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FIGHTING AGAINST THE DICTATORSHIP
AND FACING A “CHARACTER ASSASSINATION”

My first encounter with the Guatemalan civil war occurred back in 1963, when I was 12 years old. I was deeply shocked when I saw three policemen gunned down in the street. These policemen were killed by a guerrilla group which, in fact, publicly claimed responsibility for their murder. As a child, I was surprised that nobody thought about the orphans and widows, so I started a campaign, visiting friends, relatives and corporations, to raise funds for these children. I didn't raise a lot of money, but I gave them what I was able to collect. That was my first taste of guerrilla warfare, violence, subversion, and the burgeoning conflict in Guatemala.

Perhaps, since then, I became skeptical of radical leftist formulas that claimed the end justified all means.

Years later, I also began to distance myself from the far right, which opposes free-thinking. Another case that had a great impact on me was that of some union leaders, gathered on a farm in Palín, which is now almost on the outskirts of Guatemala City. The army arrived, kidnapped them, flew them to the Pacific Ocean, on helicopters, and threw them into the sea, while they were still alive. No one knew about this, at the time, because the army denied it, but years later I found out from friends who were in the army, that it had really happened. The Recuperation of Historical Memory (REHMI) and Commission

for Historical Clarification (CEH) reports also mention the case.

Despite the irrationality of both extremes—both those who killed policemen for the sake of it, and those who disappeared labor unionists forever—during the seventies, the country became increasingly polarized and radicalized, and it seemed there were only two alternatives: black or white, the guerrillas or the military dictatorship.

How can one avoid falling into extremism?

It is true that it is all too easy to lean towards radicalism. The easiest thing is to be Manichean: you are either with me or against me. Moderation is a lot harder and I think the best way to achieve that is through [intellectual] curiosity. In my case, I have always been very curious, ever since I was a child, when I devoured the encyclopedias that my father bought us.

The radicals, both during the war and now, in times of peace, always want us to believe there are only two paths: you either belong to the far left or the far right. I identify more with the middle ground; that's where I feel more comfortable, both intellectually and morally.

There was a space for those of us who were centrists, and we also paid a very high price for building an alternative to the two extremes.

On one end of the spectrum, we had the guerrillas and on the other, the military regimes, the far right. But we, the social democrats, the Christian democrats and the center-right, were in the middle ground. We did not agree with the subversive Marxist movement, but neither did we agree with a racist, repressive, violent system, which is opposed to social progress, has no sense of solidarity, and does not believe in [public] healthcare or education, nor in rationality.

We sought and still seek a democratic society, we believe in private property, entrepreneurship, and individual freedom, but we also have a social conscience.

Of course, differences arose in that common ground between the center-left, the center, and the center-right, but there was

room for dialogue. And that dialogue is precisely what we're missing right now.

The social democrats and Christian democrats were more structured, and they were the heirs of the 1944 Revolution. Those of us who were on the center-right had to start from scratch; there was no party, no movement, and no tradition. Building that was not easy, but there was the intellectual and moral need to create that space.

However, this entailed risks. We, the moderates, wanted to show the left and the right that we were not enemies and that we could all coexist, engage in dialogue, and reach agreements. But fear prevailed. The guerrillas regarded us as part of a system that had to be destroyed. And the far right, the status quo, said that we, the moderates, were "on the same road as the left", and that therefore we had to be destroyed. They regarded us as a political threat, because we could undermine political support for the system, as well as its ethical legitimacy.

So we came under threat and under attack.

In early 1980, I shared an office in the El Triángulo building with Alejandro Maldonado. These were my law firm's headquarters and the PNR's headquarters. That's where I was, on January 31, when I heard the news, at noon, that the Spanish Embassy had been occupied by members of the Committee for Peasant Unity (CUC) and students from the University of San Carlos (Usac). These events were not unheard of, as embassy takeovers happened on a regular basis, as occurred with the Swiss and Brazilian embassies. This was going on, all over Latin America. In such cases, the government would negotiate [an agreement], political prisoners would be exchanged, and it would all be over.

On January 31, it became clear that tensions were rising, until the Romeo Lucas regime threatened to raid the embassy. The Spanish government heard the news. The Spanish Foreign Minister called his Guatemalan counterpart, and the Spanish government officially asked the Guatemalan government not to act upon its threat to raid the embassy. The Spanish Foreign Minister asked his Guatemalan counterpart to negotiate and reach a solution, reminding him that the embassy was Spanish

territory and that raiding the embassy would constitute a violation of international law.

