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International accompaniment, power and reflexivity in post-conflict Guatemala

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Abstract:

‘International accompaniers’ use their physical presence as a form of non-violent intervention to deter political violence against local human rights defenders. Threatened members of Guatemala’s civil society have relied on accompaniment as part of their security strategy since the early 1980s. Approximately one thousand volunteers from a dozen countries have accompanied in Guatemala.

International accompaniment has been a key component of the effort to prosecute former military general and president Efraín Ríos Montt and other perpetrators of mass human rights violations in Guatemala. Victim witnesses and their legal counsel have included accompaniment as part of their protection strategy since 2000. Important questions have nonetheless been raised with respect to accompaniment’s effectiveness as a tool for protection, and the possibility that accompaniment reinforces power inequalities. An exploration of these questions in the context of the Guatemala genocide trial may shed light on how accompaniment could be used in other countries where the prosecution of human rights atrocities depends on witness testimony.

Introduction

‘International accompaniers’ use their physical presence as a form of non-violent intervention to deter political violence against local human rights defenders. Threatened members of Guatemala’s civil society have relied on accompaniment as part of their security strategy since the early 1980s.¹ Approximately one thousand volunteers from a dozen countries have accompanied in Guatemala.²

Accompaniment in Guatemala has its origins in the work of Peace Brigades International (PBI), which began accompanying activists and civil society organizations at the height of the armed conflict.³ It also has its origins in the refugee return process: in 1992, around 500,000 Guatemalan refugees negotiated a provision in an accord with the Guatemalan government that stipulated their right to accompaniment during and after their organized return from Mexico, a process that took place from 1992 to 1999 and involved eighteen accompaniment organizations.⁴

More recently, accompaniment has been a key component of the security strategy of witnesses involved in the prosecution of perpetrators of mass human rights violations. In 2000, four years after the signing of peace accords, witnesses of the military’s scorched earth campaign formed the Association for Justice and Reconciliation (AJR)⁵ and, together with the Centre for Human Rights Legal Action (CALDH), filed collective charges of genocide, crimes against humanity and war crimes in Guatemala’s Public Ministry against former military dictators Romeo Lucas García and Ríos Montt and their military high commands.⁶ Recognizing the security risks involved in these cases, AJR and CALDH requested accompaniment. Several accompaniment groups responded and formed the umbrella organization ACOGUATE. In 2013, Guatemala’s then Attorney General, Claudia Paz y Paz, stated that accompaniment was ‘the most effective way to ensure the safety of the witnesses’.⁷

Despite the need for a witness protection strategy, important questions have nonetheless been raised with respect to accompaniment’s effectiveness as a tool for witness protection, and the possibility that accompaniment reinforces the same power inequalities it seeks to address. The aim of this article is to explore these questions in the context of ACOGUATE’s accompaniment work.

We begin by presenting the idea of accompaniment as deterrence and solidarity, and by outlining Gada Mahrouse’s compelling critique of this idea. We then provide a theoretical framework based in the work of Michel Foucault and apply it to two case studies. We use insights from the case studies to support our argument that accompaniment’s effectiveness as a tool for the protection of witnesses depends on its ability to accommodate the multiple ways in which the witnesses conceive of security and their position within webs of interconnected power dynamics. We use this argument to put Mahrouse’s critique in perspective and highlight how accompaniment in Guatemala is relevant for other situations where the prosecution of human rights atrocities depends on witness testimony.

Both authors of this article are former accompaniers in Guatemala.⁸ We rely heavily on our personal observations and the first-person accounts of our colleagues in the field. This article does not, however, reflect the view of any accompaniment organization.

International protective accompaniment: its theory, limitations and critics

The AJR represents survivors from twenty-three massacres. ACOGUATE’s team of approximately twenty volunteers accompanies AJR members in five remote regions of Guatemala.⁹ The AJR attracted widespread international attention in 2013 when Ríos Montt and his former chief of military intelligence, José Mauricio Rodríguez Sánchez, stood trial in Guatemala for genocide and other gross human rights violations against the Maya-Ixil people.¹⁰ In many ways, the trial was the culmination of a decades-long process to seek ‘justice for genocide’, a process which included legal proceedings inside and outside of Guatemala.

AJR members are generally characterized as ‘human rights defenders working on truth and justice issues related to the armed conflict’.¹¹ According to one report, this group of defenders was targeted in over 1,200 attacks – including death threats, surveillance and homicide – between January 2000 and

September 2014.¹² The vulnerability of the AJR members is further compounded by the fact that Guatemala has among the highest homicide and impunity rates in Latin America.¹³

To lessen this vulnerability, international accompaniment organizations in Guatemala generally endorse the theory of deterrence developed by Liam Mahony and Luis Enrique Eguren to support and advance PBI's work. According to this theory, deterrence in the human rights context means 'threatening sufficient negative consequences to frighten the aggressor into not committing the human rights violation'.¹⁴ In cases where the violation directly or indirectly implicates a State, negative consequences usually imply some form of economic or political cost, such as trade sanctions, diplomatic embarrassment or international condemnation.¹⁵

Mahony and Eguren acknowledge that the cause and effect relationship between accompaniment and deterrence is difficult to measure. This is, in part, because of the complex array of variables and actors involved in any human rights situation. This means that accompaniment 'cannot directly threaten very much'.¹⁶ It can, however, represent 'a hint – a suggestion that a series of consequences *may* occur'.¹⁷

Mahony and Eguren identify deterrence as the main function of accompaniment. Two other important functions are encouragement and solidarity. In Eguren's words, accompaniment fulfils 'a strengthening function: international presence means help at a human level, an endorsement with a certain capacity to legitimize before the eyes of the individual and society the activities picked out for repression'.¹⁸ Kathryn Anderson echoes this point. She sees accompaniment as deeply rooted in solidarity, whereas solidarity is 'based on the bond of mutual relationship'.¹⁹

Protective accompaniment nonetheless has several important limitations. First, the aggressors are not always State actors, nor are they always concerned with the potential costs of their actions. Sometimes the benefits of committing the human rights violation outweigh the potential costs.²⁰ In these cases, accompaniment can give human rights defenders a false sense of security that aggravates rather than mitigates risk. Furthermore, just as accompaniment can help legitimize certain activities, its absence can stigmatize others. Because accompaniers must follow Guatemalan law and cannot accompany activities that might be considered illegal, they could not, for example, accompany land rights activists during an 'illegal' land occupation.²¹

Aside from the above limitations, there is also a more fundamental critique that accompaniment discursively reinforces power inequalities. This concern is raised frequently among accompaniers, and cited in much of the recent literature on protective accompaniment.²² For the purposes of this article, we will briefly explore the argument put forth by Mahrouse in her book *Conflicted commitments*.

