Instruments of Reconciliation?
Potentials and Risks of Reparation Measures in Post-Conflict Guatemala

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Minor Field Study (MFS) sponsored by the Swedish International Development Cooperation Agency (SIDA)
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In memory of my father, Tomas Riesenfeld 1950-2006.

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INTRODUCTION

Dilemmas of reconstructing a fragmented post-war society

A war torn society faces an immense task after a formal peace agreement is signed and it begins the journey of transition from war to peace. During years of prolonged conflict it is usually not only the political, economical and social infrastructure that is torn apart but also the social fabric: the relationships between members of society have been shattered. Tasks confronted in the peace-building phase involve glancing backwards at a history of violence, while at the same time moving peacefully into the future. It involves dealing with the damages and suffering caused during years of prolonged conflict without increasing tensions among society members and widening the already present societal divisions. The complicated phase of rebuilding a war-torn society concerns all states where human rights abuses have occurred during internal conflict; a situation shared among many countries such as South Africa, Rwanda, Bosnia and Guatemala, to name a few.

Lessons have been learned that more is required than the signing and completion of a peace accord to create the right elements for a lasting sustainable peace. After the signing of a formal peace agreement, an act usually processed among top officials, there is also a great need for acts of involvement among the victims of civil society. Traditionally the civil societies have been left behind in the peace-process and rejected direct involvement in the peace-building phase. Contrarily, the peace-building phase requires the full inclusion of all levels of society for its sustainability and success, especially since the civilians usually suffers immensely during internal conflicts. Involving the whole population in the peace building phase benefits the society at whole by reducing the tensions within and thus hindering the risk for relapse into armed conflict.

In recent years there has been a lively debate and increasing focus on the importance of reconciliation after violent conflict when discussing the dilemmas and tasks confronted by war-torn countries. Reconciliation is among researchers and practitioners in the field seen as a significant phase for unifying a divided society and among some seen as a prerequisite for lessening destructive tensions within the population and thus avoiding a relapse into armed conflict. Reconciliation entails healing the wounds of the past and repairing the broken relationships within a society aiming to achieve a state of lasting sustainable peace. The difficulty lies in how this is to be done.

1 This is reflected in the emergence of truth-commissions in transitional states such as South Africa (TRC), Peru (CVR), Argentina (CONADEP), Chile (CVR) and East Timor (CAVR) to name a few.
Can tensions among members of society caused during years of violent conflict by some measures be erased? Are there acts or measures which can mitigate the damages and suffering which stand as a hindrance for effective peace-building? Finally and of specific concern for this study; what practical methods are available that may assist in developing a culture of peaceful coexistence between former antagonists? These are questions which states emerging from internal conflicts need to confront and central within the concept of reconciliation. Confronting a history filled with violence, atrocities, massive human rights abuses and move peacefully into the future is not an easy task; neither on an individual nor a national level. The recipes within the literature to undergo this process (and to some end-state) include a wide range of options varying from different dimensions of justice, truth commissions and trials as well as cognitive psychology and identity changed: transformation of destructive, negative and violent perceptions among the population.5

**Forms of reparative justice – instruments of reconciliation?**

As seen in the wide range of literature; even though many agree on the importance of reconciliation there is at the same time lack of a commonly agreed usage and definition of the concept. On the contrary, the definition of reconciliation depends largely on the approach of the scholar and practitioner using it. It is studied from the interpersonal level to the national level, seen as a process as well as an outcome, studied bottom-up and top-down simultaneously. However, the different aspects of reconciliation share a common trait. It regards issues on how states in transition from war to peace can confront a history of violence without increasing tensions and division in society and accomplish a state of peaceful coexistence among members of society.

This study focuses on the strategies of reparative justice a post-conflict state may employ to repair the societal damages within the population caused during years of prolonged conflict. The term reparative justice is similarly used with restorative justice referring to a more modern approach of dealing with the consequences around the offence of a crime. Reparative justice emphasises the healing and recuperation of the victim by offering compensation measures for the harm done compared to traditional forms of retributive justice that focuses on the punishment of the perpetrator.6 The forms of reparative justice refer to practical means of reparation measures such as methods of truth-telling, the role of forgiveness, economic compensation and locally rooted actions of symbolic nature.7 An important issue is to examine if and how forms of reparative justice employed within the

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6 The term reparative justice has the same meaning as restorative justice and will be used interchangeably throughout the study.
7 In the legal sense, reparation is an established term under international law: "..reparation must, as far as possible wipe out all the consequences of the illegal act and re-establish the situation which would, in all probability, have existed if that act had not been committed." Basic principle enunciated by the Permanent Court of International Justice, predecessor of International Court of Justice. Factory at Chorzów, Merits, Judgment No.13 1928, PCIJ, Series A, No 17, p.47
state may gradually transform tensions among members of society and replace it with communal trust and peaceful coexistence.

To examine this, social-psychological theoretical frameworks is used as the point of departure, focusing on social constructivist thinking such as identity change, societal beliefs, attitudes and interpersonal psychological processes as important elements when discussing reconciliation. It views reconciliation as a social-psychological process that takes place within the minds of people but may be generated by societal institutional changes and aims at changing destructive, violent and negative images and attitudes into peaceful and constructive ones.

Although there is much research available within the reconciliation literature, of it is little based on empirical findings, thus this study aims to fill part of that gap. Based on a field study to Guatemala carried out during August to October 2006 it will examine how different practical strategies and mechanisms employed in a post-conflict society may facilitate conditions which foster reconciliation and social reconstruction. It will do so by listening to the voices of victims, their perspective of and views on the reparation measures employed in Guatemala. Doing so will hopefully give a more comprehensive understanding for the actual effect of reparation measures in terms of individual healing and repairing the community divisions and damages caused by war. As different strategies are discussed in theory on ways post-war societies can repair the damages created during years of violent conflict – a lack of empirical research based on the viewpoints and perspectives of the people which the theories applies to may create wrongful conclusions of the situation. As Bloomfield articulates;

“it (reconciliation) can not be imposed from the outside but must be devised and driven from within. If we gave the ‘insiders’ proper acknowledgment, and made our process fit the people, rather than the reverse, we might move beyond increasingly sterile debates about reconciliation versus justice, or justice versus peacebuilding, and focus more on pragmatic steps to address the past, agree rules for the future, and begin to implement that future.”

In order to be able to peacefully repair the damages and suffering caused during prolonged violent conflict and mend the scars within society there is need for an increased knowledge from a situation within, seen from a victim’s perspective. Hence, this study aims to contribute with research based on the voices of experience among victim groups using the post-war environment in Guatemala as an example.

As for the structure, the following section, reconciliation as a transformative process, will present and discuss definitions of reconciliation aiming to gain a comprehensive view of the concept as well as how it will be used specifically for this study. Thereafter the theoretical framework used herein based on social-psychological aspects of reconciliation will be presented in the section destructive images and identities as barriers to peace-

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building; concerning issues of identity change, interpersonal psychological transformations and the alleviation of destructive perceptions among the divided population as a process of reconciliation. These discussions inevitably lead to the next part, *Instruments of reconciliation and reparation?*, which refers to and discusses the practical measures employed in a post-conflict environment to address the emerging dilemmas when unifying a divided society. Starting with truth telling followed by the role of forgiveness, economic compensation and symbolic/locally rooted actions. The part finishes with a section on the aim of reparation measures by offering a discussion based on the ongoing debate within the field. The empirical section presents the *research design* followed by the *Guatemalan context, aim and method of interviews*. The core of the study is the interviews presented in the section *Findings: A perspective from inside, listening to the voices of victims*. The findings are presented and divided into parallel sub-sections that make up the theoretical part consisting of truth-telling, the role of forgiveness, economic compensation, symbolic and locally rooted actions ending with views concerning changes after the war and thoughts about the future. Finally concluding thoughts are shared under the headline *connecting voices of experience with established theories*. 
RECONCILIATION AS A TRANSFORMATIVE PROCESS

Defining reconciliation

Having introduced the dilemmas and concerns of rebuilding a war-torn society, this chapter looks closer into the theoretical framework within the reconciliation literature with a special focus on the social-psychological approaches. The meaning of reconciliation is rather broad in its various interpretations. It can range from a narrow definition of a mutual agreement simply to lay down arms to a broader understanding including the creation of mutual trust and forgiveness and a comprehensive reconstruction of social bonds between victim and perpetrator. The wide range of interpretations illustrates the split view on both the definition, understanding and practical implementation of the concept. Thus, this section will start by presenting definitions among researchers in the forefront field. The aim is to provide a more focused idea of the concept and how the term will be used in this study.

The phrase reconciliation originates from the two Latin words re + conciliare, which means “put together” or “to unite”. Galtung refers to the Latin origin when seeing reconciliation made up of the two concepts of closure and healing; closure in the sense of not reopening hostilities and healing in the sense of being rehabilitating.

Further, although rather broad in its definition the formulation constructed by Institute for Democracy and Electoral Assistance (IDEA) and Bloomfield has specific relevance for the focus of this study when making reconciliation into an umbrella term consisting of the “over-aching process which includes the search for justice, truth, forgiveness, healing and so on”. Viewing reconciliation as a cluster of the components pointed out by Bloomfield is an outlook shared with Lederach who sees reconciliation as a locus, a meeting place for the four different concepts of truth, mercy, justice and peace.

Making a more specific definition, Bennink and Bar-tal states that reconciliation “consists of mutual recognition and acceptance, invested interests and goals in developing peaceful relations, mutual trust, positive attitudes, as well as sensitivity and consideration for the others party’s needs and interest.” From this perspective reconciliation is presented as an outcome, a goal which can be met. Following definitions reveals where reconciliation is put in the perspective of a process.

A basic definition is given by Bar-Siman-Tov when stating that reconciliation in its simplest form is “restoring friendship and harmony between rival sides after resolution of conflict, or transforming the relations between rival sides from hostility and resentment to friendly and harmonious relations.” A more detailed definition of interest is formulated by Ifat Maouz seeing reconciliation as a “cluster of cognitive and emotional processes through which individual, groups, societies and states come to accept relationships of cooperation, concession and peace in situation of former conflict.” She thus highlights the core of interest for this study in viewing reconciliation as a cognitive and emotional process not limited to individuals but equally important, or rather in relation to groups and societies. Further, because of the attention given in this study to acknowledging past suffering and transforming harmful perceptions about the parties and the conflict a useful definition is formulated by Karen Brounéus. She views reconciliation as a “societal process involving mutual acknowledgment of past suffering and the changing of destructive attitude and behaviour into constructive relationships toward sustainable peace.”

With the above presented definitions in mind, this study assumes reconciliation as a social-psychological process that takes place within the minds of people but may be generated by societal institutional changes and aims at changing destructive, violent and negative images and attitudes into peaceful and constructive ones.

**Destructive images and identities as barriers to peacebuilding**

Several of the scholars who share a social-psychological outlook of reconciliation see it as a profound process which mainly takes place within the minds of people. Clearly this is a condition which is hard to obtain as it “asks for a deep cognitive change, a real change of beliefs, ideology, and emotions not only among the ruling elites but also among most if not all sectors of both societies.” The focus of the social-psychological perspective is to transform destructive tensions, hostile environments and relations between former enemies/conflicting parties that have been constructed during years of violent conflict and used to legitimate the violence. Thus, the removal of these individual and collective psychological barriers within the population is the main focus of the social-psychological aspect.

To actually achieve this there is need for change in attitude, beliefs, motivations and emotions among members of the post-conflict society. This is required not only to reach a transformed perspective about the conflict but also to change a destructive image of the former enemy as well as a negative perception of oneself which hinders the construction

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of a peaceful society. The transformation of destructive images connected to the conflict, perceptions about oneself and “the other” is needed to transform the relations between former antagonists into friendly and harmonious ones.20 Or at least accepting and legitimating one another. In situations of prolonged conflict negative views and perceptions about the identity of “the other” are usually constructed and in the worst case transformed into dehumanizing images, which is used to legitimise the violence and even the killing of the other. Dehumanizing images is commonly constructed in cases of genocide or in ethnic conflict such as the case of Rwanda and Bosnia through which the perpetrator legitimizes the atrocities committed.21 The case of mutual denial of the identity of the other among conflicting parties is something which has been long featured in the Israel-Palestine conflict. It prolongs the conflict and hinders the development of constructive peace building.22

Destructive beliefs constructed during years of conflict
Feelings of grievances, bitterness and insecurity along with destructive attitudes and beliefs constructed over years of conflict often stand as a hindrance on the way toward sustainable peace. The negative attitudes and destructive feelings need to be transformed through a process which facilitates conditions that may alleviate these feelings.23 By transforming the destructive feelings and tensions among society members it will lower the risk for a relapse into violent conflict. One important factor which may contribute to this process is that society members feel the benefits of living in a peaceful culture in contrast to living under a state of violent conflict. Bar-Tal also states the importance of how the outcome of the reconciliation process depends on the creation of an environment which promotes the connection between former separated groups and an evolvement of all groups in society. He further suggests that the need for reconciliation is restricted to societies involved in a conflict where widely shared beliefs, attitudes, motivations and emotions are developed that support a continuance to the conflictive goal which maintain the conflict. These beliefs delegitimize24 the opponent and therefore hinder the possibility of peaceful resolution of the conflict and prevent the development of peaceful relations.25 According to Bar-Tal the widely shared beliefs, which usually are present in the aftermath of war, are of special importance and hinder the development of a peaceful culture. The

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20 From a social-psychological perspective conflict dynamics are affected by the social construction of identities. Constructions of self/other images emerge from existing threats and fears of ones safety in the conflict context. By separating one self from the other it may be used to legitimate the use of violence and thus prolong and complex the conflict.
21 “We wish to inform you that tomorrow we will be killed with our families: Stories from Rwanda by Philip Gourvitch” New York Picador (1998)
23 Ibid.
24Bar-tal defines deligitimization as a “categorization of social groups into extreme negative categories that essentially deny their humanity”. D. Bar-Tal, Collective Memory of Physical Violence: Its Contribution to the Culture of Violence, School of Education Tel Aviv University. Chapter to be published in E. Cairns & M. D. Roe (Ed.) Memories in Conflict. London: Macmillan. p.13
societal beliefs are made up of collective emotions such as fear, anger, hopelessness and hatred that stand as obstacles for the creation of a peaceful and stable society. “They are formed in the course of the conflict, disseminated to society members, maintained by societal institutions and supported by collective memory.”

