

**TRAUMA AND TRANSITIONAL JUSTICE IN GUATEMALA: HOW CONCEPTIONS
OF TRAUMA INFORM TRANSITIONAL JUSTICE PRACTICES**

by

Gabrielle John

B.Med.Sci., Birmingham University, UK, 2009

A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF
THE REQUIREMENTS FOR THE DEGREE OF

MASTER OF ARTS

in

THE FACULTY OF GRADUATE AND POSTDOCTORAL STUDIES
(Political Science)

THE UNIVERSITY OF BRITISH COLUMBIA

(Vancouver)

December 2015

© Gabrielle John, 2015

Abstract

The concept of trauma has been playing an increasing role in contemporary culture and politics, and more nuanced understandings of this concept have begun to slowly influence conversations around identity and historical memory in the transitional justice literature. This thesis explores psychobiological, historical and cultural/social forms of trauma, considering the relationship between these forms of trauma and mainstay transitional justice mechanisms. It examines the differences that emerge in how civil society and government actors in Guatemala understand the concept of trauma and the bearing this has on the transitional justice mechanisms they view as necessary to address the country's violent past. This data was gathered via eight semi-structured interviews in Guatemala with four members of civil society and four government actors and a critical narrative analysis was used to uncover the connections between participant conceptions of trauma and views of transitional justice mechanisms implemented throughout the country. Specifically, this thesis asks how participants understand trauma and to what extent this understanding informs their views of transitional justice in Guatemala. It identifies key differences between civil society and government conceptions of trauma and the way in which these conceptions inform their approaches to transitional justice. These differences serve to highlight the importance of actively including civil society in the design and implementation of transitional justice mechanisms.

Preface

This thesis is the original, unpublished and independent work of the author, Gabrielle John. The UBC Behavioural Research Ethics Board approved this study, “How do conceptions of trauma inform transitional justice mechanisms?” The UBC Ethics Certificate number was H15-01621.

Table of Contents

ABSTRACT	ii
PREFACE	iii
TABLE OF CONTENTS.....	iv
LIST OF TABLES	v
LIST OF FIGURES	vi
ACKNOWLEDGEMENTS.....	vii
DEDICATION.....	viii
1 INTRODUCTION.....	1
2 TRAUMA	4
2.1 <i>Psychobiological Trauma</i>	5
2.2 <i>Historical Trauma</i>	9
2.3 <i>Cultural and Social Trauma</i>	11
3 TRAUMA AND TRANSITIONAL JUSTICE.....	16
4 CASE STUDY: GUATEMALA	24
4.1 <i>Guatemala's Internal Armed Conflict and the Path to 'Peace'</i>	24
4.2 <i>Methodological Approach</i>	30
4.3 <i>Trauma and Healing in Guatemala</i>	31
4.4 <i>Limitations</i>	51
CONCLUSION	53
BIBLIOGRAPHY	55
APPENDICES	61

List of Tables

Table 1. List of Interview Participants (including organisation, self-identity, and personal impact from conflict)	65
Table 2. Critical Narrative Analysis Results: NGO and Government Actor Conceptions of Trauma and Transitional Justice	66

List of Figures

Figure 1. Guatemala's Civil Society Assembly 64

Acknowledgements

I would like to thank my supervisor Dr. Lisa Sundstrom for her advice, helpful feedback and guidance during the researching and development of this thesis. Without her wisdom, kindness and support I would not have been able to conduct fieldwork in Guatemala. I would also like to extend my gratitude to Dr. Pilar Riano-Alcala for agreeing to act as my second reader and for her insight on the topic of transitional justice.

I am very grateful to all the wonderful people I have met during my time in the Political Science department and all the inspiring professors I have had the pleasure of interacting with over the past year and a half.

I would like to thank all those who agreed to participate in my fieldwork and gave up time in their busy schedules to speak with me and answer my many questions. Our conversations were thought provoking, moving and deeply enriched my work.

Special thanks go to my family who have provided encouragement from afar and finally to my partner, Sean, for his unwavering support.

Dedication

This thesis is dedicated to all those who lost their lives during Guatemala's long conflict, and to those who continue to fight for the memory of their loved ones.

1 Introduction

“...trauma is fundamentally unsharable, yet must be shared for change to occur.”

- James Dawes, That the world may know: Bearing witness to atrocity

In 1996, Guatemala’s internal armed conflict was brought to a close, ending the wave of political violence that had engulfed the country for thirty-six years. As a result of the protracted peace talks and belaboured negotiations the final Peace Accords set out an ambitious framework to promote national reconciliation and address issues relating to socioeconomic development, demilitarization, strengthening of democratic institutions, recognition of indigenous rights and promotion of human rights – to name but a few. However, the implementation of this framework has proven more difficult and levels of social violence have steadily increased since 1998, whilst corruption and impunity remain endemic to state institutions. It is clear that the mechanisms of transitional justice designed to help address these issues failed to do so in some capacity, whether as a result of poor design and failure to include victim’s voices in the process, mismanagement of transitional justice mechanisms by state officials¹, the inability of the state to live up to their financial obligations, or weak institutions that failed in their capacity to implement such grandiose plans. Whatever the reason, it is worth examining how the success of transitional justice mechanisms in Guatemala is viewed on the ground, and whether these views differ between government actors and members of civil society, both of whom are central players in the

¹ Many state officials who were strategically involved in planning and carrying out political violence during the internal armed conflict remained in power following the signing of the Peace Accords.

design and implementation of transitional justice programming. To add to this, the concept of trauma has been playing an increasing role in contemporary culture and politics, and more nuanced understandings of this concept have begun to slowly influence conversations around identity and historical memory in transitional justice literature (Arthur, 2009; Fullard and Rousseau, 2009; Rubio-Marin et al., 2009; Resende and Budryte, 2014). In this paper, I argue that understandings of trauma held by government actors and members of civil society will subtly influence and inform their views on the transitional justice mechanisms needed to promote healing and reconciliation throughout the country. I consider the relationship between trauma theory and contemporary debates in transitional justice, and how a better understanding of this interaction may help address future challenges for the design and implementation of transitional justice mechanisms.

In part 1 of this thesis, I provide an overview of trauma theory drawn from the fields of psychology, sociology, and transcultural psychiatry and I detail three major forms of trauma – psychobiological, historical, and cultural/social. I briefly touch upon the historical roots of each approach and where relevant, describe some of the criticisms levied against them. Part 2 summarizes some of the relevant scholarship in transitional justice, introduces the main mechanisms of transitional justice and briefly details how trials, reparations, exhumations/memorials and truth commissions consider different aspects of trauma. Part 3 discusses the case study of Guatemala and presents data gathered from eight semi-structured interviews conducted in Guatemala (four with members of civil society and four with government actors). Overall, the purpose of this paper is not to redefine existing understandings of trauma but rather, to examine whether differences emerge in how civil society and the state

understand the concept and the bearing this has on the transitional justice mechanisms they view as necessary to address the country's violent past.

2 Trauma

According to Foucault, all forms of knowledge are laden with value and operate within a specific political and socio-economic context, which they seek to legitimise. Throughout colonisation, indigenous communities were led to believe that the knowledge they possessed was inferior to that of their colonisers and psychiatric tropes were devised to maintain social control. By viewing indigenous peoples as lesser human beings who lacked the complex cognitive assembly of their European invaders, the wider socio-political and sociocultural context could be ignored in favour of a European psychopathology (Summerfield, 1999). The construction of indigenous peoples as less complex than their colonisers was not to suggest that they were incapable of experiencing and expressing trauma, but rather to elide their cultural differences and reinforce the hegemony of Western forms of knowing. In his book *Madness and Civilisation* (1967), Foucault describes how psychiatric nosologies continued to exist beyond the ‘colonial era’² as an instrument of control used by mental health professionals and this view remains today. Globalisation has led to the increasing application of Western psychological frameworks within culturally distinct communities, potentially perpetuating ‘the colonial status of the non-Western mind.’ (Summerfield, 1999, p.1458)

As a result, many have questioned the cross-cultural validity of such a framework and the dominant status that medicalised trauma discourse has been afforded (Summerfield, 1999; Elsass, 2001). In the following, I will describe three modes of response to trauma including psychobiological trauma defined primarily by the diagnosis of post-traumatic stress disorder

² Quotation marks have been used for the phrase ‘colonial era’ as colonization is an ongoing process that indigenous communities around the world continue to be subjected to.

(PTSD), historical trauma which describes the impact of colonization and historical oppression on indigenous communities throughout North America, and cultural and social trauma which examine the communal impact of violence and the reconstruction of collective identities. By exploring these distinct theoretical paradigms of trauma I hope to set the scene for how Guatemalan civil society and state understand trauma, and the way in which this understanding influences their views on the best transitional justice mechanisms needed to promote healing and reconciliation throughout the country.

2.1 Psychobiological Trauma

In their book *The Empire of Trauma* (2009), Fassin and Rechtman explore the emergence of trauma theory and detail its birth from ‘railway spine’ to ‘trauma neurosis’, a subcategory of hysteria. According to the authors it was renowned psychoanalysts Freud and Janet who brought ‘trauma neurosis’ into the realm of psychology and demonstrated that ‘hysteria’ was the result of a psychic trauma. However, differences emerged between the psychoanalyst’s theories relating to the generation of a psychic trauma response. Freud posited that a trauma response could only be triggered in those already predisposed to a sexualised trauma during childhood. In other words, only those repressing certain sexualised traumas buried deep in the subconscious could psychically respond to external stimuli. Thus, Freud’s theory that repressed memories could resurface to jeopardise psychic integrity shifted the focus from external stimuli to the internal functioning of the psyche.³

³ For more on Freud’s conceptualization of trauma see Freud, S. (1913) *The Interpretation of Dreams*. Trans. A. A. Brill. New York: Macmillan. (Orig. pub. 1900); Freud, S. (1985) *The Complete Letters of Sigmund Freud to Wilhelm Fliess*. J. Masson, ed. Cambridge, MA and London: Belknap Press.

Meanwhile Janet attempted to build on the work of his predecessors by focusing his research on dissociative theory. Central to Janet's approach was the splitting of consciousness, between fixed ideas (traumatic memory) and habitual personality (personal consciousness), when confronted with a traumatic external event. In individuals unable to respond to such an event with orderly actions, disorderly vehement 'Emotions' (extreme anger or fear) would materialise resulting in fragmentation of the mind and traumatic memory would re-emerge in the form of flashbacks, dreams or other similar dissociative experiences (Janet, 1909).

The work of Janet and other early psychoanalysts introduced many of the criteria we now recognise as symptoms of post-traumatic stress disorder (PTSD)⁴, however it was not until 1980 following the end of the Vietnam war that it was incorporated into the Diagnostic and Statistical Manual of Mental Disorders (DSM-III) by the American Psychiatric Association. And despite its birth in Western psychiatry, the use of PTSD as a means to discuss trauma-related stress has spread rapidly moving beyond war-related trauma to include torture, sexual abuse and natural catastrophes (Satehl and Freuh, 2009). The globalisation of PTSD has made it a priority in development and relief work, and has seen its increasing application in post-conflict societies by humanitarian agencies and researchers alike (Moghimi, 2012). Despite this, ongoing debates across the fields of psychology, psychiatry and anthropology persist, focusing on the relevance

⁴ According to the most recent edition of the DSM (IIII), "The essential feature of post-traumatic stress disorder (PTSD) is the development of characteristic symptoms following exposure to one or more traumatic events" including directly experiencing or witnessing "death, threatened death, actual or threatened serious injury, or actual or threatened sexual violence", or "learning that the traumatic event(s) occurred to a close family member or close friend" or "experiencing repeated or extreme exposure to aversive details of the traumatic event(s)". (APA, 5th ED, 2013)

and privileging of this Western psychobiological model through which PTSD is assumed to be a universal response to external stressors.⁵

As a result this model has come to dominate the trauma discourse and the status given to scientific truth has presented PTSD as a concept independent of context, whereby a list of criteria determining a diagnosis can be transposed onto culturally distinct societies with no loss in meaning. However, as Kleinman (1987) points out, this is a ‘category fallacy’ which he defines as

...the reification of a nosological category developed for a particular cultural group that is then applied to members of another culture for whom it lacks coherence and its validity has not been established. (p.447)

The clinical criteria required for a PTSD diagnosis may be present in other societies where this nosological category does not exist, however it is dangerous to assume that these features carry with them the same meaning and weight. Where these clinical criteria do not manifest, defining a trauma response based on a set of symptoms may further alienate victims from their suffering and leave them feeling vulnerable. In examining the homogenisation of psychiatry in Southeast Asia, Higginbotham and Marella (1988) argue that

... investing authority in biomedical reasoning about human problems eliminates explanations of disorder at levels of psychological, political and economic functioning. Consequently, problems with origins in poverty, discrimination, role conflict and so forth are treated medically. (p.553)

By focusing solely on the psychobiological reasoning and clinical symptomology used to underpin and legitimise PTSD, we risk reducing the full scope of events responsible for trauma

⁵ For a number of studies on rates of PTSD in Guatemala see Herrera, W. de Jesus, Mari J. Ferraz, MP. (2005) Mental disorders and the internal armed conflict in Guatemala. *Actas Españolas de Psiquiatria*, 33(4):238-243. And Sabin, Miriam, Sabin, Keith, Kim, Hyoung Yong, Vergara, Marianela, & Varese, Luis. (2006). The mental health status of Mayan refugees after repatriation to Guatemala. *Revista Panamericana de Salud Pública*, 19(3), 163-171.

responses and recreating ‘human suffering as inhuman disease.’ (Kleinman, 1991, p.276)

Furthermore, this medicalised language of trauma not only ignores the social, political and cultural factors responsible for distress, it also assumes that all trauma has a pathological basis, which could ultimately result in the application of inappropriate intervention strategies.

