

Elevating Bodies. The Management of Death between War and Peace.

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1st draft. Please do not quote without previous contact to fst@diis.dk

Abstract: The following pages explore the content, history, context and theoretical implications of a particular state ritual, the public examination of a dead body on a possible crime scene. The setting is a rural municipality at the border between Guatemala and Mexico and the time is 1995 when Guatemala was still at war with itself at a small scale but moving towards a peace accord after three decades of armed conflict. I apologize for my language disabilities.

I

When I got up in the morning the 10th of May 1995 I didn't expect this day to add considerably to my reputation in the municipality of Nentón. According to the plan, confirmed the night before by the secretary of the Judge of Peace, I would give him and the judge a ride to Aguacate from where we would go on horse back for an investigation of a case of illegal logging at the *finca* Chaculá. Chaculá was known beyond the municipality of Nentón because of its former and current owners: The former, Walter Widman, was a "bad, capricious and dangerous" man according to one of our neighbours in Nentón, and the fact that he had been involved in setting up Mano Blanca, an infamous death squad in the capital back in the 70s, talked in favour of this description.

In 1980, hooded men from the EGP killed Widman's administrator in Chaculá with what later would be regarded as the first shots of the war in Nentón, one of the killing zones in the Guatemalan countryside. This was a message to Widman, but more importantly the shots told Chuj-speaking *campesinos* in the neighbouring villages that the guerrilla, guys "from the wilderness", were serious about their promises to forge radical change in Nentón as elsewhere in Guatemala.

13 years later, 200 refugee families, supported with soft credits from the

“international community,” bought Chaculá from the heirs of Widman and returned from exile in Mexico to make a future in Nentón. Being the scene of the second of a series of “collective and organized returns”, Chaculá, and Nentón, attracted the funds and attention of Western governments and NGOs. They saw the returning refugees as a lifting rod for peace and reconciliation in the only remaining war in Central America. The fact that the war brought death to maybe 150,000 people and caused ½-1 million to flee, was used as justification in every one of the projects and programs in support of return and reconstruction in Nentón. As a friend of mine among the returnees pointed out, the death toll was a particular kind of capital for the refugees: “We are marching on the backs of the dead!”

Having studied refugee settlements and humanitarian aid in Mexico for my PhD, I was attracted by the attraction of donors and aid organizations and was curious about the effects of return and international donor attention in a place like Nentón. In particular I saw the ensuing conflicts as a fertile field of study since the neighbouring villages – and the army - considered the returning refugees to be a lifting rod for the guerrilla with whom they were associated rather than a lifting rod for peace and reconciliation. The illegal logging in Chaculá was an interesting and potentially explosive case. It was only the tip of an iceberg of perennial land-conflict between Chaculá and its neighbours, who, confronted with the new owners, talked about Walter Widman as a good friend who gave jobs rather than competition over land and political problems.

Hence, the day looked promising.

II

At the plaza I became aware that plans had changed. Nobody could tell me exactly why, but there was tension and excitement in the air; low voices, instructions, serious faces. The captain of the military base in Nentón was talking with a small group of civilians and a couple of policemen in front of the police station. The secretary told me that the judge was on his way and that they would ask me to take them to Trinidad instead of Aguacate because of what he said was *una emergencia*. I hesitantly agreed, calculating that if the

reason for their visit to Trinidad was irrelevant to me, I could attend a scheduled meeting of NGOs in Chaculá instead. This would not be the first nor the last time events took unexpected directions and forced me to improvise and make the best out of situations in order to maintain a minimal sense of being in control. This is the name of the ethnographic game in general, but particularly so in politically volatile environments like this.

Finally the judge arrived, spoke with the Captain and the assembled civilians, and jumped in my pick-up truck. He asked me if we could take a couple of the others along as well, which was OK for me since I usually always took people along in my car, either in the cabin or on the flatbed. Two of the civilians entered the cabin, one of them somewhat familiar looking, while three others boarded the flatbed. We took off, crossed the bridge and ascended the winding road to the dry plain above Nentón that stretches across the border into Mexico.

As the road was dry on this time of the year, the trip to Trinidad would only take an hour. Along the way I got the explanation for the change of plans. Three days earlier, late in the day on the 7th, an army patrol had had an accidental encounter with a group of some 10 *guerrilleros* in the rugged, forested and mined area not too far away from the guerrilla base at the Mexican border in Santa Elena. In the encounter, one of the guerrilla soldiers was hit and left behind by the others as they fled – something which they usually would not do, I was told. Since then I've had this assertion confirmed. In fact, to the guerrilla, care for the dead bodies was one of the traits that distinguished themselves from the army. While the guerrilla saw the care for corpses as a sign of comradeship and solidarity that marked the guerrilla's occupation of a moral high ground, this kind of 'necropolitics' has also characterized the negotiations of states over the destiny of nationalized, uniformed corpses, bilaterally as well as in international efforts at humanizing warfare.

The patrol reported to the outpost in Las Palmas which came back with the message that they should not bury the body (as they would usually do, I was told) but wait upon the civilian authorities to register and decide on the matter. The next day, the *Ministerio Público* and members of the UN mission (MINUGUA) had tried to reach the site of encounter, but they could not find a place to land the helicopter and returned to the provincial capital,

Huehuetenango. The patrol was ordered to bring the dead body along and take it to the nearest road where they would meet the civil authorities. The 9th they reached the village of Quetzal at the border, causing much inconformity because of the villagers' bad experiences with having either the military or the guerrilla descending upon their village. A few weeks earlier there had been a shootout around the school, an incident which they had reported to the UN. Early next morning the soldiers made their way the last two hours of walk to the village of Trinidad at the dirt road where we were supposed to meet the army patrol.