Why is it then of importance to erase the societal beliefs constructed during years of conflict and if so, with what means? The destructive beliefs can draw out the tensions in society and prolong the presence of conflictive powers within society. And without erasing the societal beliefs they will act as hindrances in the development toward peaceful coexistence and social stability. This is something clearly occurring in Israel/Palestine as the prolonged conflictive situation has brought solid negative images of “the other” as well as destructive stereotypes among Israelis and Palestinians thus standing as a hindrance for constructive peace-building. It can also be found in the Bosnian context as destructive and a negative socially constructed image of “the other” not only prolonged and intensified the conflict by increasing the tensions between Croats and Serbs but also complicates a genuine development of peaceful coexistence between the two opposing sides.

Erasing destructive beliefs therefore requires active measures; it is not something which follows automatically after a conflict has been put to an end through the formation of an official peace-agreement. On the contrary, it is a time-consuming task and needs to be processed through active measures and involvement of all levels of society. The emergence of truth commissions after the completion of formal peace agreement may be one such measure which contain the possibility of accessing a wider part of the population and may provide part of the space needed for the changes to take place. The Truth and Reconciliation Commission (TRC) in South Africa is often described as a successful effort for contributing to reconciliation by approaching the victim groups instead of giving further attention to individual perpetrators through trials. Thus according to Bar-tal reconciliation is made up of an interpersonal psychological process that is needed to transform destructive tensions among members of society such as violent attitudes, emotions, goals and motivations about the conflict and the parties involved. They preserve the continuation of the conflict and need to be erased. It cannot be made through structural rearrangement and reconstructing within the state, although these measures may facilitate the conditions that promote the actual psychological process.

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1 "Societal beliefs are defined as the society’s members shared cognitions on topics and issues that are of special concern to society and contribute to its unique characteristics. They are organized around themes and consist of such contents as collective memories, ideologies, goals, myths, etc. Ethos combines central societal beliefs into a particular configuration and gives meaning to societal identity. During intractable conflict, the involved societies tend to form conflictive ethos combined of eight themes: societal beliefs about justness of one’s own goals, security, positive self image, one’s own victimization, delegitimization of the opponent, patriotism, unity and peace" (Bar-Tal, 1998, 2000a).

26 Ibid.


28 The practical measures and instruments which may facilitate this process will be discussed in detail under the headline Instruments of reconciliation and reparation?
The psychological process which both sides of the conflict need to undergo includes not only changed beliefs about the goals of the group, the opponent and the conflict as well as a changed perception about the situation and identity of oneself. Bar-Tal and Bennink make this evident by applying a psychological framework which both parties can undergo to make the necessary changes in perception about one-self and the other.29

For the realization of this process a special attention is given toward five different areas of changes in societal beliefs; first, a change in the perception about the **goals of the group** is a requirement for reconciliation. By changing the views of the group goal it erases some of the basis on which the conflict is constructed on. The perception of usually unrealistic goals is a hindrance for peace-building and reconciliation since it helps maintain a reason and basis for staying in conflict. The formation of new beliefs of the group goal will benefit reconciliation and should be based on the peace-agreement and centre around establishing peaceful relations with the former enemy. Second, changes are also essential in the **societal beliefs about the rival group**. It includes changes in the perceptions of one’s enemy or rival group which during the conflict usually are made up of dehumanizing and demonizing images. The destructive images of one’s former enemy need to be replaced with a legitimate and human image, including recognition and acceptance of the needs of the former opponent. A third requirement for reconciliation is a change in the **societal beliefs of one’s own group**. The usually glorifying view of the acts and attitude of one’s group needs to be replaced with a more objective perception of one’s own group.30 This includes an honest observance of the acts and wrongs committed by one’s group during the conflict as well as a realization of the responsibility for wrongful acts. Fourth is a change in the **societal beliefs about the relationship with the past opponent**; the societal beliefs about the relationship between the former opponents need to be change from antagonistic and belligerent into constructive and cooperative relations. The new beliefs of the relationship between former opponents should include a common view of the past and mutual recognition of the needs of each other. The fifth requirement for reconciliation involves a change in the **societal beliefs about peace**. A new perspective of peace and the maintaining of peaceful relations including the conditions and mechanism for achieving it are essential for reconciliation. It demands a realization that maintaining peace is in the interest and well-being of both parties.31

According to Bar-Tal, reconciliation thus requires that both sides develop and disseminate a psychology of cooperation among society members through transforming the above mentioned sectors of societal beliefs. A successful outcome will be reflected in the legitimisation, acceptance and recognition between former opponents and include respect for the well being and needs of the other.

30 Ibid. p.21
31 Ibid. p.22
Identity change

Ifat Maoz continues on the path of psychological transformation as a road toward reconciliation. She joins Bar-tal with the view that certain psychological and social constructed preconceptions and assumptions among people in conflict affect the way beliefs about the conflict is interpreted and may stand as a hindrance for developing peaceful relations. Our perception of events, behaviours, and information in conflict situations is affected both by our previous experiences, beliefs and conceptions and by our current hopes, fears, and needs. It refers to the way people understand information regarding the conflict and stand as a “barrier of distorted interpretation of every event and statement.” This invisible barrier will need to be abolished for a successful transition from war to peace to occur. The psychological barriers refer to identity constructions and relationship-centred biases which stand as obstacles made up of presumptions about oneself, one’s own group and the other. Of importance is thus a transformation of the identity perceptions of oneself and the opponent. Achieving this requires a complex nuanced understanding of both self and the other where the two sides creates space to perceive different aspects of its own as well as the other side’s attitudes and behaviours. To abolish the negative barriers constructed during conflict it is necessary to erase the hostile view of the other as well as the negative beliefs about the other side’s view. This is a requirement for the transformation of the conflictive environment into a peaceful one. However, it is hard to obtain as having lived under a state of fear during year years of violent conflict constructs solid negative images of the other, destructive views of the conflict and a fearful attitude to society at whole.

The importance of identity change among the different parties of conflict is a returning theme within the social-psychological views on reconciliation. The goal is to replace a negative interdependence of the parties’ formerly combative and hostile perceptions with a positive, non-hostile one. The aim of reconciliation from this perspective is to contribute with the tools needed to change conflictive attitudes and negative images of oneself and the other. Negative feelings of fear and suspicion connected to the relationship needs to be transformed into trust and confidence. To do this a space must be facilitated where the parties find the room to change views of their own identity and can begin to accept the other. Kelman states certain conditions that may facilitate this space which are significant for the transformation of collective identities, where acknowledgment is a main ingredient.

First, mutual acknowledgment of the other’s nationhood and humanity which refers to the importance of political recognition and acknowledgement of the other’s legitimacy, a mutual respect for the dignity of the other, a genuine concern for their welfare as well as an attachment of value to the security of the other. Second, development of a common


moral basis for peace which refers to a peace that is morally just created based on the equality and inclusion of both sides. The foundation for the peace should be based on meeting the needs of both parties and be reflected in the establishment of just institutions (and associations). Third, confronting with history is a necessary condition for identity change as it provides an acknowledgment of the past abuses. This may contribute to an acceptance of the other’s narrative into one’s own but as Kelman underlines, it does not aim at establishing a single truth which parties are pressured to accept as their own. Fourth, acknowledgment of responsibility highlights the importance of taking responsibility for one’s actions. Acknowledgment of past actions can be done symbolically through apologies or reparation measures. Fifth, establishment of patterns and institutional mechanisms of cooperation refers to the structure of institutional mechanisms which should be based on equality and reciprocity and reflect the needs and goals of both parties’ societal needs and goals. They should be carefully constructed not to repeat old patterns of dependency one party over the other.

As shown above reconciliation can be seen as a psychological process which takes place within the minds of people and includes a transformation of identities and preconceptions about the conflict, the other and oneself. Of importance is to transform the destructive images created over years of conflict into new acceptable ones based on trust and confidence. Acknowledging the past, taking responsibility of one’s actions, developing a mutual acceptance of each other and a willingness to accept the other into one’s own identity are important conditions that may facilitate a transformation of destructive and negative relations into peaceful ones. If the importance of identity change and psychological transformation of relationships are considered fundamental conditions for reconciliation – what kind of concrete practical measures may then help facilitate this process? The following section studies this further by presenting certain instruments of reconciliations which may be employed in a post-conflict setting to promote the above defined process of reconciliation.
INSTRUMENTS OF RECONCILIATION AND REPARATION?

The meaning of reconciliation is rather broad in its various interpretations as it ranges from a narrow definition of a mutual agreement to lay down arms to a broader understanding where it includes the creation of mutual trust and forgiveness and a comprehensive reconstruction of social bonds between victim and perpetrator. From a narrow perspective reconciliation refers to non-violent coexistence whereas a broader interpretation refers to a situation where former destructive relationships between antagonists is replaced by mutual trust and acceptance together with a common view of the past as well as the future.

From the perspective of practitioners there are also views of reconciliation as a middle way between the two approaches of engagement and denial. States in transition from war to peace – from authoritarian rule to democratic governance – can thus deal with their past in two diverse ways; either recognizing history by openly determining it or hiding a violent past by covering the facts of abuses. Both ways concerns assumed solutions to the dilemma on how to confront a violent history without creating further divisions in an already fragmented society.

Whereas the engagement approach includes forms ranging from vengeance and retributive justice to restorative justice as means to confront a history of atrocities; the opposite approach tries to cover and forget past abuses by denying a history of violence. An illustrative scenario of the latter approach can be found in Spain after the Franco era where a veil of amnesia covered the violent history and hindered facts of past abuses to be drawn into the official light. To the contrary, in South Africa with the establishment of the TRC, the dark consequences of apartheid-rule were acknowledged through the hearings and testimonies of the truth commission.

This study focuses on the engagement approach; when a history of violence is confronted in the post-war phase through mechanisms of restorative justice (or reparative justice). The specific means or reparation measures of restorative justice aim at restoring the moral order and equality between victim and perpetrator that were destroyed during war-times. The practical reparation measures that will be examined further in this study

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36 “Restorative justice is a systematic response to wrongdoing that emphasizes healing the wounds of victims, offenders and communities caused or revealed by the criminal behaviour. Practices and programs reflecting restorative purposes will respond to crime by: identifying and taking steps to repair harm, involving all stakeholders, and transforming the traditional relationship between communities and their governments in responding to crime” www.restorativejustice.org 2007-11-28
include forms of truth-telling, rehabilitation, symbolic acts, economic compensation and official apologies. However, the means of restorative justice demand forms of acknowledgment for their realization which aims to openly determining the facts of past atrocities through measures of truth-telling and knowledge of wrongdoing. Thus, while truth-telling is by itself a reparation measure it is also seen as a prerequisite for the employment of other forms of reparation. Therefore, before going into detail on the various forms of reparation measures the following section will start by discussing role of truth-telling in a post-conflict society.

**Truth telling**

"Truth – the road to reconciliation"?38

What impact does truth have in terms of reconciliation? Is openly determining the truth necessary for reconciliation? Is a history of atrocities, human rights abuses and armed violence best left unhandled and forgotten or should the dark sides of the past be drawn into the light? These are dilemmas faced by all post-conflict societies in the transition from war to peace when deciding how and to what extent the historical memory should be revealed.

Through the perspective of the engagement approach, when states decide to actually confront a history of violence, acknowledgment and truth telling are seen as central issues.39 Truth-telling is closely connected to many of the reparation measures as they in most cases require some form of recollection of facts for their implementation. Or rather, without the knowledge of the wrongdoing there can hardly be any reckoning of past abuses. Nevertheless, there are risks and it is up to each to face the dilemmas whether to openly determining a violent history. The most common way to do so is the creation of truth commissions (TCs) in post-war societies.

