Abstract

National education reforms in Guatemala’s postwar years have centered on supporting civic skills and human rights awareness, while largely silencing historical analysis of the recent armed conflict. But given the scale of Guatemala’s “postwar” violence and instability, it is unclear whether young people find relevance in the principles of human rights, as well as how they interpret their disarticulation from Guatemala’s history of violence. Everyday experiences with a deeply unequal society may further undermine this educational approach and the peacebuilding goals that underlie it. Based on ethnographic fieldwork in rural and urban communities, this paper explores how “postwar” generation youth construct human rights consciousness, drawing on the language and principles of human rights to generate their own narratives about past and present violence. Young peoples’ interpretations of human rights pivot along interpretations of past and present injustice, exhibiting three contrasting stances: narratives of denial in which adolescents reject the normative claims of the human rights framework, narratives of skepticism in which they question whether human rights can be effectively practiced in Guatemala, and narratives of empowerment in which they embrace justice initiatives for past and present violence through the lens of human rights. While outlining a typology of human rights consciousness among Guatemalan adolescents, I explore how young people draw on the multiple histories and silences that they have been presented with through formal and informal educational encounters.
Introduction: Educating for Human Rights Consciousness

Since the peace process following Guatemala’s 36-year civil war, the state has witnessed a surge in NGO and INGOs devoted to rights-based issues, established National Human Rights Institutions to uphold rights domestically, and committed to human rights education (HRE) in national curriculum, all of which have contributed to a dramatic increase in human rights awareness across civil society. As part of the transition from an authoritarian state associated with massive human rights violations to a pluralistic democracy respectful of ethnic and cultural diversity and human rights of all peoples, one of the goals impressed upon educators has been to instill a culture of human rights among youth of the postwar generation.

Accordingly, national education reforms in Guatemala’s postwar years have centered on supporting civic skills and human rights awareness, while largely silencing historical analysis of the causes and consequences of the armed conflict. Curricular material exploring human rights is disarticulated from discussions of the armed conflict, and makes little mention of ongoing violations taking place in the contemporary “postwar” period. Young people across the country learn about Guatemala’s experiences with social and political violence more often through silences, evasions, and contestations than coherent narratives. These silences penetrate homes, communities, and classrooms, where parents and educators report a number of challenges in teaching the violent past.

Although formal curriculum presents Guatemala’s respect for human rights as a positive outcome of the postwar transition, this study demonstrates that young people routinely call on instances of human rights in the expression of their absence or violation. Consequently, the ways young citizens interpret human rights, namely in terms of who deserves them, who abuses them, and who suffers for them, as well as whether rights can be effectively advocated by civil society, are intricately related to how youth understand their country’s past and present experience with human rights violations. In these ways, historical narratives and human rights consciousness co-construct one another.

HRE has been linked to a number of positive changes in student performance and school culture, and has been recognized as a successful support for youth civic engagement in countries with stable democracies, with added potential in post-conflict contexts. However, in the backdrop of Guatemala’s “postwar” violence and instability, a confounding variable in any context, it is unclear whether these curricular reforms (a) are effective at achieving their intended goals of fostering informed and engaged attitudes toward human rights, (b) carry the same human rights potential when disarticulated from coverage of recent conflict, and (c) are interpreted as valuable and valid stances by students and members of civil society.

Often educational policies are authored and implemented without sufficient evaluation of how young learners interpret their experiences through various educational exchanges, embedded in broader sociocultural contexts. This contextual interplay is a critical factor in transitional states where new relationships between public and private discourses are negotiated. As stories of suffering are publicly acknowledged, private experiences are narrated according to new discursive boundaries, available “templates,” and “cultural repertoires,” all of which frame and constrain shared experiences.

This study aims to shed light on how Guatemalan adolescents construct human rights consciousness, drawing on the language and principles of human rights to generate their own narratives about past and present violence. Likewise, young people draw on their interpretations of Guatemala’s experience with violence as they generate new, and often subversive, human rights discourses. In the process, postwar generation youth construct their sense of justice and accountability, framed by the possibilities of human rights ideals, and constrained by the limitations of the “postwar” context. Through ethnographic portraits of formal and informal educational experiences with social and political violence, available “templates,” and “cultural repertoires,” all of which frame and constrain shared experiences.

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interactions and interviews with youth situated in urban and rural communities, I explore how young people draw on the multiple histories and silences that they have been presented with and appropriate human rights concepts in ways that facilitate narratives of violation, based on their lived experience and impressions of the nation’s history of violence. Young peoples’ attitudes toward human rights pivot along accounts of past and present injustice, exhibiting three contrasting stances of denial, skepticism, and empowerment.

In what follows, I draw on youth perspectives to develop a typology that encompasses narratives of denial in which adolescents reject the normative claims of the human rights framework, narratives of skepticism in which they question whether human rights can be effectively practiced in the Guatemala context, and narratives of empowerment in which they embrace justice initiatives for past and present violence through the lens of human rights. I begin by examining the history of armed conflict and its aftermath, extending attention to curricular reforms in the educational sector where human rights principles have received added significance. I then explore those three narrative perspectives through ethnographic data, describing educational spaces where young people develop human rights knowledge and attitudes, and the way they root these narratives in a particular take on Guatemala’s protracted experiences with violence, as well as impressions of how the nation has reconciled with the recent past. I close by discussing the educational implications of these human rights orientations and the civic stances they enable in a fragile, “postwar” democracy.