The discourse of Western psychiatry has also been heavily criticised for its focus on individualism and Eurocentric cultural perceptions, which views individuals as the centre of cosmology and morality (Bracken et al., 1995). Summerfield (1999) has described the individualising nature of Western psychological frameworks, as those which ‘regard the singular human being as the basic unit of study, [as having] an agenda which emphasizes similarity and plays down difference and diversity’ (p.1453). This ‘egocentric’ paradigm gives priority to an intrapsychic response to trauma and ignores cultural and spiritual beliefs, which can more appropriately inform responses to trauma in other regions of the world.

The introduction of PTSD as a formal diagnosis for individuals who have experienced some form of trauma has led to an over-simplified view of how transitional justice mechanisms can be employed to promote healing in post-conflict societies. For example, the use of ‘talk therapy’ holds the underlying assumption that in order to come to terms with a traumatic experience you must discuss it. This argument has been used to support the therapeutic value and healing potential of truth-telling in post-conflict settings. However, as Mendeloff (2009) has discussed, “the notion that formal truth-telling processes satisfy victims’ need for justice, ease their emotional and psychological suffering, and dampen their desire for vengeance, remains highly dubious.” (p.593)

Despite its failures PTSD has been described as a means to legitimize victimhood (Summerfield, 1999), however by virtue of its basis on symptomology, it can also be extended to perpetrators. As a result, PTSD diagnoses blur the line between victim and perpetrator and provide an opportunity for the latter to morally exculpate themselves, potentially disrupting socially constructed understandings of who can be deemed traumatised and putting at risk fragile post-conflict societies.

My critique of psychobiological approaches to trauma is not to suggest an all-out erasure of this category, as I recognize the heuristic importance of such an approach, but rather I suggest that by expanding our understanding of trauma to account for cultural differences and alternative modes of response we may be able to better serve communities struggling to come to terms with a violent past.

2.2 Historical Trauma

The concept of historical trauma emerged in the mid-1990s when connections were made between the disproportionate rates of psychiatric distress in Indigenous communities throughout North America and their experiences of historical oppression at the hands of colonists and settlers (Brave Heart-Jordan & DeBruyn, 1995; Brave Heart, 2003). Originally thought to be a complex, intergenerational form of PTSD, historical trauma became the idiom used by psychoanalysts to describe indigenous responses to cultural silencing and colonisation.

As more has come to be known about historical trauma, important distinctions have been made in order to distance it from the concept of PTSD (Evans-Campbell, 2008; Palacios & Portillo, 2009; Walters et al., 2011). Unlike PTSD, the ‘symptoms’ of historical trauma are more complex

and evade nosological categorization. Historical trauma disrupts the social norms and cultural traditions of indigenous communities leading to a demoralized population with increased rates of suicide and substance abuse (Gone, 2007). And whilst PTSD posits that responses to traumatic events are individualized, historical trauma puts forward the notion that communities experiencing the after-effects of colonization and genocide do so collectively (Gone, 2013). Where PTSD discards social sequelae, historical trauma welcomes it. Within the construct of PTSD there is little room to consider the hardships indigenous communities have been collectively subjected to at the hands of colonization; historical trauma accounts for the cultural decimation and destruction of indigenous language, the forced dislocation from traditional territory, the introduction of disease, and the ongoing environmental degradation of indigenous land.

Distinct from PTSD, historical trauma is thought to be cumulative whereby the level of distress experienced by community members is proportional to their exposure to distressing events.⁶ Therefore, members of communities exposed to more traumatic events than those in a neighbouring community will exhibit greater levels of distress. Historical trauma's defining feature, however, is its capacity to be transferred from one generation to another⁷ and although the mechanisms of transfer are unclear some scholars have suggested parental communication (Palacios & Portillo, 2009) and unspecified epigenetic markers (Walters et al., 2011) as potential

⁶ It is important to make the distinction between PTSD and Complex PTSD, the latter of which does demonstrate cumulative effects following exposure to multiple traumatic events. See Cloitre, M., Stolbach, B. C., Herman, J. L., Kolk, B. v. d., Pynoos, R., Wang, J., & Petkova, E. (2009). A developmental approach to complex PTSD: Childhood and adult cumulative trauma as predictors of symptom complexity. *Journal of Traumatic Stress*, 22(5), 399-408.

⁷ However, growing research on epigenetics has suggested possible epigenetic predispositions to PTSD. See Yehuda, R., & Bierer, L. M. (2009). The relevance of epigenetics to PTSD: implications for the DSM-V. *Journal of traumatic stress*, 22(5), 427.

processes. Therefore, the introduction of historical trauma as an explanatory construct provided an important counterweight to the increasing use of psychobiological explanations for traumatic stress. In recognition of this construct, researchers began to suggest the use of *culture-as-treatment* through which traditional approaches could inject a sense of revitalization and cultural reclamation (Brady, 1995; Gone, 2013). However, Kirmayer et al. (2014) warn against the possibility for ongoing structural violence and discrimination to be hidden from view if *culture-as-treatment* is used to distract from the continuing political and economic disenfranchisement of indigenous communities.

2.3 Cultural and Social Trauma

When societies experience events that disrupt the social order trauma moves beyond the individual and ‘a sharp decline in trust...[a] rise of apathy and disorientation’ result in social trauma (Giesen, 2001). Social trauma manifests as a collective response to an event considered a threat to the social order and collective identity of a community, which results in ‘the sudden breakdown of legitimate social expectations and the rapid decay of social institutions and social structure.’ (p.14473) Within this framework, individuals need not be directly exposed to the traumatizing event in order to be impacted by it, as the mistrust produced by collective trauma is felt throughout society. In turn, political participation decreases, economic development stagnates and crime rates increase, as ordinary life ceases to exist. For many Guatemalan communities during the conflict the violence was so objectively catastrophic that it became impossible to ignore or incorporate into daily living.

Giesen provides an alternative theoretical paradigm of social trauma as ‘the sudden collapse of

the culturally generated web of meaning that supports individual or collective identity' (p.14474), which links closely to Eyerman's (2002) depiction of cultural trauma as 'a dramatic loss of identity and meaning, a tear in the social fabric, affecting a group of people that has achieved some degree of cohesion.' (p.2) There is significant overlap between the two theoretical frameworks as both focus on the collective response to trauma, however cultural trauma differs slightly in its focus on forms of representation, which we will discuss in more detail later.

In his work on social trauma, Giesen (2001) elaborates on the way in which this form of trauma resides below the surface of the collective conscience, that by disrupting the 'web of meaning' the mind is not able to detect 'the moment when its own death' occurred (p.14474). It is the sudden confrontation of this memory, its surprising reemergence that is particularly devastating and challenging for communities to respond to. Determining the most appropriate mode of coping with this memory is particularly challenging, as traumatic memory exists on both an individual and collective level. However, the two do not necessarily exist in isolation and expressions of individual traumatic memory can be used to renew a sense of collective identity through the exchange of common traumatic experiences. Over time the collective identity produced as a result of this interaction can be transformed into social trauma and presented as disconnected from individual experience. Social trauma becomes representative of the suffering a society was previously exposed to and can become engrained in the public discourse through the use of social carriers⁸ so as to transcend the temporal constraints of the conflict itself. As witnessed by memorial days and official monuments, the traumatizing event is transferred from personal memory to 'the collective memory of a community, its social institutions, and cultural

⁸ Giesen refers to social carriers as those which are bereft of personal memories and allow for the use of public memorials and rituals as a means to remember social trauma.

traditions.’ (p.14474)

In *Cultural Trauma and Collective Identity* (2004), Jeffrey et al. describe cultural trauma as a construct highly dependent on the sociocultural context present at the time of the event; in other words, it is not the event itself, which is traumatic, but the socialization of the response which makes it traumatic. Cultural trauma results when the cultural meaning-system, comprised of beliefs, ideologies, values, knowledge, outlooks, norms and empirical assertions, is disrupted in some capacity, threatening both personal and collective identities.

Jeffrey further expands on this conceptualization of trauma by describing it as

A memory accepted and publicly given credence by a relevant membership group and evoking an event or situation which is a) laden with negative affect, b) represented as indelible, and c) regarded as threatening a society’s existence or violating one or more of its fundamental cultural presuppositions. (p.44)

Within this ‘membership group’, cultural carriers⁹ must be present in order to make a claim regarding traumatic cultural damage and assist in the creation a master narrative. Cultural carriers are the collective agents of the trauma process gifted with discursive talents that allow them to publicly articulate their claims in an effort to initiate a *meaning making* process. Jeffrey et al. compare this process to that of a speech act, whereby the speaker must convince all members of the carrier group that they have been traumatised by an event. It is only once this has been achieved and all members of the carrier group are convinced of their trauma, that society writ large can become part of this collectivity. This process of trauma creation generates solidarity so that a community of survivors can emerge, however, if this fails to occur survivors

⁹ Jeffrey describes cultural carriers as ‘cultural specialists such as priests, politicians, intellectuals, journalists, moral entrepreneurs, and leaders of social movements.’ (p.38)

will be left to fend for themselves and will be robbed of an opportunity to socialize their trauma.

Key to the process of trauma creation is the reconstruction of collective identity, part of which involves the re-remembering of the collective past in order to understand the contemporary self. Through the restoration of collective identity a 'calming period' will emerge, during which time emotions will become less intense and segregation of disparate sectors of society will slowly dissipate. As time passes the 'discourse of trauma' will give way to the 'lessons' of trauma, resulting in the resurrection of collective identity through the implementation of public memory projects (i.e. memorials, museums) (Jeffrey et al., 2004). However, the collective identity generated as a result of the 'membership group' should not always be presumed to be unifying, as elaborated on by Neal (1998)

All collective traumas have some bearing on national identity. While in some cases national trauma results in enhancing a sense of unity within a society, there are other cases in which collective traumas have fragmenting effects. (p.31)

It is the role of transitional justice mechanisms to recognize when these collective traumas may be fragmenting national identity and to comprehensively engage with communities, allowing them to narrate their trauma within the wider context of suffering so that they may identify the "nature of the pain, the nature of the victim and the attribution of responsibility" (Neal, 1998, p.3). Only through transparent dialogue with these communities can transitional justice mechanisms understand the full scope of their trauma and respond appropriately.

Some scholars have criticised the widening of the definition of trauma, in particular Kansteiner (2004) who argues that in doing so you move away from the 'concrete psychological dynamics' rendering the concept ahistorical, paying little attention to the events that led to the development

of trauma. According to Kansteiner, trauma research has conflated ‘the traumatic and non-traumatic’ by identifying aspects of the everyday as traumatic, and elides important differences between victims and perpetrators (p.194). Those in the trauma field have a moral responsibility to ensure that trauma is viewed first from the perspective of the victim, and only then can it very carefully be expanded to account for peripheral phenomena (perpetrators) (Mitchell 2000, p.298). Although I agree with some aspects of Kansteiner’s critique, namely the conflation of ‘the traumatic and non-traumatic’¹⁰, I would argue that a broader, more inclusive definition of trauma contextualizes and historicizes traumatic experiences to the benefit of individual and collective identities.

There is significant overlap between historical, social and cultural trauma with a focus on collective identity as their unifying force. Historical trauma describes the impact of colonization on indigenous communities found throughout North America, whilst social and cultural trauma hold no such qualifier and instead focus on rebuilding presupposed cultural and social identities. The following section introduces some of the main forms of transitional justice mechanisms (reparations, criminal trials, exhumations/memorials and truth commissions) and briefly details how each incorporates or addresses different aspects of the traumas described above.

¹⁰ Fassin and Rechtman (2009) have described how not all individuals exposed to a traumatizing event identify as being traumatised, which may certainly be the case. However, I question whether this theory is limited to the realm of psychobiological trauma and the conflation of the ‘traumatic and non-traumatic’. The negative connotations and contention that surround the use of the term ‘trauma’ may be a legacy of the concept’s birth in Western psychiatry and may underpin contemporary scholars attempts to distance themselves from its application, however I believe this provides a disservice to those survivors who gain clarity and legitimacy through the expanded understanding of trauma to include social, cultural and historical components. The purpose of expanding conceptions of trauma is not to conflate the everyday with the extraordinary but rather, to provide survivors with the linguistic tools necessary to perform the near impossible task of sharing their trauma in a way that is consistent with their experiences.