Mahrouse argues that accompaniment—insofar as it involves deploying a white presence from the global North to protect vulnerable people in the global South²³— is 'fraught with contradictions and paradoxes with respect to race and power'.²⁴ For Mahrouse, '[c]onventional tropes of imperialist benevolence profoundly shape [accompaniment] and are in turn, perpetuated through it'.²⁵ She locates the problem in current approaches to transnational solidarity that unquestioningly rely on liberal, universal and 'naively idealistic' principles that 'fortify existing power relations' rather than disrupt or challenge them.²⁶

Mahrouse's claim that accompaniment reinforces white hegemony raises the question of whether people from the global North should participate in accompaniment at all.²⁷ Mahrouse argues they should, provided they are better equipped to take responsibility for the ways in which they are implicated in the inequalities they seek to end. One way to do this is to conceptualise accompaniment in terms of 'principled pragmatism' rather than solidarity. This means realizing that those who request accompaniment do so understanding that it is embedded within a racialized system. Their request is not a call for 'cross-border intimacy or friendships' but a calculated response to a situation where few alternatives exist.²⁸ Reconceived in this sense, accompaniment is not 'heroic or revolutionary in any sense, but rather is a terribly troubled role put in place through white supremacy and made necessary only because of the urgency of certain global crises'.²⁹

Mahrouse's main practical prescription is thus that accompaniers should exercise a higher degree of reflexivity. This implies that the liberal underpinnings of accompaniment are unravelled 'in order to transcend the usual presuppositions about the unquestioned goodness of those who advocate for universal rights'.³⁰ In practical terms, this also implies that accompaniment organizations frame their intervention in 'explicitly anti-colonial', 'anti-imperialistic' and 'anti-patriarchal' terms. Only then can accompaniment be coherent with 'truly transformative decolonizing solidarity practices'.³¹

Theoretical framework: reflexivity and arterial and capillary power

This article approaches the problem identified by Mahrouse from a different perspective. We restate the problem as follows: to the extent that accompaniment mobilises discourses that are embedded in transnational power structures, its effectiveness is in tension with its ability to also challenge inequalities within these power structures. We agree with Mahrouse that accompaniers cannot resolve this tension, and that a higher degree of reflexivity better equips them to negotiate it.

Where our argument differs from that of Mahrouse is with respect to the perspective from which the accompaniers should be reflexive. Our understanding of reflexivity is rooted in the work of Michel Foucault and refers to the act of being 'engaged in a thought that challenges the very ground from which [one] thinks'.³² Reflexivity is inherently elusive: it is not something that can be achieved, but is an ongoing process. Part of being reflexive is actively seeking to understand 'the sources and consequences' of one's actions.³³

We understand 'the ground from which one thinks' as synonymous with one's location within a ubiquitous web of power. The perspective from which one analyzes this location has particular consequences for his or her practical options. If we imagine the web of power as a bloodstream, there are two major dimensions: the 'arterial' dimension and the 'capillary' dimension.³⁴ The former represents the overarching power structures. The latter represents the power relations inherent in everyday human interactions. Therefore, in our view, reflexivity can entail understanding one's location in the arterial dimension *or* in the capillary dimension of power. The capillary dimension is missing from Mahrouse's analysis.

In what follows, we adopt particular understandings of the terms 'security' and 'identity'. Following Megan Mackenzie, we understand security as a continuous concern rather than in terms of 'security flashes'.³⁵ Our understanding of identity is informed by an agonistic conceptualization of politics,³⁶ which considers the identity of subjects and social relations to be mutually constituted. This view emphasizes the contingency and contestability not just of political arrangements but of the identities and social relations that make these arrangements possible and reproduce and naturalize them. Accordingly, normative values and criteria are and should remain the product of political struggles.³⁷ Our understanding of identity is further informed by Diane Nelson, who argues that social interactions in Guatemala's context and legacy of political violence are characterized by continual negotiations of identities, with people understanding and representing themselves in multiple and possibly contradictory ways.³⁸

The two cases studies below provide insights into the nature of ACOGUATE's relationship with the people and groups they accompany and the power networks in which they are all embedded. The first case study explores the role of accompaniment in a situation defined by arterial power dynamics. In the second, longer case study, the capillary dimensions of power are comparatively more determinant.

Case study one: arterial power and the threats in Plan de Sánchez

ACOGUATE has been accompanying AJR members in several communities in Rabinal, Baja Verapaz since the early 2000s. The communities are rural and remote – in some cases, a ten-hour bus ride from Guatemala City. They are mainly populated by Maya-Achí *campesinos* who speak little Spanish. Accompaniers trek long hours between communities to visit AJR members in their homes. They

accompany them to meetings, public events and legal proceedings, but also in such day-to-day activities as tending to their fields.

Several AJR members live in the community of Plan de Sánchez, where on 18 July 1982 the Guatemalan Army and Civil Defense Patrols (PACs)³⁹ massacred 268 people.⁴⁰ In October 1996, AJR and CALDH presented a complaint before the Inter-American human rights system. On 29 April 2004, the Inter-American Court of Human Rights (IACtHR) found the Guatemalan State liable for the massacre and ordered it to investigate, prosecute and punish those individually responsible.⁴¹ The IACtHR ruling triggered a series of attacks against AJR and CALDH.⁴² This case provides an example of a complex and uncertain accompaniment scenario that was, at the same time, still very intelligible because it involved the kinds of arterial power dynamics that accompaniment was designed to address.