The Armed Conflict and its Aftermath
Since Guatemala’s beginnings as a state, policies have been in place to discriminate, assimilate and eliminate the majority indigenous population. Guatemala’s civil war, referred to as the “armed conflict,” spanned more than three decades, from 1960 to 1996. The peace process that followed the conflict required nearly a dozen years for state and guerrilla actors to settle on a set of Peace Accords, intended to transition the state into democratic stability. Among the proposed resolutions were several explicit transitional justice mechanisms, such as a truth commission, monetary reparations for victims and a law that allowed for provisional amnesties. Others mechanisms, such as educational reforms, were cast as guarantees of social rights in the “Agreement on identity and rights of indigenous peoples.”

Led by the United Nations, the Guatemalan Commission for Historical Clarification (CEH) undertook a rigorous inquiry into the armed conflict, revealing a horrific story of egregious human rights violations committed by the state, as well as an armed resistance movement that in some cases was more feared than supported by the communities it claimed to protect. The CEH account estimated that 200,000 people disappeared and 1,000,000 were displaced during the course of the conflict, attributing 93% of the human rights violations to the state military, paramilitary and police, leaving the guerrilla forces responsible for 3% (and the remaining 4% unknown). Further, the CEH concluded that the conflict constituted genocide targeting Guatemala’s indigenous Mayan populations, largely unarmed civilians who were not members of the organized resistance movement. The CEH worked to contextualize this conflict as part of a persistent history of state repression toward civil society resistance, exposing a culture of fear employed by the Guatemalan state as a tactic to dispel popular opposition and in violent pursuit of nation-building.

Though one of the CEH’s recommendations for reconciliation was a public acknowledgement of the scale of violence and rights violations committed during the armed conflict, the state first reluctantly tolerated the Commission and then openly denounced its findings. Denial of the genocide continues today by state officials, some of whom were wartime actors who have retained or regained power in postwar years. Meanwhile, efforts to continue historical investigation, locate and identify disappeared bodies, and hold perpetrators accountable have coincided with an onslaught of “memory wars” aimed at silencing individuals and institutions, while destroying
documents and spaces involved in the pursuit of historical memory. In particular, human rights activists have become frequent victims of this politicized iteration of postwar violence.

As Guatemala’s “postwar” homicide rates increased to one of the highest in the contemporary world, the state’s lack of accountability for past and present violence is magnified by the symbolic adjustment to the language of human rights. Current President Otto Pérez Molina, who took office in early 2012, is a former military General, the first military officer to hold this position in over twenty years. President Pérez Molina not only publicly denies that the armed conflict comprised genocide, but he has been implicated in war crimes, signifying the staggering scale of impunity afflicting the country. Despite the nation’s destructive legacy of military repression, the scale of contemporary violence has led to a nostalgia for the authoritarian past, contributing to popular calls for the remilitarization of society and the implementation of zero-tolerance security practices, such as mano dura (iron fist) policies that create order and counter crime with violence and intimidation.

For some, Guatemala’s contemporary violence is a distinctly postwar phenomenon that has little to do with the history of civil war: an influx of deported gang members, organized crime, and regional drug trafficking spilled into Guatemala’s borders and overwhelmed a weak democracy, coupled with material factors such as poverty, limited opportunity, and a surplus of weapons. For others, past and present violence are intimately linked: amnesty granted to war criminals resulted in a network of “hidden powers” embedded within the state, contributing to the legalization of impunity and the concomitant institutionalization of repression. Different conceptions of peace, justice, and security in the postwar state depend on how these periods of violence are understood, and particularly the temporal linkages between them; i.e., whether today’s violence constitutes the “postwar” or the “post-postwar” frames and constrains perceptions of the role and responsibilities of citizens and the democratic state. These poles of historical connection and disconnection are well articulated in public and private discourse, and thus provide young people with cultural narratives to which they can attach their personal experiences and impressions of the failing democracy in which they live.

**History and Human Rights in Secondary School Curriculum**

When Guatemala’s armed conflict ended, negotiators of peace agreements envisioned a shift toward human rights education (HRE) that would emphasize multiculturalism and a “culture of peace,” placing particular attention on the rights of women, children, and indigenous communities. The approach draws on elements of peace education, multicultural and intercultural education, and situates HRE within a broader citizenship education framework. HRE has emerged as a promising educational intervention to promote peace and stability, transformational social change, and an ethical value system, especially following conflict. The United Nations conceptualizes HRE as education that works toward shaping a universal culture of human rights, accomplished through the exchange of knowledge and skills, cultivation of values, attitudes and behaviors, and an understanding of how and when to take action. HRE implies a legal and normative framework where learning content (the material taught) and context (pedagogy, classroom climate) align with human rights principles.

In order to create an authentic culture of human rights, the framework requires firm footing within curriculum and concrete connections to learners’ everyday experiences. Disciplinary connections with historical accounts offer ideal entry points for learning about the past through the lens of human rights, jointly fostering historical understanding and “critical human rights consciousness.” Promoting understanding of law, respect for law, and accountability under the rule of law are critical components of the rights based approach. There is growing empirical evidence that studying historical cases of injustice and rights violations can reinforce respect for human rights,
empowering citizens to prevent violence and intervene when faced with injustice.  A number of
researchers have extended the study of these “disjunctures” to the present-day, advocating that
formal educational exchanges enter conversations about justice and democratic ideals by examining
students’ everyday experiences with injustice.  

