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**Human Rights, Land Conflict  
and Memories of the Violence  
in the Ixil Country of Northern Quiché**

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Some years ago, when the idea of peace accords seemed like an impossible dream, I was the object of undeserved respect for doing fieldwork where soldiers and civil patrollers still occasionally clashed with guerrillas. The Ixil country of northern Quiché Department was presumed sufficiently dangerous that the U.S. Peace Corps forbid its volunteers from visiting. Ironically, Peace Corps volunteers encountered far more danger around their headquarters in Guatemala City, from common crime. When I brought my family to Ixil country in 1988, I presumed that, even though the army-guerrilla stalemate promised to drag into the next century, violence against civilians was dwindling. True, the army was still attacking refugees who refused to come down from the mountains. Anyone who defied the army in the area under its control was subject to swift intimidation or worse. But many Ixils were quick to assure visitors that the situation was now tranquilo compared with the living hell of 1980-82.

The same army that had wreaked havoc six years before felt obliged to honour certain guarantees to a population disinterested in further hostilities. This is why, long before the formal declaration of peace at the end of 1996, a counterinsurgency zone could feel safer than a crime-ridden capital. This also helps explain why, in the Ixil area, the most widely-felt result of the peace process was an outbreak of highway robbery. Mass holdups are common in Guatemala, but they were unknown in northern Quiché until a few months before the peace signing, when masked highwaymen, gangs armed with anything from cheap pistols to AK-47s, began stopping buses and robbing passengers. With the army confined to its bases, its civil patrols disbanding, and the guerrillas demobilising, the former monopolisers of armed force had stepped aside. The criminally inclined knew there was no one to stop them. And so the most widespread source of anxiety was not whether the two sides would comply with the peace agreement: it was women's fear of being raped by bandits.

This paper will address some of the paradoxes of demilitarisation, democratisation and our customary way of talking about these issues in terms of human rights. Because the peace process is usually analyzed on the national level, I will be very local in my focus, on the three municipios in northern Quiché Department known as Ixil country. As is customary on these occasions, I will dwell on problems rather than accomplishments, even though much has been accomplished. By taking a detailed look at the peace process in one area, I will suggest how a popular way of interpreting Guatemala can make it harder to perceive certain issues. If I keep returning to limitations of the human rights perspective, this is not to denigrate it. Guatemala is one of a number of countries in which human rights pressure has led to significant changes in official behaviour, if not in all the behaviour engaged in by officials during unofficial moments. Yet if we think of human

rights as a beacon which spotlights certain issues, the very intensity of the beam can leave other issues in shadow. So how can the human rights perspective put us in the dark?

Human rights is the latest of a series of master narratives or discourses - such as Christianity, development, and revolution - which have descended upon Latin America with mixed results. As a master narrative - one that comes to dominate perceptions and subordinate or exclude other possible story-lines - human rights is supposed to reflect the broadest interests of an entire country, just like Christianity, development, and revolution did. Such assumptions should always be suspect. For example, it is now proverbial that, especially in its final decade, the army-guerrilla conflict was not very meaningful to most Guatemalans. As the civil war dwindled into a feud between two institutions, other conflicts rose to the surface. It would not be surprising if a human rights discourse that came into existence to combat state terror, and that was still required to fight impunity, was not as helpful in elucidating other issues coming to our attention.

By the usual definition, only an agent of the state can violate human rights. Protecting human rights therefore means constraining state power, in the sense of putting up moral, social and judicial barriers against its improper deployment. But what if many Guatemalans do not perceive state power as the most serious threat they face? What about the many Guatemalans who apparently feel more threatened by criminals? It is easy to find situations in which Guatemalans are more concerned about their need for security than what they perceive as the more abstract –or even foreign- concept of human rights.

Elsewhere in this collection, Stener Ekern, Julián López García and Pedro Pitarch analyze the gap between how Mayas tend to understand rights and how lawyers and internationalists do. Mayas tend to condition rights on the fulfillment of obligations which are anything but equal for different categories of people. That can quickly produce harsh reactions to persons –more often than not, fellow *indígenas*- who they perceive as violators of community and order. The hundreds of mob lynchings of suspected criminals illustrate the problem. The demand for security can also translate into support for rightwing politicians—for example, the many Mayas who have voted for Efraín Ríos Montt, the former army dictator whose Guatemalan Republican Front (FRG) won the 1999 election. A man responsible for gross violations of human rights is, even to some of the peasants who suffered from his army's offensives, a defender of law and order (2).