A first wave of attacks began on 14 July, when the home of CALDH's director, Edda Gaviola, was broken into. Her house was broken into a second time on 15 July. On 16 July, CALDH's head office in Guatemala City was broken into, despite being under twenty-four-hour precautionary police surveillance.⁴³ On 17 July, a witness in Plan de Sánchez found a box near his home. It contained a tear gas canister and a message that read: 'Soon you will be dead, for being witness to the massacre of Plan de Sánchez and for being responsible for the conviction of the State of Guatemala'.⁴⁴

A second wave of attacks began on 30 July with bomb threats at CALDH's head office and at the offices of Guatemala's Human Rights Ombudsman (PDH). On 1 August, a handwritten death threat was left in CALDH's regional office in Rabinal. The note named the same witness from Plan de Sánchez, as well as CALDH's spokesperson Miguel Angel Albizures, other CALDH staff and ACOGUATE accompaniers. Between 8 and 9 August, three death threats were called into the community phone in Plan de Sánchez, one of which also mentioned the accompaniers.⁴⁵ One month later, Mario Minera, a member of CALDH's coordination team, was temporarily abducted at gunpoint in Guatemala City.⁴⁶ Lastly, on 25 September, the home of another member of CALDH's coordinating team was burglarized.⁴⁷

In response to the attacks, CALDH, among other things, filed complaints with the police and PDH and requested that the United Nations Verification Mission in Guatemala (MINUGUA) follow up. Amnesty International issued two urgent actions requesting that letters of concern be sent to Guatemalan authorities.⁴⁸ For its part, ACOGUATE increased the number of accompaniers and the length of their presence in Plan de Sánchez and in CALDH's offices. It conducted meetings with government agencies, international organizations and embassies to express concern for the security of AJR members and CALDH personnel. Furthermore, ACOGUATE's member organizations activated local networks in each of their respective countries urging people to take action.

This combination of responses seems to have had positive results. The attacks stopped and there were small advances in the police and PDH investigations. Local police officers were eventually implicated in some of the attacks but no charges were ever laid.

The lack of any thorough investigation means that we can only hypothesize as to the authors of the attacks and their objectives. The pattern, however, appears to point to a single, carefully-planned operation involving different targets in different geographical locations. There is evidence that communications and movements were monitored. Local assets—such as the police officers—were mobilized at different moments, and some parts of the operation—such as the break-ins and kidnapping—required special skills. It is unlikely that the objective of the operation was to affect outcomes at the IACtHR level since the ruling had already taken place; it is more likely that it was aimed at limiting the impact of the ruling on impunity in Guatemala, especially with respect to similar high-profile cases lingering in Guatemala's domestic judicial system.⁴⁹

While the operation had the immediate effect of distracting AJR and CALDH from their efforts to promote justice, it did not succeed in discouraging them altogether. And while AJR and CALDH were the direct targets, there may have been political objectives that went beyond the effects on them. Indeed, there is reason to believe that government actors may have been the indirect targets of the attacks.

In 2004, Óscar Berger became president of Guatemala, marking a return to power of certain segments of Guatemala's economic elite whose interests required that Guatemala normalize its international relations.⁵⁰ To ensure this, Berger had to demonstrate openness to human rights issues, which he did by offering government positions to prominent human rights defenders.

One such defender was Frank LaRue, who Berger named President of the Presidential Human Rights Commission (COPREDEH).⁵¹ LaRue had helped found CALDH in the early 1990s and had served as its director from 1993 until 2004. As president of COPREDEH, he worked towards establishing a UN Commission for the Investigation of Illegal Groups and Clandestine Security Structures (CICIACS). He also formally accepted the Guatemalan State's responsibility for the Plan de Sánchez massacre before the IACtHR. These kinds of actions likely increased fear among some factions that the government's normalization strategy would translate into more direct threats to their power, including concrete challenges to the systems of impunity in Guatemala and to the post-war negationist discourse.⁵² The attacks may have constituted a warning that this would not be tolerated and that it could cost the government substantial support from its own bases in the oligarchy⁵³ and military establishment.

What does this case study indicate about the interaction between accompaniment's effectiveness and its mobilization of discourses embedded in transnational power structures? How do we understand reflexivity in this context?

First, the case study illustrates the complex power dynamics at play in an accompaniment scenario. In this case, the dynamics were nonetheless intelligible to the companions: they were relatively easy to untangle and identify because they largely pertained to the arterial dimension where power flows between the Guatemalan government, economic elites, the IACtHR, the international community and so on. Analyzing the arterial dimension of power is an integral part of the companions' training and their work in the field.

Second, the case study also illustrates how, when arterial power dynamics are at play, companions mobilise—and in doing so help to reinforce—certain corresponding discourses. In explaining their presence, for example, they reference respect for 'universal human rights'. While meeting with their embassies they reference 'rule of law' and call for 'international intervention'.⁵⁴

The fact that arterial power dynamics were at play means that the degree of companioner reflexivity is tied to their willingness and ability to locate their position within the arterial dimension, to recognize that their position and the practical options it affords are sourced in global historical events, and to identify how their actions will have consequences in terms of power. Indeed, the ACOGUATE companions present during the attacks on Plan de Sánchez exhibited a healthy degree of reflexivity. In the words of one companioner:

For several months I had wondered about the value of our presence in Rabinal. Does having four more *gringos* [Westerners] sleeping in town five nights out of the week really make anyone safer? The two products of my presence I could identify were that I was learning a few things about Guatemala, and people felt that 'there [was] someone with us'. ... [T]he threats gave me some relief from reflecting on those doubts. At the same time, I realize that we are not meant to throw ourselves in front of a bullet, and that one of the most important unifying themes in our training was to break us out of the 'Westerner as savior' vision.⁵⁵

The case study also provides a reference point: it is a relatively straightforward and uncomplicated 'textbook' scenario where the threats were clear and a response was necessary. It serves as contrast for the next case study, which explores accompaniment in a context where the capillary power dimension is more determinant.

Case study two: capillary power and the daily negotiation of identities in Ilom

In the history of ACOGUATE's accompaniment of AJR members, events like those in Plan de Sánchez have been relatively rare. As the above quotation indicates, companions may spend more time

grappling with boredom and uncertainty than fear or illusions of heroism. It is common for new companions to question the need for their presence in communities where ‘nothing is happening’.⁵⁶ This doubt is often compounded by isolation, culture shock, lack of knowledge of the local Mayan language and the absence of material comforts.

As events in Ilom in 2003 illustrate, in post-war Guatemala situations can nonetheless become dangerous without clear threats or sophisticated intelligence operations, and for reasons and in ways that are not always intelligible to companions.