The purpose and practice of educating young citizens about historical injustice is contested
in all contexts, even in stable democracies. In the aftermath of armed conflict, there is often heated
debate over how to represent periods of violence, and whether extensive inquiry into past injustice is
a necessity or a deterrent in fostering a peaceful future. Silencing conflict is not uncommon, and
policymakers are increasingly receptive to alternative strategies for building collective identity
through shared value systems, such as a commitment to human rights, multiculturalism, and a
“culture of peace.” Guatemala’s emphasis on HRE does not demand curricular acknowledgment
of its fractured past. Rather than examine the armed conflict through the framework of human
rights, social studies curriculum has become a discussion of abstract rights principles with little
mention of national history after the 1960s, when the conflict began. These reforms rest on the
expectation that discussions of rights and diversity, though removed from their turbulent historical
contexts of inequality and racism, will bring about intercultural understanding through the
promotion of the nation’s “best story,” even with notable gaps. 

A content analysis of national curriculum and popular school texts shows that Guatemalan
textbooks disproportionately represent the postwar peace process over the conflict. Often
saturated with passive voice, the few passages that mention the armed conflict depict state and
guerrilla armies as “two devils” who are equally accountable for an extended period of violence, with
no mention of state-sponsored genocide or the institutionalization of repression that contributed to
violent clashes throughout the state’s history. Given shape through the Peace Accords, the armed
conflict serves as a moralizing example of the negative consequences of conflict that escalates into
violence. One textbook asks readers, “How did the conflict begin?” then reasons that “When
people cannot agree, when there is abuse by one of the parties, when injustice exists, conflicts are
produced.” There is often a textbook chapter devoted to the evolution of human rights, tracing
their origin from the Universal Declaration of Human Rights through the Guatemalan peace
process, presenting the Peace Accords as an extension of human rights, uniquely serving the nation’s
indigenous populations. Across curricular materials, one clear objective is the emphasis on individual
civic responsibilities in contributing to the peace and stability of Guatemala’s postwar democracy.
Students are instructed to respect human rights, abstain from drugs and violence, and promote
peaceful solutions to conflicts through dialogue and compromise.

National curriculum is perhaps the most influential form of institutionalized remembering
and forgetting for future generations, while conveying embedded models of civic values and
participation. Though Guatemala’s postwar generation did not directly experience the armed
conflict, they inherit a legacy of violence and actively construct interpretations of what this history
means for them as citizens of a “postwar” nation. In this way, educational exchanges become one of
the most enduring sectors through which all segments of society engage with the process of
transitional justice, even as collective goals and challenges shift over time. How, then, do young
people make meaning of human rights, amidst the emergence of new violence and the silencing of
massive rights violations?

Methodology and Research Context
This paper is based on fourteen months of ethnographic research in Guatemala, spanning
2010-2012, in the departments of Guatemala, Izabal, and Sacatepéquez. I designed the study as a
comparative ethnography across four urban and rural sites, with the intention of exploring
educational opportunities available to young people to learn about the civil war and the postwar
transition. In each community, I spent 6-8 weeks as a participant observer, living with families, attending social studies classes, and participating in community events. I collected data in formal and informal educational spaces, including interactions in classrooms, as well as community meetings, organized human rights protests, commemorative events, and family dialogues. Interviews with adolescents comprise the focal point of this research, centering on their attitudes toward human rights in Guatemala. In several cases, participating with young people required travel to the province of Sacatepéquez to join active social movements. Additionally, I conducted semi-structured interviews with young people (ages 16-24) in each community context, allowing for further discussion of their individual meaning-making processes around the violent past and the development of their attitudes toward human rights.

Guatemala’s history of violence has been intimately linked to geography, politics, and social identity. The armed conflict predominantly took place in rural areas and targeted poor, indigenous populations, while contemporary violence is most concentrated in urban spaces, though without the same ethnic dimensions. Though today’s violence cuts across social classes, touching even those with the most economic and political power, those living in poverty and working class conditions continue to comprise the majority of victims. Although geography is a signifier of ethnicity and socioeconomic status, social identity is not discreetly inscribed in the landscape, and in some cases shifts across social spaces.

My ethnographic approach has been guided by grounded theory, in that I have aimed to generate new theory as it emerged from the data, through open and focused coding methods (Charmaz, 2006). My analytic process has also been informed by theories of culture and collective memory as constituted by “mediated action.” In tracing “cultural tools” that underlie the narratives young people construct, ethnic identity and geographic location become significant factors in conveying one’s proximity to violence, mediating one’s claim to the culture of human rights. Cultural tools offer “constraints’ as well as ‘affordances,’” in that they make available particular subject positions and stances toward human rights. In turn, human rights as an international discourse “sets the terms within which we can experience our world and also how we can adapt to the potential for our tools to change our world.”

A typology of interpretations sets the stage for analytic claims about the types of relationships that youth construct between their understanding of past violence, contemporary instability, and the concepts of human rights. For this reason, I explore the three types of narratives that emerged in the data through interactions with relatively few participants, though these instances illuminate broader patterns. In each case, I highlight a particular educational interaction both to demonstrate that youth construct their understanding of human rights from the interplay between formal and informal learning experiences, and to illustrate the way particular attitudes and beliefs are given value and affirmation, questioned, contested, and reproduced through these exchanges. However, it is important to note that this typology is not intended to classify or predict how certain categories of youth respond to human rights narratives, but rather to explore the complexity with which all young people construct their human rights consciousness.

**Human rights Consciousness Constructed through Historical Consciousness: A Typology**

Adolescents vary in their construction of the relationship that human rights have to their lives, giving shape to three distinct orientations and grounding their claims in their interpretation of past and present conflict. In this sense, historical consciousness can be seen as a mediating factor in the construction of adolescents’ human rights beliefs and attitudes of denial, skepticism, and empowerment.

