

## AMERICAS

# 10 Years Later, Chiapas Massacre Still Haunts Mexico

By MARC LACEY    DEC. 23, 2007

ACTEAL, Mexico — It was 10 years ago that gunmen crept down the hillside into the center of this impoverished Indian village in Chiapas State. By the time they fled hours later, the attackers had littered the ground with bullet casings and killed 45 innocent people, including 21 women and 15 children.

Since the Acteal massacre, on Dec. 22, 1997, dozens of people have been arrested and convicted. But the case remains as foggy as the community, which is so high in the hills that clouds sometimes linger at ground level and the lush vegetation can disappear into the haze.

Then-President Ernesto Zedillo, reacting to international outrage over the killings, ordered an aggressive investigation. What prosecutors found was ugly: While local government officials and police officers had not wielded the weapons that day, they had allowed the slaughter to occur and tampered with the crime scene afterward.

The killers had been members of the then-ruling Institutional Revolutionary Party, or PRI. The victims were Roman Catholic advocates from a group called Las Abejas, or The Bees, who sympathized with the Zapatista rebels who were in open revolt in Chiapas.

All involved were poor Tzotzil Indians, many of them related.

The Acteal massacre, on Dec. 22, 1997, killed 45 people.



A decade after the massacre, the Tzotzil live side by side but divided. In one group, the one that backs the PRI, many of the men have been sent to prison for the killings. The others, from the Abejas group, who live down the road, insist that even more killers are at large.

Meanwhile, Mexico's courts struggle to handle what has grown into one of the country's longest and most complex cases. A dozen judges have been involved in the trials and, now, the appeals of their convictions.

A year ago, the public interest law clinic at Mexico City's Center for Investigation and Economic Studies began defending those convicted of taking part in the massacre. Lawyers say they have found that outrage over what happened to the innocents that day led to more abuses. They describe an effort to round up anyone, which sent many other innocent people to prison. "The Acteal case shows all the problems of Mexico's criminal justice system," said Javier Angulo, who teaches constitutional law at the center and supervises a team of students who are representing the Acteal defendants. "We solved the problem of the Acteal massacre by creating other problems and arresting people who did nothing at all."

The case is an ideal one, Mr. Angulo argues, to show law students that every defendant ought to be treated fairly, even if there is great public dismay over a particular crime.

"This is the most complicated case in Mexico," he said in Tuxtla Gutiérrez, the capital of Chiapas State, as he prepared to appeal the convictions of some of the men. "It's possible that in 10 more years we'll still be talking about what really happened in Acteal."

The details of the case have been exaggerated and mythologized in so many ways, he said. The number of killers, which he puts at nine, has grown to hundreds in some people's estimation. Witnesses who in their first interviews could not name any of the attackers later gave authorities detailed lists of the men who fired the guns. The early version of the attack, that the victims of Acteal were gunned down while praying in a church, had been exaggerated to give an awful act an even more sinister resonance, he said.

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Advocates for the people who died at Acteal express fury at those who dare to defend the accused. “They tell so many lies,” said Diego Pérez Jiménez, president of the Abejas group, who is pushing the government for compensation for the families of the deceased. “These guys in jail were killers, and there are more killers out there. That’s the truth.”

One thing is clear, that the long judicial process has done little to ease the tension in the hills.

Estela Luna Vásquez, 39, whose husband received a 36-year sentence for taking part in the Acteal massacre, insists that he was home with her on the afternoon of Dec. 22 when she heard all that gunfire down the road.

She struggles, she said, to contain her hatred of those who accused her husband, including a cousin of hers who backs the Zapatistas. “They want us all in jail,” she said, speaking through a Tzotzil interpreter.

As she spoke recently, her two teenage daughters were scurrying around the kitchen preparing corn tortillas over an open fire. “I’d never allow my daughters to marry one of them,” she said of the Tzotzil Indians who live down the road. “I’d tell them: ‘They put your father in jail. How could you love one of them?’”

At the maximum security prison in Cintalapa, the director, Fernando Estrada Reyna, denied a visitor access to any Acteal prisoners without written permission from the governor.

“This is a delicate case,” he said. “We can’t let you in. They’ll take my head off. They won’t just take my job. They’ll throw me in this jail as a prisoner if I let you in.”

He could not stop a prisoner, however, from calling out.

Agostín Gómez Pérez, sentenced to 36 years for taking part in the massacre in Acteal, insisted on a prison telephone that the judge who had heard his case had ignored his alibi and considered him guilty from the start. His case is one of those the defense lawyers are appealing.

“What happened in Acteal is very sad,” he said, adding that he had learned many of the details from four fellow convicts who had confessed to taking part. “But I wasn’t involved in it. I didn’t kill a soul. I’ve been here for 10 years paying for the sins of others.”

But the words of a survivor of the attack are just as haunting.

“Nothing calms the pain, from 10 years ago to today,” Catarina Méndez, who was shot seven times in the massacre, told El Universal newspaper recently. “Bad leaders organized that which we lived back then. For the good of everyone, we need help pushing justice and truth.”

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Estela Luna Vásquez at a recent Mass in Acteal for women whose husbands were accused of involvement in the 1997 massacre. Credit Jennifer Szymaszek for The New York Times.