

## **The Spanish Embassy Occupation and Assault: History and the Partisan Politics of Memory Since 1980 in Guatemala**

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In 1980, on the morning of January 31, a group of K'iche' Maya *campesinos* and their urban allies, protesting assassinations and disappearances in the Guatemalan highland department of El Quiché, occupied the Spanish Embassy in Guatemala City. A few hours later, Guatemalan security forces surrounded and assaulted the diplomatic mission; a fire ensued, killing ten hostages and twenty seven occupiers. A milestone in all accounts of Guatemala's turbulent 1970's and 1980's, what happened that day became "the signal event in the civil war."<sup>1</sup> Debates on the meaning of the Embassy incident enjoyed a long life because of the competing explanations for the fire ending that traumatic afternoon, with some claiming security forces started the fire, and others blaming students accompanying the indigenous delegation, whose molotov cocktails exploded while inside. Compounding the confusion, there was no physical evidence because Guatemalan authorities never conducted the autopsies

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<sup>1</sup>Greg Grandin, "It Was Heaven That They Burned," *The Nation* (2010).

required by law in violent or accidental deaths.<sup>2</sup>

The emotional investment Guatemalans from both sides of the ideological spectrum poured into this event cannot be overestimated. The occupiers either seized the Embassy in an “act of fanatical suicidal terrorism” and immolated themselves and their innocent hostages, or the forces of the Guatemalan state brutally murdered peaceful, blameless protesters seeking redress for legitimate grievances.<sup>3</sup> The Guatemalan left enshrined the massacre as “a blood marriage uniting various sectors of the populace” in a common struggle.<sup>4</sup> For the military regime headed by President Gen. Romeo Lucas García (1978-1981), who portrayed the occupiers as “extremist psychopaths,” the assault became a signature crime further isolating it from an international arena already wary of Guatemala’s dubious human rights record.<sup>5</sup>

In 1998, two years after the signing of peace accords between the government and the revolutionary insurgency, the Spanish Embassy fire was the only event in more than thirty years of civil war the Guatemalan Congress requested investigated by the country’s UN sponsored truth commission, the *Comisión para el Esclarecimiento Histórico* [CEH]. The Congress judged that a key step in forging post-war reconciliation was changing the reigning narrative of what happened that afternoon that the military had imposed through eighteen years of silence. Their resolution, which called the occupiers’ deaths “the grandest demonstration of her children’s sacrifice for the Nation,” argued that “historical memory is part of social culture and must be an inspiration for reconciliation and peace.”<sup>6</sup>

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<sup>2</sup> Rolando Castillo Montalvo, “Testimony of Rolando Castillo Montalvo, former Dean of the medical school of San Carlos,” in *Guatemala: Tyranny on Trial. Testimony of the Permanent People’s Tribunal*, Abridged translation of: Tribunal Permanente de los Pueblos—Sesión Guatemala. Hearings held in Madrid, January 27-31, 1983, ed. Susanne Jonas, Ed McCaughan and Elizabeth Sutherland Martínez (San Francisco: Synthesis Publications, 1984), 174.

<sup>3</sup> Adolfo Molina Sierra was the son of one of the Guatemalan politicians who perished in the Embassy. Sierra, “Suicidio en la embajada” quoted in Héctor Alejandro Gramajo Morales, *De la guerra...a la guerra: La difícil transición política en Guatemala* (Guatemala: Fondo de Cultura Editorial, S.A., 1995), 134-5.

<sup>4</sup> Julia Esquivel, “On the persecution of Christians and the Church in Guatemala,” in *Guatemala: Tyranny on Trial*, 145, 222.

<sup>5</sup> ACAN-EFE report, “Government Communiqué Issued,” *Foreign Broadcast Information Service, Daily Report [Latin America]* VI, no. 23 (1980): P4 - P7.

<sup>6</sup> Comisión para el Esclarecimiento Histórico, *Anexo 1: Volumen 1: Caso*

Following the lead of this 1998 Congressional resolution, Guatemala's two major post-war truth commissions, the CEH and the Recovery of Historical Memory Project prepared by the Guatemalan Archdiocese's Human Rights Office (REHMI), devoted considerable attention to the tragedy in their 1999 reports, with the CEH commemorating the occupiers as "martyrs for peace," exactly the opposite of the military's "psychopathic terrorists."

A few years after the truth commission verdicts and now a generation after the tragedy, its continued relevance was demonstrated when Jorge Luján Muñoz, one of the country's most eminent historians and a diplomat for the Guatemalan government in the 1980s, circled back to it in his 2007 *The Tragedy of the Spanish Embassy in Guatemala, 31 of January 1980: Perspectives, Controversies, and Commentaries*. The first attempt to historicize the Spanish Embassy events and go beyond the political judgments of 1999, his book's "principal purpose," he explained, was also facilitating the "real reconciliation" only possible if Guatemala honestly re-examined its past.<sup>7</sup> Historians needed to wrest this traumatic memory from "the hands of politicians, fanatics, or propagandists," and Luján offered his book as his "well-intentioned, frank, sincere, and considered" effort to provide the "solid and documented understanding of the past" Guatemala needed to transform the Spanish Embassy from a battleground over truth and meaning into a shared understanding capable of bringing about reconciliation.

This essay offers a dramatic empirical rendering of the five fateful hours in which the Spanish Embassy tragedy unfolded. It explains why the event unfolded as it did by fleshing out the operative political context constraining and informing people's actions and striving to understand the changing logic behind the Lucas regime's decisions between 1978-1981.<sup>8</sup> It

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*Ilustrativo No. 79: La masacre en la Embajada de España* (Guatemala City, Guatemala: Comisión para el Esclarecimiento Histórico, 1999), <http://shr.aaas.org/guatemala/ceh/mds/spanish/anexo1/vol1/no79.html>, 19.

<sup>7</sup> Jorge Luján Muñoz, *La tragedia de la Embajada de España en Guatemala, 31 de enero de 1980: Perspectivas, controversias y comentarios* (Guatemala: Academia de Geografía e Historia de Guatemala, 2007), xix, xx.

<sup>8</sup> My narrative draws on more than 250 print sources, 219 of them contemporary with the event, 23 secondary sources, and a brief interview I conducted with the Spanish Ambassador Cajal. It also draws upon a detailed 1980 book, *La noche del colibrí: Arde Centroamerica*, by the Spanish journalist Soledad Cano, an eyewitness to the events; the official 1982 Spanish Government report on

traces the tragedy's afterlife, charting how Luján's "fanatics and propagandists," but also politicians and their international allies—in short, people invested in Guatemala's public life—fought over this contentious memory over the next thirty years, transforming it into an emblematic battleground for explaining and processing the violence they had suffered and mobilizing it in their battles over the country's political future. In analyzing how this potent event is remembered and memorialized, this essay combines an empirical reconstruction of what happened with an analysis of how that past was remembered in Guatemala's partisan politics of memory. Establishing what happened that afternoon as carefully as possible matters deeply, since 37 people died and adjudicating responsibility for that loss of life is a historical, as well as a judicial, imperative. But attending to how different actors remember those deaths and why these competing narratives were convincing to them gives us a powerful lens focusing Guatemala's changing explanations and understandings of its civil war.

Beginning with the Lucas regime's shifting representations of the tragedy to Guatemalan and international audiences in its immediate aftermath, this essay then traces how the Guatemalan opposition and their international allies deployed the assault on the Embassy in their political campaigns against Guatemala's military governments in the 1980s. The Guatemalan political landscape shifted after the K'iche' activist Rigoberta Menchú Tum won the 1992 Nobel Peace Prize, and the 1996 signing of

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the incident; and a 2000 account by Cajal y López, *¡Saber quien puso fuego ahí!: Masacre en al Embajada de España*. The Cano and Cajal books have been condensed and included, along with other narratives and testimony about the assault, in <sup>88</sup> My narrative draws on more than 250 print sources, 219 of them contemporary with the event, 23 secondary sources, and a brief interview I conducted with the Spanish Ambassador Cajal. It also draws upon a detailed 1980 book, ignored by all extant accounts on the Spanish Embassy incident: *La noche del colibrí: Arde Centroamerica*, by the Spanish journalist Soledad Cano, an eyewitness to the events; the official 1982 Spanish Government report on the incident; and a 2000 account by Cajal y López, *¡Saber Quien Puso Fuego Ahí!: Massacre en al Embajada de España*. Due to space limitations, extensive footnotes have been pared down. For the complete notes, see Wallace Fuentes, Myrna Ivonne, "Revolutionary Suicide Or Massacre: the Spanish Embassy Occupation and Assault as History, Guatemala 1980." *18th Annual Latin American Labor History Conference*, April 27-8, (Duke University, Durham, North Carolina: 2001). Luján Muñoz' 2007 *La tragedia de la Embajada de España*. Due to space limitations, extensive footnotes have been pared down.

peace accords heralded what many hoped was a new democratic beginning. In this post-war landscape, battles over the truth and meaning of the Spanish Embassy occupation came to play a key role in the politics of national reconciliation. An unexpected interjection by the US anthropologist David Stoll, whose 1999 book on Menchú and her iconic *testimonio* garnered intense international attention, super-charged this debate on the occupation and fire when it gave new life to narratives first established by the military nearly twenty years earlier. That same year, the tragedy came to play a starring role in another, now global, arena, when Menchú, whose father had died in the fire, centered a lawsuit she brought in Spain charging Guatemalan military leaders with genocide on the assault on the Embassy. Even as these international legal proceedings continue, Luján's 2007 book attests to how Guatemalans continue to circle back to the events of January 31, 1980, attempting now to transcend the politics of memory and integrate an event that has for thirty years throbbled as a wound in the social body into national history.

In a civil war where the bloodiest battles would be carried out in remote highland villages and where the changing tides of fortune for either the military government or the insurgency could only be guessed at, approximated by rumor and speculation, the Spanish Embassy assault was exceptional for its visibility. It was the most visible encounter on the eve of the genocidal war, when the rural drama of indigenous demands erupted into the streets and consciousness of Guatemala City. Confronted by the human drama of dozens of people trapped and burning alive, re-lived as television footage broadcast around the world, the tragedy led Guatemalans to recognize the civil war emerging around them and forced them to try to explain it, if only to themselves. Even after the theater of conflict shifted from the streets of Guatemala City to the Western highlands, the competing memories of what happened that afternoon crystallized two opposing explanatory frameworks seeking to understand why Guatemalans were killing each other, disputes that still echo thirty years later. The tragedy became the war's principal shop-window, impossible to ignore, where these two competing world-views arranged and displayed the protagonists, elements, and memories into sharply different scenarios, striving for

maximum impact and hoping to convince Guatemalans of the truth of their understanding.

*I. The Event: The January 31, 1980 Spanish Embassy Occupation and Assault*

Shortly after 11 on January 31, a Thursday morning, small groups of people started arriving at the Spanish Embassy. Ambassador Máximo Cajal y López, just appointed the year before, was upstairs, meeting with three prominent Guatemalans: Eduardo Cáceres Lehnhoff, an ex-Vice President, Adolfo Molina Orantes, an ex-Foreign Minister, and Mario Aguirre Godoy, a lawyer. At first, the Ambassador was only told that a group of four or five indigenous *campesinos* wanted to leave a statement with him.<sup>9</sup> The occupiers had arrived peacefully, were not first identified as “dangerous” or “armed terrorists,” and their activities were not initially interpreted as an Embassy “takeover.”<sup>10</sup> The Ambassador at no time “invited” the occupiers to enter the Embassy. Soon, twenty-seven occupiers were inside.

Twenty-one of the occupiers now inside were indigenous K'iche' Maya *campesinos*, or farmers, members of a larger delegation from the town of Uspantán, in the northern department of El Quiché, who had been in the capital for three weeks.<sup>11</sup> Many had suffered military repression, and

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<sup>9</sup> Pedro Páramo and Javier Villalba, “Aniversario de una infamia,” *Cambio* 16, no. 479 (1981): 54-56.

<sup>10</sup> “Guatemala: Outright Murder,” *Time* 115 (1980). Elizabeth Burgos, *Me llamo Rigoberta Menchú y así me nació la conciencia* (Barcelona: Seix Baral, 1983), 212. The occupiers at first only displayed machetes, slingshots, and rocks. The Ambassador maintained that once the security forces began their assault, the occupiers pulled out “two or three pistols and two Molotov cocktails.” See “Embajador de España narra los trágicos sucesos,” *Prensa Libre* (1980): 4. Soledad Cano, *La noche del colibrí (Arde Centroamérica)* (México: Plaza & Janes, S.A. Editores, 1980), 113. Máximo Cajal y López, *¡Saber quién puso fuego ahí!: Masacre en la Embajada de España* (Madrid: Siddharth Mehta Ediciones, 2000), 33, 107.