3 Trauma and Transitional Justice

Transitional justice mechanisms, in a myriad of forms, attempt to promote reconciliation and healing in post-conflict societies in order to prevent the reoccurrence of violence. To date the majority of resources allocated to transitional justice mechanisms have been directed towards judicial processes (Hamber, 2009), including investigative commissions and war crime tribunals, which highlight a legalistic approach to achieving justice and function by punishing individual perpetrators. Although there is evidence to support victims' desires for justice (Orth, 2003), questions remain as to the most effective mechanism through which justice and peace can be simultaneously achieved. Alternative approaches to justice that adopt a more victim-centred approach to redress mass atrocities are gaining in popularity and the principles of restorative justice are increasingly present in international criminal courts (McGonigle, 2011). The main principles of restorative justice include: participation, personalism, reparation and reintegration¹¹, all of which are deemed to be key in determining how to collectively respond in the aftermath of conflict (Roche, 2003).

As discussed in Section 1, the concept of identity is inherent to the theory of trauma, and violent conflict can disrupt and shift collective and individual perceptions of self. If trauma is left unaddressed it can “cause trauma symptoms producing low self-esteem and dysfunctionality leading to abuse/violence, requiring external intervention to break the cycle of trauma and

¹¹ Participation refers to the inclusion of victims, communities and offenders in restorative justice processes; personalism refers to the need to examine the individual harms experienced by victims and the way in which those harms are related to social practices; reparation refers to the need to repair past wrongs, debates over the best way to do this continue; and reintegration refers to the process of reintegrating perpetrators back into society following the official end of the conflict.

violence” (Pupavac 2002, p.490). In order to prevent victims from reproducing the violence they have experienced transitional justice mechanisms must be designed to respond to their trauma in a way that is specific to their needs. Although no single mechanism or intervention has the capacity to fully rebuild individual and collective identities, scholars in the field of transitional justice have been paying increasing attention to the impact of political violence on identity, memory and trauma (Arthur, 2009; Fullard and Rousseau, 2009; Rubio-Marín et al., 2009; Resende and Budryte, 2014).

In their attempt to explain the inexplicable, to provide reasons for why atrocities were committed, why people were disappeared, why whole communities were massacred, truth commissions have the potential to contribute to the reconstruction of collective, historical memory in an effort to build a shared future. Truth commissions provide a discursive space where historically marginalized, disenfranchised members of society can reclaim a sense of agency and bring to light social and economic disparities (Fullard & Rousseau, 2009).

Individuals and whole communities normally relegated to the fringes of society may use truth commissions to perform acts of citizenship and reframe the historical narrative to disrupt hegemonic power structures. The public act of participating in the truth commission process can help recover the collective identity of groups that were previously invisible, and, in theory, it strips perpetrators of their ability to deny such claims – although, in practice, as we shall see in the case of Guatemala, this is not as straight forward as it may sound. In order to prevent such deniability, truth commissions are tasked with the unenviable position of having to “define the acceptable limits of the argument over *what happened to whom*” in order to limit the possibility for historical revisionism (Hamber, 2009, p.79), or as Ignatieff puts it, “to narrow the range of

permissible lies” (Ignatieff, 1996, p. 113). However, a reframing of the past may naturally evolve as a result of the newfound freedom and relative safety afforded to survivors in post-authoritarian societies, where they may unveil previously distorted and silenced narratives thought to be counter to the state’s agenda (Hamber, 2009).

Truth commissions can also help expose identity myths that were created during the conflict in order to serve the dominant narrative of the time and dehumanize the other (Arthur, 2009).

However, if truth commissions, such as the Guatemalan Commission for Historical Clarification, are conducted behind closed doors survivors may be robbed of an opportunity to publicly reclaim and reconstruct their identities, and society writ large may continue to view survivors through the same lens used during the conflict¹², ultimately limiting national dialogue and reconciliation. A number of scholars have demonstrated that survivors viewed the truth commission process as procedurally fair, irrespective of the outcomes, when provided with a discursive space where they were able to speak freely (MacCoun 2005; Shapiro 2001; Lind, Kanfer and Earley 1990). However, if the process fails to remain transparent and inclusive as aforementioned, or if a party refuses to enter into this social contract or withholds valuable information survivor’s views of procedural justice will diminish (Montada, 2003). As such, if done right truth commissions can offer survivors an opportunity to address their social and cultural trauma by contextualising their suffering and providing a space for the reconstruction of individual and collective identity.

Moreover, where truth commissions take into consideration the historical basis of conflict and

¹² As in Guatemala where many of the victims of war were viewed as ‘subversives’ or ‘delinquents’. This will be discussed more in Section 4.

address the long-standing oppression of certain members of society, they may be better equipped to address historical trauma.

Meanwhile criminal trials remain driven by facts in order to uncover human rights violations committed during conflict. As a result, they tend to favour grand narratives which view victims and perpetrators as actors of a static event, thereby ignoring the continuation of the conflict long after it is said to have finished (Nwogu, 2010). Criminal trials ignore the subjective truth that exists in personal narratives and victims become a binary category used for political mobilization. Legal language manipulates stories of suffering to fit within a pre-existing chronological narrative perpetuated by state hegemony¹³ and overlooks the disorder that often accompanies stories told experientially. In translating the raw, fragmented narratives of suffering into the ordered language of rights survivors run the risk of being essentialised as Slaughter describes

By the logic and letter of the law, to die as a victim of genocide is, precisely, not to die as an individual but as an instance of a racialized, ethnicized, nationalized, or sectionalized group. (Slaughter.p.161)

As well, with their limited mandates and focus on particular individuals, courts are hard-pressed to address systems of cultural and structural violence (Mullen, 2013) and therefore, are limited in their ability to address cultural, social and historical trauma. In particular, trials have been accused of acting as a depoliticizing force that admonishes collective guilt by concentrating on individuals responsible for committing or orchestrating crimes during the conflict, rather than

¹³ Within this narrative victims and perpetrators are held in stasis, not able to move beyond the period of violence that assigned them their label as such. Their lives post-conflict and their reconstructed identities are ignored.

examining the role of society as a whole. However, there is the potential for powerful elites to become neutralized and for ideologically based movements to be delegitimated when their leaders are put on trial and the full extent of the horror perpetrated is on display (Arthur, 2009). In terms of addressing trauma, the fact-driven legalistic approach of criminal trials most closely aligns with the psychobiological understanding of trauma, which can be more easily quantified and measured. In order to prove the impact of an individual's actions on another individual or community it must be measurable and although still challenging, levels of PTSD, depression and anxiety can be empirically calculated – whereas cultural, social and historical trauma are far more nebulous and difficult to quantify. Therefore, criminal trials are best suited to addressing psychobiological forms of trauma.¹⁴

Exhumations and memorial projects can provide an opportunity for the state to ensure that victims don't succumb to essentialisation and are re-humanised through engaging in processes that privilege local knowledge systems and utilize cultural tools. Through acts of political violence and structural systems of oppression whole communities may become dehumanized but memorial projects can use memory to help reconstruct moral communities and 'a sense of ancestral continuity' (Shaw, 2002). Cultural meaning systems can be rebuilt through exhumations, where traditional burial practices can be implemented to close the cycle of grief and dignify the victims. Moreover, exhumations can act as an alternative to the mainstay, truth commissions, by allowing for the use of visual symbols and testimony. The incorporation of

¹⁴ This is not to suggest that the process for survivors of having to participate in criminal trials is not retraumatizing, but rather that out of all the forms of trauma described in this thesis psychobiological trauma lends itself best to criminal trials. I would also add that this does not preclude or negate the benefit individuals with psychobiological trauma may gain from participating in transitional justice mechanisms that adopt a more holistic approach.

local cultural traditions and beliefs into a state's transitional justice mechanisms may help convince mistrustful groups that the state is making efforts to bring them into the fold, where previously they were excluded.

During periods of intense conflict family members are often deprived of the opportunity to bury relatives in accordance with recognised rituals, resulting in a sense of 'ambiguous loss' (Boss, 2000). In her work examining the role of exhumations in Zimbabwe, Shari Eppel (2014) describes the transformative effect exhumations have on allowing survivors the chance to reclaim historical memory at the local level and the rehabilitation of community spaces. Eppel observed that in rural communities the 'perception of the individual as inextricably part of a large, interdependent community made family and community discussions...centrally important' to the exhumation process (p.408). Furthermore, exhumations helped heal family rifts and rebuild a sense of trust within and between communities, and the culture of silence that prevailed during the conflict dissipated as family members 'overcame fear of state representatives' in order to ask officials for the permission to bury their loved ones (p.412). As a result, communities were able to discuss what previously lay dormant and reclaim their public voice creating a community of survivors more attuned to the collective suffering they had experienced. Exhumations also provided those bearing the burden of knowing where clandestine graves were located with an opportunity to unburden themselves, relieving them of the private task they had been involuntarily assigned. Memorialization can 'reshape the social spaces' in communities heavily impacted by violence but such efforts are very often 'elite-led and politically instrumentalised in ways that continue to deny the agency of victims, perpetuating the disempowerment that victimhood represents' (Robins, 2014, p.20/p.2). Therefore, key to the success of this process in

addressing cultural and social traumas experienced by communities and reclaiming memories is a survivor-led, locally based approach.

Meanwhile reparations are emerging as a central component of the restorative justice approach, having been described by the UN Secretary-General as

...arguably the most victim-centred justice mechanism available and the most significant means of making a difference in the lives of victims. UN experience demonstrates that reparations may facilitate reconciliation and confidence in the state, and thus lead to a more stable and durable peace in post-conflict societies. (S/2011/634, 12 October 2011, para. 26)

According to Rosenfeld (2010), collective reparations are those which seek to ‘undo collective harm that has been caused as a consequence of a violation of international law’ (p.732).

Within this definition is a recognition that a ‘collective harm’ has taken place, in other words a social or cultural trauma has occurred and must be addressed. Reparations can be administrative and legal (for example, issuing identity documents), symbolic (for example, building memorials), financial (for example, individual compensation or provision of health/education services to communities) or they may assist in the process of exhumations, which crosscut the legal, administrative and symbolic categories (Hamber, 2009).

As with the other transitional justice mechanisms mentioned above, reparations seek to recognize survivors and rebuild civic trust within communities, and between communities and state institutions (Rubio-Marín et al., 2009). In doing so, reparations can help citizens regain a sense of membership within their community, act as a reminder of their status as bearers of human rights and allow them to reclaim their identity as part of a group with distinct cultural forms of

life (Rubio-Marin et al., 2009)¹⁵. However, if reparations are to be successful they must provide a space where survivors are able to express the full gamut of their emotions, from anger to sorrow to the more sanguine, as they grapple with the extent of their loss. Moreover, questions remain as to the ability of state institutions to translate hopeful notions of reparations into concrete benefits for survivors. Although reparations will never be able to fully compensate for the suffering experienced by victims, programmes informed by different understandings of trauma can potentially address this suffering in a more attuned, sensitive manner.

¹⁵ Thereby addressing social and cultural trauma.

4 Case Study: Guatemala

4.1 Guatemala's Internal Armed Conflict and the Path to 'Peace'

The Guatemalan internal armed conflict lasted from 1960 to 1996 during which time it is estimated 200,000 people were arbitrarily executed or forcibly disappeared, 626 documented massacres were committed, 200,000 people fled the country to seek refuge elsewhere and one million people became internally displaced (CEH, 1999; REMHI, 1999). Furthermore, 83 per cent of the victims were identified as Mayan and 17 percent as Ladino, whilst state forces and related paramilitary groups were found to be responsible for 93 per cent of the violations subsequently documented (CEH, 1999).

The roots of the conflict are complex and can be traced back to Guatemala's colonial history and exclusion of indigenous groups. When Guatemala proclaimed independence in 1821 the country's elite continued to exclude the majority of the population (who were Mayan) and set up an authoritarian state that institutionalised racism and protected the economic interests of the minority. During the conflict, the majority of the violence was directed towards marginalised members of Guatemalan society, namely the poor and indigenous. By concentrating wealth and power in the hands of a privileged few "a violent and dehumanising social system" was born (p.17), which the state vehemently tried to protect. The combination of absent/poor state social policy and legal norms "which legitimised regimes of exception and the suppression of civil and political rights, as well as hindering or obstructing any process of change" created a system whereby marginalised citizens were forced to confront the state through protest resulting in

political instability (CEH, p.18)¹⁶. In response to this and fearing change to the status quo, the Guatemalan state resorted to military coups or widespread repression using “violence and terror...to maintain social control” (CEH, p.18)¹⁷. In addition to the historical oppression of marginalised groups, the closing of political spaces and the evolution of anti-democratic institutions, the cold war also played a part in galvanising the conflict and polarising society. As a result, the internal armed conflict played out as a fight between a left-leaning guerrilla insurgency and the counterinsurgency structures of the state.

Following almost ten years of negotiations, the final peace accord, ‘The Agreement for Firm and Lasting Peace’ was signed in 1996 and brought into effect all the previous agreements on environmental, social, political, economic and military issues in the hopes of implementing a nationwide path to peace¹⁸. During the protracted negotiations, civil society slowly strengthened and in 1993 a number of organisations formed the Instancia Nacional de Consenso (INC) – National Consensus Forum – in response to the attempted coup by President Jorge Serrano. Although civil society remained largely excluded from participating in the peace process they became increasingly vocal, refusing to be relegated to the sidelines and demanding a seat at the

¹⁶ From 1944 to 1954 during the presidencies of Juan José Arévalo and Jacobo Arbenz Guzman some social reform policies (including land reform) were implemented and Guatemala saw an increase in trade unions and community organisations. However, this period, which became known as the ‘ten years of springtime’, ended in 1954 when President Jacobo Arbenz Guzman was deposed in a US-backed coup d’état.