**Narratives of Denial**
Many young Guatemalans maintain strong beliefs that “human rights only protect criminals,” faulting the framework itself for obstructing the state’s capacity to administer the death penalty. This narrative carries a visceral denial of human rights even as abstract principles, noting epistemological concerns with what seem to be the artificial guarantee of universal, inalienable, and indivisible rights. The discourses that underpin this narrative are particularly salient in urban settings, where delinquency is part of everyday life. They are further politicized through a distinct interpretation of historical injustice, namely that Guatemala needs to address contemporary crime as a means of moving forward, thereby “letting go” of the past.

At six in the morning, Elios drives through grey skies to drop off his twenty-year-old son Eduardo at the university. Eduardo looks blankly out the window as the radio announcer states that two prominent gang members have been caught and are imprisoned awaiting sentencing, each having killed more than a dozen civilians. As Guatemalan adolescents often tell me, it is “a terrible story, but a typical one for Guatemala.” Elios lowers the radio and adjusted the mirror to face the backseat, so that our eyes catch. Nodding his head toward me, as if proving something, “Did you hear that?” He then expresses his doubt that these men will in fact be sent to prison, or that, if sent, they will be effectively kept there. Elios and Eduardo exchange glances, and then go on to make casual bets about how long the criminals might be imprisoned before their release and return to a life of violent crime, for which other Guatemalans will pay the price. I try to interject with some optimism, that perhaps these men will be made public examples, deterring future gang violence.

Elios says with a hint of irritation, “Victims are forced to live like criminals… in order to be safe from criminals who walk free.” Eduardo nods, as this conversation is nothing new for him. Since the violent murder of his sister, Eduardo’s father has become didactic about the incapacity of Guatemala’s justice system, which the family commonly refers to as the “injustice system.” Eduardo continues looking out the window, feeling around his pocket for a pack of cigarettes. Shaking one out on his lap, he turns the discussion toward human rights and the death penalty. “These guys should get the death penalty. They killed so many people. Who knows how many they killed. But you can have someone kill a hundred women and still he doesn’t get the death penalty. That’s when they say, “Oooh, he has human rights, we can’t kill him, we have to protect his rights.” Turning to Eduardo, Elios continues, repeating what has become a common refrain, “human rights protect killers, while victims live in fear.”

Outside the car, Eduardo lights his cigarette, despite his father’s disapproving stare from across the street. Elios has been trying to get Eduardo to quit for months, a habit he turned to after his sister’s murder. I have heard this statement from adults and young people across the capital: that human rights only serve to protect criminals. When I ask Elios whether he remembers hearing or reading about critiques of human rights, he says, “I didn’t need to read about it. It is a simple, observable fact of life in Guatemala.” The prevalence of gang violence in Guatemala, linked to transnational criminal networks, routinely asserts itself even from inside prison walls. According to Eduardo, advocating fair trial rights for all perpetrators on the basis of human rights is an exploitation of these ideals. He explains that criminals violate the rights of others until they are caught, when they rest on international human rights law to keep them safe. “When they kill, they lose their human rights. When they take away the rights of others, that’s when they should no longer have human rights.” Violence in Guatemala necessitates a rule of law in which human rights are conditional.

Later, Eduardo and I talk at the dinner table, clearing plates. When I ask whether Guatemala’s contemporary violence was a consequence of the armed conflict, Eduardo vehemently denies their connections and actively distinguishes them as different types of violence with distinct ideologies. He is not alone in his argument that the country must “let go” of the past so that it can
achieve peace. In this way, Eduardo evokes memory as a wall separating Guatemala’s violent past from the ideal of peaceful future.

The problem is that we are still trapped by the past even though this already happened. It is true there was genocide, but when are we going to leave this behind? It is like we are at war today. It is a war… So why should we talk about the past? Maybe when we have peace, then we can think about it…”

Although Eduardo concedes that genocide occurred during the armed conflict, he then expresses nostalgia for the past, first by distancing himself from the lived experience, then by appropriating the perspective of his parents’ generation, “I didn’t live it, but everyone says it was better when militares (military officers) were in charge. Adults know because they lived it, and that’s what they say.” This slippage toward nostalgia for an era of authoritarian rule, even if accompanied by mass violence, is not uncommon across new or transitional democracies. There is often comfort in recalling an era of order and security, even if it renders mass violence invisible or incidental.

Eduardo’s construction of a nostalgic past is not simply informed by his parents’ lived experience, but also a conflation of historical narratives. Occasionally he invokes the official narrative that attributes the conflict to shared accountability between “two devils”: “There was genocide, but the guerrilla did a lot of bad too. They killed a lot of people on both sides. Both sides wanted to eliminate each other.” Throughout our discussion, Eduardo wavers between this discourse of equal blame, promoted in the national curriculum, and a more politicized one that is in alignment with his parents’ views.

There was a lot of violence. So the state made a curfew, so that no one was on the street at night. When they made this curfew a law, that was when the guerrilla decided to hide in the woods and hunt them [the military]. The military wanted to keep everyone safe, to keep the country safe, but the guerrilla formed armies. They had their own armies… because they wanted to change the state to a democracy… And they [guerrilla] tried to kill the military and make them leave the pueblo.

In this construction of the past, the guerrilla was the primary aggressor who provoked the state by organizing an armed threat, while the military was forced into violence in order to defend the nation and its citizens. At one point he insists that, despite the brutality of violence during the armed conflict, “at least then, citizens were safe,” implying that civilians who were not participating in the conflict on one of the two sides were protected by state military actions.

Later, Eduardo says, “today we have a democracy, but it’s a failed one.” Because Eduardo faults the guerrilla for the armed conflict, and because he notes the conflict as the precursor to a democratic state, through flawed causal logic he holds the guerrilla resistance movement responsible for Guatemala’s failure as a contemporary democratic state. For youth like Eduardo who express nostalgia for the secure past, when citizens “were safe,” today’s democracy has become synonymous with corruption, violence, and impunity; and human rights are part of these postwar problems.

