

# A life worth living: Digna Ochoa y Plácido (1963-2001)

Philip Lee

'Man's capacity for justice makes democracy possible, but man's inclination to injustice makes democracy necessary?', wrote Reinhold Niebuhr in a less gender conscious age. But what happens when democracy repeatedly turns a blind eye to injustice and the impunity that sustains it? How can individuals, even at the risk of their lives, make a difference? The following article ponders the example set by a Mexican nun, murdered for her beliefs and actions.

The spectre of impunity stalks the world. Pol Pot, former leader of Cambodia's Khmer Rouge, died in 1998 without being prosecuted for crimes against humanity. As a consequence of the Khmer Rouge's savage policies, some two million people died between April 1975 and January 1979. Seven of Pol Pot's inner circle, including his deputy Nuon Chea, have recently been named as responsible for mass murder.<sup>1</sup> It remains to be seen if they will be brought to justice.

Cambodia is just one example among a litany of countries ? Algeria, Argentina, Bosnia, Chile, China, East Timor, Guatemala, Ethiopia, Iraq, Nicaragua, North Korea, Palestine, Peru, Rwanda, Sierra Leone, Yugoslavia, Zimbabwe, and now Afghanistan ? where ugly secrets are in the process of being divulged. Will anyone really be held accountable?

And what of that stalwart of democracy the USA, which has been ?at war with and bombed nineteen countries since 1945??<sup>2</sup> What of that country's former Secretary of State, Henry Kissinger, the subject of a recent book calling for his prosecution for ?war crimes, crimes against humanity, and for offences against common or customary or international law, including conspiracy to commit murder, kidnap and torture??<sup>3</sup>

Impunity is the name of the game. Get away with what you can and hope that no one finds out. Get someone else to do the dirty work for you. If you are found out, deny it. If you are prosecuted, claim political expediency. Better still, destroy the evidence and eliminate the witnesses:

?Impunity represents the triumph of falsehood, silence and oblivion. It violates and poisons the memory of individuals and of communities. Ideologies and doctrines which led to past criminal acts are neither condemned nor questioned; consequently they hang like a sword of Damocles over the heads of victims and society as a whole. Thus impunity makes true reconciliation impossible. By suppressing any meaningful contact between victims and those responsible for their suffering it prevents any restoration of relationships, both between individuals and between groups.<sup>4</sup>

As well as crimes against nations, lesser crimes are also being committed: crimes against individuals who stand up for justice; crimes against people who are imprisoned, tortured and murdered simply for speaking up, for making their voices heard. Impunity is everywhere.

## Speaking truth to power

In 2000 Kerry Kennedy Cuomo, human rights activist and chair of the Amnesty International Leadership Council, published her book *Speak Truth to Power: Human Rights Defenders who are Changing our World*. Later that year, prompted by Cuomo, writer and poet Ariel Dorfman finished his play, *Speak Truth to Power: Voices from Beyond the Dark*, based on interviews in the book.

The play premiered in Washington on 19 September 2000 and in London on 3 June 2001. Eight voices and a ?Man? tell the stories, highlighting injustice in different parts of the world. One of the voices is that of Digna Ochoa, lawyer and human rights activist from Mexico, murdered on 19

October 2001.

Digna Ochoa y Plácido was a nun who started her activist career as a lawyer. Her father was a union leader in Veracruz. In the sugar factory where he worked, he was involved in a struggle for drinkable water, better roads and land certificates. Digna studied law because she was always being told that her father and his friends needed more lawyers. Her father was imprisoned for a year and fifteen days, during which time he was tortured. All the charges against him were fabricated. When Digna first studied law she intended to practise in the attorney general's office, become a magistrate and help people fight injustice. Finding corruption in the prosecutor's office, she switched to defence.

Her first case was against police officers involved in the illegal detention and torture of several peasants. The police began to harass her with threatening telephone messages and letters. Later she was kidnapped, held incommunicado for eight days, and tortured. The police told her that they were holding members of her family, including her father. Eventually she escaped and hid before reluctantly deciding to move to Mexico City. While in the capital she took a course on human rights and in December 1988 joined the newly established Miguel Agustín Pro Juárez Centre for Human Rights. Working for 'the Pro', she handled many cases like her father's, ordinary people accused of crimes because they were struggling for better working conditions or denouncing injustices.