Mayan peasants not only want a state strong enough to repress common criminals. They also want a state strong enough to deal with the land conflicts they face, which are often with each other. The peasant delegations making trip after trip to Guatemala City to make the rounds of government offices are not just humbling themselves before state power. They also want the state to intervene in local disputes, effectively and on their own side, which often means intervening against other peasants. To illustrate the point, I will look at land conflicts between peasants, not because this is the most important issue facing the peace process, but because it is an issue that does not fit comfortably with human rights perspectives. Such has become increasingly evident in the Ixil country of northern Quiché Department, as human rights becomes the rationale for foreign activists to intervene in local disputes. Peasant rivalry over land makes it very unlikely that truth commissions will be able to recover and disseminate a single "historical memory" of the violence, that is, one with which most peasants agree.

### **International aid and reconstruction**

The valleys and mountains of the municipios of Nebaj, Cotzal and Chajul are populated by Ixil Mayas, most of whom combine subsistence maize-farming with a trade or seasonal wage labor. There are also some K'iche' Mayas, some ladinos, and a stream of foreign aid volunteers. In the late 1970s and early 1980s, this rather poor, conservative district hosted the guerrilla revival of the period. The three municipios became known as the Ixil Triangle, a stronghold of the Guerrilla Army of the Poor (EGP). Thousands of noncombatants were killed by the army. Thousands more died of starvation and illness as they hid from army offensives. Hundreds more were killed by the EGP to keep its wavering followers in line. In the process of regaining the upper hand, the army burned down all the villages outside the town centres, then put refugees into closely watched model villages and forced all the men under its control to join anti-guerrilla civil patrols. By the late 1980s the army was guarding a surviving population of around 70,000, with another five or six thousand in the EGP-administered Communities of Population in Resistance, the CPRs of the Sierra, perched on the northeastern rim of Ixil country just before it drops to the Ixcán lowlands.

Since publishing Between Two Armies in the Ixil Towns of Guatemala in 1993, I have been involved in a debate over whether the insurgency grew out of the needs of the Ixils themselves or was imposed on them by the political-military decisions of the two sides. Many observers have accepted the guerrilla movement's explanation of itself, as a broadly-based response to worsening oppression which left Mayan peasants no choice but to take up arms. My position, based on interviews with survivors, is that armed struggle was not an inevitable outgrowth of Ixil experience with local exploiters and the state. Instead, I argue, the mere arrival of guerrilla organisers brought down ferocious reprisals from the security forces, which then radicalised a significant number of Ixils into joining the rebels (3).

Even if the insurgency's local roots were deeper, it is safe to say that, after the early 1980s, most Ixils decided that this was not their war, in the sense that they had little to gain and everything to lose. The result was a local vocation for peace-making which began years before the army and the guerrillas agreed to negotiate. In the EGP-administered CPRs as well as in army-controlled settlements, Ixils started their own peace process by turning their backs on both sides. Thousands of men forced to serve in the army's civil patrols figured out how to subvert the patrols from within, through tactics of passive resistance. The guerrillas had their own problems with non-compliance and defection in the CPRs. Through lack of enthusiasm for their duties, whether conceived by the Guatemalan army through its civil patrols or by the EGP through its parallel vision of organised, fighting villages, Ixils communicated to both sides that this should be a conflict between military forces, not a fratricide. Their disengagement from the guerrillas and the army turned the war into a ritual affair, for each side to keep up its pretension to represent the national interest.

Let me now sketch what has been accomplished in terms of restoring the economy and civil government. Of the problems facing Ixil country, a lack of financial support is not one. Ixils were an early target for international donations, not just because they had suffered heavily, but because the army decided to make them a showcase for its pacification programmes. The EGP's local strength contributed to the army's decision, as did fascination with the Ixils as a bastion of Mayan culture. Judging by the number of books, magazines and documentaries that sported their image, Ixil women in their spectacular red skirts were the cover girls for a war not of their making. Before the

violence, the non-governmental sector consisted chiefly of the Catholic Church. Now there are also some twenty evangelical denominations, plus major programs by the United Nations, the European Union, and the U.S. Agency for International Development, and an attending swarm of non-governmental organisations.