Eduardo considers the United Declaration of Human Rights (UDHR) a set of imported values that the negotiators of the Peace Accords co-opted as a concession to indigenous victims, that the global community pressures Guatemala to adapt, and that the Guatemalan state misappropriates.

Those human rights only think about the gangs... they protect the gangs or protect the indigenous, and they say that we ladinos [non-indigenous] are the exploiters. Human rights—I mean, human rights— should apply to everyone, but if we want to give the death penalty, human rights says we can’t kill him to get rid of someone who killed twenty-five children, for example... I say derechos de los delincuente (rights of the delinquent), because they only protect criminals... With my sister [who was murdered] they stomped on our rights. We have rights too with what happened. My sister had a right to life, but they don’t fight for her. Or us... The only human rights
groups that exist, exist for the past. But we are suffering for human rights... my father fights for his rights, but they don’t deliver [the right to justice]... This gives us an environment of more impunity in Guatemala... Human rights are preventing us from moving out of the present violence... The UDHR doesn’t do anything.

The discussion of human rights evokes deep resentment for Eduardo, and he employs three distinct discourses to explain this estrangement. Initially, Eduardo responds as a victim of contemporary violence whose rights have been violated, but whose violation has been overlooked in the justice-seeking process. His father’s pursuit of justice falls on deaf ears in a society where Eduardo’s sister is just another victim. Eduardo also self-identifies as a member of a socio-ethnic group, threatened by the implied link between ladino and perpetrator, given the history of indigenous exploitation. This frame, which Eduardo perceives as widely shared, makes it difficult to recognize that ladino citizens can also suffer violence and abuse. Finally, Eduardo responds as a citizen, concerned that human rights not only hold Guatemala back from ending a violent present, but are also responsible for high impunity rates.

In taking up these discourses, his perspective draws on public narratives that the state’s judicial resources have been divided between addressing violence in the past and violence in the present, echoing earlier claims that Guatemala needs to “let go” of the past in order to sufficiently remedy present struggles. Eduardo further validates this past-present divide with a claim that human rights organizations essentially do not “belong” to him—he does not have a right to claim them, as they have been too politically linked to the armed conflict, and therefore are geared toward indigenous rights and justice for past crimes. The three subject positions that Eduardo negotiates merge, rendering him powerless to claim the rights he has been promised.

Narratives of Skepticism
While some young people denounce human rights principles, others express skepticism toward Guatemala’s culturally specific social and structural challenges that stand between rights idealized and rights as actualized. Youth who take up narratives of skepticism implicitly trust the human rights framework, but remain cognizant of its unfulfilled promises in their lives, concluding that human rights cannot be effective in Guatemala. This perspective is connected to feelings of shame about the current state of the country, at times linking the armed conflict to the contemporary violence through a lack of reconciliation and an incomplete or “aborted” transitional justice process (Bellino, in press a). Often this fatalism lays claim to a “culture of violence” as an entrenched obstacle that impedes the application of human rights, invoking a radicalized point of view on Guatemala’s violent “exceptionalism.”

I sit at a desk behind a row of students in Señora Marta’s 11th grade social studies class, as they finish a unit on human rights. Nearly all students in the windowless room are indigenous, reflecting the composition of both the school and the rural indigenous community in which it is situated. Some girls wear indigenous traje (traditional Mayan costume), underneath the school’s uniform, a navy sweater with a woven emblem.

Before class, Señora Marta confides that she has mixed feelings about emphasizing human rights to the students in her classes, because it feels misleading. “I have to teach about peace and human rights, but unfortunately this is not how the country really is.” Although she is conflicted in teaching ideals that are not fully realized, she is confident that her students know the difference between what they learn in school and what they live in everyday experiences. “They don’t need me to tell them that peace is not our reality. They know it themselves.”

As the buzzer between classes sounds, students diligently rise from their seats and greet us in unison, “Buenos días, Señora Marta,” then gesturing toward me, “Buenos días, Señorita Michelle.” Señora Marta and I respond in turn, “Buenos días,” and the students tuck themselves into their
desks. With no prompting, they open their textbooks to the end of the chapter, which was assigned as homework. Though the class has not discussed the armed conflict, the chapter they read closes with several pages outlining the main points of the Peace Accords. Señora Marta begins with a review, “What did the Peace Accords do?” She writes on the board in large letters, “Acuerdos de Paz” (Peace Accords). A few students squirm in their seats, their fingers on the corners of the pages. The teacher begins calling on students by name, and slowly a few hands rise on their own. One student says, “They made men and women equal.” Señora Marta nods. Another student adds, “Because of the Peace Accords, we children go to school.” Señora Marta’s eyes widen in affirmation. When a student says, “The Peace Accords gave human rights to us, the indigenous,” Señora Marta folds her hands and smiles, as if that was the answer she was waiting for.

She gestures toward the board and rephrases the student’s words, “The Peace Accords gave rights to the indigenous people. What kind of rights?” A list of responses comes forward: the right for indigenous children to attend school, the right to wear indigenous traje instead of uniforms, the right to speak indigenous languages. Student responses largely give voice to the social and cultural rights specific to indigenous communities and populations, many of them rights visible in their current experience (e.g., the right to attend school, wearing traje). Though one student mentions that indigenous people now have the right to participate in government, political and economic rights, as well as civil liberties, are notably absent from the discussion. Shifting her tone, Señora Marta asks, “Have the promises of the Peace Accords been realized?” Students nearly respond in unison, and without hesitation, “No.” Satisfied with the consensus, and despite the abrupt transition from explicit support for rights to their implicit absence, Señora Marta then moves on to the next chapter on why democratic governments are superior to authoritarian governments.