Nevertheless, President Romeo Lucas García, Interior Minister Donaldo Álvarez Ruiz, National Police Director, Germán Chupina Barahona, and Pedro García Arredondo, chief of the National Police 6th Command, decided to raid the embassy using army and police special forces. That was when the fire broke out. The Lucas regime accused the occupiers of throwing [the] Molotov cocktails [that started the fire]. However, if the army and the Police hadn't raided the embassy in order to evict the occupiers, in a thoughtless action, thereby violating the principles of international law, perhaps the tragic death of 37 people might have been averted.

During the 2015 trial, when those accused of setting fire to the embassy were found guilty, it was established that Lucas had issued direct orders to Chupina Barahona and García Arredondo "not to leave anyone alive," fearing the guerillas could win the war, as the Sandinistas had done, in Nicaragua, a few months earlier, in 1979.

One of the firemen who testified during the trial, described how the police had prevented him from putting out the fire in order to rescue the 37 people who were trapped inside. The order was that "no one should be spared," as reiterated by Red Cross nurse, Odeth Arzú Castillo (deceased), who witnessed these events. When the Lucas regime found out there were two survivors: Spanish ambassador Máximo Cajal and Gregorio Yujá, a farmer, [government agents] searched for them in the hospital where they were recovering. The farmer was killed, and his body was dumped opposite the University of San Carlos. Ambassador Cajal was placed under protection, taken to the residence of the U.S. Ambassador, and removed from the country. That's how he managed to survive.

Of course, the issue has been politicized, as the Lucas regime intended. Other embassies were taken hostage, before and after that, but those incidents were resolved through negotiation, and nobody remembers them today.

As a lawyer, as an internationalist, and as a Guatemalan citizen, I publicly questioned the tragic outcome of the assault on the embassy. If the Lucas regime had negotiated instead of raiding the embassy, 37 people would not have died. I was one of the few critical politicians who condemned the regime's actions during the assault on the Spanish Embassy. Not only progressives were critical of the regime's actions.

It was not the first time I had voiced these views, but that was when I began to receive threats from the army. A friend of mine, who lived in zone 15, called my wife and said:

"I just got a call from Chupina (then director of the National Police), and he sends Edmond the following message: 'If that cocky son of a bitch doesn't shut up, then we will have to silence him ourselves.'"

The second warning came from Juan de Dios Reyes Leal, who served as Vice Minister of the Interior at that time and had lost an eye during a guerrilla attack. He lived in Don Justo, on the road to El Salvador, he was a lawyer and a friend of mine, and he also warned me: "Be careful; stop speaking out against the government in public."

My friends told me I should leave the country for a while, after finding out that I had been included in a hit-list of people who were going to be assassinated or attacked.

At first, I felt grateful because not everyone was fortunate enough to be warned to stay safe. I didn't drive around in an armored vehicle, nor did I have bodyguards, nor carry firearms, or anything like that.

I felt I should use my center-right position, as the son of an anti-communist who was a prominent figure in the country, to help people in need.

So, I followed my principles and voiced my opposition to the excesses of the Lucas regime.

Saving opponents' lives

Under that nefarious regime, also back in 1979 or 1980, a friend from Chiquimula, a businessman, met with me and told me that he wanted to ask me a huge favor. He began like this: "Look, I have an ill-advised son who joined the guerrilla. And

look at all this violence; I'm very worried about him. I've talked to him and persuaded him to leave the country. You know people, diplomats, embassy officials. Can you help me to get my son out of Guatemala?"

Of course, I could, I replied, adding that I would get in touch with people who could help.

One of them was the Venezuelan ambassador. It's important to remember that the Venezuela of those days was not the Venezuela we know today. Back then, it was a prosperous, oil rich, democratic country, led by christian democrat and social christian governments that promoted peace talks with the aim of putting an end to Central America's civil wars.

The ambassador agreed to meet the young man and I agreed with his father, my friend, that one day, at five o'clock in the morning, before dawn, I would pick up the young man on a street corner, downtown, in the Volkswagen Beetle that I still own and is parked in my garage. It was a secluded corner, like 11th Avenue and 2nd Street. The young man was wearing the clothes we had agreed and was carrying a suitcase. I didn't know him. I drove by the corner, opened the door, he got in, and after exchanging greetings, we didn't say a word to each other. The Venezuelan embassy was already expecting us and before 5.30 a.m. I honked my horn three times: beep, beep, beep, and we were allowed in. The young man got out of the car, the embassy staff greeted him, and after I had done my part, I turned around and left.