<sup>11</sup> Amnesty International, *Amnesty International Report 1980: Guatemala*, ed. North American Congress on Latin America (NACLA) (Wilmington, Del.: Scholarly Resources, 1980), 142. Most of the *campesinos* were from northern El Quiché, with representatives from the towns of Uspantán, Santa Cruz de Quiché, Ixil, Achi, Chajul, San Pablo el Baldío, Los Plátanos San Miguel, Rabinal, and Pocomchi. See Michael McClintock, *The American Connection, Vol. II: State Terror and Popular Resistance in Guatemala* (London: Zed Books, 1985), 151. Robert M Carmack, “The Story of Santa Cruz Quiche,” in *Harvest of Violence: The Maya Indians and the Guatemalan Crisis*, ed. Robert M Carmack (Norman and London: University of Oklahoma Press, 1988), 52. “Masacre en la Embajada de

at least five of the occupiers were open members of the *Comité de Unidad Campesina* (Committee of Campesino Unity, CUC) a semi-clandestine organization of mostly indigenous peasants. The CUC leadership had established political ties to the *Ejercito Guerrillero de los Pobres*, (EGP; Guerrilla Army of the Poor), one of several armed insurgency groups active in Guatemala. The group also included four law students from the national University of San Carlos [USAC] who also had EGP ties.<sup>12</sup>

They occupiers were there to protest military repression in El Quiché, where growing pressure for land made especially valuable because of recently discovered oil wells and other mineral wealth had led to increased violence. At least three occupiers were from the K'iche' town of Chajul, where the military had herded them and other villagers into the main square and forced them to watch an army truck dump the bodies of four kidnapped neighbors. The Chajul killings exemplified an increased brutality in military repression and catalyzed indigenous radicalization in these highland communities. At the Spanish Embassy, the occupiers identified the "massacre at Chajul" as the latest violation suffered in a long sequence of military atrocities, including "kidnappings, tortures, assassinations, robberies, rapes, and [the] burning of farms and crops."<sup>13</sup>

As the climate of violence intensified, the *campesinos'* attempts to

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España," *Noticias de Guatemala II*, no. 35 (1980): 527-530.

<sup>12</sup> Paul Kobrak, *Organizing and Repression in the University of San Carlos, Guatemala, 1944 to 1996* (Washington, DC: American Association for the Advancement of Science, 1999), 65. For details on the repression suffered by members of the *campesino* delegation, see Cano, *La noche del colibrí*, 178. The CUC was organized in the indigenous highlands, where *campesino* leagues, agricultural promotion organizations, Catholic Action, and different indigenous cultural organizations began mobilizing as early as 1972. Since its founding in 1978, CUC had informal ties to the EGP. For information on the urban allies see Anonymous, *Guatemala 80* (Guatemala City, 1980), 87. the different articles all entitled "Semblanza De Los Caidos El 31 De Enero," "Semblanza de los caidos el 31 de enero," *Noticias de Guatemala II*, no. 35 (1980): 529. "Semblanza de los caidos el 31 de enero," *Noticias de Guatemala II*, no. 36 (1980): 579-582. "Semblanza de los caidos el 31 de enero," *Noticias de Guatemala 2*, no. 37 (1980): 609-610. "Semblanza de los caidos el 31 de enero," *Noticias de Guatemala II*, no. 39 (1980): 658-659. "Guatemala acepta responsabilidades y pide excusas al Gobierno español," *El País* (1980): Front page. Luis Angel De la Calle, "El Gobierno de Guatemala reconoce que su policia 'actuó precipitadamente,'" *El País* (1980): 3.

<sup>13</sup> "Carta abierta a las comunidades *campesinas* del Quiché" in "Testimonio documental," *Noticias de Guatemala II*, no. 35 (1980): 548-557. Stephen Kinzer, "Guatemalan Indians Sought Protection Against Army,"

force the political process to address their concerns were brutally repressed. The January 1980 delegation was not the first one sent from Uspantán. In August of 1979, 50 indigenous people from the town traveled to the Congress protesting the disappearance of villagers; once in the capital, they had been beaten, arrested, and told “this is no place for *indios*.”<sup>14</sup> The President of the Congress had promised to speak with Army leaders to try to secure the release of those kidnapped; but as the occupiers recalled during their occupation of the Spanish Embassy, any hopes turned into bitterness and rage when they confirmed that the Chajul executions were their kidnapped loved ones.<sup>15</sup>

This second delegation was much larger than the first, totaling about four hundred men, women, and children.<sup>16</sup> After Presidential and Congressional officials refused to meet with them, they launched a wider protest and negative publicity campaign, denouncing military kidnappings and assassinations. Members arrived unexpectedly at union halls, press locations, and schools.<sup>17</sup> They marched in groups through the streets of the capital shouting “We are alive but dying of hunger!”<sup>18</sup> They briefly took over two radio stations on Monday, January 29.<sup>19</sup>

The tightly censored media would not touch their press releases or press conferences. Guatemalan government officials, including the National Police Detective Corps Chief, branded them as *guerrilleros*, collaborators, and subversives, warning people on radio and television not to be fooled by the *campesinos*’ appearance.<sup>20</sup> On Wednesday, January 24,

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*Washington Post* (1980): Front page. Cano, *La noche del colibrí*, 116-7.

<sup>14</sup> George Black, *Garrison Guatemala* (New York: Monthly Review Press, 1984), 99.

<sup>15</sup> Cano, *La noche del colibrí*, 117.

<sup>16</sup> Amnesty International, *Report 1980: Guatemala*, 141-2. Anonymous, *Guatemala 80*, 84.

<sup>17</sup> Arturo Arias, “Changing Indian Identity: Guatemala’s Violent Transition to Modernity,” in *Guatemalan Indians and the State: 1540-1988*, ed. Carol A Smith (Austin: University of Texas Press, 1990), 253. Mario Payeras, *El trueno en la ciudad: Episodios de la lucha armada urbana de 1981 en Guatemala* (Mexico, D.F.: Juan Pablos Editor, 1987), 49-50.

<sup>18</sup> “El director de la policía guatemalteca, una carrera sembrada de muertes,” *El País* (1980): 2.

<sup>19</sup> “Guatemala Fire Survivor Kidnapped,” *Chicago Tribune* (1980): 3. “Veinte muertos en el asalto e incendio de la embajada de España en Guatemala,” *El País* (1980): Front page and 7.

<sup>20</sup> Amnesty International, *Guatemala Campaign: Killings Follow Appeals*

Abrahám Ruben Ixcampari, secretary of the social democratic United Revolutionary Front Party, was detained and brutally assassinated after trying to get a Congressional hearing for the Uspantán *campesinos*.<sup>21</sup>

The deeply frustrated delegation members, having exhausted every legal recourse, were running out of options. They began entertaining the idea of a high profile occupation. CUC and FERG members decided to occupy an embassy and *campesinos* from the Uspántan delegation agreed to join them.<sup>22</sup> At first, this desperate plan also seemed hopeless. They approached the U.S. Embassy and were rebuffed; they unsuccessfully attempted to occupy the Guatemalan offices of the Organization of American States.<sup>23</sup> They considered the Panamanian and Spanish embassies, and chose Spain because there was no security, it was close to several bus routes, and its street level entrance made it easier to occupy. “In light of all these events,” they declared once inside the Embassy, “no other alternative is left us but to stay in the Spanish Embassy as the only way to reach Guatemalan people and the world with our denunciations.”<sup>24</sup> This occupation on Thursday was, for them, their “last alternative.”<sup>25</sup>

Once inside the building, the non-violent occupiers briskly prepared for a wait of several days instead of a quick military strike. Cajal later reported his impression of the occupation as a bit confused and lacking a clear logistical plan.<sup>26</sup> The occupiers, however, seemed to have thought through many of the logistics involved in a long occupation, bringing large quantities of “simple” food and clothing, medicine, candy, gas lamps and

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*Over Army Arrests, “Disappearances,” and Murders in Oil Rich Quiche Province, Guatemala* (International Secretariat Report) (Wilmington, Del.: Scholarly Resources, February 7, 1980).

<sup>21</sup> Black, *Garrison Guatemala*, 99.

<sup>22</sup> Cano, *La noche del colibrí*, 117-8. Kobrak, *Organizing and Repression*, 65.

<sup>23</sup> Carmack, “The Story of Santa Cruz Quiche,” 52-3. “Veinte muertos,” Front page. Nancy Peckenham, “Fruits of Progress: The Panzos and Spanish Embassy Massacres,” in *Guatemala in Rebellion: Unfinished History*, ed. Jonathan L. Fried, Marvin E. Gettleman, Deborah T. Levenson and Nancy Peckenham (New York: Grove Press, 1983), 205.

<sup>24</sup> Cano, *La noche del colibrí*, 118, 110. Kobrak, *Organizing and Repression*, 65. Luján Muñoz, *La tragedia de la Embajada de España*, 240.

<sup>25</sup> Havana Domestic Television Service, “Havana Interviews Guerilla Army Member,” *Foreign Broadcast Information Service, Daily Report [Latin America]* VI, no. 82 (1982): P6.

<sup>26</sup> “Terror en las embajadas,” *Cambio 16*, no. 428 (1980).

candles.<sup>27</sup> They quickly locked the doors, secured the windows and other points of entrance, and prepared megaphones.<sup>28</sup> Three occupiers led the prominent Guatemalan men into the first floor office of the Spanish consul, Jaime Ruiz del Árbol.<sup>29</sup> Nervously, Embassy personnel and other visitors returned to their desks or sat down. A woman calmly gave orders.<sup>30</sup>

Their entry was now an occupation, and once they prevented those inside from leaving, they had taken hostages. The occupiers must have felt that the presence of high value hostages such as Molina and Cáceres, two prominent high-ranking members of previous Guatemalan governments, promised them further protection and leverage. They asked the Ambassador, in his diplomatic capacity, to mediate their demands against the Guatemalan state: ensuring the Army retreated from their occupied villages, denouncing the military repression they had experienced to the international community, and demanding commissions to investigate their allegations.<sup>31</sup> Their hopes such diplomatic pressure could help them were not unfounded. Two years earlier on September 29, 1978, 63 masked factory workers had peacefully taken over the Swiss Embassy in a labor dispute.<sup>32</sup> During that occupation, the Guatemalan government sent the

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<sup>27</sup> *El Gráfico* published photographs of large quantities of food. "Reportaje gráfico: Escenas del trágico suceso," *El Gráfico* (1980): 5-6. The gas lamps and candles exemplify their preparation: during previous occupations, including the 1978 occupation of the Swiss Embassy, the electricity had been cut. The National Lawyers Guild and La Raza Legal Alliance, *Violations of Human Rights in Guatemala*, ed. The InterAmerican Commission on Human Rights (Wilmington, Del.: Scholarly Resources, September, 1979), 12. "Trabajadores toman la Embajada Suiza," *Noticias de Guatemala* 1, no. 2 (1978): 12-14.

<sup>28</sup> Cano, *La noche del colibrí*, 113-5. "37 personas perecieron en la Embajada de España," *Prensa Libre* (1980): 2.

<sup>29</sup> Yago Pico de Coaña, *Spanish Foreign Ministry Report on Events at Spanish Embassy* (Madrid: Spanish Foreign Ministry, July, 1982), 3.

<sup>30</sup> According to FERG, Luis Antonio Ramírez Paz, 26, led the student group. Most later accounts would claim that Sonia Welches Váldez, 24, was leading the group; this assessment seems to be based on Mario Aguirre Godoy's reports that a woman was giving orders inside the Embassy. During negotiations, a woman with a megaphone was highly visible. "Semblanza de los caídos el 31 de enero (March 4)," 609-10. "Tirotean el funeral de las víctimas de la Embajada Española: dos muertos más," *El Nacional* (1980): Front page, 3. Páramo and Villalba, "Aniversario de una infamia," 55.

<sup>31</sup> Frente Democrático Contra la Represión, *Masacre de indígenas del Quiché en embajada de España en Guatemala*, ed. North American Congress on Latin America (Wilmington, Del.: Scholarly Resources, February, 1980), 2. "La ocupación de la embajada," *El Gráfico* (1980): 4.

<sup>32</sup> The January 1980 publicly thanked the Duralita union. Comunidades Campesinas Cotzal; Chajul; Nebaj; San Miguel, and Uspantán, *Informamos*, ed.

Vice-President, Dr. Francisco Villagrán Kramer, to mediate. They reached a peaceful resolution: the workers left the embassy on a bus that transported them from the embassy, escorted, for security, by labor activists, USAC students, and administrators. The 1978 Swiss embassy occupation presented the 1980 delegation and its allies with an example where a large occupation gained the trust of an Ambassador, leading to a successful mediation allowing them to air concerns they felt had been impossible to legally express. The forces of the Guatemalan state, while depriving them of light, water, food, and at times badgering them to remove their masks, never tried to violate the extra-territoriality of the Swiss mission.

The Spanish Ambassador and the 1980 occupiers also treated each other cordially. He agreed to help them with the investigative commissions they were demanding, but demanded in turn that the occupiers leave and release the other hostages, promising to remain himself as their security.<sup>33</sup> The occupiers refused. According to the Ambassador, the occupiers claimed that they were contemplating releasing several people, especially the women, but first needed to contact the president of the Guatemalan Red Cross.<sup>34</sup>

The occupiers hung banners from the building's windows denouncing military repression, demanding that the Army retreat from El Quiché, and accusing the government of being "murderous." The occupation was bearing fruit: they spoke with members of the domestic and international press gathering in the building's garden and with reporters in Madrid via telephones and Telex. The press conference they had been attempting unsuccessfully to hold for a week was finally about to happen; announcing they would hold it at noon and broadcast a prepared document denouncing repression.<sup>35</sup> But the press conference would never occur.

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North American Congress on Latin America (Wilmington, Del.: Scholarly Resources, January 16, 1980), 3. The National Lawyers Guild and La Raza Legal Alliance, *Violations of Human Rights in Guatemala*, 12. "Trabajadores toman la Embajada Suiza," 12-4.

<sup>33</sup> "Combaten en la Embajada Española en Guatemala; Incendio: 40 Muertos," *El Nacional* (1980): Front page, 3. "Terror en las embajadas," 113-4.