In the towns, every block seems to boast a different institución dedicated to the common good. One proyecto follows another with the predictability of skyrockets going off at a fiesta. As to be expected from an aid bonanza, the steady succession of projects has boosted the most entrepreneurial Ixils, an upwardly mobile class of business-people, school-teachers and other professionals. Two and three-story houses are going up on all sides, lines of pickup trucks bounce through the streets, hundreds of youth have entered secondary school. The old index of poverty, seasonal migration to the coast, is in decline, but it is being replaced by costlier and riskier odysseys to the United States. The commercial ventures with which Ixils are trying to replace plantation labour, such as producing artesan goods for tourists, have a desperate air. The majority of Ixils are still trapped in below-subsistence maize agriculture, from which they perceive the only deliverance is undocumented wage labor far to the north.

Still, certain favourable developments should outlast the aid bubble. First, a fiscal reform in the national Constitution sends ten per cent of the national budget to municipal governments, which makes them less dependent on the ruling party for public works. Second, ladino finca owners have been selling their holdings, which usually end up being parcelled out to Ixil farmers. Third, a broader slice of the peasant population is producing coffee, which is the area's most reliable cash crop. Peasants are also restoring livestock lost in the war and experimenting with new crops and techniques.

### **Demilitarisation and insecurity**

Given the amount of killing in Ixil country, it would be reasonable to expect that its inhabitants were still squirming under the military boot, at least until they were liberated by human rights activists and the 1996 peace agreement. What actually happened is more complicated. A decade before the official arrival of peace, the army was withdrawing from management of the town halls because Ixil disillusion with the guerrillas was so evident. Out in the villages, though men were pressured to stay in the civil patrols until the peace agreement, elders quietly reasserted their authority. Since Guatemala's return to civilian government in 1985, elections in the three Ixil towns have been technically fair, control of town halls has shifted regularly from party to party, and opponents are not afraid to hold rallies which can turn into sieges of the municipal building. On such occasions, the local interpretation of democracy suddenly turns Athenian, with hundreds and even thousands of people assembling in front of the town hall to demand explanations from the balcony.

To give credit where credit is seldom given, I know of at least two occasions when the army has rescued the losing side in plaza confrontations. In 1989, the garrison in Cotzal saved striking schoolteachers from angry civil patrollers (i.e., parents) summoned by the town's mayor. In 1996, the army stopped a mob from battering down the door of the Nebaj town hall to seize a youth accused of shooting a child. Since then, riot squads from the national police have come to Chajul more than once, to protect the town's mayor from crowds who accused him of giving away their land to the new Visis-Cabá Biosphere Reserve. Elsewhere in Guatemala, the recent wave of lynchings has been attributed to

manipulation by the army or behaviour learned during the violence. But the lynch mob or turba is nothing new in Guatemalan social history, even if this particular manifestation of it is. The possibility of facing mobs was on the mind of ladinos settling in Mayan areas in the nineteenth century. Perhaps mobs became more rare as the state consolidated authority. But it is also possible that foreign observers have downplayed the phenomenon, which is hardly unique to the Mayas, because it is not compatible with our idealization of Mayan culture.

Because the army-guerrilla conflict is increasingly explained in ethnic terms, as an inevitable consequence of the ethnic divide in Guatemalan society, I should mention what I have called "ethnic detente" in Ixil country - a surprising level of solidarity between indígenas and ladinos, which the war strengthened rather than weakened. Other areas could be different but, in Ixil country, members of both groups tend to avoid explaining current conflicts in ethnic terms; are often willing to criticise members of their own ethnic group for misbehaviour toward members of the other; and frequently vote for members of the other ethnic group. The guerrillas can take some of the credit for indigenous/ladino solidarity, by killing or chasing away the most abusive ladinos. The army can take even more of the credit, by making nearly everyone despise it. Another sign of solidarity is that, despite many horrible memories and unresolved conflicts, Ixils and their neighbours have not been very interested in pursuing blood vendettas. There are probably more homicides than before the war, often between youth in rival gangs. But there are not nearly as many homicides as there could be in a population that dropped as much as fifteen percent due to massacres and hunger. In keeping with their pioneer role in peacemaking, Ixils and their ladino neighbours have developed a broad consensus against more political killing.

At the time of the peace accords, Ixils still dreaded the G-2, the army intelligence and death squad wing that took hundreds of lives in the early 1980s. Even in Nebaj, the capital of political confidence in the Ixil area, I heard stories about the G-2 delegating local youth to watch neighbours and warn them against joining the left's organisations. The army also developed its own spin on human rights for villagers tempted to drop out of the civil patrols. Just before the UN established a branch of its MINUGUA observer mission in Nebaj, the army sent civic action teams into the villages with the message: "You know, you're not really obliged to talk to MINUGUA. They're here for a matter of months, but we are here to stay." Threats such as these are why so many Ixils were grateful for the arrival of human rights monitoring networks. The first to open in Ixil country was the government's Procurator for Human Rights (PDH), followed by the Archbishop's Office for Human Rights (ODHA) and the United Nations Mission to Guatemala (MINUGUA).