While the story slowly came together it dawned upon me that the familiar looking civilian in the back seat was the commander of the army outpost in las Palmas. I had met him once before at a meeting in Nentón. As he explained in the car, he travelled in the area quite a lot since he was doing his dissertation on the socio-economic profile of Nentón. People in the villages told me that the Coronel was the only person in Nentón who posed more questions than I did. Even though I was not happy with the professional kinship, it was a fact that we, together with the main army informer in Nentón - the shoemaker who worked in his strategically located small shack in the Plaza during most of the conflict - shared an interest in methods of gathering information in and on the area.

The other "civilian" in the car was his captain, and the men on the flatbed were police officers, who would never dream of leaving Nentón in a uniform for fear of guerrilla attacks. I should have known. Uniforms were used tactically throughout the conflict by both parties, and people at the frontier had to develop their skills of recognizing soldiers or *guerilleros* without uniforms, or soldiers or *guerilleros* in the uniforms of their opponents. Hence villagers had learned to look for different signs, such as the type of weapon, footwear, body posture, and hair cuts, in addition to their reliance on gut feelings, an option which invariably was described as engaging in something like a deadly lottery. Having listened to all the stories of disguise and deception [cases of deception, Nva Catarina etc], I should have known. But on the other hand, it seems that this is the way many things are moving: you commit yourself to one thing only to discover that the premises of your commitment change before you can turn around. And even if I had known the premises I would probably have agreed to take them onboard my truck for the sake of my curiosity

and the chance of getting information.

Having belatedly become aware of my load, I wondered what the risks were that we would meet the guerrilla on the way. They would typically block the road at a curve at Titulín, a desolated pass which could be blocked easily with stones and overseen by the guerrillas from behind a group of rocks at safe distance from the road. The guerrillas would see the lorries and busses queuing up at each site of the road block, and they would await the army to come and clear the road. The guerrilla would then throw a few shots at the soldiers and keep them busy for ½ an hour before running away towards the Mexican border. Or they would check the loads of the lorries and the papers of the drivers to see if anything or anybody was going towards the army outpost in Las Palmas. But they would most probably do so late in the evening so as to be able to work in peace and be ready for the first bus to pass at three in the morning. So I guessed that the army would be informed by now if there was a roadblock in Titulín on this day and I did not find reason to be too preoccupied by my rather partisan load.

III

The UN guys were already at the spot when we arrived in Trinidad. I parked alongside their white Toyota landcruiser some 200 yards from the army patrol and recognized their driver, Luis. He used to be the driver of the *Veterinarios sin Fronteras* in Nenton, but had received a better offer from the UN mission. Luis was from the south of the country, but came to Nenton back in 1982 as a *specialista* attached to the engineering troops that constructed the very road we had just been on for an hour. As several others brought here by the army, he had found a girlfriend in Nenton where he was now a settled family man, at least when he was not at work with the UN in Huehuetenango. Luis received me with a big smile and advised me to leave the car there because “there’s danger” that is the danger of a guerrilla assault that the presence of the army brings along wherever it goes. He would not like to have our cars damaged.

The UN guys - a Spanish military observer and a Brazilian police observer, both clad in their national uniforms, blue UN caps and the unfashionable one-size-fits-all blue

vests - were talking with the officers of the army patrol at the site where the patrol had left the body of the dead guerrilla. They were standing in the shade of a small wooden shack at the point where the path from Quetzal widened out to become a track leading into the village. I guessed that this was the shack where Trinidad's civil patrol had spent night after night for 12 years, struggling to keep warm and awake. Only now it strikes me as significant that the army patrol left the body at the threshold between the village and the wilderness, the site where we back in the 1960s would have found one of the crosses that marked the limit of the community of *Buenos Católicos* adhering to the syncretic Mayan Catholicism. The crosses were crushed during battles between these *Costumbristas* and the young followers of modern Catholicism, the -68 generation of rural Guatemala.

Now, at 10 in the morning, the sun was hot and the light mercilessly sharp as it reflected from a pit of white gravel, a scar from the road construction in the 1980s. Not much vegetation anywhere. The few spots that invited for the planting of corn awaited the rainy season, probably still three weeks ahead. From two hilltops at both side of the path, soldiers with machineguns were overseeing the small valley. The rest of the soldiers were lying around on the rocks and the grey grass at a distance from the load they had carried on for a couple of days. The body was wrapped in black plastic and tied to a log for carrying it between two soldiers. One of the officers ordered the privates to open the package and a stiff, somewhat swollen corpse became visible together with a swarm of big green flies. The policeman and the judge's assistants put on the authorized masks while the secretary found the appropriate section – *levantamiento de cadaver* - in the manual of the judge and started asking questions for the report: Approximate height, weight, age, skin colour, clothing, belongings, etcetera.

The man could well be a 30-35 years old peasant from the area, wearing the customary rubber boots, brown polyester trousers and a camouflage spotted uniform shirt. The peace judge needed also to know the colour of his underpants – a bureaucratic demand which called forth uneasy laughter and an “is it really necessary?” The youngest private was ordered to provide the missing piece of information. “Blue”, the secretary dotted down in the report. Meticulously he registered the content of the guerrilla's two backpacks – a

couple of worn shirts; bags of maize flour (MINSA, a typical relief item but circulating freely in the market); canned food that according to the commander stemmed from the lorry with army supplies that was assaulted in Titulin 10 days earlier; ammunition of known specifications; a pistol; and a couple of “Claymor” hand grenades. All this was officially appropriated by the army as war booty. [which implied the recognition of the guerrilla as a warring party – otherwise, a state institution could not have confiscated the belongings as ‘war booty’].