<sup>34</sup> Cajal y López, *¡Saber quién puso fuego ahí!*, 32.

<sup>35</sup> "Guatemala: Outright Murder," 47. Hurtarte Gordillo, "El trágico inicio de una era," in *De la guerra...A la guerra: La difícil transición política en*

### 1.1 *The Siege Begins*

Guatemalan security forces learned of the occupation within fifteen minutes to half an hour of the group's entrance. After the occupation interrupted their meeting, Dr. Mario Aguirre telephoned his eldest son from the Ambassador's office. The Spanish Government assumed this led family members to inform Guatemalan authorities.<sup>36</sup> The Spanish Ambassador suggested instead that the occupier's combative banners alerted officials.<sup>37</sup> Contrary to Guatemalan government reports, no Embassy personnel requested assistance from Guatemalan authorities.<sup>38</sup>

Large numbers of security forces, at least 300 heavily armed men including municipal police, Detective Corps (*“la judicial”*), G2 (army intelligence), *Pelotón Modelo* (anti-riot), and the SWAT-inspired *Commando Seis* of the National Police, began to amass around 11:45, quickly surrounding the building and cordoning off the area to vehicular traffic.<sup>39</sup> They left the journalists and crowding bystanders alone, surprising journalists who remembered how restricted their movements had been at previous embassy occupations.<sup>40</sup>

Almost immediately, the security forces forced the key from an Embassy office worker returning from running errands and entered through the front door. One group of security forces approached the building from the rear and climbed onto the balcony and roof. According to the Ambassador, within fifteen minutes, this security force advance had forced the occupiers to move everyone upstairs, climbing a staircase

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*Guatemala*, ed. Héctor Alejandro Gramajo Morales (Guatemala: Fondo de Cultura Editorial, S.A., 1995), 131-2. “Veinte muertos,” 7.

<sup>36</sup> Pico de Coaña, *Spanish Foreign Ministry Report*, 44.

<sup>37</sup> Cajal y López, *¡Saber quién puso fuego ahí!*, 30.

<sup>38</sup> Luis Ángel De la Calle, “La oposición guatemalteca condena la matanza de la embajada,” *El País* (1980): 3. The official Guatemalan Government statement released that night claimed that “an official of the Spanish Embassy called the National Police by telephone at 11:50 to inform them that the Embassy was being attacked and requested immediate assistance,” a claim the government steadfastly maintained, but that no available evidence supports. ACAN-EFE report, “Government Communiqué Issued,” 4-5.

<sup>39</sup> The Spanish Foreign Ministry settled on 300 as the most likely number of agents deployed. Pico de Coaña, *Spanish Foreign Ministry Report*, 7. Weapons reported included helmets, machine guns, bazookas, smoke bombs, and rifles. Cano, *La noche del colibrí*, 119-20. Frente Democrático Contra la Represión, *Masacre de indígenas del Quiché*, 5.

<sup>40</sup> Comisión para el Esclarecimiento Histórico, *La masacre en la Embajada*

opening onto a small foyer. The foyer had a door to every other room on the second floor: (clockwise from the stairwell) the waiting room, the Chancellor's office, a bathroom, the Ambassador's office, and a secretary's office. The large balcony, about 2/3 the size of the second floor, was accessible through a door in the waiting room.<sup>41</sup> A metal grate door guarded the top of the stairwell, which the occupiers locked behind them. Shortly after the arrival of the security forces, then, the occupiers and the hostages found themselves separated from the advancing agents only by this metal grate door.

Once locked upstairs, there was a flurry of activity. Increasingly anxious, occupiers and hostages made telephone calls and used megaphones demanding the police back down. Security forces allowed reporters inside to talk to the hostages through the metal grate separating the two opposing groups. While huddled around the top of the stairwell, the Ambassador and the other prominent hostages kept asking for a responsible intermediary; the police only shrugged their shoulders, indicating they were "merely underlings" following orders. No one who claimed any authority appeared.<sup>42</sup>

Ambassador Cajal called the Guatemalan Exterior Ministry to order the security forces to stand down but was told that not much could be done about the situation. Discouraged, Cajal called Marcelino Oreja Aguirre in Madrid, the Spanish Foreign Affairs Minister, asking him to call Guatemalan authorities and demand that the security forces retreat. Lastly, he called the Guatemalan Interior Minister, Donaldo Álvarez Ruiz. After being told that Álvarez was "in a meeting," he asked for the Vice Minister of the Interior. The Vice Minister also could not be reached, although the secretary promised that he would call the Ambassador back.

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*de España*, 9.

<sup>41</sup> Pico de Coaña, *Spanish Foreign Ministry Report*, 7-8. Cajal y López, *iSaber quién puso fuego ahí!*, 34. For floor plans for both floors, 57-8.

<sup>42</sup> Contemporary Spanish news reports identified Col. German Chupina, the General Director of the Guatemalan police, as being "at the center of the operation." Frente Democrático Contra la Represión, *Masacre de indígenas del Quiché*, 2. Captain Manuel de Jesús Valiente Téllez, the Second Chief of the National Police and Chief of the Detective Corps, was also at the scene; however, at no point did he officially identify himself. Even when the Spanish Government demanded a responsible party onsite, the Guatemalans refused to clarify the chain of command. Pico de Coaña, *Spanish Foreign Ministry Report*, 7, 13, 36.

No such call was ever received. Álvarez himself would later confirm to the Spanish magazine *Cambio 16* that he had told his secretary not to disturb his “meeting” with any calls and had ordered security forces on the scene to “follow the circumstances” as they appeared.<sup>43</sup>

Minutes after his conversation with Cajal, Oreja did, in fact, telephone Rafael Castillo Valdéz, Guatemala’s Foreign Minister, “begging” him to ensure the security forces backed away from the Embassy. Sources at the Spanish Foreign Affairs Ministry reported Castillo made it clear to Oreja he would accede to his requests and would go to the scene himself.<sup>44</sup> Castillo later admitted he had received Oreja’s call, lamenting that while he had “offered to do everything possible and had contacted the Interior Minister and communicated [Oreja’s] wishes ... the events precipitated in such a fashion that it was impossible to do so.”<sup>45</sup>

The siege had begun. Security forces cut the Embassy’s electricity, water, and telephone lines and demanded, by megaphone, that everyone abandon the building. They did not ask the Ambassador to surrender the occupiers as criminals but instead treated the Ambassador and other hostages as one and the same with the occupiers.<sup>46</sup> The Ambassador refused to invoke the concept of extraterritoriality, although his captors were anxious for him to do so, refusing to “incur such an obvious

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<sup>43</sup> Cano, *La noche del colibrí*, 123-4. “De España, ni hablar,” *Cambio 16* (1980). In 2000, Cajal described as definitive the sequence of telephone calls presented in his official report to his government on February 12, 1980. He first called the Guatemalan Minister of the Exterior, Rafael Castillo Valdéz, attempting to diffuse the escalating situation. Unable to reach him, he next called the Chief of Protocol, whom he also could not reach. With his third call, he spoke with the Vice Minister of External Relations, Alfonso Alonso Lima. Alonso Lima first tried to determine the numbers of occupiers and what arms they carried; but the Ambassador was under surveillance and could not speak freely. Alonso Lima then told Cajal that he would try to have the security forces back down but that he thought “it might be difficult.” Cajal y López, *iSaber quién puso fuego ahí!*, 30.

<sup>44</sup> “Combaten en la Embajada Española en Guatemala,” 3. Pico de Coaña, *Spanish Foreign Ministry Report*, 13.

<sup>45</sup> “Admite el Gobierno de Guatemala que su policía actuó ‘precipitadamente,’” *El Nacional* (1980): 3.

<sup>46</sup> Under the Vienna Convention on Diplomatic Conventions, the head of a mission has the obligation to surrender criminals from the receiving country when asked unless they have been granted diplomatic immunity. Individuals who violate the inviolability of a diplomatic mission or of an individual diplomat, however, cannot be granted immunity. Cajal y López, *iSaber quién puso fuego ahí!*, 35. B. Sen, *A Diplomat's Handbook of International Law and Practice* (The Hague, the Netherlands: Martinus Nijhoff, 1965), 95-6.

contradiction” since the occupiers were also violating the mission’s extraterritoriality.<sup>47</sup> From their precarious second floor position, the occupiers fired back with their own megaphones, demanding the security forces retreat, explaining their protests were justified because the government would only listen to their petitions when they resorted to such extreme means. About forty minutes after the first megaphone exchange, the exasperated Ambassador grabbed the megaphone himself and shouted: “Nothing is going on inside here. Leave, please. This is a peaceful occupation. These *señores* will leave as soon as we listen to their demands. Leave!” Caceres, Molina, and another two occupiers again directly appealed to the security forces, all to no avail.

All evidence suggests that the occupiers were willing to negotiate.<sup>48</sup> “Trying to find a peaceful solution,” they proposed an exit plan by megaphone. In a plan similar to the successful exit from the Swiss Embassy in 1978, they offered to leave the building in pairs and accepted a bus transport, protected by escorting journalists, to the USAC campus. The security forces ignored their plan. The occupiers proposed another option, asking this time for a Red Cross escort. As the security forces continued to advance, a female occupier took the megaphone and again desperately pleaded: “make some vehicles available for our move. We will leave peacefully. Do not advance further. Do what we tell you because if anyone has to die we will all die.”<sup>49</sup>

### *1. 2 The Decision to Invade the Embassy*

The journalists, who had gotten as far as the second floor metal grate door, were now summarily thrown out. Among them was Odette Arzú, a member of both the Red Cross and of the Guatemalan press corps. Earlier that morning she had received an anonymous telephone call asking her not to leave her office because she would be needed later as a Red Cross representative. Staying close by, at eleven, she received a call from Jaime

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<sup>47</sup> ”37 personas,” 2. Cano, *La noche del colibrí*, 119. Cajal y López, *iSaber quién puso fuego ahí!*, 32.

<sup>48</sup> *Massacre in the Spanish Embassy in Guatemala*, ed. North American Congress on Latin America (Wilmington, Del.: Scholarly Resources, February 1, 1980), 2. “Terror en las embajadas,” 45,47.

<sup>49</sup> Cano, *La noche del colibrí*, 124-5.

Ruiz del Árbol, the Spanish consul: “Odette, I beg you to come to the Embassy. We have been invaded and we need you, as Red Cross, to get out of this problem.” She secured permission from her cousin, Augusto Bauer Arzú, the Director of the Guatemalan Red Cross, to go to the Embassy as a Red Cross representative. At the Embassy, a police officer told her that only press were allowed inside the building and the Red Cross, in particular, was to be kept out. She entered the Embassy using her press credentials and covering the Red Cross insignia on her uniform.

Once inside the building, huddled with other journalists, Arzú spoke with Cajal and Molina from across the metal grate. They told her the occupiers wanted to leave, but only if the press and Red Cross accompanied them to guarantee their safety. This seemed reasonable to her, but at that moment Military Police threw her out, forcing her out by slapping her. As she was tossed out into the garden with the other journalists, she was warned not to try to enter the building again. Some members of the press tried to follow the security forces inside again, but the police “threw them out without a backward glance.” The security forces took one reporter’s camera and the tape recorder of another who had been “painstakingly narrating what was happening.”<sup>50</sup>

The security forces shut the front door to the Embassy. Inside the building, at the top of the stairwell, agents now gathered around the metal grate door. Some occupiers used their machetes to beat away the gun barrels security forces shoved through the metal grate. The police kept advancing, accusing and insulting the Ambassador and other hostages when they were unable to open the metal grate door for them.

The actual “invasion” of the mission began at one in the afternoon, when the second group of agents who had climbed onto the balcony and roof forced the balcony door open with what the Spanish Foreign Ministry described as “overwhelming force and with absolute disregard for the diplomatic mission.” The plan of attack was to force entry from several different points simultaneously. Agents swarmed around the second floor, taking strategic positions with a clear line of fire at windows and doors.

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<sup>50</sup> Cajal y López, *iSaber quién puso fuego ahí!*, 34, 100-2. Cano, *La noche del colibrí*, 127-9. Frente Democrático Contra la Represión, *Masacre de indígenas del Quiché*, 5.

Both uniformed security forces and forces in civilian clothes targeted a balcony from the garden and began throwing rocks, trying to break the windows.<sup>51</sup> Within thirty minutes, security agents were trying to force an opening through the roof, climbing onto the second floor balcony, and destroying windows and doors. They used a jackhammer on the roof; hatchets or axes to break through the outer balcony door on the second floor; and broke through the metal grate door guarding the top of the stairwell.<sup>52</sup>

Outside, a crowd, including family members of those trapped inside, watched the security forces assault with growing horror. Throughout the ordeal, bystanders tried to mediate with police and screamed for someone to call the firefighters. When the security forces began to smash through the windows, a “general clamor” arose from the crowd and some people “threw themselves” on top of the police. These eyewitnesses and the dramatic photographs and television footage convinced most people that security forces “were hacking at the building to get their hands on the peasants.”<sup>53</sup>

### *1. 3 Panic and Terror Inside the Embassy*

Around two in the afternoon, security forces succeeded in forcing the balcony door, smashing through a window, and crashed their way into the adjoining waiting room on the second floor. Already facing police agents in the stairwell, the advance through the balcony created a simultaneous attack from both the front and rear which threatened the occupiers from the stairwell and from one of the second story rooms. This room connected to the Ambassador’s study, where most of the occupiers

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<sup>51</sup> De la Calle, “La oposición guatemalteca,” 3. Gramajo Morales, *De la guerra...A la guerra*, 131-2. Alan Riding, “Guatemala: State of Siege,” *New York Times Magazine* (1980): 22-23. “37 personas,” 2. Cano, *La noche del colibrí*, 125,128.

