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## GUATEMALA

### Ex-General Leads in Poll for Nov Runoff Election

A right-wing former General who wants to use the army to curtail growing violence in Guatemala is leading his center-left rival heading toward a Nov presidential runoff election, according to a public opinion poll published on 22 Sep in *La Prensa Libre*.

The survey by Vox Latina indicated that 54.4% of those polled (who said they had decided on a candidate) supported former Gen. Otto Pérez Molina in the 4 Nov vote, compared to 45.6% for economist Alvaro Colom Caballeros. About a third of voters still were undecided, according to the poll.

Colom, candidate of the National Unity of Hope (UNE), led Pérez of the Patriotic Party (PP) by four percentage points in the first round of voting on 9 Sep, after losing a large lead in the polls prior to the vote (Vol. 26, No. 9).

A surge in violence in one of Latin America's most crime-ridden countries appears to be helping hardliner Pérez Molina, who promises to use the death penalty more often and declare a state of emergency in crime-ridden areas.

More than 60% of those polled said crime was their top concern. With almost 6,000 murders unsolved last year, voters appear to be putting aside their concerns about using the army to do police work—the military and Civil Defense Patrol members were responsible for most of the civilian deaths in the 36-year civil war that ended in '96.

The controversial Gen. Pérez Molina, who commanded army troops in one of the most violent regions of Guatemala during the bloody civil war, has picked up support from voters who backed other conservative candidates in the first round of voting. He retired from military service in Jan '00 and founded the PP in Feb '01.

The Vox Latina survey polled 1,206 people over age 18 and was conducted between 18-25 Sep; it has a margin of error of plus/minus 4.1%.

## Who Really Killed Bishop Gerardi?

Author Francisco Goldman in *The Art of Political Murder* (Grove Press, 2007), his first book of nonfiction, tries to clarify the murder of 75-year-old Guatemalan Bishop Juan Gerardi Conedera, a Roman Catholic human rights advocate, who was killed in '98. This book is a searing indictment of a corrosive brand of politics that has overwhelmed a nation. The book's heroes are the Guatemalans of extraordinary bravery who zealously pursue Gerardi's killers, who, like Goldman himself, do not shrink from the facts, who expose government and military complicity at every stage of the crime.

Bishop Gerardi—Coordinator of the Human Rights Office (ODHA) for the Archdiocese of Guatemala and director of the Interdiocesan Historical Memory Recovery Project and its landmark study of human rights abuses during Guatemala's 36-year civil war—was brutally murdered as he returned to his Guatemala City residence on 26 Apr '98. Two days earlier he had released the four-volume *Recovery of Historical Memory* report on the civil war that formally ended in '96 (Vol. 17, Nos. 5-6, 8-11; Vol. 18, Nos. 2-5, 7-11; Vol. 19, Nos. 2-5, 12; Vol. 20, Nos. 2-8).

According to this report, an estimated 150,000 civilians were killed and another 50,000 "disappeared" during the internal armed conflict. More than 400 villages were erased from the landscape as homes were burned, crops destroyed and the inhabitants cruelly massacred. The victims, for the most part, were Mayan peasant farmers from poor, isolated villages throughout the western highlands. And 90% of the civilian deaths and disappearances were attributed to members of the armed forces or the army-commissioned Civil Defense Patrols.

The indigenous Mayan population, which makes up about 40% of the people in Guatemala, the majority of whom are poor, suffered the most: whole villages were destroyed, while fear fed docility and caused massive migrations. The bishop's commission nonetheless extracted chilling firsthand accounts of torture and massacres conducted by military forces intent on ridding the country of left-wing guerrillas. The distinction between civilian villagers and armed rebels often got lost, and human rights workers, labor leaders and clergy members came to be seen as enemies of the State.

It is a familiar theme in Latin America but, in Guatemala, the violence seems to have a particularly white-knuckled grip. Goldman, whose mother is Guatemalan and who spent much of his youth in the country, explains the bishop's murder in the context of an unfortunate history in which US government support for military and intelligence operations helped create an elite ruling class in Guatemala bent on perpetuating itself.

Gerardi believed that his report, "Guatemala: Never Again," would help avert future atrocities. He knew he would ruffle more than a few epaulets, even with the amnesty granted the military in the peace accords. He had already survived one assassination attempt and then spent three years in self-preserving exile in Costa Rica.