Ilom is a community of approximately 600 families—most of whom are Maya-Ixil *campesinos*—situated in the Ixil region of the El Quiché department in the western highlands. On 23 March 1982, approximately forty soldiers, accompanied by twenty PACs from the neighboring village La Perla, entered the community. They gathered some 2,000 villagers, separated the men from the women and killed fifty-five men whose names they read from a list. The community was pillaged and burned and the survivors were relocated in neighbouring villages. They were forced to work for a local landowner and all male survivors were forced to enroll in the PAC. In March 1983, a military detachment was installed in Ilom and the community was rebuilt.⁵⁷

Ilom is home to seven AJR members. It can take two days to get there from Guatemala City, travelling by bus, by pick-up truck and on foot. This trip is made longer because AJR members are prohibited from using certain private access roads due to land disputes with a local landowner—the same one they were forced to work for after the massacre.⁵⁸

The events that transpired in Ilom in 2003 are best understood in the context of national and regional political developments. At the national level, Alfonso Portillo had been president since 1999 and his party, the Guatemalan Republican Front (FRG), had a majority in Congress. It was clear, however, that the real ‘power behind the throne’ was Ríos Montt, the FRG’s founder and general secretary.⁵⁹ The FRG wanted Ríos Montt elected president in 2003⁶⁰ and, to this end, began mobilizing former members of the PACs.

The PACs were civil patrols created under the Lucas García regime in 1981 and formally dismantled in the 1996 Peace Accords. *Patrulleros* were typically rural indigenous men between the ages of sixteen and sixty, most of whom were forcibly conscripted by the army under threat of severe penalty or death and made to follow military orders. Their numbers ranged from 500,000 to 1,300,000⁶¹ and their official purpose was to ‘help the army defeat the guerilla in the countryside’. In doing so, they were involved in many of the worst abuses of the armed conflict, including massacres such as that in Ilom.⁶²

The PACs were a powerful means of social control. By making indigenous people both the instruments and primary targets of the army’s counterinsurgency plan, they ensured that *patrulleros* had conflicting identities.⁶³ They were victims *and* perpetrators, but not all in the same way and not all to the same degree. And they were not *only* victims or perpetrators: as Nelson explains, one’s identity and the criteria for that identity are impacted by armed conflict in a myriad of ways. In the years following the Peace Accords, *ex-patrulleros* also became the focus of competing political discourses which assigned them different political identities.⁶⁴ In many indigenous communities, the negotiation of this ensemble of identities is a daily undertaking, one that is linked to the possibility of collective action and to other political, religious, moral or material concerns.

FRG officials were well aware of the *ex-patrulleros*’ complex system of identities and attempted to use it to their advantage. In 2002, they mobilised tens of thousands of *ex-patrulleros* across Guatemala around the issue of compensation for the ‘work’ the PACs performed during the armed conflict,⁶⁵ a tactic which fed into their broader strategy to re-elect Ríos Montt. ACOGUATE documented how this tactic played out at the regional level.

According to companion reports, by September 2002 most communities in the Ixil region had been visited by FRG party officials. Local committees had been established and former PAC commanders were put in charge of preparing lists of the *ex-patrulleros* who deserved compensation. The

renewed protagonism of the former PAC commanders and the pro-FRG/Ríos Montt discourse upset and insulted many AJR members, even those who were also *ex-patrulleros*.⁶⁶ According to them, ex-PAC assemblies were taking on a tone reminiscent of the armed conflict. When AJR members asked ironically whether ‘destroying cornfields, burning houses, killing animals, [and] killing people [could be considered] “work”’, their question sparked heated disputes and, at times, physical confrontation.⁶⁷

The meetings held in the Ixil region had two recurring themes: first, that a payment of 20,000 *quetzales*⁶⁸ would be made to each *ex-patrullero* in two installments, one before and one after the 2003 general election, and only in the event that the FRG won; and second, that delay of the first installment was the fault of ‘MINUGUA, PDH ... and Rigoberta Menchú’. A general warning that ‘the human rights people’⁶⁹ should not meddle was often verbalized. While this stigmatized and intimidated local and national opponents of the FRG, it also served to assuage the growing suspicion among *ex-patrulleros* that they were being manipulated by the FRG for electoral purposes.⁷⁰

On 26 January 2003, the FRG-appointed Governor of El Quiché and Manuel Asicona, an FRG mayoral candidate and former PAC commander, visited Ilom. According to AJR members,⁷¹ the Governor said that ‘the money [for the compensation was] available but that the payment could not be made because of CALDH’.⁷² A first payment of 5,000 *quetzales* was promised by the end of March.⁷³

The members of AJR alerted CALDH and ACOGUATE to the Governor’s discourse. CALDH sent a letter to President Portillo signed by Frank LaRue (CALDH’s executive director at the time) and copied to PDH, MINUGUA and members of the diplomatic community. The letter asked Portillo to order the Governor to clarify in Ilom that CALDH could not be made responsible for any lack of payment. Throughout February, CALDH held several follow-up meetings with UN Office of the High Commissioner for Human Rights, MINUGUA and various embassy officials. ACOGUATE, for its part, also held meetings with local authorities and embassies, and circulated calls for urgent action throughout the networks of its member organizations.⁷⁴

In response, the PDH contacted the local police department. On 27 April, two police officers arrived in Ilom, claiming they were there by order of the Ministry of the Interior and because of ‘the human rights people’.⁷⁵ They met with the local Deputy Mayor⁷⁶ and the former PAC commander but, according to police reports, within a matter of minutes a few hundred *ex-patrulleros* gathered, detained the police officers, demanded that ‘those who denounced the Governor be identified’ and claimed they ‘were going to take justice into their own hands’.⁷⁷ They redacted the following memorandum for the Minister of the Interior, which they sent with the police officers the following day:

The information submitted to your office by Mr. FRANK LARUE ... alleging violations of law and order by the Governor of El Quiché is totally false ... The only [human rights people] in our community are two foreigners to whom we provide all services such as room and board and who are respected throughout the community ... Therefore we demand that the Central Government emit the payment without further delays or excuses We thus ask that you do not process the complaint [against the Governor] ... because it harms our community Ilom, 27 April 2003.⁷⁸

The memorandum was signed by several dozen villagers. Other villagers, including the AJR members, objected to this interpretation of events. They, in turn, were accused of being responsible for the *ex-patrulleros* not receiving their payment in the first place. The situation grew extremely tense and death threats were uttered against AJR members.