The establishment of the truth and reconciliation commission in South Africa (TRC), where perpetrators exchanged stories of truth for amnesty, is a commonly used example when highlighting the importance of truth as a way to reconciliation. This assumption is clearly demonstrated in the official slogan of the commission; “Truth the road to reconciliation” formulated by archbishop Desmond Tutu, chairperson of the TRC. By openly declaring the truth it seemed to bridge the divide by facilitating a meeting place for victims and perpetrators during hearings and testimonies, as well as dealing with the past by opening the wounds caused during the apartheid era. A contrary scenario can be found in Spain following the Franco era where public clarification of facts and confrontation with the past was avoided and a general amnesty was granted to the

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38 “The central slogan of the south African truth-commission; “Truth – the road to reconciliation” Siri Gloppen - Roads to Reconciliation, Roads to Reconciliation by E.Skaar, A. Gloppen, A Suhrke.p. 33 Please note the added question mark for the purpose of this study.

military personnel. The case of Spain is sometimes lifted out as an example that contradicts the assumption of truth as a prerequisite for constructive peace-building as Spain went through a rather unproblematic transition to democracy. On the other hand Spain is now, 40 years later, breaking the amnesia by literary digging up the past as the possible creation of a new law will deliver reparation to the victims and provide funding for exhumations of mass graves.40

However, for the most part, truth-telling and thus the establishment of truth commissions is seen as a significant phase of the reconciliation process. This does not imply that reconciliation will follow in the footsteps of truth-telling but that it may contribute to building a foundation of peaceful coexistence. Most scholars agree on the importance of truth as a way toward national reconciliation and even individual healing.41 It is also said to have a healing effect on the victims as they by telling their story will feel less burdened and traumatized, exposing the truth is said to be cathartic for the victims. More importantly establishing a TC is a way not only to uncover the truth but also to acknowledge it. As in many internal conflicts, there are few people that are left unharmed by the violence but through the creation of truth commissions an official recognition of what actually happened is made.42 By doing this, each victim’s personal story becomes officially approved. To unveil the truth about past human rights abuses and atrocities is seen as an expected part in a state’s transition from war to peace and almost a necessary condition for the development of a peaceful culture. A society emerging from internal armed conflict is encouraged to reveal the history of violence by listening to the victims and hearing the offenders. It does not necessitate that perpetrators will be put to trial, more importantly; the focus is on recollecting facts about “the truth” of what actually happened.

The increased emergence of the establishment of truth commissions after violent conflict such as Argentina, Chile and Guatemala, South Africa and Cambodia to name a few, illustrates the belief of the importance of establishing an official truth in the aftermath of civil war. Even though truth commissions vary in power, mandate, resources and forms of operation the common aim is at confronting history by public truth telling.43 In contrast to trials the focus of truth commissions is usually on the victims from whom the facts are gathered by listening to their stories of the crimes suffered. The use of TCs can be categorized as a form of restorative justice strategy through the acknowledgment of the suffering and harm done to the victim. Truth commissions seek not only to present the actual facts of a collective memory but maybe more importantly to create a broader pattern of the violations that occurred and the causes behind them. By doing this the individual experience of the conflict is put in a wider context which may be helpful for the victim’s understanding of the actual events that occurred during the conflict.

There are certain presumptions about the healing effect of truth-commissions. By revealing a history of violence a war-torn nation is thought to be able to leave the past behind and move peacefully into the future; truth-telling is thus seen as a recipe to prevent it from happening again. Or rather, unless the misconceptions of the conflict are revealed by putting the facts on the table, openly determining the origins and motives behind it, it will be difficult to approach the underlying causes and thus hindering a return to conflict. The core of the truth commission is thus said to prevent a resumption of conflict.

Despite all the benefits of TCs, revealing “the truth” is not made without risks. Rather, it may create a risk for further divisions in society. By opening wounds of the past and intending to establish a single truth it implies a potential risk to the social order. Especially since a war-torn society already is politically fragile and the creation of a single official story of the past may be offensive to some that do not necessarily agree with the official view of history. It might create further divisions in society as some may feel their view of the past has been neglected and that the collective memory has not been based on just terms. Further critique of TCs includes the concern for an appeasement of justice for the sake of reconciliation. As in the case of the South African TRC where perpetrators were given amnesty in exchange for a true version of the atrocities committed. This poses the question if reconciliation as an end-state truly can be accomplished if matters of justice are left unhandled?

Another dilemma with truth commissions is the exposed presentation of facts without necessarily a sign of repentance among the perpetrators. From a victims perspective this may feel provocative when officially recognizing a past filled with atrocities and human rights abuses without showing signs of repentance admitting the wrongdoing. To simply present and acknowledge the crimes committed and suffering caused without showing regret or apologies might strengthen tensions in an already fragile society. It might even be damaging to merely present the facts of the past evil deeds in the absence of a process that constructs an actual change for their situations. This on the one hand may not be under the responsibility of truth commissions, but when revealing facts of a violent history, the consequences of doing so should also be taken into consideration.

**The role of forgiveness**

“I am ready to forgive, but I need to know whom to forgive and for what”

As mentioned above, one of the potential concerns for a truth commission is the presentation of facts without a following apology or signs of repentance. This may have a damaging effect on the victim when the acknowledgment of their suffering and the

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44 Ibid. p. 28
45 Quoted in Andrew Rigby, "Justice and Reconciliation – After the Violence", Lynne Rienner Publisheres, Inc. p.8 (2001)
atrocities of the past are done in the absence of remorse from the perpetrators. From this aspect apologies or political forgiveness as sometimes referred to, has been an area of interest and seen as part of the road to reconciliation. Forgiveness can be defined as the following; “the foreswearing of resentment, the resolute overcoming of anger and hatred that are naturally directed toward a person who has done an unjustified and non-excused moral injury.” Whereas many scholars agree on the confrontation with the past as a necessary factor for peaceful coexistence the views about the role of forgiveness are not as agreed upon. Amstutz aims to introduce the importance of political forgiveness as a central component of reconciliation. On the contrary Bloomfield makes a distinction between forgiveness and reconciliation assuring to keep the two concepts distinct from one another, meaning that forgiveness should never be a prerequisite for reconciliation as it puts further pressure on the victims by demanding something from them which the overall social healing process depends upon.

One of the dilemmas and controversies lies in the difficult to discuss the role and need for forgiveness without connecting it with a religious tone and by that it seem to loose its meaning in the political context. That it is still closely connected to its religious roots can be seen in Amstutz explanation;

“Although forgiveness is not uniquely a religious ethic it receives its most powerful human expression in Christianity a faith that is rooted in God’s forgiveness of human sin and the corollary obligation of human forgiveness…The Christian approach to forgiveness, which calls on people to forgive one another even as God in Christ has to forgive them involves two distinct emphases - first the priority of love in the human relationship and second, the need to forgive offenders.”

To neutralize the concept from its religious heritage Amstutz chose to use the concept of political forgiveness when discussing the role of repentance in the context of an armed conflict. But when stating the importance of forgiveness in the aftermath of civil war it poses a series of questions: Is forgiveness really a necessary component when laying the foundation for developing a stable peace in the post-conflict society? What is its relation to reconciliation - is it a necessary factor for reconciliation? Who can ask for forgiveness and who can grant it? Is it not to put another burden on the victims when asking for their forgiveness?

The idea of political forgiveness is connected to the psychological transformation and identity changed described earlier as it aims at transforming perceived identities about one self and the other as a way toward reconciliation. Long and Brecke share this view when interpreting reconciliation as part of a forgiveness process which transforms beliefs

about oneself and the other and thus opening possibilities of new improved amicable relations. Based on a theory which derives from evolutionary psychology Long and Brecke assumes that forgiveness and reconciliation is something which is a natural part of society and the individual mind. It has developed over time and is required within society as a problem solving function. They present a general forgiveness hypothesis by assuming that the mind has certain tactics to solve recurring problems such as how to maintain social relations through integration of emotion and reason. Through a quantitative study they show that stable peace was more likely to develop in cases where certain reconciliation events were present. Included in the reconciliation events is; public truth telling and acknowledgment of harm, a transformed understanding of oneself and other – transcending the role of victim and perpetrator, retribution in short of revenge, and the offer of new but different relationship that establishes, at a minimum, mutual affiliation and coexistence. The factors are similar to the ones presented earlier in the context of identity change, but the connection differ in the interpretation of Long & Brecke as they underline not the cognitive process but more so the theory of the mind; an “emotionally animated process” involving a problem-solving technique that exists for the restoration of functional relations in one’s societal group.

If looked upon through the view of the importance of acknowledgment, apologies may be a symbolic statement of admitting that the crimes committed were wrong and by that inflicting a promise of a changed future. It may increase the effect of not only presenting the actual facts of past deeds but making that recognition stronger by expressing remorse of the crimes committed. Proponents of apologies in the aftermath of violent conflict view it as a strong symbolic acknowledgment of past suffering and an official sign that the harm caused is not acceptable.

Amstutz views the reconciliation process as moral reconstruction within and between the perpetrator and victim which requires action from both parties; the perpetrator should express signs of remorse and repentance for the caused suffering through acts of reparations – whereas the victim should refrain from acts of vengeance and transform their perceived identity of the perpetrator by separating the “offender from the offence.” Clearly, depending on the situation it may be provoking for the victim to be required to grant forgiveness to the perpetrator. Especially so if the victim has suffered gross human rights abuses caused by the perpetrator combined with the absence of reparation measures – it may rather feel like another burden is put upon them then having a healing effect.

Practical examples can be found in Chile where Allende, the democratically elected president expressed his apologies on behalf of the former authoritarian Pinochet government, by sending out a copy of the truth commission report to all the families of

50 Ibid. 35
51 Ibid. 36
the victims. Australia is a more recent example where an apology have long been waited for and welcomed which is reflected in the following speech made by United Nations Human Rights experts;

“We warmly welcome the speech delivered by Prime Minister Kevin Rudd at the Federal Parliament on 13 February 2008, offering an apology to Australia’s indigenous peoples for the pain and indignity they have endured as a consequence of past laws and policies. We are specially moved by the apology offered to the members of the Stolen Generation and their families, victims of a deliberate policy of assimilation of the Aboriginal culture that contradicted the basic human rights principles of equality and dignity. We welcome the Australian Government’s commitment to build a common future with the indigenous peoples of the country based on mutual respect. Australia’s efforts to acknowledge historical injustices and to promote reconciliation set an example of how to enhance harmonious and cooperative relationships between indigenous peoples and States, in the spirit of the UN Declaration on the Rights of Indigenous Peoples. This apology will strengthen the moral fabric of the country and reinforce the Aboriginal contribution to Australian society.” 53

In Australia the amount of time that past before an apology was officially expressed by the government should be taken into consideration. But in an unstable post-conflict environment - is an act of forgiveness possible without risks? One risk factor may be the actual sincerity of the act. From this perspective, giving an official act of forgiveness without a sincere meaning behind it might be even more damaging to the stability of the already fragile society. As Hayner suggests that a bad constructed truth commission is worse than none at all – one might add that an insincere apology is worse than none at all.54 But it is of course hard to tell whether an act of forgiveness or a sign of repentance through apologies are sincere or not. With this in mind there are other forms of restitution measures that may have a stronger symbolic affect and not as infected as an act of forgiveness. Forgiveness is hardly enough by itself to contribute to reconciliation. Even though the proponents of forgiveness highlight its importance as it serve as a link of acknowledgment between victim and perpetrator the actual effect for reconciliation should still be made with caution. This will be discussed further in the empirical part: “Role of Forgiveness: Infecting an already fragile environment?” and under conclusion.

**Economic compensation**

The role of economic compensation continues on the path of acknowledgment as a road to reconciliation. But while truth-telling and forgiveness are intangible verbal forms of recognition, financial compensation can function as a concrete complement. However, truth telling is a prerequisite for the distribution of economic compensation to make the

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53 Statement made in the Human Rights Council by The United Nations Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people; The UN special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia, and related intolerance; the UN special Rapporteur on adequate housing as a component of the rights to an adequate standard of living and on the right to non-discrimination in this context; UN Working Group on Arbitrary Detention 18 February 2008. http://www2.ohchr.org/english/bodies/chr/special/

roles of victim and perpetrator officially defined as well as a clear acknowledgment of the wrongdoing.

The monetary forms of reparation are compensation and indemnity. In international legal practice; indemnity aims to "compensate for all the damage which results from the unlawful act, including a profit which would have been possible in the ordinary course of events, but not prospective gains." Compensation is defined “reparation in the narrow sense of the payment of money as a valuation of the wrong done.” Giving monetary reparation is thus a form to compensate for the damages and suffering caused during conflict and a mean which may be important for the victims in terms of regaining their dignity. By making the victim’s into beneficiaries it has a chance to equalize the moral balance between them and the perpetrators.