¹⁷ From 1954 to 1985 there were a total of four successful coup d’états and in response to widespread repression the period of 1976 to 1980 saw an increase in the social mobilisation of teachers, trade unionists, students, religious communities and peasant groups. For an exhaustive chronology of events see ‘Guatemala Memory of Silence’. Report of the Commission for Historical Clarification Conclusions and Recommendations. (1999) Annex 1, Chronology of the period of armed confrontation.

¹⁸ For more on the Peace Process, see Jonas, S. (2000) *Of Centaurs and Doves: Guatemala’s Peace Process*, Ch.2: The Mined Road to Peace, p.37–68.

table. The following year, the *Framework Accord for the Resumption of Negotiations* called for an assembly ‘open to the participation of non-governmental sectors of Guatemalan society, provided that their legitimacy, representative character and lawfulness have been recognised’ (Alvarez, 2002, p.49). The Civil Society Assembly (ASC) were tasked with producing non-binding recommendations in five key areas from the Mexico Accord: (1) the identity and rights of indigenous people; (2) socioeconomic conditions; (3) the role of the army in a democratic society and the strengthening of civil society; (4) resettlement and repatriation of displaced persons; and (5) electoral and constitutional reform (Alvarez, 2002; See Appendix A). The recommendations put forward by the ASC would be considered by the negotiators and subsequently, the assembly could review the final agreements and endorse them, however the power to veto remained in the hands of government actors. Despite this, many of the ASC’s recommendations were included in the official peace accords and although the issue of land redistribution was not, it was viewed as a relative success. The ASC was able to bring together different sectors of society and foster dialogue in a way that Guatemala hadn’t seen in decades, if it had ever been seen at all.

The Peace Accords set out an ambitious framework for reconciliation, which required the cooperation of the state and Guatemalan society as a whole. The provisions included in the Civil-Military Accord covered a number of changes required in the judiciary, executive and legislature focusing primarily on the demilitarization and democratization of society and state (Salvesen,

2002). The law responsible for creating the civil defence patrols¹⁹ was repealed and its members were demobilized, however the counterinsurgency tactics that were built into the state during the thirty-six years of conflict have proven harder to dissolve²⁰. Meanwhile, the Human Rights Accord called on the Guatemalan National Revolutionary Unity (URNG) party and the government to respect international humanitarian law, human rights and institutions working towards the protection and implementation of both of these frameworks. Although an improvement was observed between 1996-1998, human rights violations along with intimidation and threats of human rights defenders have markedly increased over the years²¹. Over a six-year period from 2007 to 2013 fifty-three trade unionists were killed, and government actors frequently target journalists covering corruption (HRW, 2015). Moreover, in response to a weak judicial system and rampant impunity Guatemala has seen an increasing rise in vigilantism; in 2013 the Guatemalan Human Rights Ombudsman reported 49 lynchings, twice that of the year before (HRW, 2015).

The Historical Clarification Commission Accord was signed the same year as the Human Rights Accord and called for the establishment of the Commission for Historical Clarification (CEH), the National Reparations Programme and a Commission of Peace and Accordance (Salvesen,

¹⁹ Also known as Patrullas or PACS, these were paramilitary groups formed by the state, often made up primarily of Mayan men who had been forced into joining.

²⁰ Guatemala currently ranks 118 out of 162 under the category 'Security officers & Police', which refers to the civil police force as distinct from local militia or national guards (Global Peace Index, 2015) and there are currently more than 20,000 soldiers deployed throughout the country (HRW, 2015). In addition, at the time when the fieldwork for this research was being conducted the president was Otto Pérez Molina who was previously the Director of Military Intelligence and has been accused of participating in atrocities during the internal armed conflict.

²¹ During fieldwork I conducted an interview at the office of prominent Guatemalan human rights lawyers and the building had been purposely left devoid of signage to protect the safety of those working there. According to a recent UN report on human rights in Guatemala assassinations of human rights defenders have decreased, however there have been an increasing number of attacks against human rights defenders, in particular women defenders (A/HRC/28/2/Add.1, 2015).

2002). Despite a number of restrictions placed on the CEH by the military, including its limited timeframe, inability to attribute culpability to individuals and the fact that only violations connected to the conflict could be investigated, the report was a major achievement. Unlike the criticisms levied against past truth commissions²² regarding their decontextualised, dehistoricised nature, when exploring the roots of the conflict the CEH took into account the historical exclusion of vast swathes of the Guatemalan population. Furthermore, the CEH was and is the only truth commission to ever put forward the claim that genocide was committed²³.

In 1995, the Indigenous Rights Accord was signed following nine months of negotiation, incorporating many of the requests that had been put forth by the Mayan contingent of the Assembly of Civil Society. The Accord recognized the historical discrimination, exclusion and disenfranchisement of Guatemala's indigenous peoples (Garifuna, Xinka and Mayan) by including provisions on the recognition of indigenous identity, the protection of indigenous rights, the recognition of indigenous languages in official settings, the acknowledgment of indigenous peoples' right to land, and education reform. However, despite these provisions indigenous peoples throughout the country continue to be subjected to racism and discrimination, as we will discuss further in section 4.3.

Following almost a year of negotiations, the Socio-Economic Accord was signed in 1996 and included exhaustive provisions focused on revising land distribution, fiscal policy and social spending (Salvesen, 2002). The Accord consisted of four main thematic areas: the agrarian

²² Including those conducted in Argentina, El Salvador, and Haiti to name but a few.

²³ A claim that has proven to be incredibly controversial and divisive, which we will discuss more in section 4.3.

situation and rural development; democratization and participation; social development; and modernization (Salvesen, 2002). Overall implementation of this Accord has been patchy and it is safe to say with the unfolding of the recent corruption scandal ‘La Linea’²⁴ the Commission for Transparency has had little effect.

Almost two decades have passed since the signing of the final Peace Accord and although political violence has slowly decreased²⁵, social violence has rapidly increased throughout the country. Guatemala, now referred to as part of the ‘golden-triangle’ alongside Honduras and El-Salvador, sits in one of the lowest ranked regions of the world with respect to violent crime and homicide rates²⁶ and a UN report published in 2013 placed it fifth in the world with 39.9 intentional homicides²⁷ per 100,000 people (IEP, 2015; UNODC report, 2013). Violence against women is a serious problem throughout Guatemala with 774 violent deaths and an additional 1,236 cases of femicide²⁸ recorded in 2014 alone (A/HRC/28/2/Add.1, 2015). Moreover, 53.7 per cent of the population lives below national poverty lines and Guatemala ranked last on the 2013 Social Inclusion Index, which focused increased attention on issues related to race/ethnicity and gender (The World Bank, 2015; Social Inclusion Index, 2013). Although Guatemala has seen

²⁴ This corruption scandal implicated a number of high-level officials, including the Ex-Vice President Roxanna Baldetti and Ex-President Otto Pérez Molina both of whom were forced to resign.

²⁵ Although it is still present, as mentioned previously.

²⁶ According the Global Peace Index 2015 Report, Guatemala’s regional ranking is 10 out 12 and violent crime in the country ranks 5.0/5.0. (IEP, 2015)

²⁷ The World Bank describes *intentional homicides* as “estimates of unlawful homicides purposely inflicted as a result of domestic disputes, interpersonal violence, violent conflicts over land resources, intergang violence over turf or control, and predatory violence and killing by armed groups.” (The World Bank, Accessed October 10, 2015)

²⁸ The World Health Organisation described femicide as involving “intentional murder of women because they are women, but broader definitions include any killings of women or girls” (WHO, 2012). Victoria Sanford makes an interesting case analysing the connections between genocide and femicide in Guatemala by critically examining the issues of impunity and justice. See Sanford, V. (2008) From genocide to femicide: Impunity and human rights in twenty-first century Guatemala. *Human Rights Quarterly*, 7:104-122.

some improvements since the end of the conflict it is clear that the country has a long way to go before it is able to attain peace and cohesion, as will be discussed further in section 4.3.

4.2 Methodological Approach

My approach in the following section is guided by a critical narrative analysis as proposed by Souto-Manning (2014). This particular methodological approach was developed by Souto-Manning as a way to call for ‘a joint and balanced focus on social issues as well as linguistic (textual) analysis, considering the complex ways in which language and the social world are intertwined.’ (p.163) This method builds upon the discourse and narrative work of previous scholars, in particular Fairclough (1997) who described the importance of discourse analysis in saying ‘language connects with the social through being the primary domain of ideology, and through being both a site of, and a stake in, struggles for power.’ (p.15) In this analysis I am interested in the following questions: How do members of civil society and government actors in Guatemala understand trauma? And to what extent does this understanding impact on or inform their views of the transitional justice mechanisms that have been implemented throughout the country or the methods they wish to see implemented? Moreover, do differences exist between the way civil society versus government actors understand trauma? And what are the potential consequences of this? For this case study I conducted eight semi-structured interviews of four members of civil society and four government actors in Guatemala (See Appendix B, Table 1), and used additional data gathered from participant organisation websites.²⁹

²⁹ Interviews were conducted from August 24th to 31st 2015, during which time Guatemala was experiencing a period of political instability with President Otto Perez Molina facing allegations of corruption. In addition, a Guatemalan court ruled that former dictator Efraín Ríos Montt could stand trial on charges of crimes against humanity and

During the analytical process data was assorted using a descriptive coding filter³⁰; it is important to note that coding is not a precise science but rather an act of interpretation, therefore it is likely to be influenced by and reflect the pre-existing constructs, theories and concepts held by the researcher. Following the allocation of codes they were then clustered into categories, which were used to help delineate the emergent themes found within the data. The context of recurring codes was seen to contribute to emergent themes, as such the place and weight of coding units was considered. The following section presents the findings of my analysis, which yield some thought-provoking insights into the way conceptions of trauma inform civil society and government actor views on Guatemala's transitional justice mechanisms.

4.3 Trauma and Healing in Guatemala

In a country that experienced a conflict which lasted over three decades there are bound to be long-lasting effects, but the form in which those emerge may differ depending on the individual, the community and society-at-large. With the terror inflicted upon Guatemalan society, and elsewhere in Latin America during the cold war period, the language of 'trauma' took root and has shifted and changed as time has passed. How we understand trauma has important implications for how we address it, as we shall discuss.

genocide. As such, government actors may have been more reserved in their criticisms of Guatemala's transitional justice mechanisms and of previous Guatemalan governments.

³⁰ Descriptive coding involves the use of a code that summarizes the main point of an excerpt.

4.3.1. Civil Society

Recognition of what took place during the conflict has been a constant struggle for survivors; one where reviewing history is not simply a case of remembering but also navigating differing political and cultural accounts of what occurred. In Guatemala, the actions of right-wing political parties, ex-guerrilla fighters, the military and the Guatemalan National Revolutionary Party (URNG)³¹ seem to ask the Guatemalan population to forgive and forget, or at the very least to remember their version of history. This policy of amnesia and/or revisionism has been steadfastly reproached by civil society writ large, who recognise the importance of remembering and judging the past as a way to help Guatemalan society continue to heal. Non-governmental organisations articulated their understandings of trauma in dynamic and comprehensive ways; conceptions of trauma spread across three main categories, including (1) cultural trauma, (2) social trauma and (3) individual trauma, with specific themes emerging within each category (See Appendix C). Some interview participants took a literal approach, describing trauma as a phenomenon, which manifests physically where the body becomes the storyteller,

You can feel the pain in your stomach, in your heart, in your head, a headache. But emotionally and spiritually we cannot really express what we feel because when we bear the suffering for years it has left a mark in our lives (Interview, Guatemala City, August 31, 2015)

Those who live through these experiences bear the mark of having done so and trauma becomes a central aspect of the self. In this conception of trauma it is individualized and indelible, it cannot be removed and those experiencing this form of trauma must “find a way to manage it” (Interview(a), Guatemala City, August 24, 2015). However, participant descriptions of trauma as

³¹ The URNG took root in the guerrilla movement and is an amalgamation of a number of leftist groups including the Guerrilla Army of the Poor (EGP), the Revolutionary Organization of People in Arms (ORPA), the Rebel Armed Forces (FAR), and the National Directing Nucleus of PGT (PGT-NDN).

an individual experience were less common than descriptions of the collective impact of trauma. Isolation, mistrust, stigma and ongoing discrimination of indigenous populations were characteristic themes in participant descriptions of social trauma. As described by Andrés³², a human rights lawyer, “You are a part of a community but you suffer not only by yourself, you suffer with other people...it is part of a collective because you suffered pain together” (Interview(a), Guatemala City, August 24, 2015). The counterinsurgency language employed by the state to describe guerrilla members, unionists, teachers, indigenous peoples, and anyone agitating for change as ‘subversives’ or ‘delinquents’ meant that they were systemically isolated from the rest of society. This anti-communist rhetoric deeply divided society between the left and the right, and despite the inclusion of the Guatemalan National Revolutionary Party (URNG) into the political landscape this rhetoric is still very much in use in Guatemala today as one interview participant pointed out, “There are no grays, just black and white” (Interview, Guatemala City, August 28, 2015). Moreover, the stigmatization of individuals or groups whose views ran/run counter to the state agenda has “limited the participation or the exposure of different ways of thinking” (Interview, Guatemala City, August 28, 2015). Relatives of those who were disappeared or killed during the conflict are left stigmatized and labelled as ‘relatives of communists’, ultimately limiting their ability to participate in society. This is particularly true for members of poor, indigenous communities who face ongoing discrimination, as identified by almost all interview participants, limiting their ability to exercise any sense of agency and silencing their attempts to publicly remember the past. Moreover, the isolation and stigmatisation of survivors “has contributed also to the denial of truth, especially in state politics”, where the