The local PDH eventually convened a meeting in Ilom for 5 March, the purpose of which was to ‘clarify the situation’ with the *ex-patrulleros*.⁷⁹ Asicona and representatives from the Governor’s office and the President’s Conflict Unit agreed to attend the meeting, likely because the situation in Ilom had garnered considerable diplomatic attention. They were joined in Ilom by representatives from CALDH, ACOGUATE and the PDH. While several hundred *ex-patrulleros* waited outside, the visitors met with, among others, the Deputy Mayor, the former PAC commander and AJR members. All of the ex-

patrulleros were dressed in their formal traditional clothing, which included white pants, blue shirt, straw hat and machete. The FRG and government officials were visibly nervous.

The results of the day-long meeting shed light on the complex, everyday negotiation of identities taking place in Ilom. According to the minutes of the meeting, the participants came to an understanding that: CALDH was not responsible for the lack of payment to the *ex-patrulleros*; there were no legal actions against the Governor or Ilom's *ex-patrulleros*; there would be no violence against AJR members; and the accompaniers cared about the human rights situation of Ilom as a whole.⁸⁰

What insights can we derive from this case study with respect to accompaniment's effectiveness and the mobilization of discourses embedded in transnational power structures?

First, this case study highlights the fact that arterial and capillary dynamics, though interconnected, sometimes operate according to different logics. This has consequences for accompaniment and for its main function, deterrence. At the arterial level, the FRG's strategy to re-elect Ríos Montt produced animosity towards human rights defenders, and ACOGUATE mobilised resources in response. As the situation unfolded, however, the capillary negotiation of identities in Ilom became increasingly relevant. Regular deterrence mechanisms did not apply: reference to 'universal human rights', 'international intervention', etc. does not resonate in the same way with villagers in Ilom as it does with Guatemalan authorities.

Second, accompaniment's effectiveness as a tool for protection thus needs to be reconsidered in terms of capillary power dynamics. The meeting held on 5 March made clear that the accompaniers' presence had as much to do with preserving the AJR members' political space and dignity within their community as it did with conventional notions of protection and security. By forcing the FRG to return with a modified discourse, AJR members were able to prove to their community that people in Ilom could influence outcomes and had more political options than they previously thought. Through their relationship with ACOGUATE, AJR members forced open a political process that the FRG had aimed to foreclose.

Third, accompaniment's role also needs to be reconsidered in relation to long-term transitional processes. Achieving justice for genocide in Guatemala extends beyond the 2013 trial of Ríos Montt: beneath the high-profile courtroom drama, far from international headlines, there have been almost imperceptible shifts in how people in post-conflict Guatemala now account for what is possible and what is impossible. In the words of Antonio Caba Caba, an AJR member from Ilom:

Many people in the community and everywhere thought that it could not be done. They resented us for getting involved in this, but then they saw that it was possible. Now we are congratulated in the community for what we have achieved, for the fact that Ríos Montt spent even two days in jail. ... In Ilom, we still suffer manipulation from the powers that be. They continue with other forms of genocide. The ruling demonstrated that this is a good path for us. It has encouraged people to organize.⁸¹

According to interviews with AJR members, continued ACOGUATE accompaniment during this process provided comfort and encouragement when security concerns challenged the AJR members' resolve;⁸² but also when the prospects of formal justice seemed particularly remote, absurd or futile.⁸³ This suggests that, beyond deterrence, accompaniment is useful inasmuch as it is able to accommodate the accompanied's own, open-ended conception of security, which is closely interwoven with notions of dignity, autonomy, self-identification, and with struggles for making collective action possible on a day-to-day basis.

What, then, does it mean to be reflexive in this context?

Mahrouse emphasises 'the uneasy inner struggles' that result from the contradiction between the accompaniers' motivations and their reliance on hegemonic power structures.⁸⁴ In our analysis, reflexivity should not only address this contradiction but also the feelings of uselessness that arise from the accompaniers' relative exile from power. Foucault says that power is everywhere, but Ilom and Plan

de Sánchez are far from the centres of power. While accompaniers usually come equipped with tools and ideas—such as deterrence—designed with arterial power dynamics in mind, on the ground they are confronted with their limited capacity to perceive and interpret their capillary ramifications. While visiting remote communities, accompaniers sometimes express a sense of missing out on the ‘determinant battles’ fought in courtrooms, the IACtHR, the UN, etc. They feel ‘in part relieved’ when a security incident ‘finally’ comes up.⁸⁵ In fact, the unglamorous nature of accompaniment work has been central to ACOGUATE’s difficulties in maintaining a complete team at times when Guatemala was far from international headlines.

This has very practical implications. As mentioned above, reflexivity is elusive. Framing accompaniment, as Mahrouse proposes, in an ‘explicitly anti-colonial’, ‘anti-imperialistic’ and ‘anti-patriarchal’ narrative is problematic if it leads accompaniers to reify and simplify the accompanied’s political standpoint in ways that would not respect the open-endedness of their identities and struggles. As agonistic concepts of democracy would suggest, reflexivity should rather lead accompaniers to remain agnostic on the terms in which the accompanied conceive of their political struggles. The question they should ask themselves, using Stanley Cavell’s words, should thus be the following: ‘How do we attend to the strange multiplicity of political voices and activities without distorting them or disqualifying them in the very way we approach them?’.⁸⁶

Conclusion

The Plan de Sánchez case study exemplifies a situation where accompaniment organizations mobilize discursive resources embedded in unequal transnational power structures. It also shows how fluid, complex and dynamic these power relationships can be. To the extent that these relationships are intelligible to accompaniers, it is easier for them to take informed action. This is not to say, however, that the tension between accompaniment’s effectiveness and its ability to challenge power inequalities is resolved. Nor is it to say that accompaniers are willfully blind to the tension. Rather, the problem lies in their ability to find more effective ways to act upon these transnational structures.

The Ilom case study, on the other hand, exemplifies a situation where capillary power relationships impact accompaniment’s effectiveness and usefulness. The fact that these power relationships are less intelligible for accompaniers has, in our view, very different practical implications in terms of how reflexivity is to be exercised. As noted earlier, Mahrouse suggests that international accompaniment would only be warranted, from the perspective of the people accompanied, in ‘cases of emergency’—when its inherent reinforcing of hegemony is outweighed by its immediate protective effect. The Ilom case study relativizes this claim: if we consider the capillary power dynamics to be relevant, and if those are generally less intelligible to accompaniers, then we must accept that it is not possible to determine *ex ante* what a principled pragmatic approach consists of from the accompanied’s point of view.