The next questions were more difficult. Where and in what conditions was the corpse found? The man had been hit by two bullets in the heart which had gone right through the body; but where? As it were, the report designed the truth to fit the format and read: “The body was found 500 meter north of the centre of Trinidad with the legs stretched, the arms stretched along the body and one hand pointing upwards” in other words, the place and the way the soldiers had left him when unpacking the corpse a few hours earlier. After this point, the policeman asked “in a loud voice” as the manual and the report said, whether any of the present persons knew anything about the event. A person named Herman something, our friend from my pick-up, came forth and identified himself as colonel-lieutenant and commander of the army outpost, Las Palmas, who gave the version I had heard in the vehicle on the way to Trinidad.

The hours passed by like that. We were waiting while the judge and his secretary struggled with the instructions of the manual and slowly gave form and content to the report - with its 4 copies – on the portable typewriter. The soldiers were resting wherever they could find some shadow, and the Guatemalan and the UN officers were chatting about the meaning of their different military distinctions and signs, the ranks and the career paths in the army and the like. Later the officers from Las Palmas discussed the local soccer tournament. One of them commented that nearby Chacula, the settlement of the returned refugees, had good players, and that their soccer field was better than most in the area. Another officer, more attuned to the unofficial discourse attributed to the army that held that all the returning refugees were guerrilla sympathizers, responded that he did not know and did not want to know. Their commander commented that the youth got along well when the

youngsters from Chacula visited Las Palmas on their bikes. “They should set up a bike-repair shop in Chacula” as he said.

At some point when I was sitting alone, the commander asked me why I had looked so thoughtful when I saw the corpse. I started talking about the fact that in Western societies we were rarely confronted with the death like that, face to face ... but he cut me short and took a different direction, saying that “the internationals hear God knows what about the army and the guerrilla, but when they come here and learn about the real situation they get a different experience”. Unfortunately he was interrupted by the judge and left the words hanging in the air for free interpretation, but at least he made the point clear that dead bodies reflect a surplus of symbolic meaning and become political in the sense that different people can use them for different purposes.

IV

In the early afternoon somebody brought lunch to the judge and the secretary. I got hungry and went to visit doña Malin who usually was willing to heat some tortillas and beans. She spoke Spanish and catered for hungry, bypassing “employees,” merchants, coyotes and their illegal Central American migrants on their way to the North. She was a hub of local and regional information and I asked her what the villagers thought of the event of the day. She was not in doubt. The villagers were not at all interested in the display of this kind of stateness at their doorstep: “We want a bit of peace, we want to be united (...). That’s what we want. Therefore, you see, when this dead one came here, you see, somewhat angry the people here, because these men came here. What if the *guerrilleros* now think that we are in accord with these soldiers? (...) They have always been a bit angry with the soldiers, here (...) why are they coming here to trouble us? The *guerrilleros* are not harming us anymore (...). We, we see them there [in the wilderness], but tranquil, you know”.

Long time ago, the patrollers had made peace with the guerrilla who chose to focus on the army instead of the patrollers: “If you come painted we’ll attack you, if you come in civilian it’s all right”. Furthermore, Trinidad had recently rebelled against the cumbersome patrolling and claimed to have returned their old M1s to the army: “The soldiers receive

their pay for doing their job, but we are suffering for nothing and we also have to eat and earn money.”

The villagers occasionally met guerilla soldiers in *el monte*, and some had stable relations with them. But the condition for the peace was that the villagers kept some distance to the army. Therefore, they were afraid that the levantamiento would give the guerilla reason to believe that they were “in accordance with the army.” This was the law of the wilderness, you may say, an important law given the fact that the villagers depended on their access to their cornfield in the wilderness.

V

While I was having lunch at dona Malin’s kitchen-hut, the soldiers took the corpse to Trinidad’s cemetery as the judge had finished his job. All together it took him and his secretary six hours to complete the report. Overwhelmed by the rigid and detailed procedures of the bureaucracy, one of the army officers remarked that “it would have been easier just to give the *guerrillero* a scare” instead of shooting him and having to put up with all the formalities.

The clock was 5 pm. when the report, *el acta*, finally was complete. The judge read it aloud and the witnesses - the UN observers, the Presidential Human Rights observer based in Chacula, the commander, the representative of the police and the researcher – were asked to sign the report. Until then no disaccords had emerged during the whole process, but when the judge and the commander revealed that they would proceed to have the corpse buried in the local cemetery, the UN guys intervened, insisting that corpses, according to the letter of the law, should be brought to the morgue for a proper autopsy.

Unfortunately, the nearest morgue was in the provincial capital, Huehuetenango, some four hours drive away. And even more unfortunate, nobody else but I had a suitable vehicle. The army folks were on foot, the white UN Landcruiser had no flatbed, the Human Rights were going the other way, back to Chacula, and neither the judge nor the police had vehicles. Hence the judge told me, visibly uncomfortable, that he had to give me an *orden judicial* to take the corpse to Huehuetenango.

I wasn't too happy with the idea. Being on the roads after dark was a bad idea since they became a kind of no-man's land where usual sovereign powers, including the protection of being "international" was suspended. UN employees, for example, were not allowed out of the towns after dark. And with a dead body? Imagining the kind of trouble I could get into at the checkpoints, I insisted that a police officer accompanied me. As the sun quickly dipped towards the horizon over the rocky fields of Trinidad, we rushed to pick up the corpse at the cemetery where a minor crowd had gathered to get a glimpse of the dead guerrillero. Probably they wanted to see if he was somebody they knew.