³² Pseudonym used to protect the identity of the participant.

views of survivors are not held up as legitimate and fractures in memory begin to emerge (Interview, Guatemala City, August 28, 2015). Furthermore, one participant described how the military, the Association of Veterans and the Foundation Against Terrorism have continued to discredit “the ones that are accusing the military.” (Interview(b), Guatemala City, August 24, 2015)

The use of fear as a counter-insurgency tactic to maintain control during the conflict has left communities deeply distrustful of the state and one another. As a result, this has created a “culture of not denouncing” where communities and individuals are weary of approaching state institutions for help, and so deliver “self-justice, by their own hand” (Interview(a), Guatemala City, August 24, 2015; Interview(b), Guatemala City, August 24, 2015). The consequences of speaking out against violence and oppression during the internal armed conflict were severe, and as a result individuals, chiefly indigenous peoples, who are subjected to such events today remain fearful of claiming their rights. Another tactic used by the state to damage the social fabric, of rural communities in particular, was the creation of the civil defence patrols (PACs). The coercion used to force men into joining PACs and commit acts of violence against their own community members left deep-seated “mistrust and division within communities, [it] broke bonds” (Interview(b), Guatemala City, August 24, 2015). As a result, “... [the] social weave was really affected between communities, links were broken, and the processes of loss were altered”, having to live alongside the perpetrators of violence has left profoundly ruptured communities (Interview(b), Guatemala City, August 24, 2015). Furthermore, the social trauma experienced by

survivors has been compounded by a largely apathetic Ladino population, who were left relatively untouched by the conflict³³.

Another category to emerge was that of cultural trauma within which identity was the major theme. During the conflict many families and entire communities were forced to flee for safety, leaving behind their personal belongings and homes but more importantly indigenous communities were dislocated from their traditional, ancestral territory. As Nery Rodenas, Director of the Human Rights Office of the Archdiocese of Guatemala, described “Many people that crossed the borders lost their identity...the families were divided and they lost their past.” (Interview(b), Guatemala City, August 24, 2015) Moreover, massacres carried out by the state systematically destroyed the Mayan cultural-meaning systems, as Rodenas points out “In Mayan culture, grandparents and ancestors are very important and when massacres took place they [survivors] didn’t have any place to go back to visit their grandparents.” (Interview(b), Guatemala City, August 24, 2015) Judith Erazo, Director of the Association of Community Studies and Psychosocial Action (ECAP), described the way in which her organisation studies ideas of Mayan culture where trauma takes on a different form

We study the ideas of Mayan culture, like ‘susto’, which in the Mayan culture is very strong. They [Mayan peoples] would explain to you what happened to them when they were ‘startled’ [have susto]...this is what we use to look at people in the same context, in their own culture and the effects it has on the person, the relatives, the communities that were affected... (Interview, Guatemala City, August 28, 2015)

For Mayan communities Western concepts of anxiety, depression and PTSD take shape in the form of ‘susto’ or lingering *fright*, which cannot be cured but has the potential to be healed.

³³ This is not to deny the suffering experienced by teachers, lawyers, trade unionists and students (and their families left behind to search for truth) struggling for change to the status quo; many of whom were Ladino/Mestizo and disappeared during the internal armed conflict.

Where Mayan views of trauma, healing and spirituality are not valued, cultural dissonance emerges.

For many interview participants addressing the concept of identity was key to assuaging trauma, rebuilding and reconstructing the identity of those who were killed or disappeared during the conflict could allow for their dignification and help pull them out of the ‘victim’ category.

Obtaining truth was deemed the most important outcome for transitional justice mechanisms to achieve, no small feat. Every participant described the importance of contextualising the conflict and casting it within the broader narrative of oppression and discrimination wrongly targeting innocent members of society. Remembering and recasting the past is a critical component of reconstructing the identities of those labelled ‘subversives’ or ‘delinquents’. Andrés, a human rights lawyer, described the way in which historical memory and public monuments help

...not to forget it [the conflict] but at the same time to dignify them [the victims]. They were not like, just enemies of the state, they were like just their own victims, ‘we’re not dogs, we’re people’. So it’s a way to dignify them, it’s also; I believe it’s a way to never forget what happened. (Interview(a), Guatemala City, August 24, 2015)

To some interview participants, it was possible for survivors to regain their dignity and sense of self-worth through telling their story as part of the CEH process. This process also opened survivors up to the experiences of others who had been subjected to the same violence and oppression, thus creating a community of survivors and perhaps alleviating their sense of isolation. At the same time collective testimonies could help rebuild identities and historical memory, one participant gave the example of a woman whose baby was born and died during the conflict. Without any record of the baby having existed the woman could remember her child through the testimonies of others who could help corroborate its existence.

Those who participated in the truth-telling process were automatically qualified for reparations through the National Reparations Programme (NRP), and though the programme by-design accounts for monetary compensation, material restitution, psychological rehabilitation, dignification of victims and cultural reparations many of the participants were quick to point out that most reparations have taken the form of individual economic compensation. Rather than helping communities, individual compensation creates a hierarchy of suffering and “instead of creating or rebuilding these kind of [social] ties you are breaking them.” (Interview(a), Guatemala City, August 24, 2015). This form of reparation actually serves to increase division within communities, where one survivor receives a cheque and another does not resulting in a confrontation between the two survivors, rather than between the survivor and the state. The incorporation of aspects of Mayan culture has also been criticised, Judith Erazo described the symbolic nature of these efforts in saying, “They [the NRP] do that in a very symbolic way...It was a trend to do this, to allow them to do this Mayan ceremony...but it was just appearance.” (Interview, Guatemala City, August 28, 2015) Moreover, the implementation of the NRP is subject to political will and has been used as “a bag of votes...[where] congressmen use them to make promises to people” during election time and subsequently fail to follow through (Interview(a), Guatemala City, August 24, 2015). The fact that the NRP is subject to executive power has left it vulnerable to abuse and there have been accusations that programme funding has been misappropriated. Despite these criticisms, some individuals and communities have received help from the NRP with the exhumation process.

A number of participants described the importance of the exhumations process in “complet[ing] or end[ing] the process of grief” for those whose loved ones were killed/disappeared during the

conflict (Interview, Guatemala City, August 28, 2015). Participants described how finding the bodies of relatives helped survivors make the unknown known. Aura Elena Farfán, Executive Director of Families of Guatemala³⁴, described the agony of not knowing the whereabouts of disappeared loved ones in saying, “How many mothers have died waiting for that beloved son? ...that is a very deep suffering, it is a trauma.” (Interview, Guatemala City, August 31, 2015) Finding the bodies of loved ones can help bring an end to this suffering and provides an opportunity for burials in accordance with tradition and/or religion. This is particularly important for Mayan communities, where burials according to the Mayan cosmovision can help foster a community of culture and act as a bridge to the past. As Judith Erazo stated, “When they find their relatives and they are actually allowed to do what they were supposed to do, the rituals, culturally, it’s very important for them, for their healing.” (Interview, Guatemala City, August 28, 2015)

A long held debate in the field of transitional justice centres around truth versus justice, however for many of these participants truth commissions and trials do not run counter to one another. Despite the fact that very few perpetrators have been punished in Guatemala, the few successful trials have generated feelings of satisfaction, and witnessing the prosecution and conviction of those guilty of committing atrocities has helped organisations like FAMDEGUA continue their work. In some cases, trials have actually helped survivors uncover the whereabouts of those who went missing³⁵. Trials are viewed as an important step to help dignify victims and acknowledge

³⁴ Families of Guatemala (FAMDEGUA) is an organisation dedicated to helping the surviving family members of people who were disappeared by the state during the conflict. Aura Elena Farfán’s brother was disappeared in 1984 by the Guatemalan military and has never been found.

³⁵ In one case, two children who went missing during the conflict were found alive many years later.

their suffering, moreover through recognising the responsibility of the perpetrators, trials may help set an example to disenfranchised communities who might ‘start to believe in justice again’. Thus trials may act as a reparative tool, which can help foster a sense of trust and decrease feelings of fear between communities and the state. For Andrés, the human rights lawyer, trials perform an important function in helping get to the truth and moving forward, “...for people to, like the country and people to know where they’re going and where they’re heading, [they need] to understand their past and judge it.” (Interview(a), Guatemala City, August 24, 2015) However, few can deny that the time it takes to gather evidence for trials carries with it the potential for prolonging trauma.

Every participant highlighted the importance of historical memory in rebuilding social ties, dignifying victims and survivors, publicly recognising the past, legitimizing the claims of survivors and empowering them to claim their rights. However, there are fears that the past will be forgotten and that those born following the conflict will not know what took place, as a result a few participants expressed the need for a pedagogical approach. In fact, the Human Rights Office of the Archdiocese of Guatemala drafted a proposal in 2001 entitled ‘Memory, Truth and Hope: Let’s get educated for never again’, however it has failed to receive the necessary support from the state and has not been implemented. The aim of this proposal was not simply to act as a historical repository of information but also to help combat ongoing discrimination and social cleavages. However, as with many of the mechanisms described in this thesis, without the political will there is little possibility of this happening.

4.3.2 Government Actors

In interviews with government actors the same three categories emerged when discussing conceptions of trauma, including cultural, social and individual. However, government actors were less effusive in their responses and appeared sidetracked by their own personal or professional agendas, which hindered my ability to identify themes across the group³⁶. Similar to civil society conceptions of individualized trauma, government actors described the indelible nature of such an experience, describing trauma as something “which threatens the integrity or the life of a person...something that the person is unable to cope with or to get over, it’s not easy for them...” (Interview, Guatemala City, August 31, 2015) One participant described trauma as something “that you don’t know how to deal with...and you are just, [living] with the impact of having to deal with”, whilst another described this impact as having a long lasting, damaging effect on the psyche (Interview, Guatemala City, August 28, 2015). Government actors unwittingly reached a consensus around this understanding of trauma as an individual, psychic response to distressing external events. These descriptions of an unshakeable, unknowable trauma draw on what Cathy Caruth (1995) termed the ‘historical power of trauma’, in which trauma persists long past the distressing events themselves.

Although the majority of government actors interviewed did agree that collective trauma could result as a consequence of war, most failed to expand on how this might play out conceptually.

Despite this, the theme of discrimination emerged in the category of social trauma and most

³⁶ Out of the four government actors interviewed none, to my knowledge, had been directly impacted by the conflict. Whilst two members of civil society interviewed had either themselves been impacted or had lost a family member during the conflict. Therefore, it is possible that those who had not been directly impacted by the internal armed conflict were more likely to become sidetracked by their professional agendas.

participants agreed that discrimination against and marginalization of indigenous communities continues to divide Guatemalan society. The disenfranchisement of indigenous communities long preceded the internal armed conflict, however many participants agreed that the underlying tensions between indigenous and Ladino/Mestizo populations were exacerbated during the conflict. While agreeing that discrimination is a problem throughout the country Antonio Arenales Forno, President of The Presidential Commission for Coordinating Executive Policy in the Field of Human Rights (COPREDEH) and former Secretary of Peace, disagreed with claims that Guatemala's discriminatory practices were the cause of the conflict. Arenales criticised how the insurgent movement appropriated these issues to justify their actions and went on to say "we have to get some solution, some changes in Guatemala in order to approach [discriminatory practices] properly but that was not the cause of the war" (Interview, Guatemala City, August 28, 2015). He went on to describe the inadequate representation of marginalized groups and their limited participation in political and juridical institutions as some of the key areas for improvement. In contrast, Gert Rosenthal, former Minister of Foreign Affairs and UN Diplomat, believed "extreme inequality, extreme poverty, intolerance, serious land tenure problems, environmental degradation, a legacy of authoritarian regimes, [and] an extremely entitled business class that is far from enlightened...were the cause of the insurrection in the first place" (Personal Correspondence with Author, August 2015).

It was clear amongst government actors, either from sentiments expressed during interviews or from their observations of Guatemalan society that cold war cleavages still persist and "on both extremes of the ideological spectrum, you will find people who believe the Cold War is not over" (Personal Correspondence with Author, August 2015). If Guatemalan society was already

“divided into the ‘haves’ and ‘have nots’, and into indigenous and non-indigenous, or into catholic and non-catholic, or into military and civilians” then the conflict magnified these divisions and “the historical distinction between liberals and conservatives was broadened into the ‘communist’-‘anti-communist’ paradigm” (Personal Correspondence with Author, August 2015). These divisions have left a profound mark on Guatemalan society and contribute to the ongoing stigmatization of survivors and the families of victims. Raquel Zelaya, former Minister of Finance and Secretary of Peace, described her experiences with survivors stating, “...when I visited the victims they never asked for money. They requested recognition that they were not delinquents...” (Interview, Guatemala City, August 31, 2015). It is worth noting that where this theme was consistent across interviews with members of civil society, Zelaya was the only government actor to explicitly describe the impact of anti-communist rhetoric on survivors of the conflict.

