

Forensics, Memory, and Development: a Peruvian perspective¹

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Introduction

According to the Final Report of Peru's Truth and Reconciliation Commission (CVR), the impact of the internal armed conflict was largely determined by the socioeconomic status of its victims. In essence, the CVR determined that a lack of access to economic, social, and cultural rights was a common denominator among victims of the conflict. This explains why Peruvians living in the Andean highlands disproportionately suffered the effects of the violence. Given this situation, efforts to provide reparations to the victims should attempt to promote the full exercise of economic, social and cultural rights, in addition to more traditional civil and political rights. In its recommendations, the CVR gave special emphasis to this point by calling for the recreation of a new social contract through a process of reconciliation that would better distribute power and provide equal opportunities for development to all Peruvians (CVR 2003).

Although in theory the process of post-conflict transition should include an effort to broaden the concept of citizenship and guarantee access to the full panoply of its attendant rights, in practice victims from Andean communities have only been offered the possibility of receiving monetary reparations. The historical marginalization of those communities has all too frequently generated a relationship of dependence vis-à-vis the state, where the government hands out assistance in return for political support. For those communities, a desire for economic reparations often supplant demands for truth, justice, mental health services, or even long-term development, since monetary payments fulfill an immediate need for people living in conditions of extreme poverty. Additionally, the Peruvian state has not demonstrated a sincere interest in expanding citizenship rights to communities deeply affected by the armed conflict so that members of those communities can transition from mere victims of the conflict to full rights-bearing citizens.

Given the current situation, we believe that it is important to once again take up the as yet frustrated attempts at post-conflict transition and emphasize the importance of creating a sound institutional basis for promoting the full exercise of citizenship rights while fomenting the protection of human rights from the integral perspective of human development. The Peruvian Forensic Anthropology Team (EPAF), in its work searching for the disappeared, invites relatives of the victims to narrate the events related to their loved ones' disappearance. This invitation to remember implies a transaction of memory between different factions of the conflict within the same community. The process offers the possibility of getting beyond a contentious concept of memory to construct a "collective memory."² That is to say, the process allows a shared history to be constructed in a horizontal way from memories that are often fragmented and even opposed. In this way, forensic interventions open up an avenue for social cohesion and empowerment, which creates the necessary conditions for the generation and adoption of citizenship rights within the community.

In what follows, we will share some of the experiences EPAF has gained regarding the role of forensic anthropological investigations and its potential to spur human development in Andean communities deeply affected by the conflict. In the present text, we have collected information from four specific communities: Putis, Hualla, Morcolla, and Colcabamba. All of these communities belong to the region of Ayacucho, where the internal armed conflict began and was most intense.

The Social Exclusion of the Victims

The CVR determined that more than 75% of the victims from the conflict were rural inhabitants, poor and native Quechua-speakers. Their position of exclusion from greater Peruvian society exposed them to acts of extreme brutality during the conflict and, even today, continues to impede their ability to exercise their rights within the process of post-conflict transition.

With respect to the problem of forced disappearances, it is estimated that more than 15,000 people disappeared during the conflict. EPAF is particularly committed to assisting family members in the search for the disappeared. As with the majority of victims from the conflict, these families tend to come from communities that are excluded from or highly marginalized within Peruvian society. The situation has caused us to rethink the role of forensic anthropology in the search for the disappeared since it is not reasonable to promote access to truth and justice without addressing the socio-economic conditions in which these communities live. As a result, we subscribe to an approach that Louise Arbour defines as an integral approach to post-conflict transition:

A critical appraisal of past and present conflicts and crisis situations reaffirms the importance of dealing with all human rights violations in an integrated and interdependent manner. If transitional justice's broader objectives of social transformation and the prevention of conflict are to be achieved, it is not only important to build dispute resolution institutions and ensure accountability for abuses but also—and perhaps even more importantly—to attack the sources of the legitimate grievances that, if unaddressed, are likely to fuel the next conflagration (Arbour 2007, 8).