The trip back to Nenton was silent and somewhat tense as we were never sure what would appear in the headlight around the next bend of the road. The judge's team got off at the plaza and I continued to the exit of the town where I parked and ran back to our house to tell Dorthe what had happened and that I wouldn't be back until the next morning. The trip to Huehuetenango was unadventurous, fortunately. Checkpoints had apparently been withdrawn for the night, and the police officer and I chatted our way while listening to the Puertorican *merengeros Zona Roja*. At 10 pm we arrived in an almost deserted Huehuetenango where we managed to find the morgue at the outskirts of the city and even to get hold of the *medico forense*. He was not happy to see us. According to my accompanying police officer he would probably just get the corpse buried as quickly as possible the next morning without doing any examination. A limited paper trail and the bodily remains in a grave marked with an "XX" would be the only public traces of a life.

So, what is going on here? What are the meanings of this seemingly theatrical performance by the state's representatives? And why did it happen? With what effects?

VI

In a first move, let us bracket the incident from the immediate historical and social context and look at it as an instance of activation of the bureaucracy of death. Everybody who has experienced the death of close kin knows that this is a moment of intense involvement and articulation of the state:

Authorities "declare" people dead according to scientific criteria. In this worldview,

death is a point in time, an absolute negativity, but historical and ethnographic studies give plenty of examples of how death can be imagined as something with a duration, something which partakes in life as well as death until decomposition sets in and burial or cremation has been effectuated (Ariés 1981; Zur 1998; Siegel xxxx; Lomnitz 2005). Even the scientific criteria however vary over time and context and may be subject to conflict and political negotiations – think of the debates over brain-death or the case of the riots over the body of an Indian Baba whom the followers claimed was in a state of spiritual suspense whereas the authorities considered him to be dead and hence a health hazard (Chatterjee 2005).

Authorities also proscribe the elaboration of a death certificate with information on the identity of the deceased as well as the place, time and cause of death. As we have seen, the information is conceived, selected, and packaged to fit into the bureaucratic formats that permit the legibility, interpretation and storage in faraway offices of state (and increasingly non-state) institutions. The formatting process – a primitive bureaucratic accumulation - is essential as it is informed by the categories, aims and selected blindness of the state institutions. As Hacking has remarked, in most parts of the world “it has long been illegal to die of anything except causes on the official list” (Hacking 1991:183), which, for example does not include “old age”. In the case at hand, a slippage between the real and its formatted version is visible in the secretary’s attempt to register the location of the dead body, not in the wilderness where the *guerrillero* was shot, but at the threshold of the village of Trinidad.

The death certificate enters the institutionalized webs of knowledge in pretty much the same way as the birth certificate does (i.e. through a central birth register). But whereas the former constructs an official identity as a relationship between state and individual, death certificates reverse the process and deconstruct these relations if not the identity itself. Names are deleted from lists of salaries, social benefits, and electorates (even though the dead have made up significant shares of the electorate in many places as a standard method of fraud), bank accounts are closed and so on. The death certificate also sets off acts of taxation as fortunes (and debts) are passed on to heirs according to an established and often

elaborate set of laws and procedures in which the state is produced as the final arbiter of just distribution.

In an attempt to trace the history of the death certificate via the Web of Science I came across 1200 articles which almost exclusively dealt with the results of medical research using death certificates and extensive debates over the validity and reliability of this source of data. Registration of causes of death as part of the death certificate goes back to the turn of the 19th century. Deaths were registered by “coroners” as early as the 12th century in England, not least for financial purposes since some fees and fines were to be paid. The King information on the death since some manners of death – murder and suicide – were fined as felony offences (Davis 1997). The history of vital statistics began in Europe and Latin America in the 16th century when the Church was given the task of registering births/christenings, marriages and deaths, but only for members of its congregations and without providing consistent, standardized information for the state administration. In France the task of registration of all citizens shifted from the Church to municipal authorities in the late 18th century. With the development of the modern state and its direct government of the population, the identification of citizens became the main purpose of registration, and the central birth register is considered to be one of the greater achievements of the revolution (Torpey 2000; Noiriel 2001).

The disposal of dead bodies is another important field of state regulation. In his exploration of the history death and dying in Europe, Ariès (1981) describes how the place of burial shifts in the late 18th century under the influence of new medical discourses on airborne contamination. Before, people were buried in cemeteries adjacent to the churches within the city limits. The cemeteries constituted important, open public spaces where commerce and popular meetings flourished beyond the jurisdiction of secular authorities. But from 1776 onwards, and parallel to the secularization of the bureaucracy of death, cemeteries were relocated to sites beyond the city limit. In particular in the context of the terror of the French revolution and posterior epidemics, the funeral procession degenerated

into an unceremonial and rather careless transport of corpses to the cemetery where the poor majority were dumped into mass graves with 6-700 bodies. An anecdote quotes a Parisian actor who observed a funeral procession for saying: “God! If I had to be buried like that, I would rather not die at all” (Ariès 1981: 505). As a reaction to the state of affairs, a decree of 1804 lay down a new set of rules for burial that, according to Ariès, have influenced burial practices in this part of the world ever since. The decree stated that everybody had to be buried in a coffin and that no bodies should be superimposed but always juxtaposed, whereby the “personalization of the burial place became an absolute rule” even for the poor (1981: 518).