<sup>52</sup> Pico de Coaña, *Spanish Foreign Ministry Report*, 2, 9-10, 58. Cajal y López, *¿Saber quién puso fuego ahí!*, 103. “Reportaje gráfico,” 5-6. “¿El fin de las embajadas?,” *El País* (1980): 8. Amnesty International, *Killings Follow Appeals*.

<sup>53</sup> AFP Broadcast, Paris, “Government Investigating Incident,” *Foreign Broadcast Information Service, Daily Report [Latin America]* VI, no. 23 (1980): P3- P4. “Combaten en la Embajada Española en Guatemala,” 3. Comisión para el Esclarecimiento Histórico, *La masacre en la Embajada de España*, 9. “Guatemala: Outright Murder,” 47.

and hostages were already gathered, through the small foyer that was impossible to defend. Added to the unmistakable noise from the jackhammer on the roof, the terrified occupiers faced a three-pronged assault.

The panicked occupiers moved everyone once again, this time into the Ambassador's small office. Mario Aguirre managed to escape, taking "advantage of a careless moment" as the distracted occupiers forced the Chancellor, Felipe Sáenz, into the Ambassador's office. He ran into the adjacent waiting room where he met the security agents who had just forced the balcony door. The frantic occupiers had only seconds after the security forces surprised them with a rear attack from the waiting room to decide and execute a plan, leading to this "careless moment." Aguirre informed the security agents that the occupiers had several bottles he thought were filled with gasoline.<sup>54</sup>

Many of the occupiers and hostages had settled in the Ambassador's office earlier when everyone had initially run upstairs to escape the security forces. The occupiers now forced Cajal and the remaining eleven hostages in as well, and "hermetically" sealed the office and moved a sofa to barricade the only door. The Ambassador's office faced the street and at only 2.5 meters by 3 meters, or roughly 8 by 10 feet, was very small. Inside, furniture further limited the space and the people inside barely fit and moved "only with difficulty." A window overlooked the garden, protected with metal burglar bars.<sup>55</sup>

A few minutes after they had all been forced into the office, Cajal pleaded with an occupier that they had to try to negotiate with the security forces again; the occupier dismissed the idea, convinced "they won't listen." At that moment, they heard blows on the roof as if someone were trying to break through. Amid shouts and sobs, two occupiers pulled out pistols and some *campesinos* drew machetes.<sup>56</sup>

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<sup>54</sup> Páramo and Villalba, "Aniversario de una infamia," 56. Gramajo Morales, *De la guerra...A la guerra*, 32, 130. Pico de Coaña, *Spanish Foreign Ministry Report*, 9. Cajal y López, *¡Saber quién puso fuego ahí!*, 62, 103.

<sup>55</sup> "139 muertos en la embajada de España!," *El Gráfico* (1980): 2. Cano, *La noche del colibrí*, 112, 126. Havana Domestic Television Service, "Havana Interviews Guerilla Army Member," P6.

<sup>56</sup> Cano, *La noche del colibrí*, 126-7, 138. "Embajador de España narra," 4.

Cajal's own narrative of the events, prepared for the Spanish Foreign Ministry, claims he was held at gun point by the door as he continued to try to convince the group of thirty or forty police agents, from both *Pelotón Modelo* and the detectives corps, to retreat.<sup>57</sup> Security forces, in another unexpected rear assault, tried to break into the room through the window.<sup>58</sup> They used axes and picks to strike the office door, managing to break through, twice almost hitting the Ambassador on the head. As the security forces battered the door, the occupiers pulled out homemade molotov cocktails. According to Cajal, the security forces "refused in a brutal and intransigent manner," giving him only two minutes when he pleaded for more time to negotiate with his increasingly desperate captors.

The office door was now in shambles. The security forces tried to throw a red canister into the office, which the Ambassador thought at the time might have been a smoke bomb, but Cajal shoved it out. One of the occupiers threw down a molotov cocktail and a match, which the Ambassador extinguished with his foot. The occupiers pulled out three or four more molotovs and some revolvers or pistols.

#### 1. 4 *The Fire and its Brutal Aftermath*

His clothes still smoldering, Cajal ran out of the building. In the last frenzied seconds, the office door had crashed down, pulling the makeshift barricade down with it. The occupier holding Cajal's arm had pushed him to the side of the door, as the doorway exploded into a wall of flames, forcing everyone in the office to take a step back. Some occupiers started shooting. Cajal had pulled his arm free, jumped over the furniture through the flames, and run through the empty foyer and down the stairs, losing his glasses.<sup>59</sup> As he ran out of the building, Odette Arzú threw herself into the

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<sup>57</sup> "Spanish Break Ties With Guatemalans," *New York Times* (1980): A2. Pablo Sebastian, "La Comisión de Exteriores del Congreso apoyó la actuación del embajador Cajal en Guatemala," *El País* (1980): 13. Cajal's initial statements, which he presents as definitive in his 2000 book, claimed that he had been held at gunpoint by one individual; the gun had come out after the occupiers had locked everyone in the office. In oral remarks in 2000, however, he claimed instead that he had been held with a machete to the neck. Máximo Cajal y López, *Recounting History: A Silenced Episode and a Silenced People* (Instituto Cervantes New York, New York, May 17, 2000).

<sup>58</sup> Cajal y López, *iSaber quién puso fuego ahí!*, 35,43.

<sup>59</sup> Pico de Coaña, *Spanish Foreign Ministry Report*, 9, 36-8.

Ambassador's arms, screaming out his identity, thinking to protect him from a security agent aiming for his head.<sup>60</sup> Several witnesses did, in fact, hear someone screaming "Kill him!," and these shouts were recorded and later played on international radio.<sup>61</sup> Some police agents forced both Cajal and Arzú into a police vehicle; she started screaming her name and shouting they could not "disappear" an Ambassador. The security forces released them and Arzú handed the wounded man to Red Cross emergency medical personnel, ordering them to transfer him to a private hospital.

A thick black smoke started billowing from the Embassy building. Those still trapped inside were screaming horribly, and Arzú saw Jaime Ruiz at the window trapped in by the metal burglar bars, screaming anguishly for firefighters. Adolfo Molina Sierra, the son of the Molina trapped inside, tried to climb onto a balcony to tear off the security bars in a futile rescue attempt. As flames leapt from the smoke, Arzú grabbed the ambulance radio and called for firefighters. Arzú felt that the firefighters took a long time, and by the time they had arrived after the fire was finished, it was too late to save anyone.<sup>62</sup> As the screams rang from inside, an anguished young man in the crowd threw himself against a police officer pleading "do something, for the love of God." The police claimed "we can do nothing; this is a situation for firefighters."<sup>63</sup> The Spanish Foreign Ministry was "extraordinarily surprised" that firefighters had not been routinely sent to the scene, noting that firefighters arrived only after the Ambassador's escape, and were prohibited from climbing to the building's second floor. The only one trying to fight the flames was Molina's son, who tried desperately, hopelessly to extinguish the fire with a small hose.<sup>64</sup>

After the fire, Odette Arzú and other Red Cross personnel found the

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<sup>60</sup> Odette Arzu would later write that she had not noticed security forces wanting to kill the Ambassador at the time, but that she is now convinced that they wanted to ensure that there would be no witnesses left alive so that "nobody would ever think of invading anything, absolutely anything, not a house, not an Embassy, no public place." Cajal y López, *iSaber quién puso fuego ahí!*, 38, 104.

<sup>61</sup> Cajal y López, *Recounting History*.

<sup>62</sup> The CEH noted that firefighters were "not allowed to act" until ten minutes after the fire started. Comisión para el Esclarecimiento Histórico, *La masacre en la Embajada de España*, 12. Cajal y López, *iSaber quién puso fuego ahí!*, 104-5.

<sup>63</sup> Cano, *La noche del colibrí*, 131.

<sup>64</sup> Gramajo Morales, *De la guerra...A la guerra*, 133. Pico de Coaña,

majority of bodies in the office were burned from the waist up—some had been shot. As they started removing the piled bodies, they discovered one man still alive at the bottom. Arzú sent him to the same private clinic as the Ambassador. Gregorio Yuja Xoná, the only surviving primary witness to the fire, was badly burned; however, he was able to speak. Shortly after being admitted to the hospital, he recorded an interview where he declared, in broken Spanish, “*they threw fire*, who knows why, because we were there and they were going to kill us with, with arms...”<sup>65</sup> The Spanish Foreign Ministry was convinced from Yuja’s testimony that “they threw fire” could only mean Guatemalan state agents had somehow launched fire into the trapped occupiers and their hostages.

Yuja was kept under police guard. The next morning, February 1, 1980, the Costa Rican Ambassador visited Cajal. As he was outside leaving, he saw a group of around 15 heavily armed men, members of Guatemala’s Detective Corps, enter the hospital.<sup>66</sup> He raced back into the hospital hoping to protect the Spanish Ambassador from what he assumed was a kidnapping attempt.<sup>67</sup> The police were nowhere to be found, and he learned the armed men threatened and confined ten nurses before kidnapping Yuja, his IV bottle trailing behind him.<sup>68</sup> The Spanish Foreign Ministry concluded that partly because the Costa Rican Ambassador screamed his identity to protect the Spanish Ambassador, the kidnappers bypassed Cajal’s room, where three other visitors, in fear and confusion, had already thrown themselves to the floor. After the kidnapping, two of the abductors replaced the police posted at the Ambassador’s room. “The fate of the Ambassador passed at that instant into the hands of the Judicial

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*Spanish Foreign Ministry Report*, 36.

<sup>65</sup> Emphasis in original. Cajal y López, *¡Saber quién puso fuego ahí!*, 72-5, 105-6.

<sup>66</sup> Three people were inside Cajal’s room at the time: a priest, Father García Añoveros, a member of a technical assistance mission from Spain, Francisco Javier López Fernández, and a Guatemalan citizen. Father Añoveros, López Fernández, and the Costa Rican Ambassador all claim that the armed men were *Policía Judicial*, or Detective Corps. The Spanish press identified the kidnappers as under the order of Manuel de Jesús Valiente, the second Chief of the National Police and Chief of the Judicial Police.

<sup>67</sup> Pico de Coaña, *Spanish Foreign Ministry Report*, 17-8.

<sup>68</sup> “Energica condena de México a la irrupción de la policía Guatemalteca en la Embajada,” *El Nacional* (1980): Front page, 3. “Ningún rastro del campesino sustraído,” *El Gráfico* (1980): 4. Amnesty International, *Killings Follow Appeals*,

Police, equivalent” the Spanish Foreign Ministry noted dryly, given that they had just been witnessed kidnapping Yuja, “to having no personal security at all.”<sup>69</sup>

No one believed the Ambassador was safe in the hospital after Yuja’s kidnapping; however, citing the risk of infection, doctors advised strongly against any trip, even the two-hour flight to Panama or the United States.<sup>70</sup> That same day, in what Cajal later described as something out of a James Bond film, he was rolled out of the hospital in a wheelchair after telling the police on guard he needed an x-ray.<sup>71</sup> The Spanish Ambassador recuperated under the safest conditions available under the protection of the U.S. Ambassador. Even the US Embassy residence, however, was not completely safe for Cajal; a moving vehicle sprayed the residency with machine gun fire later than night.<sup>72</sup>

While the remains of the diplomats, dignitaries, and embassy staff were given separate burials, the remains of twenty-three of the occupiers were transported to the USAC campus for a group burial on Saturday, February 2. Tens of thousands of mourners, in a huge procession stretching at least six city blocks, accompanied the coffins to Guatemala's General Cemetery.<sup>73</sup> Watched menacingly by heavily armed security forces and civilian paramilitary groups in dark glasses, and under low flying helicopters patrolling the center of the capital, student leaders used megaphones to lead and guide marchers, many shouting anti-government slogans and carrying signs.<sup>74</sup>

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142. “Sobreviviente herido fue secuestrado,” *Prensa Libre* (1980): 4.

<sup>69</sup> Pico de Coaña, *Spanish Foreign Ministry Report*, 18-9, 22.

<sup>70</sup> Cano, *La noche del colibrí*, 157. “Máximo Cajal y López será llevado a la Zona del Canal,” *Prensa Libre* (1980): 76.

<sup>71</sup> “Reconoce su responsabilidad el Gobierno de Guatemala: España,” *El Nacional* (1980): 3. Luis Ángel De la Calle, “Estados Unidos protege la vida de Máximo Cajal en Guatemala,” *El País* (1980): Front Page and 3. The US Ambassador lent his personal bodyguards to the escape group from the hospital. A Guatemalan Detective Corps jeep tried to follow their five-car caravan, but the Venezuelan Ambassador, Jusús Elías, “with a great presence of spirit” faced down the presumed commanding officer, claiming Cajal under his diplomatic protection. The remaining cars took advantage of the confusion and sped away to the U.S. Residence. Cano, *La noche del colibrí*, 162-3, 278.

<sup>72</sup> Cajal y López, *¡Saber quién puso fuego ahí!*, 116.

<sup>73</sup> “Tirotean el funeral,” Front page. Kobrak, *Organizing and Repression*, 67.

<sup>74</sup> Cano, *La noche del colibrí*, 167, 170-1.

