

The army on trial

A bid to bring the generals to book

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IN WHAT looks like a student lecture hall in the concrete bowels of Guatemala's Supreme Court building, lawyers confront each other behind flimsy trestle tables. Despite the simplicity of its surroundings, the trial of three retired army officers which began this month is historic. It is the first time that senior officers have faced justice for crimes committed during a 36-year "dirty war" against left-wing guerrillas that left 200,000 dead, most of them killed by the army.

The officers, a general and two colonels, are accused of ordering the murder in 1990 of Myrna Mack, an anthropologist and human-rights campaigner. She was stabbed 29 times in the street only a few hundred yards from the presidential palace in Guatemala city. In 1993, a soldier in the army's elite presidential-security division (EMP), which functioned as a death squad, was convicted of killing Ms Mack. But he was merely the executioner.

Though the dirty war ended with a 1996 peace deal, and civilian governments had replaced dictatorships a decade before that, the army remains the most powerful political force in Guatemala. So the trial comes as a surprise--all the more so since the three defendants are in prison and have been refused bail. For the first time, the army's order of battle and methods are being revealed in public. This evidence has been pieced together from declassified American documents by Kate Doyle, an analyst at the National Security Archive, an NGO in Washington DC, who has been called as a prosecution witness.

But the trial, which is expected to end this month, is likely to be "an exception rather than the rule", according to Nery Rodenas, the director of the Archbishop of Guatemala's office of human rights. That is because Ms Mack's case has had an extraordinarily tenacious champion in her sister, Hellen Mack, a lawyer who has brought it to international attention.

Those such as Mr Rodenas and Ms Mack, who attempt to investigate the crimes of the past, face threats and violence. Such intimidation has increased since the conviction last year of three officers from the EMP for the murder in 1998 of Bishop Juan Gerardi. The bishop was killed days after he had presented a church report on the dirty war. In May, an accountant at the Rigoberta Menchu Foundation, which pursues prosecutions against former military officers, was killed. A witness in the Mack case was flown in from Canada, where he fled after death threats.

The peace accord called for the disbanding of the presidential-security division. President Alfonso Portillo has frequently promised to do so (most recently in July), but this year increased its budget. In practice, it is not Mr Portillo who decides such matters but Efraim Rios Montt, a former military dictator during the most repressive phase of the war. He is now president of Congress, and the leader of the ruling party. Human-rights groups want him prosecuted for genocide. His supporters want to lift a constitutional ban on dictators standing for president, in time for an election in November 2003. Guatemala's future will depend on which side wins.

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