In effect, it is important to evaluate the social conditions in which affected communities live in order to better understand their experience with human rights, their vision of themselves and their potential for human development from an integral perspective, as Arbour describes above.

Given the predominant state of exclusion in which affected communities live, the search for truth and justice is not always a priority for victims' families. More immediate demands for healthcare, food, and monetary compensation often take precedence. However, since these communities lack political representation that can effectively promote their interests, it is doubtful that these demands will be met any time soon. The Peruvian state has demonstrated very little initiative in

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investigating cases of forced disappearance from the armed conflict and has even less interest in assuming a true process of post-conflict transition that addresses structural problems such as social, economic, and political exclusion.

Undoubtedly, the creation of the CVR represented a significant step forward in the effort to understand the diverse structural factors that made the conflict possible. However, its recommendations for overcoming the causes of the conflict and its lasting consequences, particularly those related to institutional reforms, have by and large been ignored by the government. The CVR also held public meetings with affected communities that created expectations of reparations, which have yet to materialize. Now that nearly eight years have passed since the CVR began its work, many feel disillusioned and frustrated with the lack of progress. As a result, many communities have become embittered and have begun to reject human rights as a package of empty promises. One victim expressed her frustrations to EPAF in a particularly poignant way by asking, "Why do they make me cry? Why do they make me remember, if this is all in vain? How many times do I have to tell my story?" (Huallanca Huaccachi 2010).

We believe that this situation invites us to evaluate the way in which post-conflict transition has been carried out in affected communities. The feelings of disillusionment, viewed within the context of a long line of similar disappointments, demonstrate the level of subordination to which these communities have historically been subjected. The perceived deceit from the CVR is interpreted as yet another slight from a government that disregards victims as powerless and insignificant. Faced with this situation, communities have largely reduced their demands for reparations to monetary payments that may help to cover immediate or short-term needs. Undoubtedly communities desire access to truth and justice; however, those priorities are frequently displaced by the urgent needs for food and other basic necessities that are scarce due to conditions of extreme poverty.

In response, we believe that it is important to explore a concept of justice that is oriented towards the creation and consolidation of citizenship rights. Neither the state nor the human rights community has made much effort in attempting to change the existing system of assistance to victims, which is predicated almost exclusively on monetary reparations. To the contrary, the state has embraced this logic as a way of dispensing favors and fulfilling its own political agenda.

However, in a few notable cases, community members' demands for economic reparations have translated into demands for development projects that envision alleviating poverty within the community. Such demands are often made using the language of human rights, a discourse many communities have become familiar with through their contact with the CVR and non-governmental organizations working in the region. These cases are usually indicative of a greater consciousness about the extent of the conflict and its structural causes combined with a strong desire to create conditions and opportunities for community-based development.

Human Rights and Human Development

A holistic vision of transitional justice must recognize that the right to truth and justice cannot be addressed without also taking into account economic, social and cultural rights in accordance with the indivisibility and interdependence of all human rights. This means that, whenever possible, human rights should be delivered in a comprehensive way (United Nations 2003, 2).

Reparations are an essential dimension of transitional justice in that they specifically recognize the rights of the victims and the numerous damages that they have suffered as a result of the conflict. For this reason, it is important to broaden the scope of reparations to include the social and economic development of the victims. As seen in the Peruvian case, communities were exposed to the most extreme forms of violence during the conflict precisely because of the conditions of exclusion and marginalization in which they lived. To effectively transition from times of conflict to lasting peace, those root causes must be addressed.

By broadening the concept of reparations to include social and economic development, we believe that the application of human rights within a process of transitional justice can be enriched to embrace broader concepts of human development, like those advanced by Amartya Sen. This focus conceives of reparations as a chance to increase victims' capacity and expand their opportunities in both the social and economic spheres. The approach centers on the integral development of people and communities instead of an over reliance on measurements of per capita growth, which are often the targets of traditional development projects. In this way, we achieve an approach that is centered on the improvement of people's quality of life and not just an increase in the products that they consume.