The security forces' "defiant" and "openly hostile" attitude towards the funeral mourners was brutally apparent and the expected clash occurred before the march even began, when shots from unidentified sources killed two people as the coffins left the old USAC medical school foyer.<sup>75</sup> As ambulances sped the bodies away, police fired tear gas to disperse the crowd forming at the scene of the shooting, injuring many. As the cortege approached the *Palacio de Gobierno* in the center of the capital, around four in the afternoon, more shots rang out. Reporters claimed Guatemalan police shot indiscriminately into the crowd. Two young students were gunned down and killed by *Commando Seis* agents. Once at the cemetery, after the burial, those gathered were attacked once again. The massive popular support for the funeral cortege surprised many people; the ex-insurgent Mario Payeras considered it the last popular protest of pre-1986 Guatemala. "Never in its history had the people demonstrated such combativeness," recalled Rigoberta Menchú in her 1983 interview, still surprised at the number and attitude of the protesters.<sup>76</sup> Observers at the time, however, could not have known that this demonstration marked the end of an era rather than the beginning of a more combative one.

That same evening, around half past eight, a speeding car dumped two bodies, "riddled with bullets" in front of USAC. Gregorio Yuja could still be identified as one of the victims by the hospital bandages covering his burn wounds.<sup>77</sup> His tortured, murdered, and displayed corpse had a placard around the neck, handwritten in blue ink, reading "Brought to Justice for Being a Terrorist," and "warn[ed] 'The Ambassador will be next.'"<sup>78</sup> The gruesome and theatrical overnight appearance of the only survivor shocked the city. "Guatemalans expected that he would

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<sup>75</sup> De la Calle, "Estados Unidos protege," 3. The Red Cross reported that three people died, others were injured, and some appeared to have been intoxicated by the tear gas. "Tirotean el funeral," 3. Payeras, *El trueno en la ciudad*, 49-50.

<sup>76</sup> Burgos, *Me llamo Rigoberta Menchú*, 211.

<sup>77</sup> ACAN-EFE report, "Abducted peasant murdered," *Foreign Broadcast Information Service, Daily Reports [Latin America] (of monitored radio broadcasts)* VI, no. 24 (1980): P2.

<sup>78</sup> "Cajal y López se refugia en embajada de EE.UU.," *Prensa Libre* (1980): 6. "Identifican el cadáver de Gregorio Yujá," *El Gráfico* (1980): 4. Amnesty International, *Killings Follow Appeals*, 142.

‘disappear,’ explained the Mexican *El Nacional*, not that his body would be thrown in the middle of the capital.” “As opposed to other occasions, in which the lifeless bodies of those kidnapped take weeks, even months, in appearing,” the Spanish newspaper *El País* added, “in the case of Yuja there appears to have been a special interest by the intellectual authors in his kidnapping and murder in making their intent clear.”<sup>79</sup>

The naked brutality of the Spanish Embassy attack led to widespread international condemnation and caused the Spanish to break off diplomatic relations in disgust. At first, the Guatemalan government offered no apologies or explanations for the violent assault. Under growing international pressure, Government officials claimed they had not been fully informed of unfolding events, their plausible deniability bolstered by the care taken not to establish a clear chain of command at the scene.

As the diplomatic furor refused to die down, the Guatemalan government, forced to further explain its actions, characterized the entrance into the Embassy as a botched “rescue mission,” claiming ground agents had “precipitously” entered the building to safeguard the hostages as tensions escalated. In this narrative, “one of the *guerrilleros* [informed security forces that] they were going to come out with a hostage and three of [the occupiers] in a Red Cross bus.” Police agents agreed to these conditions. However, Cajal sabotaged their negotiations, by refusing to sign off on the exit plan for almost two hours. Only then, the government maintained, did agents break through the door as the rest of the hostages pleaded to be rescued.<sup>80</sup>

The Spanish Ambassador, however, repeatedly maintained it was the security forces which refused to enter into any negotiations with either him or the occupiers. According to Cajal, once inside the office, he and Ruiz del Árbol spent half an hour desperately trying to convince the

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<sup>79</sup> “Que no quede impune el régimen guatemalteco, piden en España,” *El Nacional* (1980): Front page, 3. De la Calle, “Estados Unidos protege,” Front page, 3. Where the bodies were dumped was part of the message. The FDCR noted: “The coincidence of abandoning [the body] with highly evident signs of torture precisely in a public gathering place where hours before the multiple burials had been held, proves a desire to start a wave of terror so that others do not follow the revolutionary path.” Cano, *La noche del colibrí*, 185-6.

<sup>80</sup> “Admite el Gobierno.” Gramajo Morales, *De la guerra... A la guerra*, 129-30.

security forces to allow them to negotiate the exit of the occupiers, whose nervousness was growing alarmingly. The security forces “refused in a brutal and intransigent manner” to accept any of these conditions, giving him only two minutes when he pleaded for more negotiating time. The Ambassador, amazed at how the security forces treated both occupiers and hostages in the same increasingly hostile manner, warned the police they were risking a genuine “massacre,” as the occupiers were clearly desperate and had pulled out molotov cocktails. According to Cajal, the security forces nonchalantly replied: “Well, if we all die, we all die.”<sup>81</sup>

The Spanish Government clearly believed the allegations and narratives presented by the Guatemalan Government were all lies.<sup>82</sup> In adjudicating between the two flatly contradicting narratives describing the “negotiation” process, the Spanish dismissed the Guatemalan version in part because their claim that security forces had advanced to the second floor “in order to contact the occupiers and hostages” rang hollow since they had earlier refused to contact the occupiers by either telephone or telex, and had methodically shut down communications by cutting the telephone lines. The occupiers, in contrast, maintained open channels of communication and did try to negotiate; first with the Ambassador and later with police agents.<sup>83</sup> The most blatant example of the Guatemalan government’s refusal to negotiate was their repeated rejection of the occupiers’ offers to abandon the Embassy, plans which faithfully repeated the successful 1978 exit from the Swiss Embassy.<sup>84</sup> While the Guatemalan government’s explanation finally conceded that the occupiers had offered a viable plan to abandon the Spanish mission, nothing in their statement accounted for their refusal to accept this plan.

Instead of uncoordinated, precipitous, or spontaneous attempts to rescue the pleading hostages, the security agents executed a well-planned attack. Witnesses reported security forces on the ground appeared

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<sup>81</sup> Pico de Coaña, *Spanish Foreign Ministry Report*, 10.

<sup>82</sup> “37 personas,” 2.

<sup>83</sup> The occupiers’ main objective was publicly denouncing repression, for which they had to maintain open communication. According to the Ambassador, the occupiers at one point interrupted the Telex, but once the hostages pointed out that it was in their interest to maintain open communications, they reconnected the machine. Cajal y López, *iSaber quién puso fuego ahí!*, 32.

controlled and unhurried, not dangerously agitated. They first advanced rapidly into the building, after which they waited for hours after securing the stairwell. The Spanish Ambassador testified to a moment of quick transition after which security forces “grew increasingly aggressive.”<sup>85</sup> Their final advance into the second floor was rapid and brutal. Such an advance is too well coordinated to be explained away as a “precipitous action” that spun out of control, and its careful orchestration suggests they were following higher orders that increasingly pushed the occupiers and their hostages further into a corner with no escape. While the security forces ruthlessly advanced, the occupiers desperately tried to negotiate a peaceful exit. The primary fulcrum for determining responsibility for the events of January 31 lies with the security forces’ assault—it was this assault that was aberrant and unexpected by all social actors. There had been other occupations of diplomatic missions before in Guatemala City; security forces had never attacked a diplomatic mission. The highest echelons of the Guatemalan military state that ordered the assault on the Embassy bear responsibility for the deadly consequences.

## *II. The Partisan Politics of Memory: The Afterlife of the Spanish Embassy Assault*

The day of the tragedy, the Lucas regime released a document describing the occupiers as “outlawed extremist terrorist factions,” and “fanatics of terror and violence;” and promised the government would “forcefully combat the extremist psychopaths who seek to take power by using ridiculous and anti-patriotic arguments of alleged social demands.” According to the military regime, the occupiers were not indigenous peasants, but professional and highly competent “terrorists—including 4 peasants, 2 men and 2 women,” who “planned their action perfectly.” Their document rhetorically opposed violent, extremist fanatics and the Guatemalan people, “honest, peaceful, and productive citizens,” and warned all “extremist organizations” that the government would “act drastically, using existing laws against all those who subvert the established

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<sup>84</sup> Pico de Coaña, *Spanish Foreign Ministry Report*, 9-10.

<sup>85</sup> Cajal y López, *¡Saber quién puso fuego ahí!*, 30.

order.”<sup>86</sup> Dismissed and ridiculed by foreign observers, this statement was the Guatemalan government’s first and perhaps clearest expression of how they understood the occupation of the Spanish Embassy, what Steve Stern would call their operative “emblematic memory,” which he defined in his analysis of memory in post-1973 Chile as “a framework that organizes meaning,” much more than just recalling events and emotions. Such “memory is emblematic because it purports to capture an essential truth about the collective experience of society.”<sup>87</sup> In the case of the Guatemalan military, two “essential truths” reflected in this first official response were, first, that indigenous *campesinos* were neither insurgents nor capable of organizing without *ladino* help, and second, that the opposition was inspired not by legitimate social grievances, “ridiculous and anti-patriotic of alleged social demands,” but instead by highly organized outside agitators intent on a larger geopolitical restructuring, such as communists, Cubans, or Sandinistas.

With international pressure mounting for more accountability, the Guatemalan State’s response split along two simultaneous fronts: official diplomatic responses and repression. It moved quickly to further control the release and content of information. Press censorship was a Guatemalan reality: news media had been forbidden the official police bulletin for about a year, and journalists ranked highly on death lists released by clandestine paramilitary gangs; many had been disappeared, assassinated, or forced into exile. Now, however, lurid televised images flashed across a world primed by sensational embassy takeovers and hostage crises from Central America to the Middle East, making Embassies stages for the grand political gestures of the times. The Guatemalan regime had to contend with unprecedented international press coverage. On Friday, February 1, the Guatemalan government called the international news agency ACAN-EFE, warning them to tone down their coverage “as they were transgressing on the truth of what had happened.”<sup>88</sup>

The Guatemalan Government marshaled various officials and

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<sup>86</sup> ACAN-EFE report, “Government Communiqué Issued.”

<sup>87</sup> Steve J Stern, *Remembering Pinochet's Chile: On the Eve of London, 1998* (Durham: Duke University Press, 2004), 113, 105.

<sup>88</sup> Cano, *La noche del colibrí*, 143, 188, 198-9.

sympathetic media to launch what the Spanish Government considered a campaign “of falsehoods, injuries and defamations” against the injured Spanish Ambassador, accusing him of complicity with his occupiers.<sup>89</sup> The Spanish explained this as a diversion: by discrediting “at all costs” the only surviving witness, the regime forced attention away from the “brutal” event itself.<sup>90</sup> The regime, however, needed to cement the memory of the occupation in Guatemalan society as an attack on the state by violent terrorists and accusing the Ambassador of complicity was central to their narrative. The television news program *Aquí el Mundo* shot the first volleys, reporting on February 1 that Cajal had visited the K’iche’ region the week before and had reached an agreement with those who would later his Spanish Embassy.<sup>91</sup> The story developed from there: soon “diverse” communications media presented similar stories, some alleging Cajal had forced the Spanish secretary, Jaime Ruiz del Árbol, to go with him to organize the occupation.<sup>92</sup> The Guatemalan Ambassador to Mexico, Jorge Palmieri, carried out the most explicit attack, claiming Cajal “spoke with the same persons who occupied his embassy” four days before the tragedy in El Quiché and that the Ambassador had invited several personalities to the Spanish Embassy, “suddenly” changing a previously set appointment to the expected arrival time of the “alleged peasants.”<sup>93</sup>

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<sup>89</sup> “Admite el Gobierno,” 3. De la Calle, “El Gobierno de Guatemala reconoce,” 3.

<sup>90</sup> Pico de Coaña, *Spanish Foreign Ministry Report*, 22, 41.

<sup>91</sup> Francisco Rubinales. “Ambassador blamed for incident,” *Foreign Broadcast Information Service, Daily Reports [Latin America] (of monitored radio broadcasts)* VI, no. 24 (1980): P2 P3.

<sup>92</sup> De la Calle, “El Gobierno de Guatemala reconoce,” 3. Cajal’s reputation was already compromised among the community of Spanish residents in Guatemala. Lujan Muñoz has detailed how the outgoing Spanish Ambassador had prejudiced many among the conservative Spanish residents, who complained that Cajal was a Castro sympathizing socialist who was unhappy with his post in Guatemala and who was not married to his wife, who had still to receive a divorce from a previous marriage. These rumors were the talk of the Spanish resident community and may have reached the ears of the regime. Luján Muñoz, *La tragedia de la Embajada de España*, 21.