This interaction demonstrates that even if HRE is inscribed in educational policy, it is not a guarantee that this curriculum will be implemented in classrooms, nor does it describe the range of pedagogical approaches that it might yield. Comparative ethnographic cases demonstrate that teachers play significant interpretive roles as mediators of this curriculum, serving as “gatekeepers” of human rights language and principles. Educators’ personal histories and experiences interact with the content and context of teaching and learning opportunities they shape in schools, particularly around issues of historical justice.43 Señora Marta admits the limitations she feels in being inauthentic with her students and promising them “opportunities… that do not exist for them.” Though her lesson might be interpreted as self-defeating, she views this (largely implicit) shared critique between herself and her students as a small act of defiance, a preparation for “the real world.” Her own distrust of the human rights framework in Guatemala is apparent, and students share her skepticism.

At lunchtime I sit outside with a group of students on the school steps, overlooking the entrance to the pueblo. When I ask what the students meant in class by the unfulfilled promises of the Peace Accords, they share extensive critiques, not only of human rights but also the peace process that failed to fundamentally transform their society. Sixteen-year-old Ix’at explains,

I think the armed conflict never ended. On the contrary, violence in Guatemala increases every day... Some people say this is distinct, this is gang violence today, this is delinquency, but I think it is because the Peace Accords were just a piece of paper. If we really made peace, we would not have so much violence... It’s something we cannot change so easily, just say we are at peace, when we have been in conflict for so long... Human rights cannot change the culture of violence so easily, not without changing the way Guatemalans think... Everyone knows in Guatemala we don’t have human rights... we have a culture of violence.

Paco, also sixteen, shares her view, “We are a violent people and a violent country. We have always been a violent country. Human rights will not change that... That is why the peace process
These young people construct an argument of cultural relativism through the assertion of a “culture of violence” whose expression is incompatible with the fulfillment of human rights. Emphasizing the radical “exceptionalism” of Guatemala’s predisposition for violence, these students are skeptical that human rights awareness can transform such embedded attitudes. As Paco puts it, “Violence is who we are… violence is in our blood.” Though he does not see himself, his family, or his close network of school friends as violent, his words convey that “others” make conflict in Guatemala inevitable. Ixk’at continues,

We are not all equal in Guatemala… Well we are, but people don’t have respect for equality. People kill for money, or for power, because they don’t see people as people, as human, they see them as… inferior… That is why human rights cannot be realized here.

These students do not claim to have violent pasts or violent presents, but to be a “violent people” living in a “violent country,” where one’s very humanity is called into question by the violent act. The lack of adequate social and political transformation following the war affirms for many young people that the conditions in Guatemala impede the application of human rights. Drawing on discourses of cultural predisposition, they create a concept of exceptionalism, wherein Guatemala becomes the exception to the rule. Human rights may work elsewhere but are ultimately ineffective in Guatemala, where there are exceptional people and exceptional circumstances. But because violence permeates everyday experiences, the fault lies within the hearts and minds of individual Guatemalans who have violent dispositions, who are lured by money to do harm, who do not respect fellow citizens as equal, and who corrupt systems of power. Though the discourse of cultural predisposition renders these young people essentially powerless to change their society, it simultaneously enables them to distance and distinguish themselves from violent actors, whom they can hold accountable for Guatemala’s violent exceptionalism.

For many Guatemalan youth, human rights discourse is deeply rooted in the postwar transition and cannot be unhinged from the Peace Accords’ unfulfilled promises. The wide gap between articulated human rights principles and the way they are upheld in practice serves as a reminder of Guatemala’s weak and inconsistent application of the rights of its citizens. This gap legitimizes their skepticism toward the human rights framework.

Narratives of Empowerment
Unlike those who mistrust human rights as ethical principles or as legal and social norms, some adolescents draw on human rights as an empowering frame. Notably drawing on discourses promoted by domestic human rights movements, youth who employ this perspective shape their understanding of human rights around linked narratives of historical injustice and popular resistance. Present-day rights movements themselves draw from the historical narrative constructed by the truth commission in their report, positing their struggle as ongoing. In this interpretation, the link between past and present violence reflects the continuous opposition between the state and civil society, a conflict between those who seek reform in pursuit of equality, and those who repress in service of neoliberal nation-building. Young people who construct narratives of human rights empowerment recognize the potential in claiming one’s rights, and express their willingness to take on the civic responsibilities to hold duty bearers accountable.

In June 2010, thousands of Guatemalans gathered in demonstration against a group of foreign-owned resource extraction companies in the Maya Highlands. The United Nations Special Rapporteur of Indigenous Peoples sat on a stage decorated with pine needles and flowers to hear the people’s complaints. In the crowd, the variety of native dress indicated the presence of many indigenous communities, in addition to travelers from Honduras and El Salvador who protested in solidarity with them. Testimony after testimony voiced individual and collective violations of land
rights, water rights, cultural rights, sexual rights, rights to organize, and the right to life. The field surrounding the stage was filled with people so that no stretch of grass was visible, many wearing or holding flowers as a symbol of resistance for corporate practices that diverted the village water supply, consequently damaging crops. A nearby school contained several small balconies, where young women stood shoulder to shoulder to listen, their hands wrapped around the thin metal railing. Though they smiled at one another between speakers and while passing around candy, their faces did not shudder as they listened to the litany of human rights abuses.