Only after the procurator's arrival in 1992 did the left's popular organisations surface in the towns and villages under army control. Having kept a low profile, the few Ixils belonging to these organizations were now reinforced by organisers sent out from the capital and delegates sent in from the guerrilla-controlled CPRs. Even under the protection of human rights monitors, there was a notable contrast between the cautious approach of Ixils who had spent a decade under army control and the confrontationalism of visitors from the CPRs and the urban left. For example, when visiting cadres from the CONAVIGUA widow's federation built up a roster of Nebaj women by distributing fertiliser, then led them into an anti-army demonstration organized by the CPRs, many of the Nebaj widows quit.

For most Ixils under army control, responsible behaviour did not include chanting slogans such as "army assassins, get out of here!" For Ixils who had experienced fifteen years of military occupation, that sounded like the same game that the EGP encouraged them to play in the late 1970s with disastrous results. What army-occupied Ixils found more appealing was to invoke the national constitution in a diplomatic manner. First individual men, then entire communities, informed the human rights procurator that they wanted to drop out of the army's civil patrols. He would arrange a meeting with army officers who, because of all the national and international pressures being brought to bear, were obliged to acknowledge the constitutional right to resign.

Under the 1996 peace agreement, the army closed all but three or four of its bases in Ixil country and suddenly dropped out of sight, to the point that it was conspicuously absent from local peace ceremonies. As for the guerrillas, their demobilisation in March 1997 was greeted with quiet awe rather than celebration. When EGP commander Ricardo Ramírez visited his fighters at their final encampment in Ixil country, they had tough questions for him. Some of the questions were about immediate issues such as financial compensation. Others were much broader, such as - why did we spend so many years in the mountains for so few concessions at the end?

When I reached Nebaj six months after the peace agreement, in June 1997, the most widespread cause of anxiety was the aforementioned outbreak of highway robbery. However, Ixils were also worried about a new armed group which, unlike the gangs of bandits, did not rob travellers. Instead, it regaled them with political slogans. Dressed in olive-green, its members were more numerous and better-armed than the highwaymen, and they identified themselves as the Guerrilla Forces '97. They accused the mayor of Chajul of stealing land and said they were going to kill him.

### **The land issue**

Die-hards who refuse to lay down their weapons are an inevitable complication in any peace process. But before getting back to the "Guerrilla Forces '97," if indeed they were that, we should look at the most difficult issue facing the peace process in Ixil country, which has to do with land, although not quite as this tends to be understood by outsiders. When scholars and activists present Guatemala to an international audience, we usually stress the inequality of land tenure, the famous contrast between latifundia and minifundia, wealthy plantation owners and land-starved peasants. This is indeed a structural contradiction in Guatemalan society, and there is no shortage of confrontations between peasants and finca owners. Even in Ixil country, whose agricultural potential is so limited that most of it is in smallholdings, the sizeable Finca San Francisco and Finca La Perla have long histories of conflict with peasants. Neighbouring smallholders would benefit from parcelling out the two estates, like other smaller fincas already have been. But even if this becomes possible, it will do little to alleviate land scarcity. One reason is that there is not enough finca land to divide among a rapidly growing population. Another is that the fincas are already occupied by resident labourers who, because they have worked the land for several generations, regard it as their own.

Let me now present three land disputes in the municipio of Chajul. All are located in the mountain valleys that descend toward the Ixcán and are warm enough to grow coffee, making them unusually attractive to smallholders as well as finqueros.

#### **Finca La Perla vs. villages of Sotzil and Ilom:**

The first conflict is over the Finca La Perla. It was the EGP's execution of La Perla's owner, Luis Arenas, in 1975 that set off the first wave of army repression in northern Quiché. From that point onward, political killing heightened tension between two classes of peasants in and around the plantation. One consists of Ixils in nearby villages which, in the early 1900s, were cheated out of the land on which La Perla sits. Here, especially in the land-starved villages of Sotzil and Ilom, the death of Luis Arenas may well have been applauded as the EGP claimed. Although many Sotzil and Ilom villagers used to work for La Perla part-time and rent land from it, they are not to be confused with a second class of peasants - the finca's full-time colonos or workers who live on the estate. For this mixed population of Ixils, Kanjobals and ladinos, the assassination of their patrón meant the end of a reliable wage. Seven years after the guerrillas killed Luis Arenas, the La Perla colonos who the EGP thought it was liberating not only joined the army's civil patrol; they also helped the army commit a chain of massacres with a cumulative toll of at least three hundred dead.