<sup>93</sup> Gramajo Morales, *De la guerra...A la guerra*, 133. LATIN report, “Cajal charged with collusion,” *Foreign Broadcast Information Service, Daily Reports [Latin America] (of monitored radio broadcasts)* VI, no. 25 (1980): 8-9. Cáceres Lehnhoff’s widow testified that the appointment date had been set well in advance and had not changed. “Viuda de Cáceres Lehnhoff no desea atizar el fuego,” *Prensa Libre* (1980): 12, 58. Cajal’s secretary made the appointment on January 28, but the Ambassador had not learned of it until the 30, at which time he

The Ambassador had, in fact, just returned from a three day trip to El Quiché to visit Spanish priests living in the region who reported being threatened by military and government authorities. Even though the Ambassador's party had met only with Spanish clergy and the Uspantán delegation was already in the capital, since the Spanish Embassy had carefully announced the trip to the Guatemalan Ministry of the Exterior, the regime knew of the trip and could manipulate it to suit their needs.<sup>94</sup> When asked about the accusations against Cajal launched by the Guatemalan press, Foreign Minister Castillo clarified that "his government had not made any accusation against the Spanish diplomat."<sup>95</sup> On Monday, February 4, Ambassador Palmieri claimed his statements had been "drastically edited" and were "taken out of context, which leads me to believe that a clean game has not been played."<sup>96</sup> As the Palmieri incident demonstrated, for the Guatemalan regime the difficult task in the face of continuing and escalating diplomatic outrage was finding a satisfying explanation for international observers that did not endanger the regime's domestic strength. Government officials felt opposition and popular organizations would take any acknowledgement of culpability by the Lucas regime as a sign of weakness.<sup>97</sup> This was the logic in Ambassador Palmieri's backtracking; even while claiming he had never directly accused Cajal of complicity, he nonetheless reiterated the Spanish Ambassador still bore "significant blame," claiming that many of Cajal's activities while in Guatemala "did not enter into the role of any diplomat." "No Embassy," Palmieri concluded, "can be converted into a barrack of subversive elements."<sup>98</sup>

Palmieri's complicated dance of attacks and retractions was symptomatic of how the Guatemalan state now had to respond to this ever-deepening diplomatic crisis. On March 3 of 1980, the Guatemalan

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confirmed the date with Molina Orantes. Pico de Coaña, *Spanish Foreign Ministry Report*.

<sup>94</sup> Cano, *La noche del colibrí*, 83-6, 51, 72. Cajal y López, *iSaber quién puso fuego ahí!*, 261-279.

<sup>95</sup> "Admite el Gobierno," 3.

<sup>96</sup> Guillermo Pacheco, "Perfecto derecho de México de solidarizarse con España," *El Nacional* (1980): 6.

<sup>97</sup> Cano, *La noche del colibrí*, 156.

<sup>98</sup> Pacheco, "Perfecto derecho de México," 6.

newspaper *El Imparcial* reported erroneously that Spain had petitioned for 25 million dollars in damages for the events of January 31. The next day, a Guatemalan journalist caught Lucas by surprise and asked his opinion. “I do not have any official knowledge,” the President replied, “but we also feel damaged by the intervention of the [Spanish] Ambassador and we also have to demand reparations for the damage that he caused to the prominent men who also perished there and I think that we can also ask for a larger ‘ransom’ because they were men completely super-valuable for us.” The Spanish Government interpreted this “excited utterance” as an official Guatemalan position accusing Cajal of complicity. On March 6, the Spanish tried to arrange a meeting where Lucas could either retract or qualify his statements to smooth this new diplomatic rift he had created. The President of the Guatemalan Congress “signaled that he could even make the necessary disavowals in his capacity as President of the Congress. However, he found total opposition with the President.”

The delicate calculus had been decided: Lucas would do nothing to compromise the perceived domestic strength of his regime. The President’s constant anxiety to repudiate any sign that might be interpreted as weakness only grew in the following months, much to the consternation of the remaining moderate sectors of Guatemalan public life. Various Guatemalan politicians and intermediaries approached the senior Spanish diplomat in Guatemala to arrange “secret interviews” with Lucas to repair diplomatic relations. Yet as soon as the Spanish government approved a meeting, the intermediaries would “disappear.” The Spanish later learned that “all the offers made in good faith by the Guatemalan ex-functionaries had met the opposition of President Lucas who thought, in this fashion, to show no symptoms of weakness.”<sup>99</sup>

### *2.1 Dissident Memory Against the Military Regime*

The Guatemalan military regime could use censorship and repression to enforce their narrative that the occupiers were non-indigenous terrorists who ruthlessly killed themselves and their hostages even as state forces tried to prevent the tragedy, but it could never

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<sup>99</sup> Pico de Coaña, *Spanish Foreign Ministry Report*, 29-30.

completely eradicate competing explanations of what happened. The principal dissident narrative blamed the military government for the murder of the occupiers, and the opposition marshaled evidence to prove that the President and other military leaders had given explicit orders to assault the Spanish Embassy. In the two years after the event, however, revolutionary forces suffered a resounding military defeat as the Guatemalan military overthrew Lucas and installed Gen. Rios-Montt in March 1982, who shifted from a tactical counter-insurgency strategy to one designed to destroy civilian support for revolutionary forces, culminating in wholesale massacres of hundreds of indigenous highland villages. As hopes for revolutionary military victory crumbled, the mostly exiled Guatemalan opposition redoubled their efforts to reignite international outrage against the regime and raise awareness about the conflict, hoping international bodies would officially recognize the embattled insurgency as a legitimate military and political force. Now that the theatre of military operations had shifted to the remote western highlands, where no cameras documented the atrocities, the visually searing memories of the Spanish Embassy tragedy made it an ideal example to showcase the brutality of the Guatemalan military government to international audiences.

The venue promising the most publicity was the Permanent People's Tribunal, which held hearings on Guatemala's civil war in January of 1983 in Madrid. A non-governmental body founded in 1979, the Tribunal was established to offer human rights victims an international platform when national legal systems refused to do so. The PPT had already held sessions on Argentina and El Salvador, two other Latin American countries whose internal conflicts were much better known internationally; the Guatemalan opposition hoped these 1983 sessions would bring similar international exposure and support to their cause. Many of the most compelling testimonies the opposition would use in its solidarity efforts for the next decade made their first public appearance here, including Rigoberta Menchú's wrenching life story.

Rolando Castillo Montalvo, a former USAC Medical School Dean had been one of the doctors at the scene of the fire. Now exiled, he testified at the PTT that the victim's burn patterns and relatively intact clothing

suggested security forces had launched chemical agents that “selectively incinerated” tissue.<sup>100</sup> But the star witness for the opposition counter-narrative was Elías Barahona, a journalist and EGP operative who infiltrated the Guatemalan government and had become a high level press secretary to Interior Minister Donaldo Álvarez from 1976 through 1980. Barahona witnessed the Guatemalan government’s handling of the situation from inside the Ministry offices. He testified at the PPT that Gen. Lucas himself had ordered the attack on the Embassy and that most of the officials and police involved were still at their jobs, allegations he had first launched in 1980, seven months after the assault and two days after leaving his post for exile in Panama.<sup>101</sup> Once informed of the occupation, Barahona had claimed then, President Lucas’ orders were to “take them out, we can’t permit *focos* of agitation.” Álvarez had ordered the Third Chief of Police, Col. Arnoldo Paniagua, to empty the Embassy, who informed his superiors that the hostages included Molina and Cáceres. “It didn’t matter,” Lucas insisted, “take them out.”<sup>102</sup> In its judgment declaring the Guatemalan regime illegitimate and asking the international community to recognize the belligerent status of the armed insurgency, the PTT cited the Spanish Embassy events as one of two examples illustrating the Guatemalan government’s “massive” crimes against peasants and indigenous people, concluding “police invaded the place and it was set on fire.”<sup>103</sup>

The PPT was an early example of how the Guatemalan opposition, besieged at home and looking to pressure the military regime, invested enormous energy appealing to international audiences, in what Margaret Keck and Kathryn Sikkink have termed the “boomerang” strategy of transnational advocacy. Seeking to leverage international contacts to “amplify the demands of domestic groups, pry open space for new issues, and then echo back these demands into the domestic arena,” such a

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<sup>100</sup> Castillo Montalvo, “Testimony of Rolando Castillo Montalvo,” 174.

<sup>101</sup> Susanne Jonas, Ed McCaughan and Elizabeth Sutherland Martínez, *Guatemala: Tyranny on Trial*, 236.

<sup>102</sup> Cajal y López, *¡Saber quién puso fuego ahí!*, 62-5, 311-2. Barahona made his claims first in September of 1980 and then again in 1987, when he added gruesome details. “While human beings burned, we ate chicken sandwiches and Álvarez even cracked a joke about ‘drinking with a barbecue appetizer.’”

<sup>103</sup> Jonas, McCaughan and Sutherland Martínez, *Guatemala: Tyranny on Trial*, 236, 263.

boomerang strategy had been most successful in Argentina, where strong Argentine human rights organizations forced rapid change by coordinating with international actors.<sup>104</sup> Crucially, international attention was able to protect human rights monitors in Argentina.

In contrast, Guatemala no longer had any significant human rights infrastructure, which, like the rest of the opposition, had been decimated by more than a decade of military and paramilitary repression. Individuals and organizations challenging the regime knew international solidarity could not protect them in Guatemala and most kept their heads low, and while their dissident narratives could nurse and comfort them as individuals, they could never expand enough to nourish viable collective action. Additionally, the Guatemalan military state, which had not “internalized the norms of the human rights regime” and did not “resist being characterized as pariahs” withstood international pressure far longer than other countries.<sup>105</sup> The boomerang strategy, therefore, took much longer to take effective root in Guatemala. The critical turning point came nine years after the PPT when the 1992 Nobel Peace Prize was awarded to Rigoberta Menchú, linking the Guatemalan civil conflict with the conquest and repression of indigenous peoples in the Americas that had begun 500 years earlier with Columbus’ first voyage. Menchú founded a human and indigenous rights organization with the prize money, and the Nobel’s prestige and visibility was finally great enough to protect her and her organization from the worst predations of right-wing repression, allowing it to become one of the most visible foundations of a domestic post-war opposition. With domestic activists finally able to “catch” the boomerang back in Guatemala, dissident narratives were able to achieve what Stern labeled “projection” in Guatemalan public life—able now to circulate publicly, become culturally influential, and potentially nourish collective action.<sup>106</sup>

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<sup>104</sup> Margaret E Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy Networks in International Politics* (Ithaca, N.Y.: Cornell University Press, 1998), 12-3, 107.

<sup>105</sup> *Ibid.*, 118.

## *2.2 The Politics of Memory under the Aegis of Peace and National Reconciliation*

In the wake of the 1996 signing of peace accords between the military and the revolutionary insurgency, the boomerang strategy finally bore fruit when the United Nations sponsored a truth commission that directly challenged the military narrative of the civil war. This UN truth commission, the CEH, held as a central premise that Guatemala's new democracy needed to confront the sins of the past to heal the trauma of a civil war spanning close to two generations. The Spanish Embassy tragedy was one of the "illustrative cases" the CEH analyzed, and when the Guatemalan Congress, in Resolution 6-98, issued February 3, 1998, singled it out at the only event the CEH was specifically asked to investigate, it made it a principle site for the re-claiming of Guatemala's contentious memory. The 1998 Congressional resolution commemorated the occupiers as patriotic victims "who gave their lives to find a path for a better future and to reach a firm and lasting peace," what the CEH translated as "martyrs for peace." For the Guatemalan Congress, looking back to the Spanish Embassy events was about more than correcting the historical record; it was about looking towards the future by repurposing a painful memory, re-imagining the occupiers in national culture as patriots whose death sowed the seeds for a new democratic era.<sup>107</sup>

The CEH concluded the physical evidence, including the air flow patterns, the cadaver's petrified postures, the abundance of oxygen in the room, and the scarcity of mortal burns, proved that gasoline from molotov cocktails could not have killed everyone. The CEH had access to the Spanish Ministry's own 1982 report on the events, which provided additional eyewitness evidence suggesting a police agent disconnected a hose that firefighters had tried to connect to a fire hydrant and documented several eyewitnesses alleging they saw a "short and fat" Guatemalan police agent enter the Embassy with a device the Spanish identified as an Israeli launcher of incendiary devices.<sup>108</sup> The CEH attributed the fatal fire to a

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<sup>106</sup> Stern, *On the Eve of London, 1998*, 116, 126.

<sup>107</sup> Comisión para el Esclarecimiento Histórico, *La masacre en la Embajada de España*, 19.

<sup>108</sup> *Terror en las embajadas*. On February 17, 1982, The Spanish magazine

combination of the gasoline from the molotovs inside the room and an Israeli weapon which launched “a paralyzing fog which irritates the skin, and especially the eyes,” which “all the information indicated the police forces used” to attack the occupiers.<sup>109</sup>

In addition to the evidence gathered by the Spanish, the CEH also conducted its own investigation. One witness alleged the President himself decided to have the Ministers avoid the Ambassador’s calls. Two officers on the scene at the Embassy told a CEH witness observing the events outside on the street that they “were following higher orders” when he asked them to stand down for the safety of the hostages. Another witness closely corroborated Barahona’s September 1980 allegations, claiming that as the President’s orders to “take [those inside the Embassy] out as you can” were passed along the chain of command they were taken literally as orders to break down doors, “*romper puertas*.”<sup>110</sup> According to this witness, the commanding officer on the ground at the Embassy, Col Paniagua, was explicitly told by his superior, Chief of Police Col. Chupina, to stand by for the President’s orders.<sup>111</sup> When the CEH released its final report on February 26, 1999, it concluded that “agents of the [Guatemalan] State, ... were materially responsible for the arbitrary execution of those who were inside the Spanish Embassy, and the highest [Guatemalan] authorities were the intellectual authors of this extremely grave violation of human rights.”<sup>112</sup>

With the 1998 Congressional resolution and reports like the CEH documenting the opposition counter-narrative that the occupiers were not

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*Cambio 16* published a color photograph which the Spanish Government identified as that of the security agent in question. Pico de Coaña, *Spanish Foreign Ministry Report*, 11-2, 36.

<sup>109</sup> *Ibid.*, 38. Comisión para el Esclarecimiento Histórico, *La masacre en la Embajada de España*, 12.