She became widely known for defending two peasant farmers, Rodolfo Montiel and Teodoro Cabrera, who were protesting against illegal and destructive logging by local political bosses and were imprisoned in August 1999 on charges of drug trafficking and weapons concealment. Amnesty International considered them to be 'prisoners of conscience'. Later that year Digna was kidnapped and beaten. Two months later, in her own home, she was tied up, blindfolded and tortured for nine hours. No arrests were made after these attacks.

A number of Digna's clients were charged with being members of guerrilla organisations. Among them were two brothers accused in August 2001 of planting small bombs near automatic bank machines in well-to-do neighbourhoods in Mexico City. In September new threats were made against her, perhaps in relation to her work as adviser to Pilar Noriega, lawyer and 'First Visitor' of the capital's Commission for Human Rights in the Federal District. On 19 October 2001 Digna Ochoa was murdered.

Following her death, Curt Goering, deputy executive director of Amnesty International USA said, 'This is a horrible, tragic blow to human rights protection in Mexico. The rhetoric of the Fox administration indicated that he was prepared to deal with human rights issues differently than in the past. In the aftermath of an event like this, that rhetoric rings hollow.'

President Fox, whose election in 2000 ended 71 years of rule by the Institutional Revolutionary Party, had promised to investigate past abuses of power and to root out corruption within the government. His apparent commitment to ending torture by the military and federal law enforcement agencies was applauded by human rights advocates. But less than a year after the start of his presidency, his promises to create a truth commission remain unfulfilled and he has appointed a military man as the country's attorney general. Hope for a genuine change to the culture of impunity on which Mexican politics thrives has faded.

In November 2001, responding to public criticism, Fox gave a presidential pardon to Rodolfo Montiel and Teodoro Cabrera, but the fate of army brigadier general José Francisco Gallardo still hangs in the balance. Gallardo was arrested in November 1993 on charges of slandering the armed forces by criticising abuses against civilians. The charges were dismissed in 1994 but he remains in prison.

Rosario Ibarra de Piedra, pioneer in the defence of human rights in Mexico, said that the crime

must be added to the long list of murders carried out in the country over more than three decades. Protesting outside Government Office, the former candidate for the Presidency said that the crime was 'more of the same' from the new government. 'As in many other cases, the authorities give no sign that law and justice apply'.<sup>6</sup>

International organisations also reacted with alarm, along with the National Commission for Human Rights. Its president, José Luis Soberanes, declared that Digna Ochoa's murder 'called into question the guarantees given to people dedicated to protecting human rights and represented a serious setback for the country'.<sup>7</sup>

### From apathy to sympathy

In his play *Speak Truth to Power*, Ariel Dorfman confronts defenders of human rights 'real-life activists from different parts of the world' with 'a mythical character, a sort of evangelist of evil'. To begin with, the Man embodies the state of repression that each protagonist faces, but by the end he has been transformed into a projection of their deepest fear. He becomes:

'...the representative of those who do not care, who stand by and watch the terror without doing anything, a demonic inner dimension of the activists themselves, a temptation and enticement to let themselves grow weary... I made the full force of indifference the true enemy'.<sup>8</sup>

It is this indifference that permits impunity to flourish. How can we fight indifference? How can we tackle what is really at stake 'the enfeebling of caring humanity through indifference'? One way is to reconsider our 'proximity' to injustice and what action we can take.

Journalists often have recourse to a 'law of proximity' to explain the newsworthiness of an event. Generally defined in geographic terms, this 'law' states that the closer an event is to the reader/viewer, the more importance it has. Crudely put, one dead person nearby is equal to thousands of dead in a far-flung place. Comparing media coverage from different regions on the same day shows how consistent this rule is (with the exception, perhaps, of an event like 11 September 2001 in the USA).