On a practical level the distribution of economic compensation is the responsibility of the new government if the past regime is guilty of the human rights offences. However due to the vast amounts of costs faced when rebuilding a devastated post-conflict society it may be difficult to find the funds for compensation.

Economic compensation aims to address several needs. In the strict material sense it assists the victim in rebuilding destroyed property and to fulfil basic needs connected to every day life, which may be hard to obtain in a devastated post-conflict setting. It may also assist communities in establishing rehabilitation programs to provide support on a communal level by offering social-psychological treatments to the victims. It may also assist beneficiaries in looking for missing family members and relatives or to provide rehabilitation to victims of torture. The material assistance may contribute to lessening the consequences caused by war and improve living standards of the victims by providing means for housing, education and basic food necessities. However because of the impoverished situation in a post-conflict environment the payment received is most likely to be spent on short-term needs instead of long-term investments, which hinders the possibility of actually restoring the order before the harmful acts were committed.

Apart from the direct material effects, economic compensation may also have a strong symbolic function. By financially compensating victims for their suffering and the damages caused it serves as an effective symbolic statement and acknowledgment of the wrongdoing. When recognizing the suffering caused to the victim through the distribution of monetary compensations, economic compensation may function as a symbolic gesture which morally equalizes the relationship between perpetrator and victim. As a mechanism of restorative justice it rebalances the level between victim and perpetrator by making the former into a beneficiary, thus changing the views of their experienced identity. Also economic compensation has the possibility in improving the

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56 Ibid.
living standard of the victim, reconstructing or building a new house, everyday living
costs and so on.

The dilemmas of economic compensation should also be considered. First, clearly it is
hard for the victim to refer to any amount of monetary compensation as a symbolic
quantity being able to make up for or repair the suffering due to the loss of a loved family
member. Internal suffering and the pain of loosing a loved relative can hardly be replaced
by monetary compensation. However, it may also cause problems on a communal level.
Since being beneficiary has a symbolic effect it may create further divisions in the already
sensitive environment if not distributed with balance and symmetry, allocated equally
among victim groups. This may be a problematic assignment for a poor post-conflict state
as limited resources increases the difficulty in distributing the money evenly. As a
solution to this dilemma, collective economic compensation measures might be preferable
as they provide the advantage of reaching out to more victims and may have a symbolic
effect in compensating collectively for a suffering which also has been collective.

It may also be difficult to decide on a proper amount of economic compensation that will
make up for the emotional loss and feelings of victimization caused by the harmful act. As
the victims usually make up large part of the society it also complicates the decision for an
appropriate, fair and symbolic amount due to restricted resources.

**Symbolic actions and commemoration**

Seen as a complement to the above mentioned forms of reparation measures, symbolic
measures may be very effective in terms of rebuilding a war-torn society. Symbolic
actions take various forms such as memorial days, monuments, sacred sites or museums,
commemoration or education and their strength lie in the ability to be adjusted to respond
to the needs of the local environment.

The acknowledgment of history may have a stronger effect when presented through local
traditions in the cultural setting than through the publication of a truth commission
report and this is something that can be encouraged through symbolic measures. There
are other factors that make symbolic measures useful and complement other forms of
acknowledgment as formulated by Marc Howard Ross;

1. When direct apology is difficult, symbolic action can be easier for former enemies to express

58 For detailed discussion on this dilemma view the empirical section under headline “Economic Compensation:
acknowledging suffering or increasing divisions” p. 35
60 Commemoration “helps victims heal the rupture not only internally but also the rupture the victimization
created between survivors and their society”. Danieli, ‘Preliminary Reflections from a Psychological
Perspective’ in Kritz, “Transitional Justice”. p.580
2. When words are sometimes seen as easy to utter, symbolic actions can be viewed as more sincere.

3. Whereas verbal apologies are more cognitive, symbolic actions are more affective.  

Local actions with symbolic measures act on a different level and should be seen as a complement to other forms of reparation measures they reach out to the wider communal society and not only to individuals. In Hiroshima after the atom bomb the creation of a memorial peace park with a memorial museum exemplifies the creation of a symbolic communal mourning site.

Commemoration may also take the form of assistance to the victims through counselling or social-psychological support offered by either governmental, non-governmental or UN organs. In Guatemala, as part of the United Nations Development Program (UNDP): *Dignifying and Psychosocial Assistance to War Victims* (DIGAP) works in collaboration with a number of local organizations to carry out exhumations, provide psychological support and education to the victims. DIGAP observes the implementation of the recommendations stated in the report from the Commission of Historical Clarification, CEH, which the government has yet to realize.

Local actions may also include educational efforts such as distributing a shorter version of a truth commission report with illustrations making it accessible to the illiterate part of a population. Since the publication of a truth commission report usually only is accessed among top levels of society providing educative information on the content among the wider society is a helpful form of local action. In Guatemala the Catholic Church published and assisted in the distribution of a book made with illustration of the events that occurred during the war as a complement to the truth commission report.

Since apologies may be important in terms of acknowledging wrongdoing, they may sometimes be hard to express, not understood as genuine, or not appropriate in a particular post-conflict setting. Hence, symbolic measures may have the same effect but expressed in a more concrete way that has a larger relevance for the people involved. Through symbolic measures such as sacred sites or monuments it acknowledges the wrongdoing, the loss of the loved ones through which a sense of dignity which has been lost during the crimes committed can be regained.

Another factor for the importance of symbolic actions is that they have a possibility of lasting for a longer period of time. With the establishment of a museum, monument or chapel to honour the dead the survivors can visit the sacred sites and find a special place for mourning years after the actual establishment. The placement of sacred sites is also of importance and provides the possibility of being built in remote areas of the country side.

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62 DIGAP – Programa de Dignificación y Asistencia Psicosocial a las víctimas del enfrentamiento armado. Informe de Proyecto; (GUA/04/002) (2005)

63 REMHI project popularized version of Guatemala – Nunca Mas. Memoria, Verdad y Esperanza (ODHAG)
making them accessible to parts of the population that otherwise would not have been able to reach them.

Also symbolic actions may be efficient for the transformation of identities as the victims of conflict are dignified through the creation of commemoration which may relieve the sense of victim-hood. Commemoration can take various forms such as building memorials or monuments, creating museums or a day of remembrance in respect to the victims and is described as “a shared context, shared mourning, shared memory”, meeting victims’ needs as much as society’s. It helps victims “heal the rupture not only internally but also the rupture that victimization created between survivors and their society.” Reparation measures have different effects depending on the local context of the conflict and post-conflict situation. Therefore local actions have their strengths for being able to adjust to suit the specific context of each post-conflict environment. It does not imply that one measure is more effective than the other; rather it depends on the needs of the special post-conflict situation. The difference between verbal acknowledgment and symbolic actions should be seen as complementing one another rather than competing forms of reparation measures.

**Repairing injustices and restoring the moral order**

The transformation of negative, violent and destructive images of the other and oneself – that fuel and prolong the roots of conflict – into peaceful and constructive ones does not automatically follow in the path of a peace-agreement, it requires active measures. Can the above defined forms of reparation and restorative justice strategies help this process and equalize the balance between former conflicting parties, erase former roles of perpetrators and victims and repair the damages caused during the war? To examine this we first have to look further into the overall aims of reparation measures as a form of restorative justice.

Traditional forms of retributive justice focused on restoring the balance between victim and perpetrator by punishing the latter. Restorative justice, on the other hand, when used as a means to confront a history of violence is more victim-oriented; focusing on the situation of the victim by recognizing their suffering. Thus, while the formation of trials is directed to judging the acts of the perpetrator, reparation measures seek to fulfil the needs of the victim. The main aim of the reparation measures is to create a social justice and equalize the level of power within former oppressed groups and between victim and perpetrator. Further they aim at compensating for the harm done with means that seek to

65 Retributive justice – retribution refers to deserved punishment, especially for sin or wrongdoing. In the context of retributive justice it refers to revenge or emphasise on punishing the perpetrator for the crime committed. Originates from Latin retribuere; to give back. Chambers Encyclopaedic English Dictionary, Chambers (1994)
66 Rama Mani, Beyond Retribution, Seeking Justice in the Shadow of War p.175 (2002)
restore the situation before the wrongful act occurred or at least lessen the consequences of the crimes committed. Because of the restoration focus they are also referred to as a form of restorative justice. The approach (restorative justice) prioritises repairing the damages among victims and offenders and the restoration of communal bonds. Restorative justice has been defined by political scientist Elizabeth Kriss as containing four cornerstones; 1) the restoration of dignity to the victims 2) the legal accountability for offenders so they are aware of the harm resulting from their offence 3) the promotion of institutional safeguards that assures the future protection of human rights, and 4) the promotion of reconciliation.67

On an individual level, restoring the balance between victim and perpetrator may also have a psychological effect in terms of the individual internal process of repair when exchanging reparation measures. Galtung offers a fine basic description of this angle of restitution and the emergent relation between victim and perpetrator; the victim who has been hurt, suffers from the trauma caused while the perpetrator is conscious of his guilt. The perpetrator can then offer restitution measures as a way to repair the damages done and at best restore the state of balance between the two parties that hopefully existed before the conflict broke out.68 For example compensating for the damages caused during conflict with monetary reparation, the amount of the restitution need to be higher than just replacement costs because of the loss of productive gains had the harmful act not occurred.

Further on an individual level, the direct form of restitution from perpetrator to victim is of course preferable but if this is not possible for political or practical reasons indirect or collective forms of restitution may be employed. These might be made up of public efforts that provide reparation and rehabilitation to victims through symbolic measures (such as the ones described above and will be looked further into in the empirical part; Findings - A perspective from inside: listening to the voices of victims) education or funding from different actors, national or international.69

According to Galtung the restitution approaches as means to restore stability and working toward peaceful co-existence is a transaction which needs to be practiced with balance and symmetry. In terms of rebuilding a fragmented post-conflict environment reparation measures may be more beneficial to the society as a whole compared to trials which are directed towards individuals. Especially so since reparation measures represent a symbolic statement that the acts of wrongdoing are not acceptable which can serve as a way to restoring lost trust between society members. To be successful reparation measures should serve as a link between victim and perpetrator or other divided sectors of society which is

helpful for recreating confidence and harmony between former separated groups. In comparison trials are solely focused on the punishment of the perpetrator and do not provide a constructive link between former conflicting parties to the same extent as reparatory measures.

Hence, reparation measures are mostly effective when aiming to create the linkages within society that foster a development towards peace. By addressing the damages caused by the wrongful acts of the past it may also be a symbolic promise of an improved future. They should aim at rebuilding basic foundations of trust and confidence among the population to make way for future functional cooperation on equal terms. The focus of reparation measures to benefit a wider part of the society is illustrated in the South African TRC and the “policy framework for the urgent interim reparation measures”:

“The Reparation and Rehabilitation Policy guidelines promote a development centred approach. It is firmly grounded on the quest for reparations which will be sustainable. The proposal is for reparations which will benefit not only individual survivors of human rights violations as defined by the National Reconciliation Act of 1995 but all the communities whose dignity was destroyed through a systematic machinery of human rights violations and state neglect.”

Reaching out to the society in its entirety and benefiting not only the individual victims, Rama Mani connects the reparation measures to being survivor-centred and not solely victim-oriented;

“It encompasses the differential and overlapping needs of all people within a given society who have survived conflict and are now required to build a political community together regardless of their divergent past.”

However, having presented the strengths of reparation measures, they should not be seen as in opposition to other forms of transitional justice tools such as trials but rather as a complement. For instance, the establishment and process of trials require a lot of economic resources and other capacities which usually is lacking in the post-conflict environment, reparation measures can thus assist as a substitute. In Rwanda, the creation of gacaca, local trials, was a traditional response to the needs for justice in the aftermath of the genocide and a substitute for the lack of capacity of the established courts and their inability to try all cases of crimes committed.

The strength of reparation measures can thus be found in their ability to be adjusted and formed to fit the local needs of each specific setting. By not being handled as a universal model, reparation is able to act sensitively to the needs of each particular post-war environment thus hopefully reducing the risk of increasing tensions in the fragile social environment. They are not limited to certain functions, models or tools but can rather be

used in combination of means available to best respond to the needs and address the concerns of each specific scenario. The different methods of reparation measures should thus not be seen as independent of one another rather their strengths lay in the possibility of being combined and complementing forms of reparation.

In the sense of justice the reparation measures seek to redress two separate kinds namely the legal injustice and the moral and psychological injustice. Whereas the legal injustice refers to physical injury, loss of life or property the psychological injustice refers to the victimization and loss of dignity and trauma. When looking at the means used to address the different types of injustices we can make a distinction between legal and social means. Rama Mani divides legal means into restitution, indemnity, compensation, monetary and non-monetary means and the social means refers to acts of commemoration, symbolic redress, official acknowledgment, forgiveness, education and truth-telling. Among the ones presented in more detail economic compensation is thus referred to as a legal mean while truth-telling, forgiveness and symbolic actions are considered as social means. Within the overall framework of reparation there is then room for an overlapping of usage of the different social and legal means. Whether belonging to the social or legal category all of the reparation measures aim at restoring the situation before the wrongful act occurred or at least lessening the consequences of the acts committed during wartimes.