Since then, through many vicissitudes, La Perla's resident workers have clung to the finca for survival. They expect to be the beneficiaries if international donors ever pay the exorbitant price demanded by the Arenas family. Meanwhile, the surrounding Ixil villages still regard the land as their own. In the case of Sotzil, it took advantage of demilitarisation to join the National Indigenous and Campesino Coalition (CONIC). In retaliation, the finca stopped renting land to the villagers. On November 23, 1996, Sotzil chose the day the La Perla civil patrol was demobilising to reclaim its ancestral lands. No sooner had the La Perla civil patrollers handed over their weapons than word arrived that the Sotzils were coming through the fence. The civil patrollers grabbed back their weapons and went out to defend the finca's boundary, killing one claimant and wounding several others.

In theory La Perla is a property that could be divided. But because peasants continue to have large families, they are reluctant to give up any claim, however much conflict it promises. There is a demographic issue here, which I wish we could subsume in the issue of political economy, as in "have a land reform, and with more equality in the distribution of resources, peasants will have fewer children." Unfortunately, the implications cannot be wished away like that. As the population continues to grow, what now seems the most obvious agrarian issue, the existence of estates, will become only a manifestation of the underlying scarcity of land.

The peasants at odds with each other around La Perla raise another uncomfortable issue. To mobilise international opinion, the Guatemalan left and its supporters have not only dwelt on the dramatic contrast between the plantation sector and peasant smallholders. They also want us to believe that the state is a central actor in land disputes. Actually, this is a necessary condition for fitting land conflicts into a human rights framework, since a human rights violation is, by definition, an act of commission or omission by an agent of the state. But what if the state is only an occasional enforcer (as when it intervened against the assassins of Enrique Arenas, a national political figure) and usually is only an ineffective mediator? Magnifying the state's role, as Richard Wilson (1996) has pointed out, "verticalises" conflicts between local actors into national and even international ones. This helps foreign groups justify intervention but also diverts attention from the local dimension.

### **The K'iche's of Los Cimientos vs. the Ixils of Chajul and Cotzal:**

To illustrate how verticalizing a conflict obscures the local forces in contention, let us turn to a second dispute in the lower, coffee-growing valleys of Chajul, this one at a place called Los CimIENTos. In the early 1990s, K'iche' Mayas from Los CimIENTos told human rights organisations that they had been displaced by the war and that the army was preventing them from returning to their land. It was true that they had been displaced by the war. But it was not the army that was preventing them from going home. Blocking the way were the Ixils of Chajul, with whom the K'iche's have been feuding over Los CimIENTos since the early 1900s. According to the Ixils, the K'iche's used national land titling legislation to seize municipal land without their permission, just like plantation owners did. But the Ixil version of events, based on an indigenous ideology of ownership, was slow in reaching the international human rights community. This is why international volunteers, under the impression that they were protecting the K'iche's from the army, helped the K'iche's seize land being cultivated by Ixils.

Legal counsel for the K'iche's - Frank LaRue's Centro de Acción Legal y de Derechos Humanos (CALDH) - argued the case all the way to the Inter-American Human Rights Court. The lawsuit was against the Guatemalan government, for failing to enforce the land rights of the K'iche's and compensate their wartime losses. Yet the state was not a principal actor at Los CimIENTos in the way that the human rights perspective encouraged activists to assume. As soon as the case attracted international attention, the army stepped aside so that foreign accompaniers could face their actual antagonists - Ixils from Chajul and Cotzal. However many court decisions the K'iche's won - because their title was indeed valid under national law - back in Los CimIENTos they were still surrounded by hostile Ixils. The Ixil siege could be lifted only by national police enforcing an eviction order—a tactic the K'iche's tried before the war without success. This was the implication of using human rights activism to enforce a land title against indigenous peasants. In 2001, after seven years in which the two groups tore out each other's crops and every conceivable national and international agency tried to negotiate a compromise, Ixils armed with guns and machetes expelled the K'iche's. They spent more than a year as refugees before accepting a USAID-financed finca on the Pacific Coast.