As well as geographic proximity, there are territorial (local, national international), social (working class, professional, etc.), ideological (political, religious, etc.) and media-related (editorial gate-keeping, audience, etc.) proximities, all of which play a role in determining what is 'newsworthy' and 'important'. Mass media systems create and maintain a news hierarchy in which events and topics are selected or privileged according to whether they are more or less out-of-the-ordinary in relation to their audience. Thus, to a certain extent, the media determine what is 'normal' and 'abnormal', 'acceptable' or 'unacceptable' in society and reinforce the criteria according to which such judgements are made.

It is self-evident that this idea of 'proximities' directly correlates with levels of public awareness, concern or indifference towards events and that the mass media can be used to sway political (social and cultural) decision-making. If what I learn about Islam, for example, is what the media tell me, and if the media fail to provide impartial, balanced coverage, my indifference (apathy) is likely to increase. Conversely, if the media report thoroughly and responsibly, my concern (sympathy) is likely to increase. In relation to impunity and speaking out against injustice, the mass media play a crucial role in affecting such perceptions and responses.

Despite the 20th and 21st centuries being the most mass mediated ever, there is still an immense chasm between the apathy syndrome 'informed but couldn't care less' and the sympathy syndrome 'knowing and caring and acting':

'There seems to be a good case to be made for the contention that even though we are more aware of distant horror and violence than any community ever before, the media (and especially

television) give us information but not knowledge. Consequently, for the most part, we do not need to suffer in the knowledge of the suffering of the other because, when all is said and done, we do not ever need to know for sure that they are suffering or, indeed, that they do not ?deserve? to suffer for some mysterious or time-honoured reason known only to those who perpetrate the horror. Rather we are able to be extraordinarily well informed about everyone and their motives and thus detached from the information-gathering killing fields.?9

### Beyond passivity

Knowing is not enough. Change demands action ? at the very least a public speaking out. Ariel Dorfman?s play, *Speaking Truth to Power*, is one such public voice. It brings into close proximity people who have made a personal response to situations of life or death. All of them have challenged impunity and injustice. For Dorfman writing the play was a chance:

?...to stage the voices of heroes and heroines who have answered, in their own existence, the questions I used to pose myself as I grew up, as I discovered the sadness and struggle of the world. It was a chance to be a fleeting collaborator of their often forgotten lives, a chance to help them reach others. Because they believe, and I believe, that silence taints you: that to see injustice and say nothing is to become, in a strange and grievous way, an accomplice.?10

The play urges us along the difficult and dangerous path beyond passivity, beyond indifference, towards sympathy and active engagement. For, if a life is worth living, it is in solidarity with other human beings. In the words of Digna Ochoa, injustice ?motivates us to do something, to take risks, knowing that if we don?t, things will remain the same.? Indifference to injustice, to impunity, to the ?disappeared? of Latin America and the genocides of Cambodia and Rwanda, leads to the erosion of democracy and of our very humanity.

### Notes

1. ?Seven Candidates for Prosecution: Accountability for the Crimes of the Khmer Rouge?, report by Steve Herder and Brian Tittmore (2001). Washington: Coalition for International Justice and War Crimes Research Office, The American University One of the seven, Ke Pauk, died in Cambodia, 15 February 2002.
2. ?Brutality smeared in peanut butter?: Why America must stop the war now, by Arundhati Roy. London, The Guardian, 23 October 2001.
3. *The Trial of Henry Kissinger*, by Christopher Hitchens. New York: Verso Books, 2001.
4. *Beyond Impunity: An Ecumenical Approach to Truth, Justice and Reconciliation*, by Geneviève Jacques. Geneva: WCC Publications, 2000, p. 4.
5. ?Challenge to Mexican Human Rights?, by Ginger Thompson. The New York Times, 22 October 2001.
6. ?El crimen de Digna Ochoa se suma a la ola de asesinatos que se perpetran en el país?, por Silvia Magally. Notimex, 22 October 2001.
7. ?Digna Ochoa o el regreso de la guerra sucia?, por Raúl Monge. Proceso, 23 October 2001.
8. ?A voice for the voiceless?, by Ariel Dorfman. The Guardian, 2 June 2001.
9. *Moral Culture*, by Keith Tester. London: Sage Publications, 1997, p. 148.
10. ?Preliminary words? by Ariel Dorfman to the play *Speak Truth to Power*. London: Index on

Censorship, 2001, p. 6.

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