<sup>110</sup> *Ibid.*, 7, 8, 10.

<sup>111</sup> Odette Arzú, in a declaration published in 2000, corroborates the CEH witness. She claimed that just before Aguirre came out of the building, she heard the second Chief of the Judicial Police, who was at her side, speak on the radio. She heard the voice with whom the second Chief spoke with say “I don’t want any one to come out alive.” She assumed that everyone was going to die, those inside, and those gathered around who could serve as potential witnesses. She would later identify the voice at the other end as that of the Chief of the Police, Col. Germán Chupina. Cajal y López, *¡Saber quién puso fuego ahí!*, 103.

<sup>112</sup> Comisión para el Esclarecimiento Histórico, *La masacre en la Embajada de España*, 22-3.

terrorists bent on sacrificing themselves, Guatemalan political opinion had now swung 180 degrees, from vilifying the occupiers as “psychopathic” and “terrorists” to commemorating them as peaceful protesters who died for peace. But rehabilitating them as “martyrs for peace” clouded their motives and hid more than it revealed. The delegation occupied the Embassy hoping to find a powerful interlocutor and searching for redress for military and government crimes—they wanted justice, not peace. Commemorating the occupiers as “martyrs for peace” elided the fact that some among them carried firearms and molotov cocktails, at least two of which were ignited in the office as the security forces pushed the occupiers to the limits of desperation. This detail had become an inconvenient memory that did not fit neatly into any accepted memory script, best silenced or ignored.<sup>113</sup>

In Guatemala’s partisan politics of memory, both the military regime and the opposition stripped their explanatory narratives of such details because they knew “attention to complexity blunts raw emotions,” and they distrusted “nuanced arguments [that] soften the hard edges of confrontation.” In their analysis of the memory of a peasant massacre in 1932, a centrally traumatic event in the history of neighboring El Salvador, Lindo-Fuentes, Ching, and Lara-Martínez argue that interpretations of such complex events that “weighed multiple causations [would] not prove useful to those people who needed simple ‘historical lessons.’”<sup>114</sup> Although it killed far fewer people than the 1932 El Salvador massacre, the Spanish Embassy tragedy was reverberating similarly in Guatemala, and both sides of the political spectrum mobilized it as such a “historical lesson.”

The opposition and the Guatemalan Congress in 1998, mobilizing their lesson to achieve national reconciliation in the wake of the peace accords, found it more politically useful and certainly, they felt, more just, to enshrine the occupiers as martyrs for peace. To make their lesson most effective, they needed to elide the fact that a few occupiers were armed and

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<sup>113</sup> Michael Lazzara, “Polyphonic Memories: Pinochet’s Dictatorship in the Collective Imagination. Review of Remembering Pinochet’s Chile: On the Eve of London 1998.” (Durham: Duke University Press, 2004), *A Contracorriente* 4, no. 1 (2006): 191-205. Stern, *On the Eve of London, 1998*, 134-142.

<sup>114</sup> Héctor, Lindo-Fuentes, Erik Kristofer Ching and Rafael Lara Martínez, *Remembering a Massacre in El Salvador: The Insurrection of 1932, Roque Dalton, and the Politics of Historical Memory* (Albuquerque: University of New

and avoid any suggestions that might link them to violence. While the motives behind this elision are fully understandable, the fact that several occupiers were lightly armed reflected the political context of 1980 and suggested a more complicated tangle of motivations and actions. There is little reason to shy away from the fact that some terrified young occupiers reached for their arms in their last moment, a key detail revealing both their vulnerability and humanity in the face of heavily armed police. When the occupiers, trapped and packed so tightly they could barely move, pulled out molotov cocktails as the security forces crashed in all around them, they were responding to the horrifying realization that they had tragically and fatally miscalculated by assuming the Lucas regime would treat them the way it had treated previous Embassy occupations. Reaching for their weapons at the brink of death did not make them murderers; it showed them to be human. But an effective historical lesson, meant to be delivered “to a mass constituency in the form of sound bites and emotional appeals” required not complicated and conflicted humans; it needed one-dimensional archetypes. While the military regime in 1980 needed “psychopathic terrorists,” the opposition lesson eighteen years later needed “martyrs for peace.”

### 2.3 David Stoll's Unexpected Interjection

As this counter narrative of the occupiers as patriotic forebears of Guatemalan democracy was coalescing, the U.S. anthropologist David Stoll gave global prominence to the tragedy and threw its meaning into question by challenging the veracity of Rigoberta Menchú's account of the Embassy occupation in her iconic 1983 *testimonio*, *Me llamo Rigoberta Menchú y así me nació la conciencia*.<sup>115</sup> His 1999 book, *Rigoberta Menchú and the Story of All Poor Guatemalans*, generated spectacular international attention, including a 1998 *New York Times* front page story, and brought a hurricane of publicity whose fury, one of his critics later admitted, even seemed to catch him off guard in a controversy that quickly escaped his

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Mexico Press, 2007), 256.

<sup>115</sup> Larry Rohter, “Rigoberta Menchú: Tarnished Laurate,” *New York Times* (1998): Front page. Burgos, *Me llamo Rigoberta Menchú*.

control.”<sup>116</sup>

While the CEH report had found the Guatemalan military’s narrative that the victims had auto-immolated lacking “all factual base,” the conclusions of Stoll’s research led him to suggest precisely this “terrible possibility:” that a “few protesters ... intended to immolate themselves and everyone else,” and that “the massacre at the Spanish Embassy could have been a revolutionary suicide that included murdering hostages and fellow protesters.”<sup>117</sup> While narratives commemorating the occupiers as protesters who would die for peace had glossed over their molotovs and firearms, Stoll foregrounded the weapons to conclude the fire was a premeditated revolutionary murder conceived and organized by *ladino* militants manipulating indigenous peasants. His argument echoed tenets central to the military’s explanatory framework, including the elision of indigenous agency and allegations of Cajal’s complicity in the occupation. Twenty years after the tragic fire, these two diametrically opposed narratives were once again pitted against each other, with Stoll championing elements of what had once been the military’s narrative, and upstaging and derailing the strengthening Guatemalan consensus hoping to use the memory of the occupiers as “martyrs for peace” to forge national reconciliation.

What made Stoll’s interpretation so inflammatory to many was his argument, couched in the speculative language of “terrible possibility,” that by carrying weapons into a supposedly “peaceful” occupation the occupiers were not providing for their self defense, or even making an irresponsible and tragic political blunder that would contribute to the final conflagration, but instead were entering the embassy intending to die, hoping for revolutionary martyrdom, and with the premeditated intent to murder their hostages. Instead of a judgment about what happened, at its core Stoll’s argument appeared to be about motivation—what the occupiers meant to do, which he established by looking to a similar embassy

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<sup>116</sup> Grandin, “It Was Heaven That They Burned,” 5.

<sup>117</sup> David Stoll, *Rigoberta Menchú and the Story of All Poor Guatemalans* (Boulder: Westview, 1999), 88. Stoll’s critics, while challenging his larger interpretations of the violence, did not challenge the facticity of his claims, assuming his empirical findings were accurate, or suggesting future research would resolve any disputed issues. Jan Rus, “Introduction,” *Latin American Perspectives* 26, no. 6 (1999).

occupation two years later, when a group of CUC militants occupied the Brazilian Embassy in Guatemala City in May of 1982. Noting this group “carried molotov cocktails as well” and that their leader “says they agreed they were ready to die,” Stoll used the psychological state of the CUC militants in this 1982 occupation to explain how the 1980 occupiers might have used molotov cocktails two years earlier, instead of considering how the unprecedented brutality of the Spanish Embassy radicalized the 1982 CUC militants.<sup>118</sup> Readers were left to puzzle out the anachronistic logic of using the 1982 occupation to establish the motivations of people in 1980 and ignoring the 1978 Swiss Embassy occupation, on which the 1980 occupiers were well-versed, for one yet to happen. What happened in 1978 provided a clear historical precedent for the Spanish Embassy occupation, presenting the 1980 delegation with a template for how a successful occupation was executed and how it ended: with the occupiers leaving under an escort of journalists and Red Cross personnel, the exact terms the 1980 occupation offered.

At its core, the debate reverberated so strongly because the CEH and Stoll were battling over competing explanations about the nature and meaning of political violence in Guatemala. The CEH explained the violence as the result of a racist and exploitative social structure; for Stoll it was tragically instigated and shortsightedly perpetuated by misguided revolutionary romantics. For the CEH, the Spanish Embassy assault was just one of many criminal events, albeit a spectacular one, the details of which did not challenge their larger structural interpretations of the violence. For Stoll, proving that the occupiers were responsible for the fire at the Embassy was critical to his central argument attributing responsibility for the prolongation of the violence squarely on Cuban inspired *ladino* revolutionaries and the indigenous populations they manipulated.

#### *2.4 The Spanish Universal Jurisdiction Doctrine and the International Legal Arena*

Even as Stoll’s work revived and propelled the controversy,

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<sup>118</sup> Stoll, *Rigoberta Menchú*, 83.

however, it was not the final word. Two coincidences pushed the Spanish Embassy events to take the lead role on another international stage: Rigoberta Menchú happened to be the daughter of one of the victims and Spain developed an expansive, trans-national legal doctrine of universal jurisdiction with which it claimed the right to prosecute crimes against humanity in other countries. In December of 1999, inspired by the success of Spain's prosecution of high-profile cases like that of Chilean dictator Augusto Pinochet, Menchú presented a lawsuit before the Spanish National Courts against top Guatemalan military and police leaders, accusing them of genocide, torture, terrorism, summary execution, and unlawful detention.<sup>119</sup> Evidence and analysis of the Spanish Embassy assault was one of the foundations of the lawsuit, comprising 18 of the 68-page complaint.<sup>120</sup> Four months later, on March 27, 2000, the Spanish courts accepted the lawsuit. The conservatives then in power in Spain, however, appealed the decision, and the Spanish Supreme Court, by a vote of 8-7, decided in 2003 that only the instances involving Spanish citizens in Guatemala, as opposed to broader allegations of genocide against Mayan populations, could go forth. The courts agreed, however, the Spanish Embassy case could proceed as it "cannot constitute a clearer example" of Spanish interests.<sup>121</sup> The Spanish Embassy case became one of the only remaining avenues for legal proceedings against high-ranking Guatemalan individuals charged with crimes against humanity.

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<sup>119</sup> Naomi Roht-Arriaza, *Prosecuting Genocide in Guatemala: The Case Before the Spanish Courts and the Limits to Extradition*. Project on Human Rights, Global Justice, and Democracy Working Paper Series (Center for Global Studies at George Mason University, 2009), 3. The named defendants included three former Presidents: General Efraín Ríos Montt; General Oscar Humberto Mejía Victores; and General Romeo Lucas García (deceased May 2006); two former government Ministers: Ángel Aníbal Guevara Rodríguez (Defense); Donaldo Álvarez Ruiz (Interior); and two former police leaders: Director of the National Police German Chupina Barahona; and Chief of Command 6 of the National Police Pedro García Arredondo. The last defendant was the Former Chief of the General Staff Benedicto Lucas García, the President's brother.

<sup>120</sup> Rigoberta Menchú Tum, "Complaint of Rigoberta Menchú Tum to the Juzgado Central de Instrucción de Guardia de la Audiencia Nacional." (February 2, 1999), <http://www.cja.org/article.php?list=type&type=140> (accessed June 23, 2011).

<sup>121</sup> Spanish Constitutional Court, "Spanish Constitutional Court Decision (SCCD) - SCCD 237/ September 26, 2005 Guatemala Genocide Case 331/1999-10," trans. Center for Justice and Accountability (Madrid), <http://www.cja.org/article.php?list=type&type=140> (accessed June 23, 2011), 10.

However, Spain's highest court reversed that decision in September of 2005, reaffirming that the universal jurisdiction doctrine meant Spain had jurisdiction to prosecute crimes against humanity—crimes such as genocide and torture—regardless of the nationality of those involved. The case was reopened and assigned to the Judge Santiago Pedraz, who charged the defendants with crimes including genocide, state terrorism, and torture, and issued international arrest warrants for them in July of 2006. Five months later, in early November 2006, a Guatemalan court rejected two of the six arrest warrants on technicalities, but stunned many observers by executing the remaining four warrants. A few weeks later, on November 22, Judge Pedraz issued formal extradition requests. This surprising turn of events “set off a furious battle in the Guatemalan courts.”<sup>122</sup> The powerful defendants filed endless motions, some identical to ones already rejected by the courts, to prevent their deposition and to stop the case. Finally, a year after the Spanish extradition requests, the Guatemala Constitutional Court ruled the Spanish arrest warrants invalid and denied the extradition of the Guatemalan nationals.

This unappealable decision, however, did not end the story. In what legal scholar Naomi Roht-Arriaza called the most “spectacular” response to the Guatemalan Constitutional Court decision, Judge Pedraz issued a ruling on January 9, 2008 condemning Guatemala's “lack of cooperation and abandonment of its responsibilities under international law.” The Guatemalan legal resistance, he maintained, demonstrated the need for Spanish judicial authorities to continue their investigation. However, Judge Pedraz ruled that he would bring witnesses to Spain to testify, bypassing the Guatemalan legal system. He asked the media in Guatemala and neighboring countries to issue a call for people to bring him relevant evidence.<sup>123</sup>

Fifteen years after the Permanent People's Tribunal sessions at the height of the violence, witnesses once again travelled to Madrid to testify to the human rights abuses suffered during Guatemala's civil war. Indigenous

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<sup>122</sup> Roht-Arriaza, “Prosecuting Genocide in Guatemala,” 7.