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72 As described by Rama Mani "Commemoration helps victims heal the rupture not only internally but also the rupture the victimization created between survivors and their society" p. 115 (2002)
RESEARCH DESIGN

The Guatemalan context, aim and method of interviews

To further examine the above presented ideas and notions about restorative justice strategies in the form of reparation measures employed in a post-conflict society and its relevance for reconciliation I will in the following section present the empirical research gathered through a field study in Guatemala. It was carried out during August to October 2006 and the empirical information has been collected through deep, semi-structured interviews made with the indigenous Mayan population who suffered immensely during the war.

Guatemala shares the same history as many other Latin American countries such as Chile, Peru, Bolivia, and Nicaragua having suffered from an authoritarian government and transitioning to a state of democracy. The Central American state is deeply scarred by the brutal civil war that began in the 1960’s and lasted for over 30 years leaving 200,000 dead and over 250,000 displaced people. The conflict came to an official end in 1996 through the signing of the peace-agreement between the government and the guerrilla movement, Unidad Revolucionaria National Guatemalteca (URNG). The indigenous part of the population suffered tremendously from the oppression by the authoritarian government which was stated responsible for over 90% of the violations committed during the war in the Commission for Historical Clarification (CEH) report. Ten years after the formation of the peace-accord, much remains to be done when it comes to confronting the history of violence, repairing the damages and healing the suffering caused during the war. The situation poses the question whether suffering and damages caused among the victims of war really can be repaired, and if so what measures might help to constitute this process? To look further into this question there is need for an examination of the viewpoints among the people which the reparation measures aim to assist. Before presenting the findings surrounding this question a brief description of the aim and method of interviews will be offered.

The aim of the interviews was to explore what effect the employment of certain reparation measures in Guatemalan post-conflict society had on the individual victim. The focus is whether the effects of the reparation measures may alleviate the suffering and repair the damages caused during the war and improve living conditions of the victim and thereby also improve the social bonds within the community. As there is little research conducted on the subject based on empirical research I hope to fill part of that gap by listening to the voices of victims and their views of the reparation measures employed in the war-torn Guatemalan society. Looking at the reparation measures from the perspective of the victim will hopefully give a more profound understanding of the actual

74 Unidad Revolucionaria Nacional Guatemalteca – URNG, The guerrilla in Guatemala who later formed into a political party, still active today.
75 Guatemala, Memory of Silence, Report of the Commission for Historical Clarification, 1999
effects of repairing the damages caused during war and thus also its relation on a larger scale in terms of reconciliation.

The interviews with the indigenous Mayan population were made in villages severely damaged by the war, situated in remote areas of the country side. All of the villages where the interviews took place were harshly injured by the human rights violations committed during the civil war and the massacres in the beginning of the 1980's. Through a local non-governmental organisation “Equipo de Estudios Comunitarios y Acompañamiento Psico-social” (ECAP) with long time presence in the area and the psychologist, Nieves Gomez, I was able to enter the villages together with a reliable team. Since the women and men in the villages had close ties with ECAP and felt comfortable working with them the interviews benefited from this environment. The information gained from ECAP through insightful discussions with the staff as well as participating in workshops also contributed with knowledge of the regional socio-economical and historical situation. The combination of facts gathered from different sources gave a more profound understanding of the local context.

Aiming to gain a more balanced and comprehensive picture of the situation in Guatemala, the interviews were realized in two distinct geographical areas situated in different departments of the country; Baja Verapaz and El Quiche. In total fifteen people were interviewed, seven women and eight men. All of the interviews took place in familiar environments were the women and men felt comfortable and safe; in Baja Verapaz the eleven interviews took place in the homes of the people interviewed. In El Quiche the interviews were made at the office of ECAP and at the office of a similar well-known social-psychological local organization. Hopefully the interviews benefited from the familiar settings and contributed to sincerity of the responses and answers.

The deep interviews were semi-structured with the same series of questions asked to the fifteen people from the different regions. The interviews were based on this structure to be able to hear the views on specific subjects and at the same time provide space for the interviewees to spontaneously express their thoughts and feelings on issues relevant to the themes discussed. Eleven of the interviews were realized in Spanish and four were realized in the local language K’iche’ together with a local interpreter.

Apart from the interviews, valuable information was also gained by participating in workshops arranged by ECAP and Programa de Dignificación y Asistencia Psicosocial a

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76 The interviews took place in the villages Rabinal, Plan de Sanchez, Concul, Caserio Pamacal of the Department Baja Verapaz and Nebaj in El Quiche.
77 ECAP – “Equipo de Estudios Comunitarios y Acompañamiento Psico-social” works with psychological assistance and support along side the process of implementing reparation measures. ECAP consist of a group psychologists and sociologists that “provide psychosocial assistance to victims of the political violence, to recuperate the collective memory, assist in the struggle against impunity and the search for justice and social reconstruction.” www.equapguatemala.org
78 ECAP – “Equipo de Estudios Comunitarios y Acompañamiento Psico-social” www.equapguatemala.org
79 For the full presentation of the interviews in Spanish please contact the author at Camilla@riesenfeld.se
Víctimas del Enfrentamiento Armado (DIGAP) part of the United Nations Development Programme (UNDP) in Guatemala. The workshops assisted in providing social-psychological support to the victims of conflict by for example informing the rights of civil society and the recommendations stated in the truth commission report. Finally, an overall assessment of the post-war social situation in the country was gained through interviews with professionals in the field; personnel at relevant UN organs, governmental and non-governmental organizations.

**Limitations of the study**

It should be noted that parts of the information may have been distorted due to communication shortages through the interpreter. The compilation of the gathered material may also be influenced by own interpretation of the information and viewpoints presented by the persons being interviewed.

Further, the empirical part of this study assumes the viewpoints of the victim in a conflict that was clearly asymmetrical; structured between victim and perpetrator and not between equal opposing sides. When discussing the empirical findings and doing so in the course of the theory earlier presented it will and should be considered that many of the theoretical frameworks was created to apply to conflict relationships character by opposing sides rather than the victim-perpetrator structure. However, as the authors have pointed out – it would be interesting to see whether the theories also are applicable to situations of conflict with the character between victim and perpetrator. Hopefully therefore the theories formulated in the course of a conflict relationship between opposing sides is also relevant from the angle of a victim-perpetrator relationship.

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FINDINGS: A PERSPECTIVE FROM INSIDE– LISTENING TO THE VOICES OF VICTIMS

The following findings are divided into the themes discussed during the interviews beginning with a short summary of the damages and suffering during the war to place the comments in their deserved context. Thereafter the discussions on the effect of truth-telling; the role of political forgiveness; economic compensation; symbolic actions – exhumations and local acknowledgment are offered finalizing with a summary and the conclusion: connecting voices of experience with established theories.

**Consequences of “la violencia”: Damages and suffering during the war**

All of the people interviewed clearly suffered immensely during the war and were either directly or indirectly affected by the massacres in the beginning of the 1980’s. The women and men shared similar stories and nearly all of them had lost more than one close relative during the violence and massacres in the 1980’s. Most of the peoples’ homes were destroyed, cattle and farmland burnt and many had to abandon their houses, live in on the run in the forest or flee to other villages. Everyone lived in constant fear, isolated from social networks and communal bonds, did not visit neighbours and felt deprived their freedom. As one woman expressed;

“..Everyone had to stay in their own house, everyone had to live their own life, it frightened us to visit one another and to get together was dangerous and frightening”

A man in the neighbourhood village expressed the lack of freedom like the following:

“The government did not respect our freedom, our rights. We lived under constant oppression...”

The usual community life and social bonds was scattered during the war and the fear ruined the normal cooperative way of living in the villages. The widows underlined difficulties in living alone with children and having to support the children without a working husband.

On the internal psychological level, the women and men shared a deep grief over history; both mentally and spiritually with emotional scars of pain present until this day. All of the interviewees expressed how an intense fear had been present during the war and after, as well as a profound sadness which caused nightmares, lack of appetite, sleep deprivation or depression.

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83 The internal conflict in Guatemala is commonly referred to as “La violencia”
84 Interview with Woman, 50 yrs old, Concil, Departamento Baja Verapaz, Guatemala 2006-09-25
85 Interview with man, 50 yrs old. Caserio Pamacal, Baja Verapaz, Guatemala 2006-09-26
Truth telling: giving testimonies – the essentiality in being believed

The Commission of Historical Clarification (CEH), the truth commission set up in Guatemala, was mandated by the Oslo Accord in 1994 to confront the years of violence, terror and brutality that characterized the period during the internal conflict. It is based on the testimonies of thousands of victims whose stories are gathered in the report “Guatemala: Memory of Silence” which was published and released in 1999. The report of the commission is mainly made up of the conclusions, the clarification of the human rights violations that occurred during the war. There are also recommendations which consist of reparatory measures and recommendations to the government to preserve peace and harmony.

As a complement to the report presented by the CEH the Catholic Church human rights department implemented the “Project for the Recovery of Historical Memory – REMHI” and investigated the violations that occurred during the years of armed conflict by compiling testimonies from over 50,000 victims and published the report; “Guatemala - Never Again”, 1998. The REMHI report based on the independent investigation carried out by the church aimed at complementing and continuing the examination implemented by CEH due to limitation in time and difficulties to access all the communities.

Thinking of the multilingual character of Guatemala the recommendations and conclusion of the CEH report was supposed to be translated into the twenty-one existing local languages. At the time of writing this has yet to be realized. Due to the extent of illiteracy in Guatemala the REMHI report was also published as a popularized version complemented with illustrations of history to reach out to the wider society. Combined, the reports, Guatemala; Memory of Silence and Guatemala; Never Again create the official written collective memory of Guatemala’s violent history.

As noticed during the interviews the official reports produced by the Commission of Historical Clarification and the Catholic Church have not been distributed to the extent that the victims of conflict - whose testimonies the reports are based on – have been able to participate in the information. During the interviews copies of both reports as well as the popularized version was demonstrated to see whether they were familiar to the interviewees.

When asked if they recognized the reports by the CEH and REMHI only one man appeared to be familiar with the CEH report (“Guatemala; Memory of Silence”) although

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87 Guatemala; Memory of Silence; – Report of the Commission for Historical Clarification 1999
88 Oficina de Derecho Humanos del Arzobispado de Guatemala (ODHAG); Recuperacion de la Memoria Historica – REMHI, based on 55,000 gathered testimonies www.odhag.org.gt
89 Guatemala; Nunca Mas, ODHAG 1998
90 Guatemala; Memory of Silence – Report of the Commission for Historical Clarification 1999 p.34
91 69.1% adult literacy rate in Guatemala. The Human Development Index, UNDP 2005.
he did not attain his own copy and had difficulties understanding the information within. Two of the interviewees were familiar with the REMHI report (“Guatemala - Never Again”) although no one was able to read it. Three people recognized the popularized version of “Never Again” which they had seen through the work of a local NGO although no one had their own copy. The people who were familiar with either of the reports were leaders of the village and/or had a lower level of education.

When discussing giving testimonies about the past it became clear that eight of the people interviewed had given testimonies about the war; two had given testimonies to the REMHI project and six to other local organizations, of which most cases were related to the massacre in Plan de Sanchez. None of the women and men interviewed had given testimonies to the CEH. It should be added that some of the interviewees had not given their testimonies due to fear of the consequences if they did. As one woman said;

“It was not possible to give our testimonies because of the fear. We did not want to give information because of the fear. Because of all that happened, it wasn’t easy, it was rough, it was serious, because of this, during this time, no-one wanted to share information….they wouldn’t let us be two families in one house, even less so, share information with anyone”

This view was shared by many and expressed by a man in his late 30’s by the following phrase when viewing the report;

“Very few of our testimonies are collected in this book; it’s not many, because of the fear that still existed. One couldn’t speak, because one was thinking, are they asking this so they can kill you?”

Usually the reports are full of shortcomings due to the fear experienced among the people who gave their testimonies. Many women did not dare to tell their whole story when giving testimony since they felt ashamed or and guilty for being raped or sexually abused during the war.

The ones that had given testimonies expressed how it was followed by feelings of sadness when remembering the past combined with contentment of having their stories listened to. Among the people that did share their stories through testimonies, signs of disappointment of doing so appeared as there had been no signs of change thereafter. To use the word of a man in Baja Verapaz who lost his father in a massacre during the war:

“To me it was difficult (to give testimony) because there has been no change. They only asked us to collect testimonies and write a book, that was the purpose. There has been no change, no reparation of the damages or nothing.”