In Latin America, the Spanish colonization proceeded under the sign of death. Very early, the Church sought to influence the interpretation and administration of death and dying of the Indians and insert the clergy as a broker between the living and the dead (Lomnitz 2005). When the colonial administration in 1555 decreed the concentration of the population in Indian towns “in convenient and accessible places” one of the reasons was to facilitate the necessary pastoral care and ensure that the Indians could live *in policia* [an orderly and moral life], that they could receive the holy sacraments “*and that they may have someone who can help them to die well.*” Despite certain shared elements of belief in an afterlife, the Catholic and indigenous practices of death and burial differed wildly, and the Church spent centuries trying to sanitize and police burials and Day of the Dead celebrations (introduced by the Spaniards) which both involved processions with drinking, dancing and excessive weeping. Also the tradition (of the Mayas) of cremating and burying the remains at home to nurture the soil and help future generations was opposed by the Church and the state that insisted on burial in designated graveyards.

As an archival study from provincial Peru shows, public authorities were still, in the late 19th century, concerned with indigenous burial practices which were a cause of concern not only for the moral hazards but also because they were seen to represent health hazards in public space (Wilson 2004). The indigenous practices – keeping the dead body at home for three days before taking it in a procession with dance, music, liquor and coca from the plaza to the cemetery – were turned illegal, and the state demanded heads of

households to report death within 24 hours and have a death certificate produced which established the place, time and cause of death. This certificate became the admission ticket to a plot in the cemetery. Mirroring the status of citizenship of the living, not everybody – and particularly not the poorer Indians - had the means or the will to have their dead family members certified. Hence, the cemetery became an important marker of distinction between mestizo and Indian indigenous people.

VII

The *levantamiento de cadaver*, which translates into “lifting up” or “elevating” a corpse, constitutes a special case of the death bureaucracy: the official state examination of a dead body at the site of what may be a crime. With van Gennep’s structure of burial rituals in mind, we may consider the act as an elevation of the corpse into a different, liminal stage in which state institutions take responsibility for the ambiguities and insecurities generated by sudden death while they extract and process the necessary information for their administrative and judicial functions. An identity has to be established, or at least significant marks recorded that will allow the corpse to be identified at a later point. The scene, circumstances and possible reasons for the death must be described so as to create a baseline for the law suits and disputes that may be generated by the death of a person. However, as we shall see, the state will not always extract and reveal information. It may also use the occasion for concealing information.

In comparison to a *levantamiento* under “normal” circumstances our case sports some special features. Firstly, the army claims that the man they shot is member of the EGP and hence an enemy combatant, which is why his belongings are confiscated as war booty. I do not think that the Guatemalan state ever declared war against the guerrilla forces since these were considered criminals or terrorists and placed beyond the pale of the law; but on the other hand, the two parties at this point (1995) had signed several peace accords which implies a form of recognition of the guerrilla as a “just enemy” within an internationally sanctioned framework for lawful warfare.

However, unlike regular soldiers who would have a “dog tag” for post mortem

identification (and permitting distinction between civil and military bodies), guerrilla soldiers almost by definition move beyond the gaze of the state by getting rid of or falsifying any official ID. This complicates identification, in particular when families have not declared the persons as missing, believing they are working in Mexico or the United States. Hence, the disposal of the body remains the practical responsibility of the state.

Secondly, UN officials, representing the authority of inter-governmental institutions and international law, are present and intervene in the process when the Guatemalan authorities are about to dispose of the body in Trinidad's cemetery. The UN guys ask the state to hold on to the body to allow the scientific authority – a forensic doctor – to do an autopsy at the morgue, another early 19th century institution which was created for the identification – originally via public display – of unidentified bodies (Kramer 2001). In one sense, the UN challenge the authority of the state officials by overruling their decision, but only because the officials do not follow or know the prescriptions of their own state law on the matter.

That the state officials delegate the responsibility of bringing the corpse to the morgue to a foreigner witness to the lack of resources of state institutions – or maybe to the lack of importance they attribute to the content of the state ritual. In general, the rigid yet malleable adherence to abstract rules gives a slightly farcical air to the whole ritual of elevating the body. And the expectations of the policeman in regard to the forensics' (lack of) interest in dealing with the issue speak volumes to the ubiquitously perceived rift between the legal and the real in Guatemala. Closing this gap was considered one of the major aims as well as means of the international intervention in Guatemala.

In order to develop the contextual analysis of the *levantamiento*, I will make two moves: the first (VIII) brings us back to the beginning of the conflict in Nenton, whereas the other (IX) provides the perspective of a contemporary case of necropolitics at the national level which to some extent provides background and maybe an explanation of the 'why now?' of the *levantamiento* I took part in.

VIII

When I stayed in the hotel in Nenton in 2004 I chatted with the owner, Chepe Salazar, who, it appeared, was the Mayor who did the *levantamiento* when hooded men had killed Walter Widman's administrator in Chacula in December 1980. Widman replaced the administrator and convinced the army to post a squad of Military Police in Chacula's fortified stone mansion. Assuming that the perpetrators were land squatting peasants who had been mobilized by the guerrilla, the MPs raided their hamlet in February 1981. They raped 6 women, shot 5 men, and burned down all the huts while the remaining people fled into the woods. Nevertheless they managed to send a message to the Mayor in Nenton, 30 miles away.

Before daybreak next morning the Mayor took off on horseback with a couple of (voluntary) policemen. They knew that the guerrilla held public meetings in the villages and organized the Chuj villagers with some success, in particular after the first action in Chacula. They were nervous. It was an eight-hour ride on rocky paths, and they had to change horses in Subajasum before reaching the site in the afternoon. They found the corpses. One had been ripped apart by coyotes, another had a crater all the way through the body, and a third had been shot right in the neck with a 22mm. There was not a soul there, but after some time the villagers emerged from the shadows of the trees. The Mayor made the *levantamiento* report, told them to bury the corpses, talked with a few people in a neighbouring village and embarked on the ride back. Once again they shifted horses in Subajasum before reaching Nenton in the morning and going directly to work. None of them wanted by any means to stay overnight out there in the wilderness. They were scared.