‘Justice’ comes in multiple forms—through the formal justice system, or in more local and symbolic terms. It may express itself in subtle shifts in the power relations at play in remote, rural, indigenous communities in Guatemala’s highlands. These shifts, however, can aggregate in unpredictable and transformative ways: there is no telling when these everyday negotiations of power and identity might acquire national or global relevance. By coming to terms with their sense of exile from arterial power and by recognizing the vital importance of what seems at first incomprehensible, international accompaniers in similar contexts can perhaps better contribute to these processes.

¹ The Commission for Historical Clarification, an independent body established through the Peace Accords, registered 42,275 victims of human rights violations and violent acts connected with the armed conflict. Of these, eighty-three percent were Mayan. Ninety-three percent of the registered incidents were attributable to the State. The CEH estimated that the total number of people killed or disappeared reached over 200,000. Commission for Historical Clarification, ‘Guatemala: memory of

silence. Report of the Commission for historical clarification: Conclusions and recommendations' (Washington, DC: Science and Human Rights Program of the American Association for the Advancement of Science, 1999), pp. 17, 33.

² Authors' calculation based on ACOGUATE, *Caso por Genocidio. Informe de Observación*, ACOGUATE, Guatemala, August 2013, p. 54, available at: <http://acoguate.files.wordpress.com/2014/09/20131118-ido-genocidio-imprensa.pdf>. Retrieved 26 September 2014.

³ Peace Brigades International, 'PBI's history', available at: <http://www.peacebrigades.org/about-pbi/pbi-history/>. Retrieved 18 September 2014.

⁴ Plataforma del Acompañamiento Internacional, *Un hilo más en el tejido de la paz: evaluación del acompañamiento internacional entre 1993 y 1997* (Guatemala City: Centro Canadiense de Estudios de Cooperación Internacional, 1997), pp. 25-38.

⁵ Asociación para la Justicia y Reconciliación, 'Quiénes Somos', available at: <http://ajrguatemala.org/>. Retrieved 18 September 2014.

⁶ Network in Solidarity with the People of Guatemala, 'The people we accompany: genocide case accompaniment', available at: http://www.nisgua.org/get_involved/join_gap/local_sponsoring_communities/where_who/genocide.asp. Retrieved 18 September 2014.

⁷ Presentation by Claudia Paz y Paz, 'Justice and rule of law: keys for democracy in Guatemala', Center for Latin American Studies, UC Berkeley, Berkeley, CA, 15 May 2013. Accompaniment organisations have produced a detailed observation report on the basis of their accompaniment to AJR, CALDH and other cases involving mass atrocities during the armed conflict: ACOGUATE, *Caso*.

⁸ Author 1 accompanied genocide survivors in the Ixil region in 2001 and was a member of the international accompaniment coordination team in Guatemala between 2002 and 2007. Author 2 accompanied genocide survivors in Huehuetenango in 2003 and was a member of the international accompaniment coordination team in Guatemala between 2004 and 2007.

⁹ These regions are dispersed throughout the departments of El Quiché, Baja Verapaz, Huehuetenango and Chimaltenango.

¹⁰ See Nelson and Oglesby in this issue.

¹¹ Office of the High Commissioner for Human Rights, 'Who is a defender', available at: <http://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Defender.aspx>. Retrieved 29 September 2014; Guatemalan Unit for the Protection of Human Rights Defenders (UDEFEQUA), *El Silencio es historia. Informe Anual 2013*, Guatemala, p. 172, available at: http://www.udefegua.org/images/informes_anuales/informe_anual_2013.pdf. Retrieved 26 September 2014.

¹² UDEFEQUA, *El Silencio*, p. 172; UDEFEQUA's home page, available at: www.udefegua.org. Retrieved 26 September 2014.

¹³ United States Department of State, Bureau of Diplomatic Security, 'Guatemala 2014 Crime and Safety Report', available at: <https://www.osac.gov/pages/ContentReportDetails.aspx?cid=15656>. Retrieved 26 September 2014. According to Guatemalan authorities cited in the report, the impunity rate for homicide went from 97 % in 2010 to 70 % in 2012—a decrease that corresponds to Claudia Paz y Paz mandate as head of the Public Ministry, starting in December 2010.

¹⁴ Liam Mahony and Luis Enrique Eguren, *Unarmed bodyguards: international accompaniment for the protection of human rights* (West Hartford, CT: Kumarian Press, Inc., 1997), p. 84.

¹⁵ Mahony and Eguren, *Unarmed*.

¹⁶ Mahony and Eguren, *Unarmed*, pp. 84-85.

¹⁷ Emphasis added. Mahony and Eguren, *Unarmed*, p. 85.

¹⁸ Enrique Eguren, 'Field protection for human rights defenders: accompaniment by international observers', 2002, available at: <http://protectionline.org/2006/01/31/human-rights-defenders-under-threat-a-field-security-approach-to-their-work/>. Retrieved 18 September 2014.

¹⁹ Anderson co-founded the Maritimes-Guatemala Breaking the Silence Network in 1991. Kathryn Anderson, *Weaving relationships: Canada-Guatemala solidarity* (Waterloo, ON: Wilfred University Press, 2003), pp. 113, 199.

²⁰ Mahony and Eguren, *Unarmed*, p. 87.

²¹ Mahony and Eguren, *Unarmed*, pp. 117-118.

²² For example: Sara Koopman, 'The Racialization of accompaniment: Can privilege be used transparently?', *Fellowship Magazine*, summer 2013, available at: <http://forusa.org/fellowship/2013/summer/racialization-accompaniment/12377>. Retrieved 15 October 2014.

²³ Gada Mahrouse, *Conflicted commitments: race, privilege, and power in transnational solidarity activism* (Montreal, QC: McGill-Queen's University Press, 2014), p. 138.

²⁴ Mahrouse, *Conflicted*, p. 146.

²⁵ Mahrouse, *Conflicted*, p. 151.

²⁶ Mahrouse, *Conflicted*, p. 151.

²⁷ Mahrouse, *Conflicted*, p. 146.

²⁸ Mahrouse, *Conflicted*, p. 148.

²⁹ Mahrouse, *Conflicted*, p. 149.

³⁰ Mahrouse, *Conflicted*, pp. 151-152.

³¹ Mahrouse, *Conflicted*, p. 154.