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92 The massacre of Plan de Sanchez occurred in July 1982 when 250 people of the Mayan population were abused and brutally murdered. The case is the only one in Guatemala which has been taken to the Inter-American Court of Human Rights which sentenced the Guatemalan government guilty of the atrocities committed and ordered several forms of reparation measures to the survivor victims. [www.corteidh.or.cr/](http://www.corteidh.or.cr/)
93 Interview with Woman, 55 yrs old, Concul, Baja Verapaz, Guatemala 2006-09-25
94 Interview with Man 38 yrs old, Rabinal – Waxibac, Baja Verapaz, Guatemala 2006-09-25
95 Interview with Man, 38 yrs old, Rabinal – Waxibac, Baja Verapaz, Guatemala 2006-09-25
When discussing and showing the reports during the interviews, most of them showed an interest for the popularized version of the REMHI project in comparison with the other two.

Even though most of the interviewees were not familiar with the reports before the interviews they expressed a positive attitude toward the reports when being informed about them. Everyone stated the significance that history is remembered and told, and especially underlined how it may prevent it from happening again. Some stated that the importance of the reports was for the sake of the children; to make the children aware of their history and let them know what happened, to avoid that history repeats itself.

“Yes, it is important, is very important because the youth that don’t know anything about this, the children growing up need to realize what happened. I believe it’s good that they know what happened so it doesn’t happen again. So they know what happened so they don’t repeat history. Because of the children, this book is important.”

The importance of the historical memory reports was also put in the context for creating awareness among the wider society and international community. One man expressed it in the following way;

“Well, one part is good because it is a written testimony and that people from other countries have it and read it, and see that it is real what happened in Guatemala – there are no lies. Because sometimes the same government try to hide what happened, but one have to remember what happened. So with these books you can…."

All of the interviewees stated the significance that the reports bring the truth into the light and emphasized the need for the whole story to be told; the whole truth should be presented and recognized.

“Everything that says in here is true. It’s true everything in here. Of everything in here, there is nothing, nothing that’s lies. Everything is true in here. We lived through this. We lived through everything in here. We remember because the sadness always comes, the fear, and the suffering.”

As the quote above shows, several of the people repeatedly asked for their story to be believed in, that what happened really happened, almost as to help themselves believe in the unbelievable; the extremely violent and brutal history they lived through. Since the brutal and traumatic situations lived through can be hard for the individual person who experienced it to believe that it really happened it seems healing to tell ones story to an official source that acknowledges it.

A few essential factors concerning the importance of the reports appeared during the interviews. First, the official reports seem necessary for acknowledging their lived through history, saving their stories through the reports and creating a possibility for

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96 Interview with Man, 50 yrs old, Caserio Pamalca, Baja Verapaz, Guatemala 2006-09-24
97 Interview with Man, 38 yrs old, Waxibac, Baja Verapaz, Guatemala 2006-09-23
98 Interview with Woman, 55 yrs old, Concul, Baja Verapaz, Guatemala 2006-09-25
people including the international community to become aware of the facts of the events occurred during the conflict. Second, the reports seemed to have a consoling effect when presenting a collective history and thus putting each individual story and suffering in a wider context;

"Ah it helps, you see it is helpful because it says in there that one is not by oneself, but there are many others. It gives you some space, to know that one does not suffer alone, we are many that suffer"99

Third, the truth needs to be told and disseminated in society so the guilty ones can see the damages of the acts they carry responsibility for. Finally, when mentioning the importance of the reports it was usually combined with a will that the state acknowledges what has happened and officially recognizes its history.

Officially recognizing the truth and the violent acts of history through the reports did not seem without risks. On the contrary, feelings of frustration also seemed present as the people expressed their concern that nothing has changed or been compensated for even though the truth has been officially sanctioned. They felt that the reports were inadequate if they are not followed by concrete action from the state and that the government should follow the recommendations presented in the CEH report. Many of the victims expressed their concern and disappointment in that history has been told, the truth is presented and recognized and there are still no signs of change or compensation for the horrible acts committed.

However a challenge faced is the high level of illiteracy in Guatemala which makes the distribution of a truth commission report difficult. Even if the reports had reached out to wider parts of civil society there is only a small amount of the population that are able to read and understand it. This angle was expressed by a man in Rabinal who had gone to primary school and had basic skills in reading and writing;

“…the truth is that almost all of the people here are illiterate, they don’t know how to read or write. So then, a book is useless.”100

The role of forgiveness: infecting an already fragile environment?

In the Rabinal region of Baja Verapaz, one of the places severely damaged by the war a state representative, the vice-president had visited the villages where the massacres took place to ask for forgiveness. At the day of the visit the children in the village had practiced and set up a very vivid and dramatic drama scene demonstrating what happened during

99 Interview with Woman, 50 yrs old, Caserio Pamalca, Baja Verapaz, Guatemala 2006-09-23
100 Interview with Man, 38 yrs old, Rabinal – Waxibac, Baja Verapaz, Guatemala 2006-09-23
the massacres. Following the dramatic play the vice-president gave a speech including an act of forgiveness.

Ten of the interviewees had been present this day. Four of these people saw it as a positive act that represented an official acknowledgment of history by a state representative. The people who shared this view saw the official act of forgiveness as a symbol of recognition of the wrongdoing. They specifically pointed out the meaning of having an official person visiting the place where the massacres took place so they can see that it really happened, that their stories are true. As expressed by a women in her 50s who lost her father and brother in the massacre;

“Well, it was good, because he realized that everything is true, that there are no lies. That everything is true.”

Another of the interviewees expressed that she became more content after the vice-president held his speech.

Six of those in Baja Verapaz that were present during the act of forgiveness saw the act as insignificant and even caused discontent and frustration among some of them. This was grounded in the feeling of the existing gap between their village and the government and the lack of contact between the two. Several saw the act as betrayal and did not see themselves capable of forgiving – at least not until the culpable have compensated for the harm done. Some also pointed to the fact that the act of forgiveness would have been more meaningful if the actual perpetrators had showed their remorse compared to the vice-president as representative of the current government.

“It’s not the perpetrator who said it; it’s a representative nothing more. To me, it would have been more satisfying to hear the perpetrators ask for forgiveness. But no, it was a representative nothing more.”

Another dilemma arose when the vice-president in the same speech as the public apology act also promised developments in the infrastructure around the villages as well as economic compensation to the victims. He expressed that he was on the same side as the victims and that the government would help improve their situation. Since these promises had not been realized at the time of the interviews and seemed not to be in the near future, several of the victims expressed their resentment against the apology act and interpreted it as words without meaning:

“Well, it’s depressing because he came to say that he wanted to help the people, that he wanted to help us, you see. That’s what he came to say. He came to ask for forgiveness but he’s not helping us you see. That’s what you feel after the act. He said he would accomplish his goals. He said he would help the people, help to rebuild the houses, roads and everything. But no, nothing has been accomplished. After he asked for forgiveness he also said that we would receive money. But we see no money. He better keep his promises.”

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101 Interview with Woman, 55 yrs old Caserio Pamacal, Rabinal region, Baja Verapaz  2006-09-24
102 Interview with Woman, 55 yrs old, Concul, Baja Verapaz, Rabinal Region, Guatemala 2006-09-25
103 Interview with Woman, 50 yrs old, Caserio Pamacal, Rabinal Region Baja Verapaz, Guatemala  2006-09-24
The interviewees expressed frustration and a feeling of betrayal of the uncommitted promises, especially when asking for forgiveness in the same sentence. Some of them thought the forgiveness act was pure lies.

"You see to me, for him to come and ask for forgiveness and try to make amends with one, it’s to deceive, it’s to deceive. Because he said that he felt our pain, and that he came to fulfil all that is in the sentence. But it is pure lies...or we haven’t seen anything of this process, they haven’t fulfilled any promises"104

In Quiche the other place where the interviews were realized there had been no presence of a government representative acknowledging history or an act of forgiveness. When discussing the role of forgiveness in this environment most of the victims whom had not seen or heard a public apology expressed a positive attitude toward listening to an act of forgiveness. They stated that no-one had visited their villages to ask for forgiveness and would have liked to see a representative of the state showing remorse of the atrocities. However they underlined the importance of having a state representative acknowledging history and saw an official apology act as a way of recognizing what had happened. It seemed that the meaning and value of recognizing history and having this done by an official person was more important than the actual need for a public apology.

Also in this region, those that expressed a positive attitude toward an official apology mentioned the need to have practical improvements in the infrastructure as a form of compensation. The need for concrete measures by developing the roads, communication and transportation means would be more effective as compensation for the damages and suffering caused by the atrocities committed during the war. This view is similar with the interviewees who had been present at an official apology act and viewed practical improvements as a sign of remorse and more meaningful than the words of the apology. The victims whom had not heard an apology by a state representative also expressed disappointment over the uncommitted promises stated in the recommendations of the peace agreement and in the program for national compensation which they meant undermined the meaning of an apology.105

The role of forgiveness seemed to be meaningful when the victim symbolized it as recognition of their history. This was a returning statement among all of the interviewees – the importance that their story is told and truly believed in an official setting. This recognition in itself seemed more significant than the actual meaning of an act of forgiveness. For internal healing forgiveness seemed to be effective in terms of recognition more than the need to actually forgive the perpetrator (or representative). The actual effect of forgiveness seemed to have little influence in terms of transforming the negative feelings among the victims unless it is joined with practical improvements in their

104 Interview with  Man, 50 yrs old, in Caserio Pamacal, Rabinal region, Baja Verapaz  2006-09-24
105 The Program for National Compensation: Programa Nacional de Resarcimiento (PNR) is a governmental institution responsible for implementing the national compensation program in Guatemala. The implementations are made in conjunction with other UN-organs as well as local social-psychological organizations such as ECAP. Its creation is based on the guidelines written in the recommendations of the CEH report.
standard of living. An act of forgiveness could even be harmful and cause feelings of anger and resentment if it is expressed together with uncommitted promises of different forms of compensation.

**Economic Compensation: acknowledging suffering or increasing divisions?**

During 2006 the government in Guatemala started distributing economic compensation to the victims of the atrocities committed during the war. The villages in the Rabinal region that were affected by the massacre in Plan de Sanchez also expected to receive economic compensation from the government which is formulated in the sentence brought forward the Inter-American court of Human Rights, in San José, Costa Rica, 2004106.

Three of the interviewees had received economic compensation for the suffering and damages caused by the massacres in Plan de Sanchez. They saw the money as material compensation without the capability to repair the feelings of suffering and damages caused during the war. They expressed that the economic compensation would not bring back the dead and is neither able to reduce the emotional pain and suffering the victim felt within. Or as a woman who lost her husband in the massacre expressed when asked what the money meant to her;

"Ah, almost nothing, it’s not the same as giving me back my husband, right? The money is nothing…it’s only material and can never bring our loved ones back."107

Neither of the beneficiaries felt an ease in their sorrow or grief over history after receiving the money.

However, the money seemed to symbolize an acknowledgment of history and an official recognition of their suffering. The beneficiaries expressed contentment in the way that the money became a symbol of truth of their stories. They repeatedly expressed the significance that their stories are officially believed in and how an official recognition in certain ways relieves the suffering.

The victims who had not received financial compensation expected and hoped that they would even if they underlined that the money could never replace the feelings of suffering that they carry. They repeatedly stated that the feelings of suffering and the pain within will never diminish completely but is something that will always be part of them. Any form of monetary compensation will never completely alleviate the feelings of suffering caused during the atrocities.

"What should one do? One will never lose one’s feelings. The feelings never end. Until the day that the gods decide to collect you, the feelings are there, right?"108

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106 Corte Interamericana de Derechos Humanos www.corteidh.or.cr 2007-11-18
107 Interview with Woman, 50 yrs old, Caserio Pamacal, Baja Verapaz, Guatemala 2006-09-24
108 Woman, 55 yrs old, Caserio Pamalca, Rabinal region, Baja Verapaz, 2006-09-24
Some of the individuals and families that expected to receive monetary compensation were unsure of the process they needed to go through to become beneficiaries. They felt disappointed and betrayed since the promises of money and payments had not been realized. Thus, the often complicated process of knowing one's rights and how to receive money to actually do so may also cause frustration.

Economic compensation was also a sensitive subject that seemed to create further tensions in the community as some families and individuals received money whereas others did not. Some of the interviewees expressed frustration and anxiety that their neighbors had been given money but they had not received anything. As the money was appreciated as a symbol of recognition some of the people whom had not been given financial compensation showed signs of fear that their story was not believed in. One woman, who never received financial compensation, particularly expressed concern that her story was not believed in, that her value was less than the beneficiaries, and thus felt a lack of dignity.

"The others received (money). I did not receive anything, I didn’t. It’s like, it’s like I don’t deserve it, like I am not worth any of this money. So, I ask myself why?"  

From this view the monetary compensation has similar effects as the act of forgiveness: meaningful when the victim symbolizes it as a form of public recognition and acknowledgement. The importance that their story is truly believed cannot be underlined enough and when monetary compensation is received by a victim who interprets it as acknowledgment of their history it may alleviate some of their suffering.