Shortly afterwards, before the guerrilla retaliated the recent massacre by killing the new administrator, his family and six MPs on their way to Nenton, a list emerged on the plaza during the Sunday market with names of persons who were encouraged to leave Nenton if they wanted to save their lives. The mayor was on the list and left town immediately. The civil, municipal administration evaporated, and further reporting of unidentified corpses was left in the hands of the army which soon set up a base in Nenton. In fact I don't know for sure if any further reporting was undertaken, and since registers went up in smoke when the guerrilla (presumably) burned the municipal offices in 1982, it

is hard to verify – but I will try next time I visit Nenton.

Research in other regions where the guerrilla did not destroy the archives suggests that the municipal bureaucracy of death was surprisingly resilient and detailed in their registration of selective killings as well as massacres. Even though state representatives in many sectors and regions have been abusive, racist, predatory, corrupt and under-qualified, it is also possible to find evidence of a certain ethos of public service and bureaucratic correctness, of what we may call “procedural culture” (Watanabe 2001). In the current turn-of-millennium context of corruption, rampant crime and pervasive impunity, the regime of General Ubico - a great state-builder of authoritarian breed who ruled from 1931 to 1944 - is often mentioned in rural areas as an example of admirable public servants, effective stateness and even of justice since (some) laws applied and were enforced for Mayans and ladinos alike.

Extending the reach of the state in rural areas by building roads, telegraphs, registers, laws and regulations, police surveillance and so on, Ubico also provided new avenues for linkages to the state, if not in the political, then at least in the legal domain. Local representatives of the state (or even the President himself on his motorcycle) dispensed instant ‘justice’ in local disputes, and tenants and peasants would some times find an ally in the state against plantation- and landowners (Sieder 2000). This linkage echoes colonial times when Indians could appeal to the King and the colonial administration in order to counter abuse from conquistadores and creoles and settle disputes over land and labour.

The rural population’s ambiguous relationship with the state and its procedural culture –simultaneously fetish and threat – became a problem for the guerrilla strategy of severing the villages from the state. One thing was to rid the area of abusive landlords and military commissioners who rounded up young men for the army, but burning down the municipal offices with the registers and opportunities for having access to an official identity, and killing representatives who negotiated purchase of land for their communities was something completely different. It was the new law in the villages that sided with the guerrilla, but the villagers were not too happy about it.

One example is the frustration of the deputy mayor in the village of Aguacate, one of the neighbours to Chaculá, where the guerrilla killed two men who were accused of being informers. Apart from a few sceptics, the villages sided with the guerrilla during a year or so. 20 young men went off to fight in the EGP, and the village was incorporated in the network of support for the fighters “in the wilderness” supplying mules for transport and sending maize, beans, boots and money into the wilderness. “We all organized with them since there was no army. There would always be arriving messengers (*vocales*) saying: ‘Go and leave food in this or that place!’ And representatives were appointed.” “*You mean responsables?*” “Yes, *responsables*. People had more confidence in ... they were more afraid of them than of the deputy” as a former village secretary told with a characteristic description, if only by a slip of the tongue, of fearful trust in authority.

The former deputy explained that “[The guerilla] began, they burned down the office in Nenton, they burned in San Miguel up here, and in San Rafael they burned the offices of the authorities. Then, what happens? Little by little they start killing people: ‘We will separate the bad people who do not fulfill with our organization. He who fulfills [his obligations] will stay with us, he who doesn’t We will remove the bad from the good ones’, so they said.”

And so they did. In the early morning, the 4th of July, 1982, a couple of guerrilleros arrived and asked the deputy to get hold of the brothers Velasquez. He thought they were going to receive “an orientation”, but instead both were summarily killed, one having his throat cut in front of the deputy office, the other who refused to come, being shot at home. The deputy was in chock, but also concerned with the consequences:

“‘But now,’ I said to them, ‘what am I going to do because now there has been these deaths and the army is up there, in Bulej, what to do?’ ‘[If] you go and tell the army, you’ll end up just like these *compadres* of yours, this is what happens to those who go and talk like that.’

What should we do? I gave the order to bury these poor guys, because by then we had noone to help us. Then we went to [the municipal capital of] San Mateo to inform (*dar parte*) about the dead [since the office in Nenton had been burned] but

there half of the authorities had left. ‘Here they are in command,’ the mayor said to me. ‘And if you have buried these señores then there is nothing more we can do’.

So said the municipal [mayor] of San Mateo.”

They had “no-one to help them,” no one to take charge of dead bodies and murder in an official, procedural way that promised to put things in their place and do some kind of justice. They were “alone” as others said, despite the promise of the EGP to protect them, and despite the attempt of inculcating a new sense of authority, ruling “from the wilderness” by means of orders, selective killings and death threats that very precisely marked new boundaries between legality and illegality in the social and physical landscape. In this sense, the EGP produced sovereignty through performances.

But the loneliness may also relate to the fact that the army was approaching the area after having been absent since the MPs were killed. The villagers knew they were in trouble, but had they been able to inform the local authorities and have the Mayor perform the levantamiento ritual, they would have been able to plead innocence by following procedures and provide a *schein* of transparency.

The villagers knew the army was trouble, but they had no idea of what was coming: “The judgment” (*el juicio*) and “we were struck by the Law” (*nos cayó la Ley*) were some of the ways of expressing the experience of being objects of Rios Monts’ counterinsurgency program. I will not go into details with the counterinsurgency here, just mention that his junta offered amnesty to the guerilla in June and declared the state of exception from July 1, 1982. From the 12th of July a platoon moved from San Mateo towards Nenton, killing 50 here one day, 80 there the next day and so on, until they reached *finca* San Francisco in the neighborhood of Chacula, Trinidad and Aguacate, where they killed and burned all 300 inhabitants in a day, an act which caused the flight to Mexico of 7-9,000 people from Nentón.