The CPRs of the Sierra vs. the Ixils of Chajul:

For another example of how human rights discourse can be used to explain away peasant competition over land, let us return to the Communities of Population in Resistance (CPRs) of the Sierra--the last of the displaced peasants who stayed with the guerrillas in the mountains rather than surrendering to the army. Their final refuge was in the forest clearings of northern Chajul, opened up by Ixils from Chajul before the war. So as refugees often must, the CPRs squatted on other people's land. Until 1991 they were under attack by the army, which viewed them as guerrillas. Then an army helicopter pilot attacked a CPR settlement while UN representative Christian Tomuschat was watching. Human rights pressure forced the army to end its offensives, acknowledge the CPRs as noncombatants, and relax its blockade against them.

Because CPR members could now venture out to trade, the Ixils of Chajul felt that they should be able to travel in the reverse direction and reclaim their land. This the CPRs would not allow. Thanks to the international support they were getting, including a full-time complement of international accompaniers to discourage the army from resuming its attacks, the CPRs were emboldened to claim the land as their own. As had the K'iche's of Los CimIENTos, the CPRs and their foreign supporters tried to blame the hostility of the Chajules on the Chajul civil patrol. The army connections could be used to



turn the dispute into a human rights issue, yet the Chajules were defending land that was their own by national law as well as local custom (for more details on this and the Los Cimientos dispute, see Stoll 1995 and 1996).

After lengthy negotiations, punctuated by threats and brawls, Quiché bishop Julio Cabrera persuaded the CPRs to accept a timetable for leaving. In 1998 the majority of CPR households either returned to their home municipios or moved elsewhere collectively. One relocation to the nearby Zona Reina of Uspantán went well, but another to the Pacific Coast led to much hardship. The threats did not end immediately. Not long after the last EGP combatants left the local demobilisation camp and returned to civilian life, the mayor of Chajul was ambushed by the afore-mentioned Guerrilla Forces '97. Judging from communiques found at the scene, this heretofore unknown group was upset with the mayor because of his success in pressuring CPR leaders into giving up their land claim.

I should now emphasise what some readers do not need to be told - that the Guerrilla Forces '97 could be a charade to frighten Ixils away from the left. Assassinating even a hostile Ixil mayor has long been out of character for the EGP. A new insurgency would not serve the interests of a post-guerrilla movement trying to make its way in electoral politics, nor of the CPR leadership. But staging a guerrilla resurgence might suit army officers who wished to remilitarise northern Quiché. Whether the Guerrilla Forces '97 consisted of army destabilisation specialists, or CPR dissidents rebelling against the EGP's political agenda, or conceivably both, the tensions it is preying upon are real. Nor are they just a product of the war or of the unjust distribution of land. Even total demolition of the local finca sector might not do much to alleviate peasant competition for land.

The kinds of land disputes described above - between finca dependents and surrounding villagers, and between successive cohorts of displaced peasants - have also cropped up elsewhere. In the early 1990s, as internationally-sponsored refugees returned from Mexico and collided with civil patrollers, human rights activists blamed the army. Presumably it was the army, or renegade civil patrol leaders, who were sowing strife among peasants. But the conflicts run deeper than that, as demonstrated when bitter differences over land, dating to before the violence, welled up within the left's popular organisations in the Ixcán region and tore them apart. "One of the primary dynamics...", a human rights observer noted of the land clashes in the Ixcán popular movement, "is the presence of two or more memories of what happened in the 1980s to those who stayed, those who returned, and those who stayed in Mexico. This mixed with historic feuds between families and the highly politicised atmosphere in the Ixcán, has made this conflict very complex and potentially explosive" (National Coordinating Office 1995)(4).

### **Land Conflict and Historical Memory**

Let us now step back from land feuds, to look at the implications for how peasants remember the violence and how the various truth commissions hope to uncover, then propagate, a socially useful "historical memory." Once the commissions have collected, compared and condensed the many memories of the violence, the resulting truth is supposed to identify perpetrators, end the army's de facto immunity from judicial accountability, and consolidate democratic institutions. If so, what complexities will this agenda face in the realm of peasant testimony?

The basic dichotomy in a human rights interpretation, between the state as violator and citizens as victims, is easy to find in decades of state terror in Guatemala. Amply documented by the Guatemalan opposition and its international supporters, the dichotomy has joined a series of other oppositions - between dictatorship and society, ladinos and indígenas, finca owners and peasants, army and guerrillas - which are widely agreed to define the country. Still, such dichotomies have their limits in explaining the problems and priorities of indigenous peasants. This becomes evident when peasants perceive their enemies to be each other rather than the class and ethnic antagonists which activists and scholars would prefer them to perceive. The same can be said for the wish to depict indigenous peasants as being in perennial opposition to the state. As Paul Kobrak (1997) has pointed out in his dissertation on the violence in Aguacatán, Huehuetenango, resistance to the state goes only so far in explaining peasants who have a long history of using the state against other peasants.