³² Jeffrey Bartilet, 'Foucault, Discourse and the Call for Reflexivity', available at: http://theoryworkshop.weebly.com/uploads/9/0/9/1/9091667/foucault_discourse_reflexivity.pdf. Retrieved 26 September 2014.

³³ James Bernauer, 'Michel Foucault's ecstatic thinking', *Philosophy Social Criticism*, No. 12, 1987, p. 72.

³⁴ Foucault argues that one should be concerned about 'power at its extremities, in its ultimate destinations, with those points where it becomes capillary, that is, in its more regional and local forms and institutions'. Michel Foucault, *Power/Knowledge: Selected interviews and other writings (1972-77)*, C. Gordon (ed.), (New York: Pantheon Press, 1980), p. 96.

³⁵ Megan Mackenzie, 'Securitizing sex?', *International Feminist Journal of Politics*, Vol. 12, No. 2, 2010, pp. 204-205.

³⁶ Chantal Mouffe, *Agonistics: thinking the world politically* (London: Verso, 2013).

³⁷ Vincent Druliolle, 'H.I.J.O.S. and the spectacular denunciation of impunity: the struggle for memory, truth, and justice and the (re-)construction of democracy in Argentina', *Journal of Human Rights*, Vol. 12, No. 2, 2012, pp. 259-276.

³⁸ Diane Nelson, *Reckoning*, p. 170.

³⁹ The PAC are discussed more at length below.

⁴⁰ Inter-American Court of Human Rights, *Case of Plan de Sánchez massacre v. Guatemala – judgment of April 29, 2004* (San José: IACtHR, 29 April 2004), p. 2.

⁴¹ IACtHR, *Case*, pp. 11-13.

⁴² ACOGUATE, *Informe de observación: acompañamiento a defensoras y defensores de derechos humanos que luchan contra la impunidad en Guatemala* (Guatemala: Coordinación del Acompañamiento Internacional en Guatemala, May 2006), p. 12.

⁴³ 'In serious and urgent situations, the [Inter-American Commission on Human Rights - IACHR] may, on its own initiative or at the request of a party, request that a State adopt precautionary measures to prevent irreparable harm to persons [...] in connection with a pending petition or case, as well as to persons under the jurisdiction of the State concerned, independently of any pending petition or case'. IACHR, 'Precautionary Measures', available at: <http://www.oas.org/en/iachr/decisions/precautionary.asp>. Retrieved 29 September 2014.

⁴⁴ Authors' translation. ACOGUATE, *Informe*, p. 8.

⁴⁵ ACOGUATE, *Informe*, p. 8.

⁴⁶ Front Line, 'Intimidation of human rights defenders in Guatemala continues, September 2004', 10 October 2004, available at: <http://www.frontlinedefenders.org/node/476>. Retrieved 21 September 2014.

⁴⁷ ACOGUATE, *Informe*, p. 8.

⁴⁸ Amnesty International [hereafter AI], 'UA 228/04: fear for safety/death threat', 21 July 2004, available at: <http://www.amnesty.org/en/library/asset/AMR34/012/2004/en/c94ec94e-faac-11dd-b6c4-73b1aa157d32/amr340122004en.pdf>. Retrieved 21 September 2014; AI, 'Further information on UA 228/04 (AMR 34/012/2004, 21 July 2004): fear for safety/death threat', 4 August 2004, available at: <http://www.amnesty.org/en/library/asset/AMR34/014/2004/en/10ae138a-faac-11dd-b6c4-73b1aa157d32/amr340142004en.pdf>. Retrieved 21 September 2014.

⁴⁹ At the time, other high profile cases dealt with: the assassination of Myrna Mack; the Río Negro massacre; the Dos Erres massacre; the forced disappearances listed in the *Diario Militar*; the assassination of Jorge Carpio Nicolle; the assassination of Efraín Bámaca Velásquez; the forced disappearance of Rodrigo Molina Theissen; and the forced disappearance of Maritza Urrutia. All these cases eventually made their way to the IACtHR. <http://www.corteidh.or.cr/index.php/jurisprudencia>. Retrieved 15 October 2014.

⁵⁰ See Luis Solano, 'La transnacionalización de la industria extractiva: la captura de los recursos minerales e hidrocarburos', *El Observador*, Vol. 4, No. 19, 2009, p. 9; Solano, 'El negocio de la electricidad: transformación de la matriz energética y sus impactos', *El Observador*, Vol. 3, No. 16, 2008 and 2009, p. 28; Solano, 'Más allá de la consolidación bancaria: las luchas por el control económico', *El Observador*, Vol. 2, No. 4, 2007, p. 36; Solano, 'La Franja Transversal del Norte (FTN): neocolonización en marcha', *El Observador*, Vol. 2, No. 7, 2007.

⁵¹ Miguel Gonzalez Moraga et al., 'Oscar Berger presenta gabinete', *Prensa Libre*, 8 January 2004, available at: http://www.prensalibre.com/noticias/Oscar-Berger-presenta-gabinete_0_89992119.html. Retrieved 21 September 2014. Berger also named Rigoberta Menchú as Peace Ambassador. BBC Mundo, 'Menchú, embajadora de la paz', BBC Mundo, 18 January 2004, available at: http://news.bbc.co.uk/hi/spanish/latin_america/newsid_3406000/3406947.stm. Retrieved 21 September 2014.

⁵² A negationist discourse is one that negates gross human rights violations. For example, on 13 May 2014 the Guatemalan Congress adopted a resolution that stated there had not been genocide in Guatemala during the armed conflict and urged the judicial system to act in such a way as to produce 'peace'. Federación Internacional de Derechos Humanos, *La FIDH denuncia negacionismo e injerencia en el poder judicial de 87 parlamentarios guatemaltecos*, available at: http://www.defensoresenlinea.com/cms/index.php?option=com_content&view=article&id=3129:la-fidh-denuncia-negacionismo-e-injerencia-en-el-poder-judicial-de-87-parlamentarios-guatemaltecos&catid=71:def&Itemid=166. Retrieved 15 October 2014.

⁵³ See Solano and Fernando Solís, ‘El bloque hegemónico y el bloque histórico en Guatemala. Primera parte’, *El Observador*, Vol. 1, No. 2, 2006. On Guatemala’s oligarchy, see Marta Elena Casaús Arzú, *Guatemala: linaje y racismo* (Guatemala: F & G Editores, 2007).

