

HONDURANS SEEK JUSTICE

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I arrived in Tegucigalpa, the capital of Honduras, around noon on Saturday, March 20. For several years Kurt Ver Beek had been urging me to come and witness first-hand the work of la Asociación para una Sociedad más Justa (Association for a More Just Society), abbreviated as ASJ. Now finally the opportunity to do so had opened up. I was joined by a few other visitors from the United States.

Over the course of my five day visit I was moved and inspired by the dedication, tenacity, imagination and courage displayed by the staff and leadership of ASJ. I was also fascinated by the way in which the association has crafted its struggle against injustice to the particularities of Honduran society – particularities very different from those of North American society. And I was intrigued by the distinct understanding of the task of the state that was implicit in the work of the association, and by what it was doing to get the state to carry out its task, particularly with respect to the poor.

ASJ is a Christian organization. Most of us are aware of North American Christian organizations doing relief and development work in various parts of the so-called Third World, World Vision being the largest and among the best known of these. Some of us are also aware of North American Christian organizations dealing with one and another form of injustice in the Third World, International Justice Mission being the largest of these. ASJ is different from these in that it is a Honduran organization. It was founded in 2000 by Ver Beek and five others, four of them native Hondurans, its staff has always been almost entirely Honduran, and its leadership is now entirely Honduran. It was while working for a North American relief organization that Kurt saw the need for an organization that was indigenous to Honduras and focused not on relief and development but on dealing with the most egregious of the injustices present in Honduran society. The association now has fifty-five people on its staff, about three-quarters of them women.

The association has three major projects: the Peace and Justice Project, which is a victims' rights program, the Labor Rights Project, and the Land Rights Project. (Be it noticed that ASJ is not shy of using the word "rights.") Each morning the person or persons in charge of one of the projects described the project to us; then in the afternoon we went out into the field.

Roberto (a pseudonym used for security reasons) heads up The Peace and Justice Project; before coming to ASJ he worked in military intelligence and as an investigator into corruption cases for the Honduran IRS. The Peace and Justice Project provides investigative, legal, and psychological aid to poor victims of violent crime, and assists under-equipped, overworked, and frightened government officials in carrying out their responsibilities toward these victims; when necessary, it prods officials to carry out their responsibilities. Roberto's description of his project set the stage for the descriptions of the other projects as well.

Roberto observed that it is commonly said that the failure of Honduran officials to deal with crime against the poor is due to corruption – bribery and so forth. Both he and Kurt argued, however, that though there are indeed corrupt officials, the fundamental problem is not corruption but fear and a pervasive lack of trust. Poor people do not trust the police, the judicial system, or the bureaucracy. The police do not trust the prosecutors, the prosecutors do not trust the police. The result is that the poor are afraid to take action when they are the victims of crime or illegal treatment; they fear that if they file a report with the police or some government official, the person or organization that wronged them will retaliate. The police and prosecutors fear that they will be the victims of retaliation. There is plenty of evidence that this fear is warranted. What I saw, more clearly than I had ever seen it before, is that justice is impossible in the midst of pervasive fear and distrust.

A missionary that I talked to described the Hondurans as the most passive people he had ever encountered; he had previously worked in the Dominican Republic and Haiti. By the end of my visit I had concluded that describing the Hondurans as passive is not on target. Nor is it correct to describe them as simply accepting the wrongs done to them. Though they put up with them, they do not cease to say "This should not be." Better to describe them as believing that there's nothing to be done because government cannot be trusted. Thirty years of democracy have brought them nothing.

I leave it to historians to explain how this climate of distrust developed. Discussions later in the week made clear, however, that the theology dominant in the churches, both Protestant and Catholic, is intertwined with the ingrained habit of doing nothing when one is victimized. In the final judgment, God will punish those who perpetrate crimes and violate the law, and will reward those who patiently put up with the wrongs done to them; it

is not for us to undertake God's work. Later in the week we were told that Paul's injunction in Romans 12, "never avenge yourselves, but leave room for the wrath of God; for it is written, 'vengeance is mine, I will repay, says the Lord'," is widely interpreted as meaning exactly this. It's not the business of Christians to bring those who perpetrate crimes and violate the law to the bar of earthly justice; meting out justice is God's business.