In addition to the divisive effects of anti-communist language, issues of reintegration also contribute to rifts in small, rural communities where survivors and perpetrators are forced to live side-by-side, “...the military, the guerrillas, the patrols, they are friends, they are relatives...” (Interview, Guatemala City, August 31, 2015). For individuals and communities trying to reconcile with the past reintegration poses a significant hurdle and challenges them not to go “back to the place where they were, to the side where they were, to the faction where they were” during the conflict (Interview, Guatemala City, August 31, 2015). Although reintegration is more of an immediate concern directly following the end of a long period of conflict, if not done appropriately or left unaddressed completely fear and mistrust can persist long after the end of the conflict itself.

Only one government actor identified cultural trauma as a category and outcome of the internal armed conflict describing the way in which Mayan populations view trauma as a collective concept because “they lived the situations together” (Interview, Guatemala City, August 31, 2015). Moreover, the conflict disrupted Mayan cultural meaning systems, “we lost our values within indigenous communities and...the new generation are trying to recover [them]” (Interview, Guatemala City, August 21, 2015). As a result, this would further support the need for transitional justice mechanisms that understand and sensitively navigate the cultural needs of Guatemala’s Mayan population, and do so in a practical manner rather than solely symbolically.

Similar to the results obtained from members of civil society, for government actors truth was deemed the most important contributor to reconciliation and healing. The work of the Commission for Historical Clarification and the REMHI report helped contextualize the conflict, and as Gert Rosenthal pointed out they helped erase “...the big lie that atrocities committed were mostly a figment of the imagination of the subversive insurgency” and “...offered some closure to many individuals” (Personal Correspondence with Author, August 2015). In other words, uncovering this truth could help address the social trauma experienced by large portions of the population who had been labeled ‘delinquents’ and ‘subversives’. However, despite the widespread media coverage of its release, there are still large swathes of the population who believe that the report was heavily biased in favour of the insurgents and don’t subscribe to Rosenthal’s point. Raquel Zelaya criticised the CEH for this very reason stating,

They lacked balance and it is not the edit of the commission but the whole team that works – people that are younger with the left-wing view, and that gives ideas as to how to interpret things. (Interview, Guatemala City, August 31, 2015)

According to Zelaya, the ideological imbalance of the commission led to claims of genocide, which created uncertainty and altered the historical truth in a way that repolarized and divided Guatemalan society³⁷. Antonio Arenales Forno, who was actively involved in the peace negotiations, described the intention of the committee in saying, “the most important thing was for the knowledge of truth, over the importance of trials.” (Interview, Guatemala City, August 28, 2015) According to Arenales, the purpose of the CEH was “to make known the truth without individualising the responsibilities, without judicial effects” and criminal trials have only complicated this process, hindering the state’s ability to get to the ‘Truth’ (Interview, Guatemala City, August 28, 2015). When the threat of criminal prosecution hangs over the heads of the perpetrators, Arenales believes they won’t come forward to detail their role in the conflict and therefore, survivors will be robbed of an opportunity to uncover the truth. When describing the negotiations, Arenales is adamant that a general amnesty had been agreed upon, “neither the army, neither the guerrilla were agreeing to sign to the aftermath to have a trial and then go to jail...that’s why we offered the commission of truth and the National Reparations Programme.” (Interview, Guatemala City, August 28, 2015) To Arenales, the reinterpretation of this agreement, the prosecution of the perpetrators of violence and the debate around amnesty has delayed Guatemala’s reconciliation process, and a general amnesty protecting perpetrators would

³⁷ In 2013, Zelaya along with a number of other prominent government officials, including signatories to the peace agreements, and former ministers and vice-presidents, issued a public declaration describing how the genocide conviction would result in ‘serious dangers for our country, including worsening of the social and political polarization which will reverse the peace which has been achieved up until now.’ The statement explained that ‘The charge of genocide against officials of the Guatemalan Army constitutes a charge not only against these officials or against the Army, but against the State of Guatemala as a whole.’ (Traicionar la Paz y Dividir a Guatemala, April 16, 2013. Accessed August 15, 2015) This was also the opinion shared by Antonio Arenales Forno during our interview, who explained that no genocide had taken place since the violence was not ethnically motivated.

make them more willing to come forward to expose the truth³⁸. When discussing exhumations

Raquel Zelaya pointed out that

...many of the exhumations have to be done in military zones and since they [the military] know that after they say where the tombs are they will be taken to trial, they will not speak. (Interview, Guatemala City, August 31, 2015)

Zelaya believes that the process of exhumations is vitally important for survivors and communities “especially in indigenous cultures where the circle of death needs to come to a closure”, and that denying them of this opportunity is cruel (Interview, Guatemala City, August 31, 2015). Gert Rosenthal expressed similar sentiments in describing how exhumations have “been helpful for both individuals and communities, especially given the Mayan beliefs – that the remains of loved ones can be put to rest in accordance with tradition.” (Personal Correspondence with Author, August 2015) Although almost all participants in civil society and government recognised the importance of exhumations in the healing process for survivors, Antonio Arenales Forno voiced concerns over the intentions behind those involved in the process stating, “it is manipulated with all types of intentions, political or anti-army or anti-military.” (Interview, Guatemala City, August 28, 2015) The fact that Arenales believes the exhumations process favours former guerrilla members highlights the division and mistrust that still exists between government actors, ex-guerrilla members and sympathisers, and non-governmental organisations assisting in the exhumation process.

³⁸ During my interview with Aura Elena Farfán, Executive Director of FAMDEGUA, she described how a number of clandestine graves still exist in military zones throughout the country and that the military have blocked the process of exhumations of these graves for fear of being implicated in the killings. In this instance, Arenales’ points regarding amnesty may prove to be valid, where a general amnesty could encourage the military to allow exhumations of these clandestine graves.

Government actors shared some of the same concerns as members of civil society regarding Guatemala's reparations programme, which they feel has been poorly administered and underfinanced. The focus on individual economic compensation "to a point of saying, so much for a mother, so much for a father" has created a hierarchy of suffering that diminishes the programme's ability to unite divided communities; Instead the NRP should be focused on "investing in communities such as [through] schools, hospitals, [and] recreational centres for the whole community." (Interview, Guatemala City, August 31, 2015) Antonio Arenales Forno highlighted the way two separate claiming systems (via the NRP versus via the Inter-American system) have further increased the gap between the 'haves' and the 'have-nots', where survivors with the economic means go through the Inter-American system and are rewarded large settlements, whilst those without the means are forced to go through Guatemala's NRP and receive much smaller financial reparations. Arenales also described how survivors have been revictimised by those who have positioned themselves to act as intermediaries between the survivors and the Inter-American system, convincing survivors to avoid the NRP and seek out large financial reparations from the Inter-American system³⁹.

In discussing other processes that could help promote reconciliation in Guatemala all participants agreed that socioeconomic assistance to the communities most severely impacted by the conflict was necessary. By creating "a society which offers everyone greater opportunities for livelihood, access to education, and dignity" Guatemala may be able to begin to address the discrimination

³⁹ Although financial reparations awarded by the Inter-American system are much larger than those of the NRP, survivors are unlikely to receive any compensation or at the very least, not for a long period of time. The Inter-American system is over-stretched and according to Arenales there are around 3,000-4,000 cases pending but the court can only deal with around 14 per year.

and institutionalised racism that continues to act as a barrier to reconciliation (Personal Correspondence with Author, August 2015). As well, several government actors highlighted that the reconciliation process needs to be a national project “for the whole society in Guatemala...they need to help each other and everybody needs to give something to help”, without this Guatemalan society as a whole will remain apathetic to the needs of survivors (Interview, Guatemala City, August 31, 2015). Incorporation of the Mayan cosmovision which is “ruled by an integration of knowledge, emotional, social, and spiritual knowledge that form the integrity of a person”, as well as the use of self-help groups in the design of non-judicial transitional justice mechanisms may better serve culturally diverse populations (Interview, Guatemala City, August 31, 2015). Programmes that are designed to provide “holistic help for the women [and] children, and to reintegrate the families” may more effectively address the concerns of communities that were fractured during the conflict.

The scholarly literature on transitional justice tends to focus more heavily on the involvement of international organisations, such as the United Nations (UN), and national governments, whilst civil society actors are often relegated to the sidelines despite the fact that they are “often well suited to decide on and prioritize the ends of transitional justice as well as to design, implement, monitor and improve various means” (Crocker, 2000, p.109). During authoritarian rule members of civil society are likely to be the only actors recording human rights violations and interacting directly with those impacted by the conflict, meaning they are often the first to undertake reconciliation and reconstruction efforts. As a result, during transitional periods the grass-roots approach and local forms of knowledge adopted by civil society more closely mirror the views of survivors, in terms of the best transitional justice mechanisms needed to promote reconciliation.

This experience-near approach and close connection to survivor communities means that civil society actors are also more likely to consider the long-term consequences and sustainable local capacity of different transitional justice approaches⁴⁰. Moreover, in countries where the lustration of individuals responsible for committing serious crimes against a civilian population has not taken place and the intellectual authors of violence remain in power, such as in Guatemala, the views of government actors are unlikely to reflect those of survivor communities. As a result, I would expect members of civil society and government actors to have different conceptual understandings of trauma and divergent views on the most appropriate transitional justice mechanisms.

Overall, the language used by government actors to describe their understandings of trauma focused primarily on individual, psychic responses to external stressors (psychobiological trauma) and as a result, was much more limited than that used by their civil society counterparts⁴¹. Government actors were able to reach a consensus on this conception of trauma and highlighted the indelible, unshakeable nature of psychobiological trauma. Some government actor conceptions of trauma did expand to include aspects of social trauma but this was limited to describing the ongoing discrimination of indigenous peoples and cold war cleavages that result in the exclusion of survivor communities from participating in Guatemalan society. This

⁴⁰ All of the civil society actors interviewed during this study work for organisations that have previously and/or continue to provide critical services directly to survivors and communities, including accompanying survivors to exhumations, giving psychosocial assistance, and interviewing survivors for the REMHI report.

⁴¹ By focusing on psychobiological trauma government actors may be trying to exculpate themselves and limit their responsibility in causing the trauma or responding to it after-the-fact. Describing trauma as damage to an individual's psyche allows government actors to extricate themselves from being involved in the healing process, whereas social/cultural trauma more clearly implicates their involvement in having caused the trauma and highlights the role they should play in promoting healing.

understanding of social trauma did appear to influence government actor views on the need for socioeconomic assistance to communities most severely impacted by the conflict. In this way, by providing employment and educational opportunities, as well as increased access to health disenfranchised communities could begin to play an increased role in Guatemalan society and combat discrimination and racism.

Additionally, government actors were not able to agree on the causes of the internal armed conflict, with some suggesting the cold war was entirely responsible whilst others described the way in which the cold war exacerbated pre-existing divisions; the inability to reach a consensus on this topic would surely limit government actors' abilities to design effective remedies in the post-conflict setting where understanding the root causes of the conflict would act as a vital guide to the process. In total only one [indigenous] government actor described the possibility for cultural trauma by detailing the way in which Mayan culture was systematically targeted and destroyed during the conflict. As a result, this government actor was the only one to define the need for transitional justice mechanisms that incorporated aspects of the Mayan cosmovision and culture as a means to help rebuild cultural-meaning systems. In this particular case, the link between this government actor's conceptions of trauma, as having a cultural component, very clearly influenced and informed their view on how transitional justice mechanisms should be designed.

Government actors who reached a consensus on psychobiological trauma were more likely to view truth commissions as the most important form of transitional justice implemented in Guatemala. Truth commissions mirror aspects of Western based 'talk therapies' used to treat

psychobiological trauma and take heed from legalism in terms of evidence gathering and testimonies (as aforementioned); in this way, government Eurocentric conceptions of trauma appear to align with more prescriptive forms of transitional justice. Psychobiological trauma can be quantified and measured far more easily than cultural and social trauma, therefore you would expect these government actors to advocate for criminal trials (where empiricism complements legalism). However, contrary to this many government actors, including two interview participants, are unsupportive of criminal trials and believe that they have delayed and disrupted Guatemala's reconciliation process. This, most likely, has little to do with government conceptions of trauma and more to do with the concern that those currently in power in Guatemala may be implicated in human rights violations carried out during the internal armed conflict; as well as, the impact criminal trials could have on government actor's professional agendas. All government actors irrespective of their understanding of trauma felt that exhumations provided an important opportunity for survivors to close the cycle of grief and lay to rest loved ones in accordance with tradition.

Although members of civil society did describe aspects of psychobiological trauma, similar to government actors, their conceptions of trauma were overall far more nuanced and complex. Civil society actors were far more likely to describe the collective impact of trauma on Guatemalan society describing the isolation and stigma of survivors and general mistrust within communities and between communities and the state. Civil society participants described how the social trauma generated as a result of the conflict left deeply divided communities and a ruptured society in need of reunification and healing. Moreover, participants described how the labelling of survivors and victims as 'subversives' during the conflict contributed to their limited

participation in Guatemalan society and the continued denigration of their suffering. A number of participants described the way in which massacres and mass displacement of Mayan communities led to the breakdown of cultural-meaning systems, the destruction of indigenous identities, and the production of cultural trauma.