Conversely it may also create frustration and anxiety among the people who don’t become beneficiaries. It may also give rise to new feelings of animosity and tensions or increase the feelings of victim-hood and lack of value among parts of the victim-groups if not distributed evenly. Another troubling part when distributing economic payments as compensation for suffering caused during the war is deciding on who is victim and who is perpetrator. For example in Guatemala the so called ex-PAC, involuntarily recruited soldiers into the military during the 1980’s, received monetary reparation as compensation for being forced into the army. The logic of ex-soldiers becoming beneficiaries of monetary compensation was hard for the other victim-groups to understand when they had not received anything. This situation seemed to cause further divisions within society.

Even though monetary reparation obviously never can replace or bring back lost relatives it does have a cathartic effect in the form of recognition through which it dignifies and reinforces feelings of value among victims. Hence, if the money is distributed to individuals unevenly where some people in a damaged village are beneficiaries and others

109 Interview with Woman, 55 yrs old, Plan de Sanchez, Baja Verapaz, Guatemala 2006-09-26
110 Ex patrulleros de Defensa Civil (ExPAC)
not it may increase feelings of frustration and at worse create new divisions within the population.

**Symbolic actions: exhumations and local acknowledgment**

The peace agreement, the recommendation of the truth commission report and the REMHI report all stated the significance of unearthing the remains of the victims lost during the massacres. The United Nations Development Program, Dignifying and Psychosocial Assistance to War Victims (DIGAP) was created to observe that the government implements the recommendations of the CEH report on issues relevant to restorative justice such as exhumations and social-psychological assistance along side the exhumation process. In the regions where the interviews took place ECAP and the Guatemalan Foundation for Forensic Anthropology, FAFG an NGO in collaboration with DIGAP had begun to uncover clandestine cemeteries to search for the remains of the victims lost in the conflict.  

Twelve of the people interviewed had been present at an exhumation out of which eight found the remains of their lost relatives. Four people hoped to find the remains of their lost ones but had not at the time of the interviews. One woman did not want to attend to the exhumation of the site where her husband might have been buried since she thought it was too psychologically demanding and did not feel capable of attending. Without having specifically focused on exhumations when planning the empirical section the interviews revealed the importance and effect of having done an exhumation and finding the remains of a lost relative. The importance of exhumations was spontaneously expressed by most of the interviewees.

The women and men who had found the remains of their dead relatives expressed relief and contentment of knowing exactly where they were buried and this knowledge to some extent put an end to questions surrounding their disappearance. This knowledge seemed to alleviate some of the suffering caused by the uncertainty of not knowing the actual facts around the disappearance. Clearly the exact facts surrounding the death will probably never come to light. However, identifying the remains of the loved ones does seem to put an end to some of the questions that had surrounded the disappearance. A

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111 Fundación de Antropología Forense de Guatemala (Guatemala Forensic Anthropology Foundation) FAFG is a local NGO that exhume and identifies bodies that fell victims at the massacres sites during the war. Besides the important role exhumations have for bringing dignity to the victim, exhumations also play a critical role by providing evidence of the massacres in case of an official investigation. Since there is no official foundation that works with exhumations in Guatemala the work of the NGO is very important for the continuation of the exhumation process of the massacres sites. Many of the employers of FAFG have received threats of torture or murder if they continue the exhumation of massacres sites. These threats have usually been traced to personnel tied to the military during the war and now still hold positions of power in the Guatemalan society. For more specific information on the work of FAFG visit www.fafg.org  (Source of information: UNDP unit DIGAP and personal stories in Guatemala, AAAS – advancing science, serving society www.aaas.org)
woman in Plan de Sanchez who lost her husband in the massacre expressed her frustration over not finding the remains at the expected exhumation site;

“One feels sad, since he is not there. Where shall I go to light a candle? It’s saddening not to know where they left him. Where did he end up?”

When the relatives found the body of the deceased it seemed to be a transformative moment for the individuals as feelings of worry, anxiety, doubtfulness, uncertainty and sadness was replaced with feelings of contentment, relief and even happiness of knowing where the formerly disappeared are buried. The fact of having a proper burial ground to honour the dead, leave flowers and light candles made a significant difference in their quality of life. To have a proper burial ground is essential for the indigenous population to be able to carry out customs within the Maya culture. Tradition and symbolic events are in general extremely important for the Mayan population and by honouring the dead through traditional customs they are able to continue and preserve their culture. Thus the process of exhumations seems essential for the recuperation of the victim. A man in the Rabinal region who lost his father during the war and did not find his remains at the expected exhumation site expressed the importance of a burial ground like the following;

"…I tell you it’s for the respect, to have a special place, for the respect and for the culture and tradition of our village….because of the way we live now we don’t know if it is true that he is there or not….or say, we always have to live in doubt. We always live with it, the uncertainty of not knowing where they left him. It’s hard."

In general it seemed to be a great difference between the victims that have found the remains of the lost ones at exhumations sites and the ones that still live in uncertainty of what happened to their disappeared family members and relatives could be distinguished. Those who found the remains more often expressed feelings of acceptance, contentment and tranquillity of their present situation in comparison to the men and women whom had not and felt burdened by feelings of doubtfulness and anxiety. A man who lost his children in a massacre expressed it in the following way:

"Before the exhumation I felt sad for my children because of not knowing where they were buried and I felt depressed….But when I heard that they came (the forensic anthropologist) to make an exhumation I felt satisfied. Now I feel content because they made an exhumation and I am happy that they are buried."

By extension exhumations and burial grounds may be very vital measures for reinforcing the dignity and honour of the victim. The victims receive official attention through these measures that generate positive effects in form of the space given to practice and preserve their culture. Some of the men and women also saw the exhumation as a statement of the injustice that they lived through; a proof of history and an acknowledgment of the truth. It seemed to be interpreted as an effective symbolic official recognition of the events that they lived through.

112 Interview with Woman, 55 yrs old, Plan de Sanchez, Baja Verapaz, Guatemala 2006-09-26
113 Interview with man 38 yrs old, Caserio Pamacal, Baja Verapaz, Guatemala 2006-09-23
114 Interview with Man, 60 yrs old, Aldea Vivitz, Nebaj, Departamento Q’iche, Guatemala 2006-10-09
Finding and identifying the remains of the deceased seemed to reinforce dignity and respect among victim-groups and thus to some extent it removes the victim-identity. Exhumations thus have a certain cathartic effect by breaking the cycle of uncertainty, anxiety and bringing dignity to the victim lost during conflict as well as to the survivor victim.

Local acknowledgement
The massacre of Plan de Sanchez was taken as a case to the Inter-American Court of Human Rights in San Jose, Costa Rica in 2004 and the Guatemalan government was stated responsible for the atrocities committed and also obliged to compensate through various forms of monetary and non-monetary reparations. Included in the reparations apart from economic compensation was among other things the creation of a museum, the reconstruction of the local chapel and an article about the sentence published in the local paper, Nuestro Diario.

ECAP’s presence in the region raised awareness of the rights stated by the court by educating the communities through interactive workshops together with a local interpreter. During the workshops in the villages surrounding Plan de Sanchez the theme and focus was to raise awareness and spread knowledge of the rights stated in the sentence that very few knew or had been informed about. The themes discussed during the workshops concerned views about the reparation measures such as the reconstruction of the run down chapel, the creation of a museum, the distribution of monetary compensation and so on.

When asked about the importance of an article published in the local paper the following response was expressed by a man who lost his brother in the massacre;

“It’s important…It’s important, they should publish it in Nuestro Diario (the local newspaper) at least to make it more accessible for us. Because the regional paper is not easy to get a hold of, it’s hard. But Nuestro Diario, yes. An article in that paper would be the only form to give us the opportunity to access it”

The importance to have the sentence published in the local newspaper was seen as an essential sign of recognition among the survivor victims. In comparison with the regional

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117 Workshops with ECAP led by the psychologist Nieves Gomez and the leader in each particular village, together with a local interpreter. The local interpreter had to quit his work in November 2006 due to serious threats and assaults received from anonymous sources because of the work he carried out for ECAP. It was at the time of writing unknown who was responsible for the threats.
118 Interview with Man, 50 yrs old, Caserio Pamacal, Baja Verapaz, Guatemala 2006-09-23
Central American newspaper, which is only distributed on levels inaccessible to the people interviewed, an article in the local newspaper would clearly be the only place accessible for them. Those with basic reading skills in each village such as the leaders or the children who went to school would then have the possibility in translating the meaning to those who had trouble reading. Making the information regarding the sentence available for the victims in a familiar environment such as the local paper seemed to be essential and very effective in terms of public acknowledgment.

The importance of reconstructing the local chapel and building a museum was jointly agreed upon in all five villages surrounding Plan de Sanchez where the massacres occurred. The chapel was of special importance to the ones who did not have a special burial ground to go to who thus used the chapel to mourn their dead, light candles and leave flowers. On the walls inside the chapel violent illustrations of the massacres covered the walls but had begun to fade and needed to be repainted. Everyone agreed on the importance of preserving the drawings of history for remembering and recognizing what had happened. Building a museum was also jointly agreed upon and seemed it would have the same function and effect as the chapel. Through the comments and perspectives shared at the workshops the building of a museum seemed important as it would represent a collective place for remembering history, for the survivors as well as for others.

The forms of restorative justice manifested in the reparation measures stated in the sentence from the massacre of Plan de Sanchez were adjusted to fit the local environment. The practical reparation measures take consideration of the Mayan culture and are constructed to communal level which makes the measures accessible to all. They also had a strong collective effect as the people of the different villages unified and collaborated to plan and discuss the creation of a museum and the reconstruction of the chapel. However it should be reflected that the workshops and education of the rights in the sentence is carried out by an NGO and not by the government who is ultimately responsible for implementing the reparation measures. Sadly, most of the reparations measures stated in the sentence from 2004 have yet to be accomplished.

Views on perpetrators, legal and social justice

Surrounding the discussions of the interviews the dialogue inevitably led to thoughts about justice and the perpetrators. The following part is a summary of the views and perspectives that was shared concerning the experienced injustice.

When discussing justice two different meanings of the word appeared among the interviewees. First, the dilemma of impunity, the importance that the guilty are put to trial. As of today most of the perpetrators live in freedom and the interviewees showed disappointment and frustration that the offenders have not taken responsibility for the crimes committed and that justice had not been served. Most of the people agreed on the importance that the perpetrator should be taken to court and have to pay for the crimes
committed. Nearly all expressed a strong will that the guilty need to take responsibility for the acts committed. A man in his 50s who lost his brother in the Plan de Sanchez massacre expressed his disappointment over the impunity in the country;

“The perpetrators are fine, the law doesn’t do them anything, it doesn’t take them in custody, they are free. Until this day you don’t see that they take the burden of their responsibility, well- that they pay, that they stand before the law and the court. But you see nothing of this, they walk freely.”119

Another man expressed his view of justice with the following phrase;

“Justice to me is to take the perpetrators into custody. That they are going to jail. Here there is very little justice, because there were so many massacres and they (the perpetrators) still walk freely. There is no justice here, like justice ought to be.”120

Some expressed a connection between justice being served among the guilty and a reinforcement of dignity for the victims. Further, in this perspective an apology seem to have little meaning without a proper trial that shows right from wrong and makes the guilty take responsibility for the harm done.

The experienced feelings of injustice were not only caused by the impunity in the country. It was also a consequence of the experienced neglect for civil society involvement within the sectors of power. Several expressed dissatisfaction and concern that the government ignores listening to their voices and needs of civil society and wished for the Mayan population to have more say and involvement in the political arena. Due to this experienced injustice and neglect it gave rise to feelings of once again being abandoned by the government.

“The government has never carried out things in respect for our rights…Until this day, no. It’s like they make themselves deaf, they don’t hear the clamour of our village, all that we’ve suffered because of the violence121”

Finally, another important reason mentioned for justice to be served is that the following generations learn between wrong and right:

“Justice needs to be served. So history won’t repeat itself. If there is no justice, our history, what happened here, will happen again. People become accustomed. The younger generations should see that justice is served because if not, the same road may start all over again…”122

119 Interview with Man 50 yrs old, Caserio Pamacal, Baja Verapaz, Guatemala, 2006-09-24
120 Interview with Man, 30 yrs old, Concul, Baja Verapaz, Guatemala 2006-09-25
121 Interview with man, 50 yrs old, Caserio Pamacal, Baja Verapaz, Guatemala 2006-09-24
122 Interview with Man, 60 yrs old, Santa Clara CPR, Communidad de Populación en Reseistencia, Departamento Q’iche, Guatemala 2006-10-07
Changes after the war: thoughts about the future

Nearly all of the interviewees mentioned contentment that life today is calmer than during the war; a sense of freedom had returned and life is no longer lived in constant fear. Overall, people expressed a more peaceful attitude to the current situation compared to the situation at war times. The possibility to walk freely, visit neighbours and have an active community life which was not possible during the war was an important change in lifestyle mentioned by most of the interviewees. Compared to the situation in war times most of the people now live in their own houses and do not have to flee, it is possible to have community assemblies and a social life again, there is not the same scarcity of food or livestock and people are no longer afraid to go to the market on Sundays which was avoided during the war. The interviewees expressed that life in general was calmer and lived with less fear than during the war. The difference in social life was expressed by a women leader in the Rabinal region:

"The confidence and trust re-emerged. Before, if we met each other on the road we didn’t say hello, we didn’t have conversations because of the fear. But now…we begun again to attain trust to have reunions"  

But at the same time a feeling of discontent over the present situation could be discerned. It was among other factors based on disappointment that the current situation was not experienced as “peace like peace ought to be.” Only two of the interviewed expressed a feeling of living in peace, the others felt frustration and discontent of the present situation. They felt unhappy with their current living situation and expressed a concern for the increased violence and lack of security. Many pointed to the fact that they still live in a violent environment/culture where people are killed and a lot of crimes committed because of criminal gangs – the maras. 