The following month, a colleague who worked for Prensa Libre newspaper and who had previously worked for my father's newspaper came to my office, looking for me. He was from Jalapa, and he told me that his younger brother had also gotten into trouble and that the army was searching for him, that they had even searched for him at his father's house in Jalapa, but he had escaped by running across the roofs of the neighboring houses. He said his mother was very worried and had asked him what they should do.

"I know you've helped to smuggle people out of the country," he said.

I did what I had done before. I picked him up on a street corner, honked three times, and left him inside the embassy. I did that in those two cases, as well as others. I did it a total of five times.

I was thus helping to save the lives of young men who had fallen into the trap of extremism, youths who were ready to get another chance in life and rebuild their lives. But sometimes it was not possible. I think young people sometimes find it hard to understand why their parents tell them to “stay out of things,” especially given the fact that at that time the outcome could be fatal.

Some of the five young men I helped to leave [the country] did not survive. One of them, the brother of the friend who worked for *Prensa Libre*, was taken to Costa Rica by Venezuelan embassy staff, because he knew people there who could help him to start a new life. But three or four months later, my friend came to my office to see me and told me that his brother had disappeared one day. He had been kidnapped in San José, in Costa Rica, and three days later his body was found, tortured and hanged, in a forest on the outskirts of the Costa Rican capital.

I used to save young people who were being persecuted, hoping to lead them away from the wrong path, even if that meant putting my own life at risk. I felt I had to use the protection I imagined I enjoyed as a right-winger, the son of an extreme right-winger and a graduate of the Adolfo V. Hall [military school], to save those who were in danger. I did my best to keep these matters a secret, none of my friends nor the PNR party were aware of what I was doing. Not even my wife knew why sometimes I had to leave home at 5 a.m. I didn't want to put her in danger. I only told her a few months later. However, word obviously got out, and both people who wanted to smuggle their relatives out of the country as well as the regime found out, as we shall see later on.

For me, saving lives in this manner was a question of ideals, principles, human solidarity, and breaking that cursed Manichaeism into which Guatemala had fallen.

Even in our darkest hours I have always believed that we need to talk to each other, build bridges, save lives, and find what can unite us, rather than focusing on what divides us. These were political actions consistent with my life and my political vision, they were humanitarian actions.

I naively believed it was unlikely there would be reprisals against me. But I did face reprisals, not in the form of an assassination, but as an attempted character assassination.

The editor of a newspaper that back in those days was regarded as critical, told his columnists: "Write about poetry, don't get into trouble writing about politics." Fear was pervasive, throughout the country.

In 1980 and 1981, an increasing number of friends who were in the army kept warning me, "Edmond, you're on a list. Tone it down. You'd better leave [the country] for a while." I would thank them and take trips to Mexico, Panama, the United States, and thus leave for a couple of weeks while things calmed down. I don't know if those trips ever prevented me from being kidnapped or imprisoned.

The political environment in Guatemala was very dangerous. There were many murders, kidnappings, disappearances, a lot of violence. In 1979, 99 lawyers were murdered in our country. Tensions in the capital were running high. The guerrillas, on the other hand, continued kidnapping and murdering.

Retaliation: character assassination

As a result of my record of political and social work over the previous six years, by the end of 1981 it had been decided that I would run for office as one of the congressional candidates for a coalition of opposition parties, the DC-PNR alliance, in the March 1982 elections.

But in November 1981, the scandal hit the headlines.

I was the notary who was helping three Canadian families, who were staying at the Camino Real hotel; meaning they were not hiding away in a clandestine boarding house. I was their notary, and we were completing the necessary administrative procedures for them to return to Canada with their adoptive children. Since Guatemalan officials were increasingly delaying

procedures in the hope of obtaining bribes, we were allowed to complete the adoption process in the destination countries, which had a more solid institutional framework.

The family courts, the Immigration Office and the Canadian government had given us a green light to do this. It was very important that the orphaned or abandoned children did not have to spend two, three or four years growing up in an institutionalized setting solely because of the slowness or corruption of Guatemalan institutions, rather than being promptly sent to their adoptive homes with their moms and dads. We know how important it is for the development of the child's character to be given that affection, care and love as early as possible.

In those days, the legal framework allowed the adoption process to be completed in the children's country of destination. This was a common practice among law firms. The sole objective was to rescue the children as soon as possible.

In that specific case, the Canadian mothers were already with their children at the Camino Real. The necessary documentation had already been signed and they were in the final stages of processing the children's passports so that they could travel.

One morning, I was in my office when I received a call informing me that the Judicial Police had arrived at the Camino Real hotel and had arrested the Canadians and the children, and that I was wanted by the police. I could either go into hiding or turn myself in, and, of course, I opted for the second course, as no crime or irregularity had been committed.

