700 observers who applauded and embraced in the standing-room-only audience as Judge Jazmín Barrios, president of a three-judge tribunal, completed an hourlong reading of the sentence, declaring Ríos Montt's responsibility for the deaths of 1,771 Maya Ixil Indians and for torture, forced displacement and sexual violence aimed at destroying "the seed" of the indigenous group. The army suspected the Ixil of deep sympathy with leftist guerrillas.

"I feel at peace," said Juana Sánchez Toma. Sánchez had testified to being taken as a teenager into the Catholic church in Nebaj, the largest town in the highland Ixil area, where groups of soldiers repeatedly raped her, her mother and other women. In one part of the decision, which came after seven hours of deliberation, Barrios referred to soldiers' practice of slashing pregnant women to remove the unborn, and named 10 women, including Sánchez, who had described sexual violence, saying their testimony was "objective evidence" of the intention to make the Ixil "disappear."

"I can tell my children now there is justice in Guatemala," said Sánchez, who had traveled by bus for hours to be present for the verdict.

Ríos Montt, 86, insisted upon his innocence in a 50-minute, May 9 declaration. "The subversion was at

the palace door," he said, suggesting he rescued a threatened state from leftists. He said it was not he but field commanders who were responsible for operations in the Ixil area, a mountainous area where guerrillas were strong. Co-defendant Gen. Mauricio Rodríguez, 68, Ríos Montt's former chief of military intelligence, was found not guilty.

Since its beginning March 19, the trial was excruciating in graphic testimony from many of nearly 150 witnesses, and beset by delays resulting from defense maneuvers aimed to run it aground. The trial has been an international watershed, the first anywhere to process a former head of state for genocide in the national courts of the country where the crimes took place -- not an international tribunal.

Jurisprudence experts say the Guatemala trial will reverberate in nations making a transition to democracy, weighting global arguments in favor of prosecuting war criminals. It echoes first at home in Central America.

"Guatemala has given us this example," El Salvador Bishop Gregorio Rosa Chávez said in a news conference after Sunday Mass May 12. A much smaller country, some 75,000 died in El Salvador's 12-year civil war, which ended in 1992. Authors of egregious crimes have not been brought to court, including for the murders of Archbishop Oscar Romero, four U.S. churchwomen, six Jesuit priests, their housekeeper and her daughter, and hundreds of others.

"Central America has a tendency to deny the victim his rights, to forget, to lose the memory of things," Rosa Chávez said. "In this the church is categorical: It is not possible to arrive at forgiveness and reconciliation without passing through the moment of truth and justice." The Ríos Montt trial, he said, "may be favorable and positive for the regional dynamic."

Supporters of the trial had said its successful conclusion, no matter the verdict, would help to strengthen Guatemala's historically corrupt courts. Nevertheless, as it proceeded, a feeling of risk and insecurity often arose, suggesting that any maturing in the legal system is occurring in a polarized and still volatile country.

Over the course of the trial, a group of military veterans and opponents of the proceedings published at least 65 pages of paid ads that condemned figures prominent in rights and judicial activities, including Attorney General Claudia Paz y Paz and her family, emblazoning stories with names and photos, using "anti-subversive" language resonant of a day when publishing such lists was considered a concrete threat of violence. One target: members of the "Marxist Catholic church."

Two international expert witnesses said that after they delivered testimonies, government authorities contacted them, advised against leaving their hotels and suggested they depart the country as quickly as possible. Armed Public Ministry agents escorted them to the airport. Unarmed volunteer "accompaniers" from Peace Brigades International and the international network ACOGUATE hovered close to prosecution attorneys and indigenous witnesses outside the courtroom, while monitors in the blue vests of United Nations and Guatemala Public Ministry were visible among observers. In a chilling front-page photo in a local newspaper, Barrios was shown leaving her office sans jacket, wearing a bulletproof vest.

Ríos Montt, a born-again Christian member of the El Verbo church founded in Mendocino, Calif., ruled for 18 months after a coup in March 1982, presiding over one of the bloodiest eras of a 36-year civil conflict that took some 200,000 lives, according to a U.N.-sponsored Truth Commission report. The great majority who died were noncombatant Maya Indians. Expert witness Patrick Ball, a specialist who conducts quantitative analysis for international rights tribunals, presented research that suggested Ixil

Maya died violently during Ríos Montt's rule more often than non-Ixil neighbors by a factor of eight to one. In a Cold War atmosphere, the United States saw the fervently anti-communist general as an ally. In a 1982 visit to Guatemala City, President Ronald Reagan called Ríos Montt a man of "integrity" getting "a bum rap."

When the May 10 genocide verdict was rendered, the judges' order to take the prisoner away was not immediately fulfilled. Near pandemonium reigned around the defense table (it broke to the floor) as news media fought to record the general, standing to condemn the judgment with ire and gestures redolent of the charismatic speeches of his political life.

For nearly an hour, Barrios urged officers to take custody of Ríos Montt and called for security reinforcements to prevent the "risk of escape," but the courtroom continued out of control. Somewhere in the audience soft and melodic singing began, others joined, and the air filled with a song whose lyrics are from a poem by Otto René Castillo, a revolutionary writer turned guerrilla who was burned alive by army captors in 1967: "Here we only want to be human," audience members sang, "To eat ... to laugh ... to be in love ... to live life ..." Activity in the huge room calmed. Within minutes, the prisoner was removed.

Ríos Montt's son, Enrique, visited him the next day at the Matamoros prison in the center of the capital. However, the general's younger brother, Bishop Mario Enrique Ríos Mont (who spells his name differently), retired auxiliary bishop of Guatemala City, was denied entry.

Appeals to the verdict are expected.

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