

Violent Legacies: Transitional Justice and Postwar Violence in Guatemala

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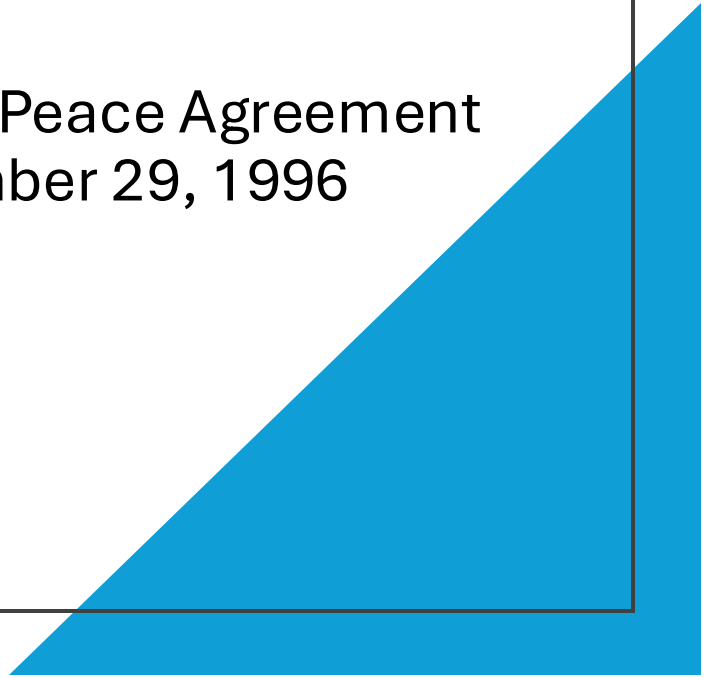
I.S. Symposium 2025

How do various
methods of
Transitional Justice
affect levels of
societal violence
after civil wars?



Guatemalan Civil War: 1960-1996

- CIA-backed coup in 1954 established conservative dictatorship
- Civilians, students protested government in 1960
- Right-wing State vs. Leftist URNG guerrilla groups
- Over 200,000 deaths and forced disappearances
- Between 500 thousand and 1 million people displaced
- Acts of Genocide against Mayans by the government
- Firm and Lasting Peace Agreement signed on December 29, 1996



What is Transitional Justice?

**Judicial and non-judicial means of
confronting wartime violence and
human rights abuses**

Goals:

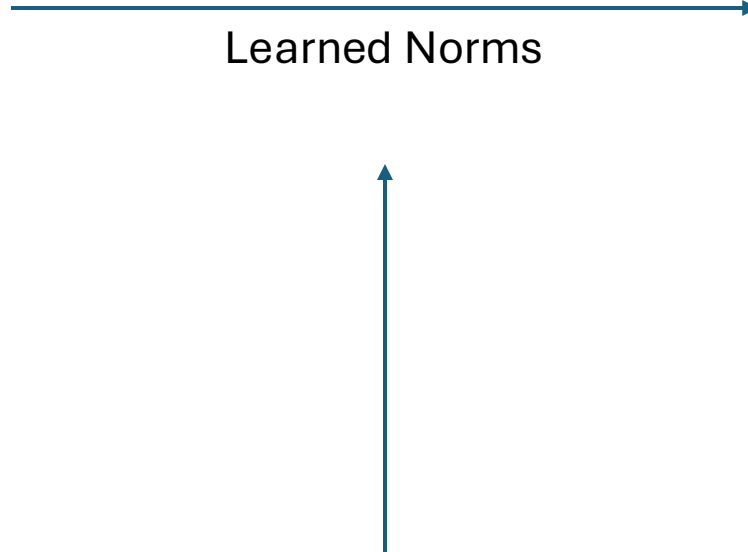
- Secure justice for victims
- Establish accountability for perpetrators
- Prevent future human rights abuses

Civil War

Learned Norms

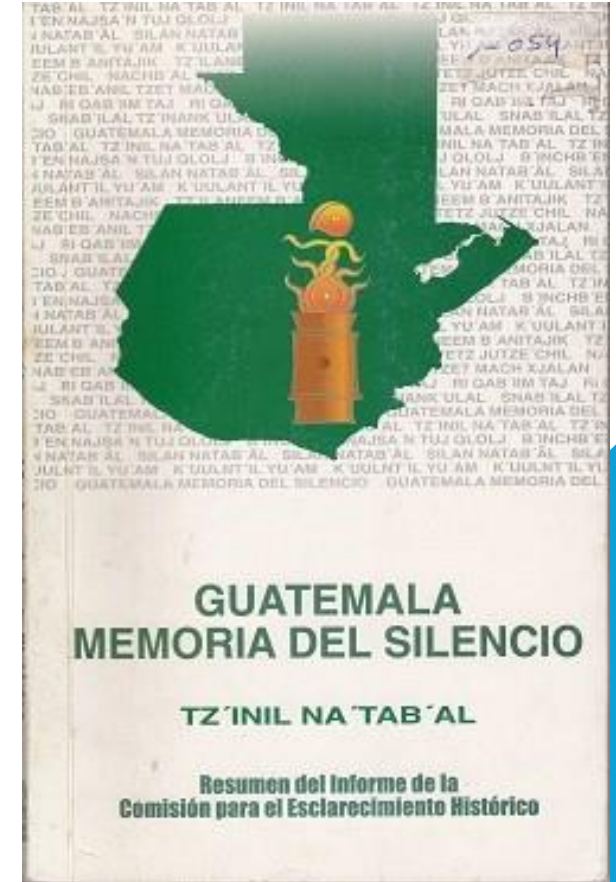
Postwar Societal Violence

Transitional Justice



Methodology

- Process tracing analysis of Transitional Justice in Guatemala
- Three forms of Transitional Justice:
 - Truth and Reconciliation Commission
 - Amnesty Laws
 - Prosecutions for wartime crimes
- Primary source documents:
 - Newspapers, video interviews, government documents
- Analysis of yearly homicide rates



Transitional Justice in Guatemala

Truth Commissions

- La Comisión para el Esclarecimiento Histórico (CEH, Historical Clarification Commission)

Amnesties

- 1996 National Reconciliation Law

Prosecutions

- Genocide Trial of General Efraín Ríos Montt, the Molina Theissen Case, and military crimes in Sepur Zarco

Truth and Reconciliation Commission:

La Comisión para el Esclarecimiento Histórico

- Collected over 7,000 testimonies in 10 languages
- Attributed violence to *organizations*
- Accused the state of acts of genocide, >90% of abuses
- Contributed to norms of *truth, justice, accountability*
- Homicide rates decreased 37% from 1997 to 1999



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Amnesty:

1996 National Reconciliation Law

- Applied to Government and URNG forces
- Does not excuse genocide, forced disappearances
- Contributed to norms of *impunity*
- 2017, 2019 attempts to expand NRL blocked by courts in 2021
- Homicide rates up 7.5%



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Prosecutions:

General Efraín Ríos Montt, the Molina Theissen Case, and More

- General Ríos Montt tried in 2012 and 2013; convicted of genocide briefly in 2013
- Intimidation, violence against witnesses, threats to judges
- Convictions for forced disappearances, sexual slavery
- Norms of *politicized impunity and accountability*



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The
Guatemalan
Truth
Commission
contributed
to a
decrease in
homicide
rates

Transitional
amnesty laws
may
contribute to
impunity,
thus
increasing
violence

Politicized
prosecutions
can cause
retaliatory
violence and
diminish
faith in the
justice
system

Impartial Truth, Justice, and Accountability Matter.



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