It's my view that this is a serious and fateful misinterpretation of Paul. Paul is not saying that Christians are to refrain from seeking that justice be done to wrongdoers. He is saying that Christians are not to engage in tit-for-tat retribution. They are not to think in terms of repaying, of getting even, of exercising vengeance. Seeking that justice be done is very different from trying to get even.

This other-worldly theology supports the habit of putting up with the wrongs done to one because government cannot be trusted; conversely, the social habit gives relevance to the theology. When I talk to North American Christians about the biblical imperative to seek justice I often get the objection that love supersedes justice in the New Testament. This response reflects a very different theology and biblical exegesis from that which is dominant in Honduras; but the outcome is very nearly the same. Either way, Christians do not seek justice.

The Peace and Justice Project has targeted two of the impoverished neighborhoods in Tegucigalpa, one of 30,000 and the other of 70,000 inhabitants, as places where it will stand alongside the victims of violent crime. The police in these neighborhoods often refuse or decline to investigate crime, sometimes because of lack of resources, sometimes out of fear of reprisal by criminals, sometimes because even if arrests are made, fearful witnesses will refuse to testify. In a number of these situations ASJ has itself conducted investigations (the police have to verify the information and make arrests). It has assisted prosecutors in preparing criminal cases. And when witnesses refuse out of fear to testify in court, ASJ has employed a recourse allowed in Honduran law of "protected witnesses." Witnesses to a crime appear in court hooded from head to foot; as they testify, their voices are technologically altered. In the six years that the Project has been operating, it has played a significant, often decisive, role in the conviction of more than one hundred perpetrators of crime. Homicides in the targeted neighborhoods have been reduced from 42 in 2005 to 9 in 2009; over the same period, the number of homicides throughout Honduras has more than doubled, from 2155 to 5012.

In the afternoon we were driven up into one of the targeted neighborhoods, Villa Nueva, and invited into a neat, clean, small and humble living room. Two women spoke of the rape of their daughters and told of how the police declined to do anything until ASJ intervened; the perpetrators were discovered, apprehended, and convicted. A young man spoke of being shot in the back, and told of how, in his case too, the police declined to do anything until ASJ intervened; the perpetrators were discovered, apprehended, and convicted.. There were no dry eyes in the crowded room.

The next day Claudia Mendoza described for us the Labor Rights Project. Since 1954 Honduras has had a progressive set of labor laws, this the outcome of a huge labor strike against two U.S. banana companies. When it comes to poor workers, however, the laws are often not enforced, partly out of fear on the part of investigators and prosecutors and because of woefully inadequate resources, partly because workers fear that if they file a complaint, they will either become the victim of reprisals or be arbitrarily fired. (The high rate of unemployment means that there are always others to take the place of those who are fired.) ASJ has concentrated its efforts on two of the most abused groups, namely, cleaning workers and security guards. The association has now educated more than seven thousand workers on their rights and has been instrumental in winning cases for 135.

A number of companies in Honduras offer security guards on contract to organizations and individuals. Among these, one of the most notorious for its treatment of employees is Setech. Setech employees are sometimes not paid for months at a time, they are forced to work 24-hour shifts, they are not paid overtime, they are arbitrarily fired, and so forth.

Dionisio Diaz Garcia was one of the ASJ lawyers assigned to investigate the practices of Setech and other security and cleaning companies; he managed to bring many systematic violations of the labor laws to the attention of the relevant authorities. On December 4, 2006, Dionisio was assassinated as he was headed for court to participate in a hearing involving security guards. Two men on a motorcycle pulled up alongside his car on a busy street in Tegucigalpa, one of them shot Dionisio at point blank range, and they sped off. Kurt told me that upon hearing the news he fully expected that most of the staff of ASJ would resign; the work was just too dangerous. Only one person left. This is part of what I had in mind when I spoke of the courage of the staff and leaders of ASJ.