Otherwise the army killed people selectively for the next year during which they consolidated their control of the area. During this period – according to the post-facto registration by the Guatemalan truth commission and my own interviews, dead bodies were dumped in rivers or ravines, left to rot in the centers of villages, left on roads outside the

municipality, cut in pieces and buried on site, hung in trees, or, in the case of those who were taken to army bases for interrogation and torture, dumped in mass graves, for example under the floor in the church in Nentón where the army had its base for some time.

IX

In order to explore why the show was put on at this particular point in time, we have to take a closer look at the intended audiences and the national contexts. Apart from the involved state officials - who are always an essential audience of state acts since the acts (in principle at least) establish their *raison de être* and confirm the coherence and meaningfulness of the state – there is no doubt that the UN mission and the international community was the main audience addressed. Had the helicopter been able to land in the rugged forest, no villagers would have been aware of the *levantamiento*, and the corpse would have been airlifted directly into inter/national space.

The army invited the UN to take part in the state ritual in the context of the peace agreement on human rights which entered into function in 1994 with the UN mission as the arbiter. The intention of the accord was to regulate (or civilize) the use of force according to international accords on armed warfare and protection of civilians. The army had obviously, as an institution, decided to play the role of the good guy, the benevolent protector of the population, while appropriating the human rights discourse (Schirmer 1998) and encouraging relations of exchange between the army and the UN at all levels.

This change at the upper echelons of the army filtered down very unevenly, but the attitude of higher ranking officers towards internationals was definitely changing in the department of Huehuetenango. I remember how the UNHCR representative at the Nentón office told me about his first encounters with the army in 1993 when the newly arrived UNHCR was trying to protect a returned refugee from what they perceived as undue persecution and imprisonment. José - a youngish but relatively experienced lawyer from Peru - was terrified by his first meeting with the army officers and by actually having to challenge them; but after the first encounters, the army representatives – and José - started to relax a bit and they developed a more productive working relationship at the front stage.

In my own attempts to get an impression of the Guatemalan military and their ways of thinking, I only met the benevolent, smiling and engaging face of the army, officers who were eager to change the sombre impression many internationals held of the army. When I first arrived in September 1994, shortly before the UN mission descended upon Guatemala, I went to the army headquarters of the Zona Militar #19 in Huehuetenango to present myself and talk about my intentions and plans as recommended by others who had done research in areas of conflict.

The commander of the zone, General Golib, was very forthcoming as he sat in his elegant office with diplomas from the National Defence University and the School of Americas, and a photo of “The founding officers of the *Kaibil* [special counterinsurgency forces] training course” who among them held a sign saying “*El Mejor Soldado de America.*” The general welcomed me and engaged me in a discussion about the civil patrols and the role of the army. While he recognized that not everybody loved the army, he stressed as many others that the army was “of the People”, that most of its members were indigenous people like himself - “look at me, I’ve got the hair of an indigenous” - and that they only would support the organization of a “Voluntary Committee of Self Defence” when the petition came from people themselves.

Knowing well that not all the civil patrollers had caught up with the changing signals and attitudes (or that the patrollers in fact were more attuned to the less public statements and campaigns of the army, that warned them against foreigners and returning refugees), the general gave me his card with a small note and his signature ... just in case. “Sometimes the lads (*los muchachos*) get a bit out of control (*bravos*) you know”. I was not unhappy with my *passe-par-tout*, and wondered about the (well known) fact that a name and a signature could provide me with protection ... and whether the general would actually be able to exercise this kind of long-distance control over the patrollers. As it turned out, I never needed the card. Skin colour and the aura – or sovereignty - of international community kept me protected.

As General Golub, the army in general represented itself as the only truly national institution in the country, as the seasoned moderator that tried to forge harmony and

facilitate that everybody had access to the international assistance, and as the guarantor of the return to democracy. But behind the scenes, the army was involved in a limited number of strategic assassinations which served to protect high ranking members or friends of the army who risked being drawn into some of the high profile cases of human rights abuse which had gained momentum with the intensified presence of the UN and international human rights organizations, and the ongoing exhumations of mass graves from the time of the massacres (Sanford 2003). In the face of these threats to the effective sovereignty of the armed forces, there was no reason why the army should not behave well on issues that did not imply costs for the institution, such as inviting the UN to verify that proper, civilian procedures were respected in cases of death in armed clashes.

One case in particular may have increased the army's interest in inviting the UN. This was the case of Efraín Bámaca, aka Commander Everardo of the FAR, who was reported killed after a skirmish with the army in March 1992. Apart from being the first high-ranking guerrilla member who had fallen in the possession of the army, the case was complicated by the fact that he had recently been married to an American human rights lawyer, Jennifer Harbury, who refused to believe that he had been killed. She started to work the case through the Human Rights Attorney and demanded to get access to official documents, including the *levantamiento* and autopsy reports, and to have an exhumation undertaken in order to verify that Everardo was dead.

Jennifer Harbury – the daughter of a Yale professor, by the way – was a force to reckon with. In 1993-5 she went into hunger-strike three times, insisting on using her body as a weapon against the military and denying them the (sovereign) control over her life and death. The military characterized her as a “destabilizing factor” when she was hunger-striking in front of the army headquarter in Guatemala City (Harbury 1997). The second strike got her on “60 minutes” and triggered the involvement of the State Department, but the army denied that Everardo was in their possession and continued to postpone an exhumation.