Speakers repeatedly drew historical connections between abuses of human rights that took place during the armed conflict, and the human rights abuses that continue to exploit and repress indigenous communities today. One man spoke of the long and ongoing history of oppression directed at indigenous populations, “We suffered colonization…We suffered genocide in the ‘80s…We continue to suffer.” Young people carried hand painted protest signs, many decorated with photos and names of deceased relatives. Their signs explicitly evoked “the ‘80s” to conjure memories of the genocidal years, and others drew on the language of human rights, such as the boy and girl who took turns carrying a pink sheet of paper that read, “The biggest crime our parents committed was defending their rights and our future.”

Next to me, a small boy hid behind his mother’s hip, too young to understand. A sleeping baby rested on the mother’s back, held in place with a purple sash. When the demonstration ended, I asked Linda, who was barely 20, about her bringing children with her to the protest. Although she had pragmatic reasons for bringing them, she also believed that their presence was an early form of human rights education. As she explained,

The Peace Accords gave us human rights, and this is how to learn about them, when we organize because they are being violated… We, indigenous, we need to know our rights to protect ourselves. So we can say, this violates the Peace Accords, you need to ask the village if we consent to this mine being here. This violates indigenous rights, because we have the right to say, this is our land and you are taking advantage. We have the right to be consulted… One day, my children will need to protect me… so that what happened to my parents will not happen to me, so what happens to me will not happen to them [my children]… Unfortunately, this is the history of Guatemala, it is always a risk to struggle for human rights… That is why we need to continue the struggle… This is why I am here, I am here for them [my children], to protect the conditions in which they will live.

Linda’s comment demonstrates the pressing need for human rights knowledge, particularly rights guaranteed to indigenous communities and codified in the Peace Accords, as a precedent to claiming rights. Given the recurrent history of rights violation, she does not anticipate that the state will ever guarantee the rights of all citizens without struggle; in this sense, it will always fall to marginalized populations to stay vigilant and claim their rights, even at the risk of harm. Linda educates her children so that they will inherit better conditions and so that they will have the capacity to protect themselves and others. For her, human rights constitute a discourse of power, carrying the possibility for change, while also exemplifying the act of change itself.

Young people who joined this protest and others like it often connect historical memory and human rights, at times claiming historical memory as a human right. Regina, an indigenous 19-year-old living in a nearby village, integrates her historical consciousness of past and present violence with her human rights consciousness:

The violence today is the same [as the violence of the past]. People don’t respect one another... Respect is the base of all human rights... Human rights are important to my life, because someday we will need to stand before the PDH [Office of the Human Rights Ombudsman] to defend our rights... Even when we go there, to a
human rights office, we can have our rights violated. Human rights says we treat everyone the same, no matter what they look like or how much money they have. Everyone is the same... but indigenous rights have been violated repeatedly. We can see this over time from colonialism to today.

Like Linda, Regina anticipates that indigenous rights will continue to be violated, including by state actors. This inevitable pattern of ethnic and class-based discrimination can be interrupted by knowledge of one’s rights, though not prevented.

Regina goes on to explain that telling her family’s story is her right, as well as the best way to achieve “justice for the disappeared.” Raul, a youth activist who traveled from the capital to participate in the protest, expresses a similar point of view, further justifying present-day rights struggles with a historical perspective.

Human rights are the reason we have to fight for justice for the past [for crimes committed during the armed conflict]. What kind of human rights can we have today if we say that you can commit genocide and kill 200,000 people and still be free? And not just free because you have amnesty—you can actually start a profitable business, live a comfortable life abroad, or be elected into state government. ... This is why we have a constant struggle ... to move forward memory and justice.

Raul speaks to the declining moral and ethical power of human rights when perpetrators of mass crimes are not held accountable, arguing that justice for past and present violence jointly rely on human rights and the rule of law. Others are more pragmatic in their promotion of human rights, linking knowledge to action and action to power. Karina, fourteen, says, “The armed conflict was the root of all the violence today ... No one is vigilant of the people’s rights, so the people can only defend themselves when they are informed.” Adolescents who embrace human rights as a frame of empowerment do not regard them as abstract principles but as a transactional contract that demands vigilance and civic action, even if this vigilance is an additional obligation particular to Guatemala’s “postwar” context and those who inherit the legacies of war.

The indigenous Mayan peoples voicing their suffering at this protest represent the population whose rights have been most egregiously violated in the past and present. Yet these marginalized communities appear to embrace the human rights frame more readily than those whose rights have been historically upheld by the state. What accounts for this seemingly paradoxical embrace of human rights principles, when others dismiss them on the basis that they cannot apply to the extreme conditions in “postwar” Guatemala? The discourses underpinning the publicly shared testimonies reveal the usefulness of human rights as a “schematic template.” Human rights violations committed by a repressive state toward its citizens become instrumental in discursively situating historical injustice as an ongoing violation. Though multinational corporations are not bound by rights contracts, speakers make clear connections between corporate practices and state complicity, fitting violations that might deviate from the traditional frame within rights discourse that garners global recognition and support. Human rights have become an organizing concept with international legitimacy that names and frames the injustice Mayan communities have experienced over time. Importantly, these rights discourses are more than merely instrumental means of recognition; they are empowering in that knowing one’s rights is they key to the nunca más (never again), for oneself and for future generations.

Conclusion

Given pervasive violence and impunity, as well as unanswered calls for historical justice, it is not surprising that many Guatemalan adolescents openly question the legitimacy of the human rights framework. Contrary to the intentions of creating a universal culture of human rights, the rights frame is not universally empowering, even in states that are more stable and homogenous than
Guatemala. From these data, we cannot predict which young people will be more likely to embrace or reject the human rights frame, but we can see that historical interpretations and individual experiences with violence or rights violations function as mediating factors in the way young people navigate available rights-based discourses. This typology evokes a new set of questions about how human rights function as a system of belief in the context of a weak state, as well as implications for educational interventions in the aftermath of mass violence.