The focus on human development as an essential element of post-conflict reparations and the objective of human rights are congruent in that they have one central concern: "the enjoyment by all people of all fundamental freedoms" (United Nations 2003, 7). In turn, they both prioritize the holistic development of rights-bearing individuals and pay special attention to the needs of the dispossessed and excluded, particularly in cases where exclusion results from the practice of discrimination (UNDP 2000, 2, 21-23).

Using these principles as a starting point, EPAF has begun to initiate development projects within communities where it has conducted forensic interventions. The first experience began in Putis, an Andean community deeply affected by the armed conflict, where we created a pilot project that we believe can be successfully replicated in similar communities throughout the region. It is important to emphasize that the work oriented toward community development in this project originally began with the formation of communal social networks generated by EPAF's work in constructing a collective memory of the violence in the area.

Up until now, programs focused on transitional justice initiatives in the region have not included

a holistic approach to development and have not explored the importance of initiating such projects through the construction of local memory. Rather, the human rights community has often attempted to collect testimony on certain emblematic cases, which necessarily excludes the larger context of the violence within a community in favor of focusing on singular events that particularly shock the conscience. EPAF, on the other hand, proposes an approach that begins by creating a narrative of the violence as it happened at the local level (what we call 'constructing memory') and accompanying that process with an effort to "re-citizenize" the victims of mass violence through projects that promote human development so that they may make the important transition from victims to survivors and from survivors to full rights-bearing citizens.

Putis: Lessons Learned

As at the height of the violence in the 1980s, the Peruvian state has almost completely abandoned Andean communities and ignored their aspirations. Unfortunately, the problem of exclusion continues to generate inequalities throughout Peruvian society. As a consequence, rural communities continue to suffer from a number of chronic problems, including high rates of malnutrition—principally among infants and children—illiteracy, and student desertion. Agriculture in the region depends exclusively on seasonal rainfall since there are no irrigation systems that allow access to water during the dry season. As a result, production is often limited to subsistence consumption and the meat produced from animal husbandry tends to be of a very poor quality.

Putis, a centro poblado consisting of nine communities located in the district of San José de Santillana in the province of Huanta, Ayacucho, is not much different from other communities in the Andean highlands. Due to the extreme levels of violence experienced during the internal conflict, residents were obligated to abandon their homes and flee to other regions of the country. At the end of the conflict, those who survived the violence returned home under circumstances of extreme poverty and significant trauma—in total some 400 community members were killed or disappeared during the conflict. To date, social services are essentially non-existent; production and commerce are deficient; levels of nutrition are low; potable water is unavailable; and there are no telephones or operable systems of communication. Given this reality, EPAF firmly believes that any attempt at providing reparations for the community should begin by addressing these problems in a systematic and comprehensive way.

In 2008, EPAF initiated a forensic anthropological investigation that required it to work closely with the community in establishing the facts of the violence and constructing local memory. The forensic investigation culminated with the recovery of 92 remains from the largest clandestine grave from the 20-year armed conflict. As a result of this intervention, the family members of the victims began to organize around the investigation to the point that they were eventually able to unite the entire community. Thanks to this organization, Putis has transformed from a group of

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dispersed communities to a centro poblado with its own political jurisdiction and representatives.

The development program that EPAF has initiated with the residents of Putis attempts to develop their capacity and opportunities to exercise the full panoply of human rights, following the same guiding principles about the indivisibility and interdependence of rights discussed earlier. As a result, the program has as its overall objective the holistic development of the local population. To begin the project, we have focused our attention on first on improving agricultural production.