"It’s true that the fear is not the same as it use to be but it emerges through a different kind of violence such as the maras. Now the fear that our children will suffer exists because of the maras. Who knows what will happen to your child on the roads because of the maras. There is still a lot of violence because of them. There is still a lot of violence but in a different form."

The experienced present situation of instability and insecurity in turn generated a fear that history will repeat itself and a fear that their children will live through the same horror as they did. To improve this situation several wished for developments in the infrastructure that would help facilitate routines in their daily life. They also wished that the government would implement the recommendations stated in the peace agreement

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123 Interview with Woman, 50 yrs old, Concul, Baja Verapaz, Guatemala 2006-09-25
124 Translation from Spanish expression: “No es paz como paz debe ser” expressed in the interview with a Man in Caserio Pamacal, 60, Baja Verapaz, Guatemala, 2006-09-24
125 Maras – is the local Spanish term used for criminal gang violence in Guatemala. The organized and extremely violent structure is a large threat to the already fragile security situation in the country. The Guatemalan government still struggles with finding a way to control the increasing members of maras and the threat it poses to national security and democracy.
126 Interview with Man, 38 yrs old, Rabinal, Baja Verapaz, Guatemala, 2006-09-23
and the plan for national compensation; Programa Nacional de Resarcimiento (PNR) which would have alleviated some of the suffering and discontent.127

127 Programa Nacional de Resarcimiento – “Para sanar las heridas que dejo el pasado”, PNR, is a governmental institution created in May 2003 for repairing the damages caused during the armed conflict through individual and collective measures. The first economic payment distributed through the PNR was made in the department El Quiche in October 2006 and received by widows in the district. www.pnr.gob.gt/portal/
SUMMARY

“In any case, a pain is a pain and can never be completely erased. It will never diminish, even if you take medicine, receive money, or if you have everything, no. What is a suffering is a suffering.”

Countries emerging from civil conflict stand before a tremendous task when it comes to rebuilding its war-torn society and lessening tensions and divisions within the politically fragile post-conflict environment. The peacebuilding phase involves glancing backwards at a history of violence while at the same time moving peacefully into the future. Reconciliation has lately become a widely used concept when discussing the dilemmas faced among countries emerging from civil war. On a simple scale it refers to mending the broken relationships caused during the years of violent conflict and at a deeper level transforming destructive, hostile and negative images of the conflict or parties involved into peaceful and constructive ones. The importance for doing so lies in the possibility of hindering a relapse into armed conflict.

The study began by presenting a social-psychological framework when discussing the meaning and dilemmas of reconciliation. It viewed reconciliation as an interpersonal psychological process that takes place within the minds of people but may be generated by outside changes such as reparation measures. It presented the aim of reparation measures in the light and meaning of restorative justice: repairing the damages caused by war and equalizing the moral order between victim and perpetrator by emphasising the discloser of truth and the healing of the victims rather than punishing the perpetrator.

The study has emphasized the need to gain a more profound understanding of the reparation measures and their ability to serve as instruments of reconciliation – lessen tensions within a post-conflict environment and thus hindering a relapse into armed conflict.

As there is much literature available on the subject little is based on empirical research thus the study aims to fill part of that gap. Based on a field-study in Guatemala, carried out during the fall of 2006, the information was gathered by listening to the voices of victims – doing so through deep, semi-structured interviews made with the victims of the internal conflict that left the country in ruins. In 1996 the conflict came to an official end through the Oslo Accord- the peace agreement formulated between the government and the Guerrilla movement, URNG.

Reparation measures aim at creating a social, restorative justice; equalizing the level of power between former conflicting groups by compensating for the harm done during the years of violence. It is therefore of outmost importance to hear the viewpoints from the people whom the measures are supposed to assist – the victims of conflict. They shared

128 Interview with Woman, 55 yrs old, Concul, Baja Verapaz, Guatemala 2006-09-25
their views concerning the experienced effect of reparation measures for internal healing, experienced social justice and reconciliation.

The reparation measures examined concerned truth-telling through truth commissions and other fora, the role of forgiveness, economic compensation and finally local and symbolic actions with a specific focus on the role of exhumations. To put the experience and views regarding the reparation measures in their deserved context, discussions concerning consequences of the war, views about the perpetrators and thoughts about the future are of equal importance and have also been presented. The concluding thoughts gained when connecting the voices of experience with established theories is presented in the following.
CONCLUSION

Connecting voices of experience with established theories

What lesson can we learn from the situation in Guatemala and what is the relevance to other countries struggling with post-war reconstructing? This section presents the concluding remarks gathered from listening to the views and needs of the people with experience from the Guatemalan war and post-war reconstruction. First, potentials and advantages of reparation measures are presented, followed by the risks of causing further tensions in a fragmented post-war society, ending with the overall effect of reparation measures from a victim’s perspective in terms of reconciliation.

The importance of reparation measures lie in their possible potential of connecting the past with the future. By facilitating the bridge to connect the past with the future reparation measures provides the space and tools required for the recuperation and well-being of the individual victim. In turn, the recuperation of the victim and the removal of the victim-identity have an effect on the relation toward the former oppressor and thus lay part of the ground for a constructive relationship between the two.

From the perspective of the victim, in terms of changing destructive images, feelings and identities, reparation measures are most effective when symbolizing an accessible acknowledgement of the violent history they lived through. Each individual story needs to be officially recognized and fully believed in. This is essential for the recuperation and mental health of the individual victim.

When discussing the importance of officially recognizing a violent history what usually comes to mind is the compiled material of testimonies gathered in a truth commission report which supposedly thereafter is distributed within the country. However, (as shown in the truth-telling section) from the victim’s perspective the form of a truth commission report is seldom the most efficient source of acknowledgment. This is so because they rarely are distributed to the extent that makes them accessible to all as in Guatemala. Further, due to the high level of illiteracy that usually burdens a post-conflict society and the high level language used in the reports it makes it even less accessible to most sectors of civil society. Truth commission reports may be effective on a different level such as the high level society within the post-conflict country or in terms of spreading the facts of the conflict to the wider international community.

Rather, in terms of acknowledgment for the victims other forms of reparation measures proved to have a larger effect. Exhumations, economic compensation and the building of monuments and public mourning places were interpreted as symbolic measures of official acknowledgment. Compared to the report of a truth commission these were often employed within access of the people they aim to assist and in a familiar cultural setting that seemed easier to relate to. Further, the symbolic measures such as memorial grounds and/or local museums have the possibility to reach out to a larger group than individual measures.
The actual mean of reparation measure, be it economic compensation or the statement of an official apology may have different implications but both have the same effect in terms of recognizing the violent history. By doing so it may at best increase the dignity among victim-groups which in turn removes part of the victim-identity which is necessary for equalizing the balance among former conflicting groups.

Acknowledgment of the past, whether stated through the report of a TC or experienced through an exhumation, needs to be accompanied with effective measures of change – going beyond a symbolic act to practical action showing that the acts committed are not acceptable and inflicting promise of a better future. Having recognized the past or even expressing remorse over it needs to be followed by measures that to some extent repair the damages caused during the war. Doing so through infrastructural developments such as rebuilding a destroyed house or building roads, transportation networks, school and health care facilities seemed to be effective forms that had been neglected the victim groups of the Guatemalan society. The need for practical improvements and reconstructions of the technical, economical and political infrastructure are essential to achieve a balanced unified society based on the inclusion of all. Along side an officially recognition of history and each individual story need to be practical improvements which also are effective signs of an improved future. For example, investing in transportation networks such as new roads in a region of isolated villages efficiently symbolizes the promise of a better future and at the same time facilitates the space needed for contact between former isolated and divided groups.

Because of the damages and suffering caused during the war the experienced injustices will only be increased when the victim part of society is continuously left abandoned and denied participation on decision-making levels. Improving communication networks and including the former neglected groups within the political arena and sectors of power are effective measures for transforming the experienced injustice due to denial of participation in these areas. Needless to say, acknowledging the legitimacy of former abandoned groups is very effective in terms of changing the victim-identity that has been constructed during war-times. For the recuperation of the individual victim it is thus of outmost importance that their social and every-day needs are recognized and integrated in the society as a whole. This in turn may contribute to equalizing the balance between former conflicting groups in society.

However, alongside the possible advantages and benefits of reparation measures there are clearly also risks. It is important to note that reparation measures may even create further divisions in war-torn societies if not implemented with caution by listening to the needs of the local environment where they are put into practice. When employing reparation measures in a sensitive war-torn society it needs to be done with balance to avoid increasing the already present divisions and thus failing to remove tensions and mitigate the damages caused during war.
For example, reparation measures directed to individuals such as some forms of economic compensation may cause further divisions if not distributed evenly within victim-groups. Since monetary reparations are strong signs of acknowledgment the individuals who for different reasons (economic shortages or difficulties in stating the facts surrounding the loss) not become beneficiaries it indirectly implies that their story is not believed in which increases the feeling of victim-hood and damages the internal process of repair. At worst this may cause further divisions within victim-groups of society and depending on the circumstances may give rise to new conflicts.

Forgiveness may also increase frustration and bitterness among victim groups and should be expressed with caution. Especially when the government is responsible for the atrocities committed and a representative offers the act. The sincerity behind an apology or act of forgiveness is always hard to tell. But it becomes even more provocative when asking for forgiveness and simultaneously making promises about developments in the infrastructure that later are not realised. Uncommitted promises expressed at the same time as asking for forgiveness will easily make the victim interpret the apology as insincere and offensive. This in turn hinders the development of trust and confidence between victim and perpetrator and rather increases feelings of suspicion, frustration and disappointment. In this scenario the apology will by no means benefit the relation between victim and perpetrator. It will rather increase tensions caused by renewed anger, resentment and bitterness among victim-groups toward the former oppressor.

To avoid increasing tensions through unevenly distributed economic compensation or expressing an insincere apology, acts of commemoration may be less damaging to the sensitive environment. Building a monument, a memorial ground or other forms of collective mourning places for remembering the violent past may be less intrusive in terms of causing further tensions in the fragile post-conflict society as they are accessible on a communal level and not directed toward individuals. Collective places for remembrance are not time-bound and available to all. Concerning economic compensation it may also be distributed collectively assisting in developing the near infrastructure of a war torn village which thus benefits a wider part of society and at the same time avoid separating beneficiaries from non-beneficiaries.

From the victim’s view, to be effective reparation measures must contribute to transforming the perspective of the relationship between victim and perpetrator or the relationship between past opponents. In the transition from war to peace, from an authoritarian abusive regime to a democratically elected government the reparation measures should aim at officially recognizing the atrocities committed, compensating for the harm done and through these two actions inflicting genuine promise of a better future. Reparation measures should also aim at linking former separated groups within society. Further, when employing reparation measures the needs of the local environment should be taken into consideration to avoid increasing tensions in the already fragile post-war setting. If doing so with awareness reparation measures may contribute to improving
the internal process of repair among victim-groups which may equalize the balance toward the former oppressor.

If reparation measures are employed with awareness and adjusted to the needs of the local environment, they may have a positive effect concerning the internal healing of the individual victim and to the society as a whole in terms of connecting former separated groups. In terms of reconciliation reparation measures have the potential of reinforcing the dignity among victim-groups. Finally, if employed in a way that benefits the inclusion of former neglected groups into all sectors of society reparation measures may contribute to a new respectful relationship between ruling powers and former oppressed groups.
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**Articles**


**Seminars**


- “Reconciliation: Is there a choice between Peace or Justice?”Participants: Agustinho de Vasconcelos (Commission for Reception, Truth and Reconciliation, CAVR East Timor) Augusto Castro (Comisión de la Verdad y Reconciliación. CVR - Peru) Moderator: Kjell-Åke Nordquist,
URL

- United Nations Human Rights Council in Geneva
  http://www2.ohchr.org/english/bodies/chr/special/
- Corte Interamericano de Derechos Humanos in San José, Costa Rica
  http://www.corteidh.or.cr/
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- Fundación Propaz Guatemala
  http://propaz.org.gt/
- Equipo de estudios comunitarios y acción psicosocial (ECAP)
  http://www.ecapguatemala.org/
Instruments of Reconciliation?
Potentials and Risks of Reparation Measures
in Post-Conflict Guatemala

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