The quasi-judicial nature of human rights discourse holds out the hope that a more or less objective version of events can be established. There should be an identifiable set of victims and an identifiable set of victimizers. In Guatemala, all the activists involved in truth campaigns wish to establish clear lines of responsibility to the army high command. There is no shortage of killing for which the army was directly responsible, because it was committed en masse by uniformed agents. Our knowledge about such events continues to grow, and hundreds of mass burials will keep exhumation teams busy for years. Since most of the mass killings point to the army, there will be no shortage of evidence fitting the human rights paradigm of citizens versus the state.

But what about all the killing that was internecine, between or within peasant communities, much of it small-scale and out of view, but still remembered by survivors and victimizers? All parties concede that the violence could become very complicated, with people on either side (or neither) using the war to settle old scores and disguise what they were doing. Thus it can become difficult to distinguish agents of the state (or a para-state like the guerrillas) from civil society – which is necessary to distinguish between a human rights violation and a common crime (Wilson 1996). Moreover, while there may be a single Regime of Denial (the state's) targeted by truth commissions, and perhaps a counter-hegemonic regime of denial (the guerrilla movement's), there are also many local regimes of denial, maintained by killers who were using larger causes to pursue their own interests.

Inconveniently for truth commissions, blame is a many-headed beast. Blame is the parochial, self-interested version of a commission's more detached idea of responsibility. Who one blames for a disaster tends to be one's personal rivals: it is a moral judgement coexisting with a factual narrative (Ignatieff 1996). What is generally agreed in Ixil country is that the war was imposed by the two sides, on people who, while they may have cheered the guerrillas in village rallies, had no idea what was in store. What is less agreed is who is to blame locally. Thus most peasants I interview blame the army for the majority of the killing and the guerrillas for some of it, in factual narratives attributing responsibility to institutional actors. But some peasants also blame neighbours, not just for particular deaths but for errors of judgement, such as cooperating with the guerrillas or giving names to the army, that brought on tragedies that might otherwise have been avoided. These are moral judgements which tend to diverge along preexisting fault lines in peasant society and which will be difficult for truth commissions to reconcile in all their multifarious contradictions.

Exhuming massacre victims is therefore likely to disinter differing assessments of blame. The first mass exhumation in Ixil country, in 1997 by the Archbishop's Office for Human Rights, was of the victims of the June 1982 EGP massacre at Chacalté, Chajul. Since most large-scale killing was committed by the army, scheduling Chacalté for the first exhumation might seem unfair to the less homicidal guerrillas. But all the previous exhumations around the country had been of army massacres. This made the Chacalté dig a reminder that the EGP was also capable of mass murder (of something like a hundred people in this unusual case). Choosing Chacalté was also astute because fear of the army has retarded Ixil interest in exhumations. Digging up victims of the guerrillas showed that, contrary to army officers, the exhumations were not another maneuver by los subversivos.

But who was really to blame for Chacalté? If survivors overcome their fear, they could name current residents of neighbouring villages who, while serving in the EGP's Local Guerrilla Forces (FGLs, the rarely-mentioned model for the army's civil patrols), helped commit the massacre. If the ex-FGLs are forced to defend themselves, they will probably point out that, caught between army and guerrilla demands, their Chacalté adversaries had organised a civil patrol that was repressing guerrillas for the army. Hence, these victimizers will be able to argue, they could defend themselves only by attacking Chacalté. In cases like this, establishing who is to be regarded as a victim, and who is to be regarded as a perpetrator, is a function of how narrowly or widely you choose to interview.

Lurking around the edges of church, state and NGO-endorsed "historical memory" will be many contradictory attributions. Aside from exactly who was responsible for committing a massacre, a factual issue which is often resolvable, peasants will often have more than one memory of who was to blame. Victims in the eyes of their families and human rights groups may be accused, rightly as well as wrongly, of earlier offences by the people who killed them. When survivors engage in reciprocal blame, pointing fingers at each other, it becomes harder to beatify one set as the victims and reject another set as victimisers. The victim/victimizer distinction can still be made in particular episodes of aggression. But since most of the population is Mayan and poor, and since both sides used local people for killing, there is no shortage of cases in which victims in one time and place became victimisers in another, with rationales for committing a wrong being adduced from having been wronged on previous occasions, that will often stretch to long before the arrival of guerrillas and soldiers.