Through analysing civil society conceptions of trauma it is clear that identity is a central component of both the social and cultural trauma they describe, and links closely to their views on the need for truth and historical memory. Unlike government actors, members of civil society described how uncovering the truth could help reconstruct historical memory and serve to dignify victims and survivors. Contextualising the conflict was regarded as vitally important and truth commissions were viewed as an important mechanism to achieve this. As well, exhumations and memorials were viewed as important mechanisms to help address social and cultural trauma by rebuilding and reconstructing the identity of those killed or disappeared during the conflict. The more nuanced descriptions of trauma put forward by civil society interview participants appeared to influence their views on the transitional justice mechanisms needed to promote reconciliation. For members of civil society publicly remembering the past contributes to the dignification of victims by legitimising their claims, helps rebuild social ties, and empowers survivors to claim their rights – all of which work to address social and cultural trauma.

4.4 Limitations

Due to the small number of interview participants this study is not able to provide the same level of depth that a larger, more extensive study could provide. As a result, the generalizability of the

results is limited and cannot be viewed as representative of the state or civil society as a whole. It is likely that if the study were expanded to include more interview participants different themes would emerge, in particular for government actors – where it was difficult to identify a consensus and reach saturation. The complexity of interviews and the schedules of interview participants meant that the content and depth varied, and while most participants allowed one and a half hours for the interview, others were only able to participate for thirty to forty-five minutes. The main limitation of this study was, due to organisational realities, related to the ethics review process; due to the length of the ethics review process and my limited time I was unable to speak directly with survivors. In addition, all the civil society and government actors that I interviewed were based in Guatemala City, which restricted my ability to interact with members of civil society working in the regions most severely impacted by the conflict.

Conclusion

This paper has considered the dynamics of trauma theory and transitional justice practices, and examined the way in which this relationship has played out in contemporary discussions amongst government actors and members of civil society in Guatemala. Since its inception, trauma theory has expanded significantly and moved beyond Western constructs of individualized, psychic responses to external events. Scholars, particularly in the field of transcultural psychiatry, have discovered more nuanced forms of trauma including those experienced by indigenous communities in North America as a result of colonization and ongoing oppression (historical trauma), and more broadly the social and cultural traumas that result when cultural-meaning systems are disrupted and ruptures in social structures occur.

The concept of identity is a key component in trauma theory and has played an increasing role in transitional justice scholarship and practice, where historical memory and social reconstruction are vital processes in the road to recovery. Survivors require transitional justice mechanisms that are able to understand and respond to their trauma in a way that is specific to their needs and those that focus on identity, memory and trauma may be better equipped to address this. Some have argued that truth commissions provide a discursive space for survivors to reclaim their agency and position within society, that exhumations can help rebuild cultural-meaning systems by allowing for traditional/religious burial practices and memorialization can help ‘rebuild the social spaces’ and dignify victims (Fullard & Rousseau, 2009; Robins, 2012, p.20/p.2).

Through analyzing the data gathered from eight semi-structured interviews with members of civil society and government actors in Guatemala, my data suggests that the latter are more

conservative in their approximations of how wide-ranging the concept of trauma can be. Whilst members of civil society were able to reach a consensus on their conceptions of trauma as multifaceted and inclusive of social and cultural components, such a consensus was much harder to find amongst government actors. Both parties agreed that truth was the most important contributor to reconciliation, however views on the best way to obtain truth varied. Members of civil society viewed truth commissions and exhumations as the most important mechanisms through which to obtain truth, and trials were deemed important for the dignification of victims and fostering of trust between society and the state. In contrast, the only consensus reached amongst a few government actors was that while truth was the most important ingredient for reconciliation, biased truth commissions and trials (particularly the genocide trial) created a revisionist history that only served to undermine Guatemala's peace process.

The findings of this paper contribute to the wider discussions around trauma and transitional justice in the scholarly field, and provide novel insights into the way in which differing conceptions of trauma between civil society and the state may influence the transitional justice mechanisms generated during peace talks. Furthermore, it speaks to the importance of creating an inclusive design process where civil society, whose views more often closely align with those of the survivors, are actively engaged in every step of the process and not asked for recommendations that are often discarded.

Bibliography

- Alexander J., Eyerman R., Giesen B., Smelser N., and Sztompka P. (2004) *Cultural Trauma and Collective Identity*. Berkeley and Los Angeles: University of California Press.
- Alvarez, E. (2002) *Owning the process: Public participation*. *Conciliation Resources*, Issue 13. Accessed: September 25, 2015.
- American Psychiatric Association. (2013). *Diagnostic And Statistical Manual Of Mental Disorders, Fifth Edition (DSM-V)*. Washington, D.C.: American Psychiatric Publishing.
- Arthur, P. (2009) *Identities in Transition: Developing Better Transitional Justice Initiatives in Divided Societies*. International Centre for Transitional Justice.
- Backer, D. (2006). *Victims' responses to truth commissions: Evidence from South Africa*. In M. Ndulo (Ed.), *Security, reconciliation and reconstruction: When the wars end*. London: University College of London Press.
- Boss, P. (2000) *Ambiguous Loss: Learning to Live with Unresolved Grief*. Cambridge, MA: Harvard University Press.
- Bracken, P., Giller, J., & Summerfield, D. (1995). *Psychological responses to war and atrocity: The limitations of current concepts*. *Social Science and Medicine*, 40:1073–1082.
- Brady, M. (1995). *Culture in treatment, culture as treatment: A critical appraisal of developments in addictions programs for indigenous North Americans and Australians*. *Social Science & Medicine*, 41, 1487–1498.
- Brave Heart, M. Y. H. (2003). *The historical trauma response among Natives and its relationship with substance abuse: A Lakota illustration*. *Journal of Psychoactive Drugs*, 35(1), 7–13.
- Brave Heart-Jordan, M. Y. H., & DeBruyn, L. (1995). *So she may walk in balance: Integrating the impact of historical trauma in the treatment of Native American Indian women*. In J. Adelman, & G. Enguidanos (Eds.) *Racism in the lives of women: Testimony theory and guides to anti-racist practice* (pp. 345–368). New York, NY: Haworth.
- Caruth, C. (1995) *Trauma and experience: introduction*, pp.3-12 in C. Caruth (ed.), *Trauma: Explorations in Memory*. Baltimore and London: Johns Hopkins University Press.
- Chapman, A. R., & Ball, P. (2007). *Levels of truth: Macro-truth and the TRC*. In A. R. Chapman & H. van der Merwe (Eds.), *Truth and Reconciliation in South Africa: Did the TRC deliver?* (144–168). Philadelphia: University of Pennsylvania Press.
- Cloitre, M., Stolbach, B. C., Herman, J. L., Kolk, B. v. d., Pynoos, R., Wang, J., & Petkova, E. (2009). *A developmental approach to complex PTSD: Childhood and adult cumulative trauma as*

predictors of symptom complexity. *Journal of Traumatic Stress*, 22(5), 399-408.

Crocker, D. (2000) Truth commissions, transitional justice and civil society. In R. Rotberg and D. Thompson (eds) *Truth v. Justice: The Formal Efficacy of Truth Commissions - South Africa and Beyond* (Princeton, NJ: Princeton University Press).

Elsass P. (2001) Individual and Collective Traumatic Memories: A Qualitative Study of Post-Traumatic Stress Disorder Symptoms in Two Latin American Localities. *Transcultural Psychiatry*, 38(3): 306–316.

Eppel, S. (2014) ‘Bones in the Forest’ in Matabeleland, Zimbabwe: Exhumations as a Tool for Transformation. *International Journal of Transitional Justice*, 8:404-425.

Evans-Campbell, T. (2008). Historical trauma in American Indian/Native Alaska communities: A multilevel framework for exploring impacts on individuals, families, and communities. *Journal of Interpersonal Violence*, 23(3), 316–338.

Eyerman R. (2002) *Cultural Trauma, Slavery and the Formation of African American Identity*. University of California Press, New York, CA.

Fairclough, N., and Wodak, R. (1997) Critical discourse analysis. In *Discourse as social interaction*. London: Sage. 258–284.

Freud, S. (1913) *The Interpretation of Dreams*. Trans. A. A. Brill. New York: Macmillan. (Orig. pub. 1900).

Freud, S. (1985) *The Complete Letters of Sigmund Freud to Wilhelm Fliess*. J. Masson, ed. Cambridge, MA and London: Belknap Press.

Fullard, M. and Rousseau, N. (2009). Truth-telling, identities and power in South Africa and Guatemala. Research Brief. June. New York: Center for Transitional Justice.

Guatemala, never again! / REMHI, Recovery of Historical Memory Project; the official report of the Human Rights Office, Archdiocese of Guatemala. (1999) Maryknoll, N.Y.: Orbis Books; London:CIIR:Latin America Bureau. Abridged English ed.

Giesen, B. (2001) Social Trauma. *International encyclopedia of the social and behavioral sciences*.

Gone, J. P. (2007). “We never was happy living like a Whiteman”: Mental health disparities and the postcolonial predicament in American Indian communities. *American Journal of Community Psychology*, 40(3–4), 290–300.

Gone, J. P. (2013). Redressing First Nations historical trauma: Theorizing mechanisms for indigenous culture as mental health treatment. *Transcultural Psychiatry*, 50(5), 683–706.

- Hamber, B. (2009). *Transforming societies after political violence: Truth, reconciliation, and mental health*. Dordrecht: Springer.
- Herrera, W. de Jesus, M.J., Ferraz, MP. (2005) Mental disorders and the internal armed conflict in Guatemala. *Actas Españolas de Psiquiatria*, 33(4):238-243.
- Higginbotham N. and Marsella A. (1988) International consultation and the homogenization of psychiatry in Southeast Asia. *Social Science and Medicine*, 27:553.
- Human Rights Watch. (2015) *World Report 2015: Guatemala, Events of 2014*. Accessed: October 16, 2015.
- Ignatieff, M. (1996). Articles of faith. *Index on Censorship*, 25(5), 110–122.
- Institute for Economics and Peace. (2015) *Global Peace Index: Measuring peace, its causes and its economic value*. Accessed October 10, 2015.
- Janet, P. (1909). Problemes psychologiques d'emotion. *Rev. Neurol.*, 17(2): 1551-1672.
- Jonas, S. (2000) *Of Centaurs and Doves: Guatemala's Peace Process*, Ch.2: The Mined Road to Peace, p.37–68.
- Kansteiner, Wulf. (2004) Genealogy of a Category Mistake: A critical intellectual history of the cultural trauma metaphor. *Rethinking history*, 8(2):193-221.
- Kirmayer, L. J., Gone, J. P., & Moses, J. (2014). Rethinking historical trauma. *Transcultural psychiatry*, 51(3), 299-319.
- Kleinman, A. (1991) Suffering and Its Professional Transformation: Toward an Ethnography of Interpersonal Experience. *Culture, medicine and psychiatry*, 15(3):275-301.
- Kleinman A. (1987) The role of culture in cross-cultural research on illness *Anthropology and psychiatry*. *British Journal of Psychiatry*, 151:447.
- Lind, E. A., Kanfer, R., & Earley, P. C. (1990). Voice, control, and procedural justice: Instrumental and noninstrumental concerns in fairness judgments. *Journal of Personality and Social Psychology*, 59(5), 952–959.
- MacCoun, R. J. (2005). Voice, control, and belonging: The double-edged sword of procedural fairness. *Annual Review of Law and Social Science*, 1, 171–201.
- McGonigle, B. (2011) *Procedural Justice? Victim Participation in International Criminal Proceedings*. Intersentia, Antwerp/Oxford.
- Mitchell, J. (2000) *Mad Men and Medusas: Reclaiming Hysteria*, Basic Books, New York.