Though the assassination of Dionisio occurred in broad daylight and was witnessed by a good many people, some in other cars, some sitting alongside the road selling things, it was only with great difficulty that

ASJ was able to get any of these eye witnesses to talk. Eventually a few did, and the perpetrators were identified and apprehended. Both had worked for the Setech organization; the driver of the motorcycle was an active police officer at the time of the killing. Two of the witnesses testified as “protected witnesses” at the trial. The court found their testimony credible, and the two men were convicted of murder. Both are now in jail. ASJ is now working to help and prod Honduran justice authorities to identify and bring to justice those who ordered the assassination.

Claudia concluded her discussion of the Labor Rights Project around 10:30 in the morning; we then went out into the field. First we visited a 1100-bed public hospital whose patients consist almost exclusively of the very poor; the care is free. We tried to engage some of the cleaning women in conversation, but they refused to say anything. ASJ learned recently that they have been told by the company that if they are caught talking to anybody about how they are treated or paid, they will be summarily fired. Shortly one of the top managers of the hospital appeared. He showed us around various areas of the hospital, and explained to us that one of his biggest problems was what he called “the attitude” of some of the workers.

The hospital is surrounded by a high security fence; the gates were tended by guards wearing Setech uniforms. As we were waiting for our van to arrive, we found two guards who were willing to talk. Both told us that they were regularly forced to work 24-hour shifts. One said that he had not been paid for more than a month, the other, that he had not been paid for three months. When we asked whether this happened often, they said it did. When we asked whether the company eventually gave them their back pay, they said that sometimes it did and sometimes it did not. Both were middle-aged men with families; the one who said he had not been paid for three months said he had seven children. Why had they lost their fear of talking to strangers? That never became clear. Perhaps they had decided that being without a job would not be much different from having this sort of job.

Our field trip in the afternoon was to the attorney general’s office. Here we met with the head of the division dealing with human rights violations, with the head of the division dealing with crimes against children, and with the director of the prosecutors in the Dionisio case. They expressed their gratitude for the many ways in which ASJ had been of assistance to them: conducting investigations, finding witnesses, encouraging witnesses to testify, lending the prosecutors cars when they found themselves without transportation, and so forth. It became clear in the course of the discussion, however, that ASJ was by no means a lap-dog for the government. The ASJ representatives declared that they too appreciated the level of cooperation between their staff and that of the attorney general’s office; but they made clear that they would continue to file complaints, both verbal and written, when they found officials negligent in carrying out their responsibilities. The people from the attorney general’s office nodded to indicate that they were well aware of this! I was struck by the large number of women in the upper echelons of the attorney general’s staff. Someone remarked that women tend to be more courageous than men.

It was in the course of these discussions in the attorney general’s office that there came into focus for me the distinctive stance of ASJ toward government. The implicit assumption in everything ASJ does is that it is the task of government to establish justice in society by instituting a system of just laws, by enforcing those laws, and by securing justice when the laws are violated. Given this assumption, ASJ then does three things: it stands alongside the victims and defends their cause, it holds government responsible for enforcing the laws and finding and punishing violators, and it assists government in carrying out this task. On this last point: the association does not try to execute an end-run around government, nor does it content itself with dispensing aid and charity to victims; it holds government responsible. But it also does not content itself with issuing denunciations; it assists government in carrying out its task. These observations led me to recall what St. Paul says concerning the task of government in Chapter 13 of his letter to the Romans. Government, says Paul, is the servant of God for our good; God has assigned to it the task of “executing wrath on the wrongdoer.” We are to give it “due respect.”