The human rights movement still has many tasks before it in Guatemala. But like any discourse, human rights can be deployed too broadly, which blinds us to complexities that need to be taken into account. The purpose of human rights agitation is to protect individuals from state abuses. But peasants may be more interested in a strong state that defends their interests, whether in punishing criminals or constraining personal enemies from their own social class. Under the aegis of supporting peasants against human rights violations, human rights groups can take partisan positions in disputes in which outsiders should see themselves as mediators rather than advocates.

### Notes

1. An earlier version of this essay appeared in the 1998 collection Guatemala After the Peace Accords, edited by Rachel Sieder and published by the Institute of Latin American Studies at the University of London.

2. The FRG administration's blatant corruption and incompetence cost Ríos Montt much of his popularity. Yet human rights organizations found themselves at loggerheads with hundreds of thousands of ex-civil patrollers demanding financial compensation for the years they were conscripted into the army's counterinsurgency campaigns. Once the FRG promised to pay the patrollers, human rights groups realized that it could buy the next presidential election in November 2003. Ultimately the FRG lost the election, by a large margin, but in the heavily indigenous Quiché, Huehuetenango and Baja Verapaz Departments it won the majority of municipal governments including all three in Ixil country. Since then, a number of FRG mayors have defected to President Oscar Berger's ruling coalition, which may spell the end of Riosmonttismo as an electoral force.

The lynchings, which tend to occur in Mayan areas, illustrate a basic difference between human rights guarantees for individuals and the collective obligations that indigenous villages enforce on their members. "In practice," observes Paul Kobrak (1997), "the human rights community...concerns itself almost solely with the individual human rights guaranteed by the constitution - the village character of Mayan Indian life is seldom officially recognised." Ironically, with state institutions in disrepair, it is now the human rights community that is spearheading the application of liberal guarantees to indigenous communities.

3. The usual assumption about rural guerrilla movements is that they grow out of local conflicts, that is, basic problems facing peasants. If not, why would peasants sacrifice themselves in an uprising? Certainly there is a history of oppression in the Ixil area, perpetrated by ladino labour contractors and finca owners. But in the 1960s and 1970s Ixils were making slow but steady progress in regaining control of town halls and moving into economic niches dominated by ladinos. Elsewhere throughout the western highlands, indígenas were also displacing ladinos from local power structures (Smith 1984). Far from guerrilla warfare being a necessary stage in Mayan empowerment, I second Yvon Le Bot's (1996) argument, that guerrilla organising interrupted the process of empowerment, by motivating the security forces to suppress a wide range of organisations that might be infiltrated by enemies of the state. When guerrilla organisers appeared, they did appeal to certain Ixils, but it is quite a leap to assume that early recruits represented the bulk of the Ixil population. So how did the EGP develop the Ixil support that it unquestionably had by the early 1980s? The most important reason is how the security forces responded to EGP organisers. By accepting the EGP's claims to represent "the people," and by kidnapping and murdering large numbers of suspects, the army convinced many Ixils that they had no choice but to support the insurgents. Yet the EGP was unable to protect most of its new Ixil supporters. When the army proceeded to massacre entire villages, it showed survivors that the guerrillas could not protect them. When the army forced survivors to join its anti-guerrilla civil patrols, it showed Ixils they could survive by collaborating with the stronger side. For different interpretations of the violence in Ixil country, see the memoir by Yolanda Colom (1998) and the CPR study by Andrés Cabanas (1999).

4. For other descriptions of these conflicts, see Finn Stepputat (1999) on refugee returns to Nentón, Huehuetenango as an apparatus of modernisation coming into conflict with more traditional forms of peasant organisation. Pilar Yoldi's (1996) portrait of Juan Coc,

one of the leaders of the Xamán, Alta Verapaz return, describes the successful resolution of a conflict between returnees from Mexico and finca squatters, in which the latter were incorporated into the new community.

What could at least manage land conflicts is a more effective state, which is why in Nebaj local leaders and international organisations have persuaded the government to set up a new district court. Accompanying the new juzgado de primera instancia is a public prosecutor; a public defender; a contingent of national police; and a legal aid office run by law students from San Carlos University. Initially the docket consisted almost entirely of land quarrels. One of the first judges was said to have become so frustrated that he nearly quit, because the litigants rarely had the documentation he needed to reach a decision. Instead, he had to jawbone the parties into splitting the tract in dispute. As of 2006, complaints about corruption have become frequent. Yet mediation services run by popular organizations have helped some Ixil disputants avoid the costs of litigation.

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