- Moghimi, Y. (2012) Anthropological discourses on the globalisation of PTSD in post-conflict societies. *Journal of Psychiatric Practice*, 18(1):29-37.
- Montada, L. (2003) Justice, equity, and fairness in human relations. In T. Millon & M. J. Lerner (Eds.), *Handbook of psychology. Volume 5: Personality and social psychology* (pp. 537–568). Hoboken, NJ: Wiley.
- Mullen, M. (2013) "Reassessing the focus of transitional justice: the need to move structural and cultural violence to the centre." *Cambridge Review of International Affairs*, 28(3):1-18.
- Neal A. (1998) *National Trauma and Collective Memory: Major Events in the American Century*. Armonk, N.Y.: M.E. Sharpe.
- Nwogu, N. (2010) 'When and Why It Started: Deconstructing Victim-Centered Truth Commissions in the Context of Ethnicity-Based Conflict.' *International Journal of Transitional Justice*, 4(2):275 – 289.
- Orth, U. (2003) Punishment Goals of Crime Victims. *Law and Human Behaviour*, 27(2):173-186.
- Palacios, J. F., & Portillo, C. J. (2009). Understanding Native women's health: Historical legacies. *Journal of Transcultural Nursing*, 20(1), 15–27.
- Pupavac, Vanessa. (2002). Pathologizing Populations and Colonizing Minds. *International Psychosocial Programs in Kosovo. Alternatives: Global, Local, Political* 27(4):489-511.
- Resende, E, Budryte, D. (2014) *Memory and trauma in international relations: theory, cases, debates*. New York, NY, United States: Routledge.
- Robins, S. (2014) *Constructing Meaning from Disappearance: Local Memorialisation of the Missing in Nepal*. *International Journal of Conflict and Violence*, 8(1):104-118.
- Roche, D. (2003) *Accountability in Restorative Justice*. Oxford: Oxford University Press.
- Rosenfeld, F. (2010) Collective Reparation for Victims of Armed Conflict. *International Review of the Red Cross*, 92(879):731-746.
- Rothenberg, D., & Comisión para el Esclarecimiento Histórico (Guatemala). (2012) *Memory of silence: The Guatemalan Truth Commission Report*. New York: Palgrave Macmillan.
- Rubio-Marin, R. Paz y Paz Bailey, C. Guillerot, J. (2009) *Indigenous Peoples and Reparations Claims: Tentative Steps in Peru and Guatemala*. International Centre for Transitional Justice, Research Brief.

- Sabin, Miriam, Sabin, Keith, Kim, Hyoung Yong, Vergara, Marianela, & Varese, Luis. (2006). The mental health status of Mayan refugees after repatriation to Guatemala. *Revista Panamericana de Salud Pública*, 19(3), 163-171.
- Salvesen, H. (2002) Guatemala: Five years after the Peace Accords: The Challenges of Implementing Peace. A report for the Norwegian ministry of foreign affairs. International Peace Research Institute, Oslo.
- Sanford, V. (2008) From genocide to femicide: Impunity and human rights in twenty-first century Guatemala. *Human Rights Quarterly*, 7:104-122.
- Satehl SL, Freuth C. Sociopolitical aspects of psychiatry. In: Kaplan & Saddock's comprehensive textbook of psychiatry, 9th edition. Philadelphia: Lippincott, Williams & Wilkins; 2009:728-34.
- Shapiro, D.L. (2001) The death of justice theory is likely if theorists neglect the “wheels” already invented and the voices of the injustice victims. *Journal of Vocational Behaviour*, 58(2):235-242.
- Shaw, R. (2002) Memories of the slave trade: ritual and the historical imagination in Sierra Leone. Chicago: University of Chicago Press.
- Slaughter, J. (2007) Human Rights, Inc. The world novel, narrative form, and international law. New York: Fordham University Press.
- Social Inclusion Index, (2013) Social Inclusion Index. *Americas Quarterly*, Summer, 46-59.
- Souto-Manning, M. (2014) Critical narrative analysis: the interplay of critical discourse and narrative analyses. *International Journal of Qualitative Studies in Education*, 27(2):159–180.
- Summerfield, D. (1999) A critique of seven assumptions behind psychological trauma programmes in war-affected areas. *Social Science and Medicine*. 48:10, 1449-1462.
- Traicionar la Paz y Dividir a Guatemala, April 16, 2013. Accessed August 15, 2015.
- United Nations, General Assembly, Annual report of the United Nations High Commissioner for Human Rights: report of the united nations high commissioner for human rights on the activities of his office in Guatemala, A/HRC/28/3/Add.1 (12 January 2015), available from undocs.org/A/HRC/28/3/Add.1.
- United Nations, Report of the Human Rights Council on its twenty-eighth session. A/HRC/28/2/Add.1 (8 July 2015), available from www.ohchr.org/EN/HRBodies/HRC/.../Documents/A.HRC.28.2.doc
- United Nations, Security Council, Report of the Secretary-General, The rule of law and transitional justice in conflict and post-conflict societies. S/2011/634, para.26 (12 October 2011).

United Nations Office on Drugs and Crime. (2013) Global Study on Homicide 2013: Trends, contexts, data. United Nations publication, Sales No. 14.IV.1.

Walters, K. L., Mohammed, S. A., Evans-Campbell, T., Beltran, R. E., Chae, D. H., & Duran, B. (2011). Bodies don't just tell stories, they tell histories: Embodiment of historical trauma among American Indians and Alaska Natives. *Du Bois Review*, 8(1), 179–189.

Weber, M. (1968) *Economics and Society*. Berkley: University of California Press.

Weine, S. (2006). *Testimony after catastrophe: Narrating the traumas of political violence*. Evanston, IL: Northwestern University Press.

WHO. (2012) *Understanding and addressing violence against women*. WHO/RHR/12.38.

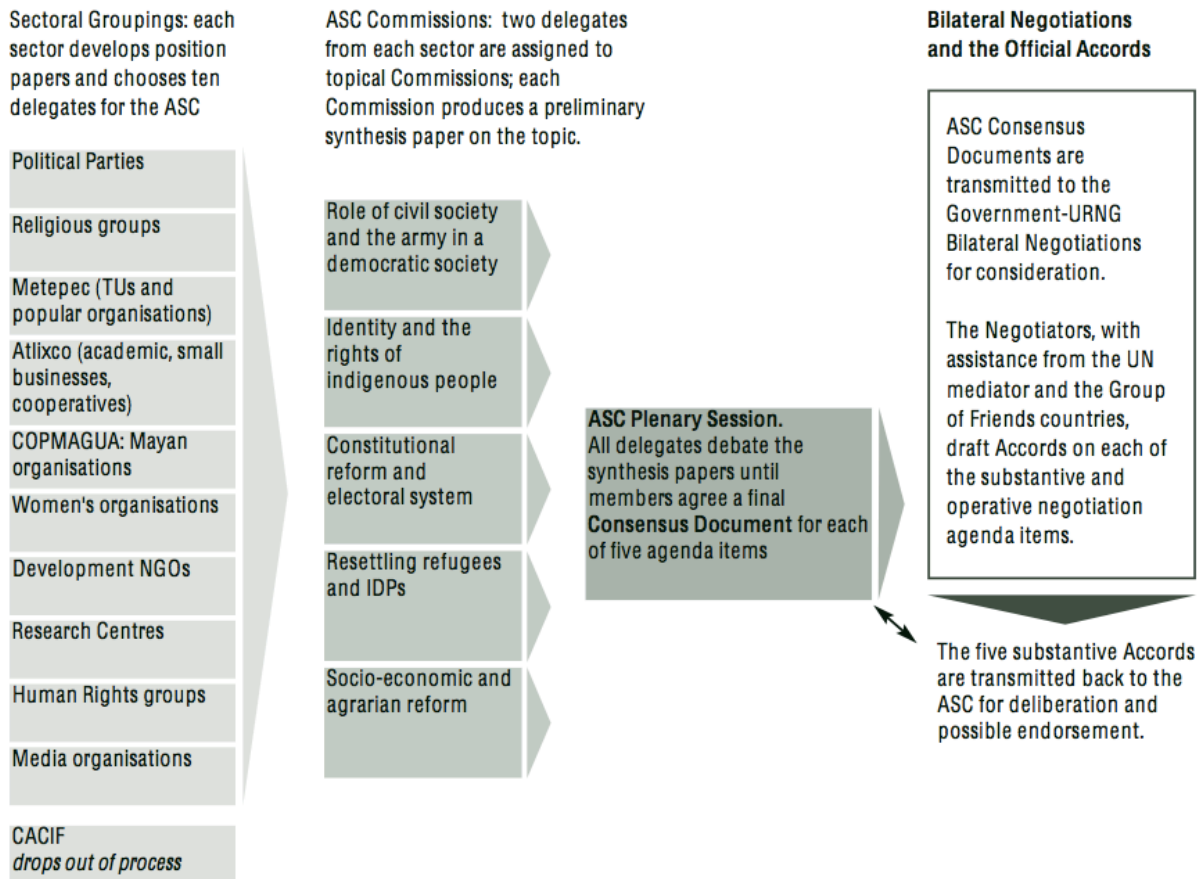
World Bank. (2015) *Poverty headcount ratio at national poverty lines (% of population)* URL: <http://data.worldbank.org/indicator/SI.POV.NAHC/countries/GT?display=graph>. Accessed: October 9, 2015.

Yehuda, R., & Bierer, L. M. (2009). The relevance of epigenetics to PTSD: implications for the DSM-V. *Journal of traumatic stress*, 22(5), 427.

Appendices

Appendix A

Figure 1. Guatemala's Civil Society Assembly



Source: Alvarez, E. (2002) *Owning the process: Public participation*. Conciliation Resources, Issue 13, p.51. Accessed: September 25, 2015.

Appendix B

Table 1. List of Interview Participants (including organisation, self-identity, and personal impact from conflict)

Organisation/Role	Name	Self-Identification	Directly Impacted by Conflict
Government Actors			
Former Member of the Commission of the Implementation of the Guatemalan Peace Accords; Former Permanent Representative of Guatemala to the United Nations; Former Minister of Foreign Affairs	Gert Rosenthal	Caucasian/Guatemalan	N/A
President of The Presidential Commission for Coordinating Executive Policy in the Field of Human Rights (COPREDEH); Former Secretary of Peace	Antonio Arenales Forno	Mestizo.	N/A
Former Minister of Finance; Former Secretary of Peace	Raquel Zelaya	Ladina	N/A
Government	*	Indigenous	Participant did not answer but likely that they were.
Members of Civil Society			
Director of Families of Guatemala (FAMDEGUA)	Aura Elena Farfan	Unknown, likely Ladina/Mestizo.	Brother disappeared in 1984 by Guatemalan military.
Human rights lawyer	Andrés*	Ladino/Guatemalan	Father was an active unionist in the 1980s.
Director of the Association of Community Studies and Psychosocial Action (ECAP)	Judith Erazo	Mestizo	Exiled to Mexico for 10 years.
Director of the Human Rights Office of the Archdiocese of Guatemala	Nery Rodenas	Ladino/Mestizo	Father was a teacher who protested but interviewee did not feel directly impacted by the conflict.

*Due to the confidentiality requests of specific participants I can only provide limited descriptors.

Appendix C

**Table 1. Critical Narrative Analysis Results: Civil Society and Government Actor
Conceptions of Trauma and Transitional Justice**

Members of Civil Society		Government Actors	
Trauma	Transitional Justice	Trauma	Transitional Justice
<p>(1) Identity/Cultural:</p> <ul style="list-style-type: none"> - Losing links to ancestors - Leaving traditional territory - Combating counter-narratives as ‘subversives/delinquents’ - Cultural dissonance - Susto <p>(2) Social:</p> <ul style="list-style-type: none"> - Experiences of isolation - Stigmatisation of victims and their families - Fear and mistrust within and between communities and the state - Divided society - Ongoing discrimination <p>(3) Individual:</p> <ul style="list-style-type: none"> - Indelible - Body as storyteller; behavioural issues - Physical symptoms 	<p>(1) Obtaining Truth:</p> <ul style="list-style-type: none"> - Creating a community of survivors - Getting to the ‘why’; contextualising suffering; making unknown known - Restoring dignity through rebuilding identity <p>(2) Exhumations:</p> <ul style="list-style-type: none"> - Burial in accordance with tradition/religion provides closure - Rebuilding identity - Strengthens community of culture - Reconstructs historical memory; bridge to past <p>(3) Education:</p> <ul style="list-style-type: none"> - Raising awareness; historical memory - Addressing issue of discrimination and social cleavages <p>(4) Trials:</p> <ul style="list-style-type: none"> - Justice; accountability - Rebuilding trust and reducing fear - Act as motivation to keep working towards truth <p>(5) Reparations:</p> <ul style="list-style-type: none"> - Provide a space for victims 	<p>(1) Individual:</p> <ul style="list-style-type: none"> - Individual psychic response - Threat to integrity - Indelible <p>(2) Social:</p> <ul style="list-style-type: none"> - Discrimination - Persistent cold war cleavages - Stigmatisation of victims and their families <p>(3) Cultural:</p> <ul style="list-style-type: none"> - Threat to cultural identity 	<p>(1) Obtaining truth:</p> <ul style="list-style-type: none"> - Getting to the ‘why’ - Contextualising the conflict - Amnesties help uncover the truth and address cleavages - Need for ideological balance in uncovering truth <p>(2) Exhumations:</p> <ul style="list-style-type: none"> - Help provide closure and bridge memory - Uncertainty over motivations of those involved in process <p>(3) Trials:</p> <ul style="list-style-type: none"> - Hindering healing and reconciliation - Genocide conviction reified societal divisions and debates - Limit ability to uncover truth <p>(4) Reparations:</p> <ul style="list-style-type: none"> - Create hierarchy of suffering - 2 separate claiming systems confuse process and revictimise victims - Need for socioeconomic

	<ul style="list-style-type: none"> - Politicised nature of NRP - Need for whole reparations, not just financial - Creates hierarchy of suffering - Increases division within communities <p>(6) Other:</p> <ul style="list-style-type: none"> - Incorporating Mayan culture, not just symbolically - Need for juridical reform 		<p>development of whole communities</p> <p>(5) Other:</p> <ul style="list-style-type: none"> - Need for a national project of reconciliation - Self-help groups; holistic help - Learning how to claim rights - Incorporating the Mayan Cosmovision
--	---	--	--