There in the attorney general’s office I also found myself reflecting on how different is ASJ’s stance toward government from that of the members of the so-called Tea Party movement presently sweeping across the United States. The members of the Tea Party movement declare loudly that they want lower taxes, no deficits, less regulation of business, no bailouts, no regulation of firearms, no welfare -- though it turns out that a good many of them are on Social Security and Medicare. The rhetoric is relentlessly negative; no suggestions are forthcoming as to which programs should be cut or eliminated if government is both to lower taxes and eliminate the deficit. Government is the enemy; government deserves no respect. That it is the task of government to secure justice never crosses the lips of the Tea Party people. The *New York Times* of March 27, 2010 reports (p. A 17) the results of a recent Quinnipiac University poll of Tea Party members: it turns out that they are

“disproportionately white evangelical Christian.” Apparently the evangelical Christians in the Tea Party movement have either not read Romans 13 or, if they have, don’t take it seriously.

Let me jump ahead a bit. The last afternoon of my visit we attended a meeting of ASJ with the head of a large grocery chain and the head of the firm that does cleaning work on contract for the chain; Claudia, Kurt, and an ASJ lawyer represented ASJ. ASJ has been publicizing and protesting some of the abusive ways in which the cleaning firm treats its workers; a sixty year old cleaning woman who had been ordered to take a pregnancy test or be fired had come along with the ASJ team. The head of the cleaning firm was clearly very angry. I will quote exactly, without comment, some of the English translation of what he said: “People in Honduras are always playing the victim. You should have asked my permission before you talked to my workers. There are always people who complain. I’ve got rights too. Why don’t you talk about my rights, why do you only talk about their rights? The Bible tells us to love our neighbors. I’m helping these people by giving them jobs. Let’s talk about Christian principles. I’m using my talents. The Bible says that those who are given many talents must use them. I was given many talents. We all have the right to get more than we have. Let the state regulate what I do; you stay out of it. I’m not going to let anybody tell me how to run my company. Leave me alone. I can sue you for slander. I insist on the freedom to do what I want to do. I don’t owe anybody any explanations.”

On the third morning, Keila Garcia, Byron Zuniga, and Gilda Espinal described the Land Rights Project for us. Tegucigalpa is built on a series of steep ridges; over the past thirty years or so there has been a large influx of poor people who have built houses on outlying ridges. Ownership of the land on which they built was often obscure or contested. Though they always paid someone for their plot of land, it was often not clear that they were paying the right party. Sometimes they never received a title even though they paid the asking price; sometimes the title they received proved invalid. Five years ago the government passed a land reform act. The details of how the act works need not concern us. Suffice it to say that large landowners who can establish ownership wind up with a fair price, and that residents, after paying a fair price for their plots or establishing that they have already paid a fair price, are given clear title to their plot. ASJ has assisted some 60,000 poor families in the Tegucigalpa and San Pedro Sula areas in getting clear title to their plots.

Our field trip in the afternoon consisted of going up into one of the neighborhoods, Los Centenos, where ASJ has been instrumental in helping the people get their titles. The residents were immensely proud of these titles; they displayed them, asked to be photographed holding them, etc. But what I found just as impressive and moving was something Keila, Byron, and Gilda had taken for granted and neglected to mention. The area we visited contained four distinct communities. We learned that whereas the city installed water, sewer, and electrical systems in middle-class neighborhoods, each of these poor communities had to install these systems on its own. In order to do so, each had instituted an organizational structure with a president, a vice-president, a secretary, and a treasurer. Candidates were nominated for these offices, and the community held an election. Women were prominent among the officers. This was small-scale democracy at work. This was activity, not passivity. I asked two of the male vice-presidents leading us around what they did for a living. One said that he was a security guard, the other said that he was retired from being a security guard. I did not ask which firm they worked for. I wish I had.

My visit was all-too-short; I left Honduras on Thursday. But my impressions were vivid, and my memories are indelible. I had seen the faces and heard the voices of some of the wronged and vulnerable in Honduras. And I had witnessed first-hand the work of a thoroughly indigenous organization which, in the name of Christ, defends the cause of the “downtrodden” and, with great tenacity and courage, both insists that the government bring to justice those who have wronged them and assists government in doing so. We here in North America cannot copy what ASJ is doing. We can, however, be moved and inspired to seek justice courageously in a way that fits our own situation.

Those who want to learn more about ASJ can do so by consulting the following website:
www.ajshonduras.org.