When I arrived at the Second Corps, I was arrested, and the operation continued. I naively thought that everything would be cleared up and resolved quickly. The police told me: "If the biological mothers come forward and vouch for the fact that the children were not abducted, it will all be over and you will be released." I therefore asked the biological mothers to come forward and tell the truth, that they had voluntarily given their children up for adoption. However, when they came forward, they were also arrested.

A press conference was scheduled for three o'clock in the afternoon. The marimba of the Judicial was even playing in the courtyard of the Second Corps to "liven up the atmosphere" while reporters arrived. The Judicial Police, the very institution that arrested, tortured, disappeared and murdered opponents, the terror body that trafficked children for dubious adoptions, was announcing in a press conference that I had been arrested on "child trafficking" charges. I was obviously the only lawyer who had been arrested on those charges in the regime's history because this was a political reprisal.

I find it incredible that there are people who believe the Judicial Police of 1981 as if it were the FBI.

Maybe because I came from an anti-communist family and had military friends, I was not actually killed but subjected to a "character assassination" instead.

It was a huge scandal—it was splashed across the front page of *Prensa Libre* the next day—and a big blow. One does not expect lawful actions, based on good will, that aim to serve and help orphaned children, to come under fire in this way.

Conditions in the prison cells of the Second Corps were deplorable. The only "toilet" was a hole in the middle of the yard. I began to receive visits from friends, relatives, lawyers, and members of the opposition. Somewhere, I've kept the list of those who came to visit me. The mother of a friend of mine at that time, who lived in Delfino alley, brought me milk every day. I will always be grateful to her.

Finally, I was given a bunk bed in the infirmary, where I stayed for about three weeks. There, I shared a room with an elderly man who was in the infirmary to get his last medical check-ups after serving a 36-year sentence for a murder. An emaciated young man, who was always lying in bed, wrapped in blankets, very sick and with protruding eyes that were always staring at me, was also there. I was very frightened, and I always regretted not talking to him and asking him about his story.

The Judicial Police later published another document, which was filed in the Historical Archive of the National Police,

claiming I was able to get out of prison thanks to my “political connections.”

But I belonged to the DC-PNR opposition coalition! How could I have any connections? Sure, my colleagues were campaigning to secure my release, but as opponents, not as allies of the regime.

In fact, when the assembly to nominate candidates for the March 1982 elections was called, I was under arrest, and the leaders of the DC-PNR alliance left my seat empty as a mark of respect, and the alliance kept my candidacy. It was not until a few days before Christmas, on December 22, 1981, I believe, that they managed to secure my release. Alejandro Maldonado, leader of the PNR-DC alliance, came to pick me up from prison.

When I left, I continued to process the children’s adoptions so that they could leave [the country]. It would take several months for them to be reunited with their Canadian adoptive mothers. A few weeks later, a court dropped the charges against me.

Months later, the same Vice Minister of the Interior, my friend Juan de Dios Reyes Leal, confirmed that everything had been orchestrated by Interior Minister Donaldo Álvarez Ruiz and Police Director Germán Chupina.

It was a scandal orchestrated by the regime in retaliation for my political stance, as a member of the opposition.

I can assure you that my actions as a notary were always lawful and taken [to protect] the welfare of the children who needed adoptive families. I did this work pro bono, meaning I didn’t charge any fees, and the adoptive families only paid for the bureaucratic proceedings.

However, it must be said that illegalities were also being committed in Guatemala. Children were abducted and birth certificates were forged. All kinds of adoption-related crimes were committed. The institutional adoption system needed to be improved. But that doesn’t mean that all lawyers and notaries who were working, in good faith, to help orphaned children get adopted, were doing so illegally. A number of top lawyers today also processed legitimate adoptions back then.

Twenty-five years later, the Guatemalan Congress debated the ratification of the Hague Convention on adoptions as well as reforms to Guatemalan law that would include more stringent requirements and would guarantee the lawfulness of the adoption process [for the benefit of] the children and their adoptive parents. At that time, I was serving as Guatemala's ambassador to the European Union, and I lobbied the Foreign Ministry and members of Congress for the necessary reforms and ratifications to be made in order to move in the right direction, in terms of imposing more stringent controls on adoptions.

When I was in Haiti in the aftermath of the 2010 earthquake, as head of the UN mission, there were many families that, moved by solidarity, wished to adopt orphaned Haitian children. There were thousands of them; it's important to remember that 316,000 people died during that disaster. But that's when I became aware of institutional hurdles, as the Haitian state had imploded, and the country didn't even have a civil registry. I suggested to Haiti's Prime Minister that every international adoption should be vetted by the Prime Minister's office, to ensure that no institutional checks were omitted.