For years, Goldman writes, the military eavesdropped illegally on Gerardi and tracked his movements. On the day he was fatally bludgeoned, one of the killers, Sgt. Maj. José Obdulio Villanueva, was clandestinely sprung from his prison cell (where he was serving a sentence for a previous murder) for the few hours needed to commit the crime. Homeless squatters outside the bishop's home may have been given drugged food and drink. The killers had not counted on a passing taxi driver noting the license plate number of a military vehicle at the scene.

Heroically penetrating the thicket of lies and misdirection, Goldman praises Guatemala's real patriots—those lawyers, judges and human rights advocates who kept doing their thankless jobs in

the face of intimidation and worse. Before the trial reached a conclusion, prosecutors received death threats, potential witnesses mysteriously died, and investigators, particularly those known as the Untouchables, were wiretapped. After the verdict, a lead attorney's brother was killed, after his limbs were torn away

Elaborate attempts to paint the murder as something else—a crime of homosexual passion, an attack by an arthritic German shepherd (which died before its name was cleared), a gang robbery gone wrong—ultimately failed.

Finally, on 8 June '01, a three-judge panel convicted not only Villanueva, but also a former counterinsurgency commander, Col. Byron Disrael Lima Estrada, along with his son, Capt. Byron Lima Oliva, and a Roman Catholic priest, Mario Orantes Nájera, who had a room at the bishop's residence and who may have been most guilty of keeping silent to protect his private life (Vol. 20, No. 6). The longest sentences, 30 years for the military men, were later reduced to 20, although Villanueva was killed (perhaps conveniently) in a prison riot.

The Gerardi murder case finally came to an end after three-years of delays amid a wave of death threats that caused judges, witnesses and lawyers to flee the country. Several witnesses were killed, and at least four judges resigned out of fear for their own safety. A hand-grenade damaged the home of one of the presiding judges just two days before the trial began on 23 Mar '01 (Vol. 20, No. 4).

But justice remains incomplete. Goldman suggests that the real mastermind of the murder may still be free, and that it may be former Gen. Otto Pérez Molina, who is campaigning for president on a law-and-order platform (a runoff election is scheduled for 4 Nov). Goldman effectively discounts as propaganda the efforts to absolve Pérez Molina and the military of any responsibility for Gerardi's murder.

Goldman's theory about former Gen. Pérez Molina's culpability has received attention in Guatemala, where scores of candidates and political activists have died in the bloodiest political campaign there ever. Meanwhile, gang- and drug-related violence is on the rise, as are attacks on women. Against this backdrop, even a cautionary tale about the abuse of power can pale. The Gerardi assassination is just one more allegation against a man often implicated in extrajudicial murders and other human rights violations.

The electoral cycle has already been marred by violence, with 50 candidates, senior party officials and their family members murdered. Pérez Molina has promised "a firm hand" to bring the country's preposterously high murder rate (second only to Colombia's in all of the Americas, and rising) down by any means necessary—a chilling statement from a man of Pérez Molina's reputation.

(Adapted from book reviews by Carolyn Curiel of *The New York Times* and Daniel Alarcón of the *San Francisco Chronicle*, as well as from news articles in *Mesoamérica*.)

**Postlude:** Presidential candidate Otto Pérez has refuted the affirmations made by Goldman regarding his alleged involvement in the murder of Bishop Gerardi, and has threatened to sue the author for libel.

Response by Goldman: *I hope, when people have finally had a chance to read my book, The Art of Political Murder, that they will remember or reflect on these recently published bromides from Guatemala. They are only the latest example of the unrelenting media attacks, disinformation,*

*smears, distortions and falsehoods—as described in my book—directed against all those who have defied the Guatemalan Army, the defense and their supporters during the course of the Bishop Gerardi murder case.*

*The actual story of the investigation into the bishop's murder conducted by prosecutors and the young men from ODHA has never been publicly told, certainly never in Guatemala, or in any book or article so far published in Spanish. Throughout the Gerardi case's nine year history, prosecutors, judges, human rights investigators and a few journalists have shown extraordinary courage and conviction.*

*On 25Apr '07, the five judges of the Guatemalan Constitutional Court provided the latest example when, resisting and out-lasting months of outside pressures by powerful figures to subvert justice, they rejected the defense's last-ditch motions on behalf of the military officers jailed in the case. The historic verdicts of 2001, the first ever convictions of Guatemalan Army officers for participating in a politically motivated extrajudicial execution, a crime of state, are finally firm. Now the case has a chance to move on to the next stage: investigations of higher-ranking officers and politicians involved in the murder and its cover-up.*