<sup>123</sup> *Ibid.*, 12, 14. Santiago Pedraz, “Spanish National Court Judge Santiago Pedraz response to Constitutional Court of Guatemala, January 16 2008,” trans. Center for Justice and Accountability (Madrid, January 16, 2008),

victims and academic experts began arriving in February of 2008 and testified for a week; a second group arrived and testified for another week in May. Spain, however, does not hold trials in absentia, so given Guatemala's refusal to extradite the defendants, the only way the case may ever come to trial is if one of the defendants leaves the country and is successfully extradited from a third country. Most of the defendants are in their eighties; ex-President Gen. Lucas, a named defendant, died in Venezuela in 2006 at age 81. Since the Guatemalan Truth Commission, given the political limitations of the 1990s, was unable to single out individuals responsible for human rights abuses, many see this litigation as the last chance to assign individual responsibility for the crimes of the armed conflict. But ultimately, the benefit of such transnational litigation may be less the conviction of individuals as much as its ability to prod Guatemala's own domestic judicial system into dealing with the crimes of the civil war, what Roht-Arriaza has termed "success in changing the possibilities for justice at home." In February 2008, the Guatemalan President announced he would order the military to release its archives to the Human Rights Ombudsman; three months later, a Guatemalan trial court judge who had received Pedraz's requests to interview witnesses, decided that the Constitutional Court ruling did not prevent him from interviewing witnesses himself and forwarding the testimony to Spain. He interviewed witnesses for three weeks.<sup>124</sup>

After decades of silence and obstructions, such judicial and political developments reflected a profound change among elite sectors, some of whose members had participated in power during the military regimes. Another example of these shifting tides was Jorge Luján's 2007 book historicizing the Spanish Embassy events, where he narrated how the Guatemalan insurgency developed in the 1970s and how diplomatic

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<http://www.cja.org/article.php?list=type&type=140> (accessed June 23, 2011), 6.

<sup>124</sup> In April of 2011, as part of the Menchú lawsuit and its now twelve years of investigation, Judge Pedraz ordered the arrest and extradition of Jorge Sosa Orantes, accused of participating in the 1982 Dos Erres village massacre of more than a hundred people. Since Sosa Orantes is currently being held in Canada on charges that he lied while applying for US citizenship, he is not safe from extradition like the surviving seven high-ranking defendants in Guatemala. Amy Taxin, "Massacre Suspect Wanted in Spain," *The Washington Examiner* (2011). <http://www.cja.org/article.php?list=type&type=152> (accessed June 24, 2011).

relations with Spain were re-established in 1983, compiled eyewitness reports and other primary sources, and summarized previously published interpretations of the tragedy. Looking back, Luján considered himself in 1980 neither a partisan of the government or opposition, but instead part of the ideologically diverse Guatemalan majority “with an independent position and no political commitments.”<sup>125</sup> Even if he considered himself politically unaligned, however, his diplomatic service for the Guatemalan government, who sent him to Madrid in 1983 hoping to re-establish the diplomatic ties Spain had severed in disgust after the attack on its Embassy, and named him the first Guatemalan Ambassador to Spain after relations resumed a year later, indicated his willingness to participate in and at least tacitly support the regime.<sup>126</sup>

Beyond his diplomatic commitments, Luján had more personal stakes in the tragedy that had “profoundly impacted” him, since two of the hostages killed had been close personal friends. Luján candidly admitted the depth of his continuing feelings about the event. His book was a labor of love; he personally secured the financing and “confessed the effort had constituted a personal therapy” that had driven him to revise his own conclusions. Given his diplomatic service and the personal impact of his friends’ deaths, it would not have surprised many Guatemalans to find Luján supporting the military’s interpretation of the event.

It was “difficult to judge an occupation of people armed with guns, molotov cocktails, and machetes, that entered without permission and then took hostages against their will, as peaceful” he concluded, judging that the EGP leaders who planned and approved the action shared responsibility for the tragedy because by arming the students leading the occupation they made deadly violence, both defensive and offensive, possible. Responsibility among the occupation’s indigenous members was a more difficult question. “I am convinced that many of the rank and file CUC members were unaware of their leaders’ subversive participation,” he asserted, and argued that some of the indigenous occupiers could have been ignorant of the EGP ties to the CUC’s leadership and consequently did

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<sup>125</sup> Luján Muñoz, *La tragedia de la Embajada de España*, 244.

<sup>126</sup> *Ibid.*, vxii-xviii, 225.

not understand how the military would consider them all revolutionary insurgents and act accordingly. While he ultimately rejected claims of Cajal's complicity with the occupiers as unsubstantiated, he nonetheless argued the Ambassador's "open door" policy at the Spanish Embassy, while possibly involuntary, was a "reckless and irresponsible imprudence" whose purpose was never clear to him.<sup>127</sup>

Luján found the origins of the fire still difficult to ascertain with any certainty. He dismissed the possible use of phosphorus or a flamethrower, hypothesizing instead that security forces had a device that launched paralyzing gas. If used against the occupiers in the office, it could have reacted with and intensified the flames from the molotovs, killing those inside, a reaction he was "inclined" to believe was an unplanned and unintended consequence.<sup>128</sup> Nonetheless, after considering all the evidence he compiled, Lujan was convinced the tragedy's "determining factor" was the security forces' "excessive violence in the illegal invasion of the Embassy." These security forces, however, "had no capacity to make decisions but only to follow orders," and were not even "clear in what they were doing." The critical decisions to invade and remain in the Embassy and to continue advancing against the occupiers were "personally taken ... first by President Lucas García and then by Minister Álvarez Ruiz."

### *Conclusion*

The tremendous symbolic power of an event where 37 lives were lost may not be immediately obvious within a conflict legendary for its scope and brutality, which killed or disappeared 200,000 people, displaced more than half a million others, and destroyed more than 400 villages—all in a country about the size of Tennessee. But contests over the memory of the Spanish Embassy event were ultimately about the origins of, and responsibility for, that civil war and the incomprehensible scale of its violence. Competing narratives crystalized if the responsible combatants were either international communist instigators and their duped *ladino* followers or a genocidal military. They offered shorthand explanations for

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<sup>127</sup> Ibid., 239, 244-5.

<sup>128</sup> Ibid., 242-3, 246-7.

the civil war's very reason for being—was the military trying to prevent a Marxist attack for state power or were indigenous peasants mobilizing because Guatemala's oligarchical and military forces brutally repressed their legitimate social grievances? The tragedy's ability to serve as shorthand for the civil war's pressing questions is what made it both a critical battleground of memory and fertile ground for national reconciliation.

In 1980, opposition groups considered the Embassy assault's unprecedented and naked brutality; Yuja's kidnapping, assassination, and theatrically displayed corpse; and the ferociously slanderous campaign against the Spanish Ambassador; and concluded their only alternative was increasing their own militancy, no matter how viable such an escalation might be. The assault catalyzed the incorporation of indigenous peoples into the opposition, and often, into the armed insurgency.<sup>129</sup> The opposition against the Lucas regime seized upon the shared death of indigenous people and their *ladino* urban allies as a potent unifying symbol that successfully linked the indigenous, mostly rural, opposition with their more established *ladino* counterparts.<sup>130</sup> The assault catalyzed the CUC's structural incorporation into the EGP; while other CUC members organized new opposition groups, including the Popular Front "31 of January," founded on the Spanish Embassy assault's first anniversary, which advocated violent direct actions.<sup>131</sup>

The regime the opposition was pitted against was the overwhelming

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<sup>129</sup> Riding, "Guatemala: State of Siege," 23. Arturo Arias describes Spanish Embassy assault watershed: "From that date on, a latent state of massive insurrection against the state began in both the central highlands and the northwest." Arias, "Changing Indian Identity," 253-4. See also Betsy Konefal, *For Every Indio Who Falls: A History of Maya Activism in Guatemala, 1960-1990* (Albuquerque: University of New Mexico Press, 2010).

<sup>130</sup> Jonas, McCaughan and Sutherland Martínez, *Guatemala: Tyranny on Trial*, 222.

<sup>131</sup> This new militancy was especially evident in the CUC who convened a meeting of indigenous leaders on February 14, 1980, at the Ixmiché ruins and issued "virtually a declaration of war against the regime." Arias, "Changing Indian Identity," 254. Weeks after Ixmiché, CUC initiated what Deborah Levenson characterized as "the most strategic and forceful strike in Guatemalan history," which "crippled" Guatemala's key export sectors and "brought the countryside to a standstill." Deborah Levenson-Estrada, *Trade Unionists Against Terror: Guatemala City 1954-1985* (Chapell Hill and London: University of Chapell Hill Press, 1994), 167.

military force. Central America was reeling, however, from the shockwave of the recent revolutionary victory in neighboring Nicaragua, a spectacle Guatemalan military leaders considered a terrifying existential threat and revolutionary insurgents considered an exhilarating regional realignment that would buoy them to their own victory. The powerful impact of witnessing the established order so dramatically overturned as Somoza fled Managua on July 19, 1979 created a political earthquake that shook the foundational assumptions of the Guatemalan left and the Lucas regime just as surely as the devastating 1976 earthquake that flattened the capital.<sup>132</sup> Stunned by such developments, the military explained the opposition's reinvigorated and dramatic collective action as "psychopathic," but the fear gripping Guatemalan ruling sectors that the Sandinista victory signaled the beginning of a restructuring of all Central America was equally unbalanced. Guatemala in 1980, Ambassador Cajal judged, was a country in "psychosis," a country gripped by fear on all sides and watching itself careening towards a watershed, with an opposition increasingly certain its only choice was between revolution and death, and a military regime's growing fear that a revolution now seemed not just possible, but imminent.<sup>133</sup>

If the Sandinista victory and military advances of the insurgency in El Salvador nourished a dangerous triumphalism among the Guatemalan left encouraging full fledged frontal attacks against the regime, for the military government, it made preventing a Nicaragua in Guatemala the top priority, and its repressive forces now attacked with a vengeance and brutality not considered necessary just two years earlier, when Lucas had sent his Vice President to negotiate during the Swiss Embassy occupation. Just hours after the fire, Guatemalans watched on television as Lucas forcefully reissued his hardline vow that he would not tolerate Embassy occupations in Guatemala, and what happened with so much frequency in El Salvador would not happen in his country.<sup>134</sup> Leaders of Guatemala's military regime now looked at the occupiers at the Spanish Embassy and saw "a guerilla commando, dressed in indigenous dress from El Quiché, who were following the Sandinista example in taking the National Palace in

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<sup>132</sup> Luján Muñoz, *La tragedia de la Embajada de España*, 18-20.

<sup>133</sup> Cano, *La noche del colibrí*, 274.

<sup>134</sup> Pico de Coaña, *Spanish Foreign Ministry Report*, 40.

Nicaragua on August 22, 1978.”<sup>135</sup>

Assaulting the Spanish Embassy was not a symptom of a military regime out of control, but instead a costly yet necessary aggression the Lucas regime designed to completely demoralize the opposition and convince domestic audiences he was strong enough to control the dangers posed by a revolutionary opposition galvanized by this changing regional political context. The international isolation resulting from the attack “was less an embarrassment than a necessary condition for the regime’s survival,” Paul Kobrak has argued, “allowing it to wage an unlimited war on any and all signs of opposition.”<sup>136</sup> Nourished by a rich culture of black humor tending to see Lucas as the leading buffoon in a macabre repertoire of repressive military leaders, much of the secondary literature on the assault considers the attack a “stupid” move, assuming Lucas failed to grasp the ramifications of television images showing security forces nakedly assaulting a diplomatically inviolable space. Concentrating on his reputation as a buffoon, however, misses the crucial point: the cameras had to be there to fully convince every Guatemalan that Lucas was willing to attack his opponents with unimaginable violence, striking any target and incurring any diplomatic cost. The Spanish Embassy events changed the course of Guatemala’s armed conflict by radicalizing the Guatemalan opposition and by spectacularly broadcasting the Lucas regime’s willingness to decimate domestic opposition at any price. Neither of these decisions, once taken, could be rescinded; the Spanish Embassy events became a Rubicon setting both sides on a course they could not change, endgames hurtling them to civil war.

The Lucas regime believed that, in their efforts to abort any revolution, they had done what was necessary to smother an insurgent tactic copying the successful Sandinistas playbook. International observers, however, saw the attack not just as coldly efficient repression, but rather as a bungled, inept, uncontrolled, and chaotic affair symptomatic of a regime tone-deaf in its naked brutality. As such, the attack was the

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<sup>135</sup> Cifuentes, “El secuestro,” *Revista Militar* No. 29 (May-August 1983: 59) quoted in Jennifer G Schirmer, *The Guatemalan Military Project: A Violence Called Democracy*, Pennsylvania Studies in Human Rights (Philadelphia: University of Pennsylvania Press, 1998), 303.

most spectacular incident in a mounting list of atrocities that convinced junior officers to depose Lucas García and install Gen. Efraín Ríos Montt (1982-1983) in power, a shift in leadership and strategy that would definitely end the chances of a revolution through an even more brutal—but surgically controlled—genocidal phase of the counter-insurgency campaign, carried out in the western highlands, far from the streets of the capital and the eyes of the world.<sup>137</sup>

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<sup>136</sup> Kobrak, *Organizing and Repression*, 66.

<sup>137</sup> See chapters one and two in Schirmer, *The Guatemalan Military Project*.