Although in its early stages, the project has already generated a few lessons that are important to reflect upon and take into consideration for future interventions. Before beginning similar projects, it is absolutely essential to assess the strength of existing communal social networks since they can serve as an important channel of communication and coordination between the promoters and beneficiaries of the project. It is also important to develop a thorough understanding of the economic dynamics within the community and identify what previous experience they may have with entrepreneurship. Once these assessments have been undertaken, it is essential to explain the project to the community, invite their input, and construct a common understanding about the undertaking and what it aspires to achieve. Establishing clear lines of communication can prevent future conflicts between community members and the promoters of the project by developing clear expectations for how the work will proceed.

At the same time, an in-depth needs assessment should be undertaken along with an analysis of the community's strengths and opportunities. Among other things, such an assessment allows for a better understanding of what resources are available; what elements of the project should be strengthened or adapted to the local context; and whether it may be more appropriate to emphasize communal work or individual forms of entrepreneurship. The community should participate actively in this assessment phase so that they are fully aware of the potential for development, the value of their resources, the existing levels of supply and demand for each of their products, as well as the possibilities of gaining access to the market and fair trade networks.

The project in Putis currently revolves around two central initiatives: 1) the creation of a seed bank for organic native potatoes—Putis currently produces a dozen native potato species—in order to increase their production and commercial value; and 2) the improvement of sheep husbandry. The latter project attempts to improve the quality of local sheep herds so that they can provide increased production of wool and meat to the community. By improving the quality of the local sheep population, community members can increase their daily protein intake and develop better strategies for the commercialization of wool and meat production.

Currently, native potatoes are only cultivated for subsistence consumption in Putis since the community grows a variety of commercial yellow potatoes for sale. However, because of a lack

of access to industrial fertilizers, commercial potatoes often produce a small yield and, therefore, fetch a low market value. In order to increase the value of their crops, the project concentrates its efforts on the organic cultivation and sale of native potatoes, which have a special value within the marketplace. The idea of the project is to capitalize on the organic way in which the potatoes are cultivated, using age-old farming techniques, in order to increase the overall value of the product.

With the help of agronomists familiar with the local environment, a seed bank has been created with the objective of tripling the number of native potato seeds after the first harvest of 2011 and initiating sustainable production by 2012. At the same time, we are laying the groundwork for launching the native potatoes into the market through fair trade as well as national and international solidarity networks.

Through this project, the communities of Putis will be able to complete their own transformation from victims of the armed conflict to full citizens through a process of memory and dignification that allows them to come together in an innovative way, gain access to important markets for their products and, in doing so, address their aspirations for social and economic development.

Conclusions

Overcoming the consequences of the conflict cannot be achieved without recognizing that socioeconomic exclusion is one of the central problems that any process of transition must address. Traditionally transitional justice has directed its efforts toward the recognition of civil and political rights to the exclusion of economic, social and cultural rights. However, as we have seen in the Peruvian case, the lack of economic, social, and cultural rights was one of the principal factors that led to the armed conflict and left people vulnerable to its most extreme forms of violence.

When faced with such a situation, it is necessary to embrace the indivisibility and interdependence of human rights and integrate questions regarding the human development of affected communities into the broader process of post-conflict transition.

By promoting a wider concept of transitional justice, EPAF proposes capitalizing on the social cohesion generated through the construction of local memory to foment development, autonomy, and self-reliance in order to break the cycle of dependency that has historically characterized hierarchical societies like our own.

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Notes

¹ We would like to thank the following people without which this ongoing project would not have been possible. In Putis, to Mayor Gerardo Fernandez and the community as a whole, for their willingness to grow, to learn, and to become partners in this experiment. To Nelson Rivas, field coordinator of the project; to Renzo Aroni, Percy Rojas, and Heeder Soto, Memory section of EPAF for their valuable information collected in Hualla, Morcolla, and Colcabamba. Our thanks to Hayden Gore for translating this text. Finally our gratitude to the Team for making possible the exhumation and identification of the victims at Putis.

² For a more in-depth discussion of collective memory, see: Ricoeur 2003, 125-172.

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