First, a complex interplay of narratives and beliefs are exchanged through a range of contexts—public and private, intergenerational and transgenerational, as well as explicit and implicit teaching and learning exchanges. Young people construct their historical consciousness, their understandings of human rights, and their relationships with the state through these formal and informal exchanges. In line with existing literature, both schools and daily experiences with the rights contract constitute mediating spaces through which young people construct their understanding of justice, as well as their conceptions of rights and responsibilities implied in national and universal social compacts. 48 Though young people do not always experience contradictions between in and out of school experiences—and in some cases are exposed to tacit critiques in schools—the gaps between human rights ideals and the way these principles are applied in a “postwar” state are apparent to all young people in their everyday lives. These disjunctures are educative in conveying the limits of justice, equality, and rights for all. Although recognition of disjunctures might take place in formal learning spaces, it is more likely to take place in dialogue between formal and informal settings, such as when Regina learns that her deceased grandfather’s body was found in a mass grave, or when a police officer explains to Eduardo’s family that there was no investigation for his sister’s murder because she looked like a prostitute. These experiences carry enormous weight in young people’s construction of human rights consciousness, juxtaposing lived experience with the promised ideals of a universal culture of human rights.

Second, while HRE decoupled from historical injustice may transmit optimism about a potential future that is equitable and just, the evasion of a contentious past obscures agency and may reinforce the conviction that Guatemala’s culture of violence has condemned citizens to a history of violence. 49 Critiques of values-based peace education and the silencing of historical injustice imply that constructing peace around a new set of positive moral principles risks generating personal and cultural attributions for violence, locating social problems within individuals rather than within institutions. 50

Although human rights education does not prescribe a historical frame or a confrontation of rights abuses, accountability is a key legal and normative element of HRE. 51 Accountability is expected of both state and nonstate actors, as both are mutual agents and subjects within the human rights contract. Moreover, as an educational approach, HRE expressly calls for civic action to demand that duty bearers fulfill universal human rights obligations when they are lacking, with civic participation upholding accountability. 52 However, this emphasis on personal responsibility and civic participation of individual rights holders may undermine students’ capacity to hold an absent state accountable, instead, blaming fellow citizens for replicating violence “in the blood.” The focus on individual responsibilities too easily equates the role of individual citizens, state actors, and the structures or institutions that bind them. 53 In this sense, there is an important distinction to be made between civic agency and state power.

Whether or not a formal curriculum places human rights into historical context, young people seem determined to bring both history and the politics of power into the discussion, even when there are fundamental disagreements over who has had access to power and rights over time and space. If utilized as educational partners, HRE and historical inquiry might expand awareness of civic agency, state accountability, and opportunities for participation.
Third, the stances young people take up reveal that they construct normative claims about the relationship between a state and its citizens based on their understanding of injustice and informed by direct and indirect experiences. Youth variously characterize the state as protector, violator, and democratic partner, as well as powerful, incompetent, abusive, and even, at times, a victim of its own citizens. In each case, young people reassert the critical role of historical consciousness, constructed through a variety of educational exchanges, in shaping their present understandings of state and civic duty to guarantee human rights. While the discourse of human rights “claims the belief”\(^5\) of some young Guatemalans, it offers others normative language with which to dismiss the rule of law in a fragile democracy.

Notably, human rights principles depend on the perceived legitimacy of a civil contract and a state’s capacity to provide basic rights and services to its citizens. Those who reject human rights serve as a reminder that young citizens need to believe in the capacity of their state to uphold the rule of law. This does not mean that human rights discourse is powerless to shape young people’s attitudes in the Guatemala context, or that there is no value to teaching human rights in a society struggling with legacies of injustice and entrenched structures of inequality. As Davies has argued, despite the challenges of isolating educational effects from other sectors, “[a]nalysis is about weighing up opportunity costs of doing and not doing something in the educational realm.”\(^6\) With this in mind, we might do better to begin education where young people begin, namely with their lived experience and the gaps through which they filter knowledge of human rights ideals.

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15 Unidad de Protección a Defensoras y Defensores de Derechos Humanos de Guatemala (UDEFEGUA) Permitido denunciar (Guatemala City, Guatemala: UDEFEGUA, 2011).

16 For further statistics, see United Nations Office on Drugs and Crime, Crime and instability: Case studies of transnational threats (2010, February).


21 Instituto Interamericano de Derechos Humanos [Inter-American Institute of Human Rights]. Inter-American report on human rights education, no. IV (San Jose, Costa Rica: Instituto Interamericano de Derechos Humanos, 2007); Ministry of Education. Interculturalidad en la reforma educativa [Interculturality in educational reform]. (Guatemala City, Guatemala: Ministry of Education, 2010).


27 Robert L. Selman and Dennis Barr, “Can adolescents learn to create ethical relationships for themselves in the future by reflecting on ethical violations faced by others in the past?” in Interpersonal understanding in historical context, eds. Matthias Martens, Ulrike Hartmann, Michael Sauer, and Marcus Hasselhorn (Rotterdam, The Netherlands: Sense, 2009), 19-41.
40 James V. Wertsch, Voices of Collective Remembering (Cambridge: Cambridge University Press, 2002), 12
48 Constance Flanagan, Tara Stoppa, Amy K. Syvertsen, and Michael Stout, “Schools and social trust,” in Handbook of