⁵⁴ It must be noted that the traction of such concepts varies constantly: the way in which powerful international actors define the ‘relevant’ issues (either in terms of ‘human rights’, ‘implementation of the Peace Accords’, ‘transitional justice’, ‘rule of law’, ‘development’, ‘war on drugs’, ‘security for investors’, etc.) and the degree to which they have been mobilized around these issues has varied greatly over the last thirty years, with significant impact on political dynamics in Guatemala.

⁵⁵ ACOGUATE. *Accompanier debriefing following the Plan de Sánchez incidents*, 2004: Author’s personal archives.

⁵⁶ Both are recurring themes in their final debriefings, as well as in ACOGUATE’s training manuals.

⁵⁷ Commission for Historical Clarification, ‘Guatemala’, Vol. VII, Annex 1, Illustrative case 61, pp. 73-78.

⁵⁸ FIAN International, *The human right to food in Guatemala* (Heidelberg: FIAN International, 2005), pp. 13-14.

⁵⁹ For a time, the FRG’s unofficial slogan had been: ‘Portillo president, Ríos Montt in power’. Barcelona Center for International Affairs, ‘Efraín Ríos Montt’, available at: http://www.cidob.org/es/documentation/biografias_lideres_politicos/america_central_y_caribe/guatemala/efrain_rios_montt. Retrieved 29 September 2014.

⁶⁰ Ríos Montt’s candidacy had previously been found unconstitutional because of his involvement in the 1982 military coup. Barcelona Center for International Affairs, ‘Efraín’.

⁶¹ AI, *Guatemala: the Civil Patrols re-emerge*, AMR 34/05/2002, 4 September 2002, p. 2, available at: <http://www.refworld.org/pdfid/3d99cd394.pdf>. Retrieved 2 September 2014.

⁶² Jennifer Schirmer, *Intimidaciones del proyecto político de los militares en Guatemala* (Guatemala: Facultad Latinoamericana de ciencias sociales, 2001), pp. 152-158, 184-198.

⁶³ The PACs were instituted, in part, as an effort to reframe the armed conflict in terms of ‘Indians killing Indians’. Anonymous Guatemalan colonel cited in Schirmer, *Intimidaciones*, p. 147.

⁶⁴ Nelson, *Reckoning*, ch. 5.

⁶⁵ AI noted that some of the patrollers’ actions were allegedly organised by officials in the Military Veterans Association of Guatemala (AVEMILGUA), an organisation that represents the interests of former soldiers and ex-civil patrollers, and close ally of the FRG. AI, *Guatemala*, p. 3.

⁶⁶ Author 1, ‘Asunto: Informe sobre las PAC relativo a viaje en el área Ixil (Salquil) del 02-09-02 al 08-09-02’: Author’s personal archives.

⁶⁷ Authors’ translation.

⁶⁸ Approximately \$2,500 USD at the time.

⁶⁹ Authors’ translation. *Los Derechos Humanos* is a common, often pejorative, Guatemalan expression used to refer to the people and institutions associated with human rights work.

⁷⁰ This point in particular was often reported to the accompaniers by AJR members, who added that a lot of ex-PAC refused to contribute travel and representation expenses for their ex-commanders.

⁷¹ ACOGUATE observers weren’t present at the time.

⁷² Authors’ translation.

⁷³ ACOGUATE, ‘Caso ilustrativo: la compensación económica a las Patrullas de Autodefensa Civil. Informe sobre los acontecimientos relacionados al discurso del gobernador de El Quiché pronunciado el día 26 de enero 2003 en la aldea Ilom, Chajul. Actualización: 8 de mayo de 2003’: Author’s personal archives. The report was distributed to diplomatic representatives in Guatemala.

⁷⁴ Given the high stakes for the FRG, it was unlikely that actions taken by ACOGUATE or CALDH would cause FRG officials to atone their overall electoral strategy. In fact, later that year the FRG blatantly manipulated the composition of Guatemala’s Constitutional Court in order to be able to register Ríos Montt as a presidential candidate (Inforpress Centroamericana, ‘Corte de Constitucionalidad ordena inscripción de Ríos Montt’, *Inforpress Centroamericana*, No. 1520, 18 July 2003). Furthermore, international actors were already extremely critical of the FRG and did not see a potential Ríos Montt presidency in a positive way (see for example: Susan Peacock and Adriana Beltrán, *Hidden powers in post-conflict Guatemala* [Washington, DC: Washington Office on Latin America, 2003], pp. 62, 68). In documenting what was happening at the local level, however, ACOGUATE wished to underline the need for sustained engagement on human rights issues *beyond* the electoral horizon. The extent to which they were successful in doing so is difficult to measure, but it is worth mentioning that at least some of ACOGUATE’s outreach was met with a degree of scepticism with regards to the situation’s seriousness ‘in the big picture’. At the time, the actual probability of a Ríos Montt presidency was low and some international actors seemed eager to turn the page on post-war engagement. Indeed, normalizing relations with Guatemala offered the opportunity to reduce the onerous contributions to the implementation to the 1996 Peace Accords and to ease constraints on certain security and economic interests (See for example Inforpress Centroamericana, ‘Guatemala: dramática caída de aportes de cooperación bilateral’, *Inforpress Centroamericana*, No. 1606, 6 May 2005).

⁷⁵ Authors’ translation.

⁷⁶ Every year, communities choose a Deputy Mayor (*Alcalde Auxiliar*), which is an honorary position.

⁷⁷ Authors' translations.

⁷⁸ Authors' translation. Police report on the diligence realized in Ilom on the 27 April 2004, report to the Chief of Station 71-08, 28 April 2004: Author's personal archives.

⁷⁹ Authors' translation.

⁸⁰ Two weeks later, about half of Ilom's *ex-patrulleros* were the first in the region to receive a payment, which contributed largely to calming the tensions in the community.

⁸¹ Authors' translation. Interview conducted on 8 October 2014.

⁸² ACOGUATE, *Caso*, p. 33.

⁸³ See Van Thuyne and Falla's article in this edition.

⁸⁴ Mahrouse, *Conflicted*, p. 152.

⁸⁵ ACOGUATE. *Accompanier*.

⁸⁶ Stanley Cavell, *conditions handsome and unhandsome: The constitution of emersonian perfectionism* (Chicago: University of Chicago Press, 1990), cited in James Tully, 'Public philosophy as a critical activity', in *Public philosophy in a new key* (Cambridge: Cambridge University Press, 2008), p. 20.