Adoption is an admirable institution that we need to promote. Just look at the hundreds of Guatemalan children who don't have the opportunity of being adopted and end up growing up as wards of the state or on the streets.

The fraud, the protest, tear gas

No dictatorship willingly relinquishes power. Democracy is hard-won.

When we all had enough of the Lucas regime (which came to power in 1978) and hoped he would leave power by electoral and peaceful means, it was time for the March 1982 elections to be held. The regime tried to rig the elections in order to perpetuate its reign of terror, but we all took to the streets to claim back the elections that had been stolen from us.

The center-left and the center-right took to the streets together, as it's important to remember that the DC-PNR alliance was running for office with Alejandro Maldonado and Roberto Carpio Nicolle as presidential and vice-presidential

candidates, respectively. The alliance sought to put an end to military dictatorships.

Christian Democrats led by Vinicio Cerezo, Social Democrats led by Mario Solórzano, and the center-right, led by Alejandro Maldonado, were all protesting the stolen elections. And not just the politicians were protesting. Citizens were protesting, too, and many people were taking to the streets.

There was violent repression. First, we noticed there were infiltrators among the demonstrators, government agents who looked more like police officers in civilian clothes.

The government wanted to break up the demonstration and prevent us from reaching the Parque Central. What I remember most vividly is the tear gas bomb that exploded at my feet on 6th Avenue and 10th Street, by Plaza Vivar. When a tear gas bomb explodes, you can't breathe, your eyes burn. My comrades picked me up and took me to the Ritz Continental hotel, where they plunged my head and half of my body in the swimming pool, on the first floor, in order to counteract the effect of the tear gas.

It should be remembered that this happened in March 1982, under the Lucas regime. Once I had recovered, we went up to the fifth floor and what we saw was terrible. What happened to me was nothing compared to the violent repression that ensued. From above, we could see how the demonstration unfolded, which included many citizens and social movements. We noticed it had been infiltrated by police agents who opened fire on the protestors. I saw at least one person killed on the corner of 7th Avenue and 10th Street. I saw other people shot and wounded. Once again, we witnessed the ruthlessness and brazenness of the Lucas regime.

We had already been under this regime for four years and we knew what we up against. But that's when you gather courage and say: "Well, we have to give this our best shot." The leaders of the protest movement stuck their necks out. Vinicio Cerezo, Alejandro Maldonado Aguirre, Leonel Sisniega Otero, Alfonso Cabrera, Catalina Soberanis, Ricardo Gómez, Alfonso Alonso Barillas, Mario Solórzano. We were not intimidated.

The only one who should have taken to the streets to protest but failed to do so was Álvaro Arzú, who had been elected as mayor of Guatemala City. He had formed an alliance with Lucas García, after serving as director of the Guatemalan Tourism Institute (Inguat) under his administration, and his in-laws, who belonged to the García-Granados family, were part of the dictator's close circle. He gained some credibility after he decided not to accept the mayoral office when Ríos Montt offered him the position by appointment. He had won the mayoral elections with the DC-PNR alliance and wouldn't accept being appointed by a coup leader.

Days later, came the coup d'état against Lucas García by a handful of young military officers, led by my former classmate and friend Rodolfo Muñoz Piloña. They named Ríos Montt as their leader, promising to call a National Constituent Assembly. Subsequently, Ríos Montt also tried to perpetuate himself in power and prisoners were executed despite Pope John Paul II's pleas for mercy on their behalf, during his visit to Guatemala. The Ríos Montt regime ushered in more massacres and corruption, and a messianic regime, which is why we, the Guatemalan people, also had to remove him from power.

Ríos Montt's regime was so bloody that the new Constitution that came into effect once democracy was restored, prohibited dictators and their relatives from running for office.

I have always believed in and worked to defend liberal democracy, as the atrocities committed by the system, by the military regimes, only fueled the left. With every assassination, massacre, scorched earth operation, and kidnapping, support for the radical left increased.

The same thing is happening now: the far right, the system, is following the same, misguided strategy of trying to co-opt and radicalize everything. The more polarized the country becomes between the far left and the far right, the more the situation is likely to explode, and then we will all lose out. Who will profit from this situation? The far left. And the right will have no moral ground. We've seen this happen everywhere. The

most recent example is Bolivia, the country most similar to Guatemala. And also, Chile, Ecuador, Peru and Argentina.

Democracy is the best antidote against the far left and the far right.