When the reports finally materialized, the *levantamiento* report, signed by the judge, gave a fairly precise description of Everardo (including “bikini-type underwear with blue,

horizontal stripes”) and a narrative of the skirmish by the officer in command – but it turned out to be a fake since Everardo was not killed in the act. The forensics’ report on the other hand was not a fake, but the corpse that the forensic had been given to examine was not Everardo’s. As it turned out, it belonged to a former guerrilla member who had been caught, turned into a military collaborator, killed, dropped from a helicopter in the area of the skirmish, picked up by an army patrol, brought to the forensic and buried as Everardo (CEH 1999, Case #81). Everardo on his part spent more than a year in captivity before he was finally killed in mid 1993.

I remember reading about the case when a newspaper occasionally reached Nentón, and I must admit that when publicized cases reached this degree of complexity and twistedness I gave up understanding what was going on. However, my friend Gustavo Porras, a former member of EGP who became advisor and secretary to President Arzú, tried to explain the logics to me at some length: Some of the Guatemalan officers had received training in the Israeli Mossad, an intelligence service that was famous for its tactics, including the use of short term sacrifices for securing long term gains, such as having one of their own killed in order to increase the credibility of an infiltrator in the long run. In the case at hand, the army killed and buried the collaborator instead of Everardo (apparently collaborators are disposable, and I guess they are never trusted anyway) because in this way the guerrilla would not suspect that his information had fallen into the hands of the army intelligence, a fact which made this information much more useful.

In November 1994, the Supreme Court opened a case against the army given “the failure of an application of habeas corpus and the existence of sufficient grounds to suspect that (the individual) was kept in detention illegally (...).” Habeas corpus means “you shall have a body” which refers to the right to appear before a judge and hence to be a subject of the law. The newly arrived UN mission was asked to assist the investigations. In March 95, two months before the levantamiento I have described, Harbury hunger-striking in Washington where she finally was informed, through a senator, that Everardo had been captured alive, kept in secret prison and finally killed in 93. CIA had been kept informed all the way.

X

So what could be the concluding thoughts, the “so what”, of all this? Should I have left the judge and the base commander in Trinidad and gone on to yet another NGO meeting in Chaculá instead of participating in the levantamiento?

Death is an extremely rich and complex field that touches upon a range of issues from personal grief, psychological and social structure, to power and cosmologies, which makes it hard to establish a clinically precise yet empathetic analysis of death. Death is all over the place in modern societies despite, or maybe precisely because of, the fact that liberal democracies are all about the management and enhancement of life, whereas death has been medicalized, sanitized, denied and removed from everyday life. It seems that death may be making its way back into private homes and everyday life in Western societies as yet another symptom of the drive towards “self-government” as the currently dominant form of governmentality, but that is a different story all together.

I have tried to focus on a single, bureaucratic state ritual dealing with the registration of dead bodies. I analyze it from four different perspectives while trying to steer away from issues of grief and mourning as well as human rights proper. As Lomnitz (2005) has argued, the large literature on rituals and collective representations of death focuses on dying, grief and mourning from the perspective of the bereaved, their group and their society. But what about the death of enemies of state and society, what about death in societies which are at war with themselves, what about death in societies where it is unclear who has the authority to decide on issues of life and death, where state sovereignty in other words is fragile and challenged by competing forms of sovereignty?

Guatemala and the rest of Latin America is a good example of societies in which a new set of boundaries, authority and laws of property were implanted by means of death and terror. But the need for stability and continued production drove state makers towards

transcending the foundational violence and create a political transition towards some sort of legitimate government. Lomnitz suggests that “the management of afterlife” was crucial to this transition.

When I embarked on the analysis of the levantamiento I hoped that it would provide a perspective on “post-conflict” state-building and transitions from war to peace that was not yet colonized by the normative jargon of the international security-development network. While I have got that far yet, it is evident that the question of who does what to dead bodies in war and peace opens up for several researchable questions and archives of data. Who have the authority or the guts to remove the corpses, where do they take them, and what happens if nobody takes charge of them? Unlike social abstractions such as war and peace, death is a concrete issue since corpses are material, mark and claim locations, and pose very practical problems of removal, disposal, and putrefaction, of green flies, coyotes and nauseating odors, while also forging unforgettable images as senses and imaginaries meet. As Verdery (1999) writes in her book on the political afterlife of (famous) corpses in former socialist states, corpses do not have a single meaning despite their material qualities; they may become powerful political symbols precisely because they evoke a surfeit of different meanings for different persons. Taking ritual and practical charge of the whereabouts of dead bodies may therefore be seen as one way of establishing political control and legitimacy and move on from the violent performances of sovereignty.

At a different level we are dealing with cases of sudden, premature, violent death – all characteristics of “bad death” in many cultures, including the Mayan, because death catches the person unprepared without having brought things in order – which may involve legal issues and risk of punishment. As we saw, villagers were uncomfortable with the lack of levantamiento, probably because the state ritual promises to provide a sort of transparency that can free always suspected populations of suspicion. In the same way as the official identity is key to all other state-citizen relations, the levantamiento ritual is key to the legal production of guilt and responsibility and the legitimacy of the state’s monopoly of violence.

The case of Everardo however, shows that state rituals are as much about secrecy

and concealment as they are about transparency and accountability. This is no secret to ordinary people in Guatemala where conspiracy theories thrive, partly as a result of 35 years of internal war where intelligence services, death squads, disappearances, and infiltration has created a permanent state of paranoia; and partly as a result of the fragility of a state that depends on upholding the belief that there is more to its power than meets the eye. In fact, with hindsight, it is surprising that I wasn't more afraid that the whole *levantamiento* -thing was a set-up.

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