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## Controlling victims: forced exhumations in the Peruvian Andes

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### Abstract:

Following the Truth and Reconciliation Commission (TRC) in Peru (2001-2003), exhumations were considered part of the Peruvian State's reparation policies to victims of the internal armed conflict. Ideally, these exhumations aim to "dignify" the dead and alleviate the suffering of their families and contribute to national reconciliation through the reconstruction of the damaged social fabric. On the basis of an in-depth ethnography conducted in an Andean peasant community, this article analyses the forced nature of certain exhumations done in post-TRC Peru and the doubts cast on the testimonies of the surviving victims. This essay posits that the exhumed body has become a site for the production of "truth" in a context in which the recipients of economic reparations have the veracity of their testimonies questioned, and at times are deemed fraudulent. My analysis of the bureaucratic implementation of exhumations and their effects on an intimate level demonstrates how a State-controlled politics of memory and reparation program are part of the State's historic requirement of Andean peasantry submission when any socio-economic aid is provided. Lastly, this article highlights the paradoxes of reparation policies that produce symbolic and institutional violence and reproduce ethnic-racial discrimination against the Andean peasantry. I analyse the shift from testimonial proof to the demand for the body as evidence for those who require the status of "victim" in order to access reparations.

Key words: reparation policies, exhumation, Andean peasantry, victims, truth, institutional violence, re-victimisation, war, Peru.

### **Introduction.**

For the last twenty years or so, exhumations related to twentieth century armed conflicts have considerably increased throughout the world. Both the legal framework, which has encouraged the massive development of exhumations, and the involvement of anthropologists, archaeologists, pathologists and other forensic scientists in the research, location and recovery of human remains at sites of mass violence have contributed to the particular centrality of these human remains. As a result of these combined factors, thousands of human remains are exhumed and analysed in laboratories to be identified. The practice of exhuming victims of mass violence has been called the "forensic turn" (Anstett and Dreyfus 2015, Dziuban 2017, Moon 2012) and is rooted in the Latin American experience, which was a pioneer in this field. This extensive and worldwide practice of exhuming the corpses of mass violence is so characteristic of our times to the point where we could talk about a transition from the "age of the witness" (Wieviorka 2013) to that of the "age of bones" (Ferrandiz 2014, Gatti 2014, Gatti and Mahlke 2018).

After the work of the Peruvian Truth and Reconciliation Commission (TRC), one of the central issues for both relatives of the disappeared and human rights associations were the exhumations of mass graves and the identification of the corpses. For the State, these exhumations are a step towards the implementation of transitional justice as a part of the public reparations policies recommended by the TRC. They are an aspect of restorative justice that aims to achieve the desired goal of national reconciliation following the period of internal armed conflict that shook the country during the last two decades of the twentieth century. As the central Andes have been the main stage of confrontations, it is in this area that the vast majority of mass graves are located today.

The recovery of human remains in Peru for the last fifteen years carry different representations of decades of violence--its product: the wounded body, but also the relationship of oneself as a victim and to the State as a citizen. In order to analyse these, I will show how competing regimes of truth (Foucault, [1979] 2012) coexist and give meaning to this new bio-scientific configuration, which is made up of a massive resurgence of corpses of violence and increasing laboratory expertise.

Frequently, the work of forensic scientists is analysed as a help to re-articulate the relationship between the dead and the living (Crossland 2000) in hope of achieving intimate and social peace. In contrast, this article focuses on what it destroys in terms of dignity and stability of the relationship with the deceased.

It analyses a little-studied aspect: the forced nature of certain exhumations carried out in post-war Peru and the doubts about the victims' testimonies that goes with it. It seeks to highlight that, in some cases, the recovery of the remains of those murdered during the armed conflict neither pursues an ideal of dignity for the dead, nor a genuine search for disappeared persons, since the families had already buried their loved ones themselves. I will place the logic of these exhumations, which the families experienced as forced, in the context of the economic reparation policies that were granted to them and of which the veracity of their testimonies is today being called into question.

In Peru, until 2016, the Public Prosecutor's Office implemented and monitored the National Plan for the Search for Disappeared Persons. The exhumation campaigns were, above all, part of a legal process, at least until the new law of 2016 for the Search of Missing Persons during the period of violence from 1980 to 2000 (*Ley de Búsqueda de personas desaparecidas durante el periodo de violencia 1980-2000. Ley 30470*). Through an ethnographic inquiry, I would like to understand the bureaucratic and moral dimension associated with the search for bodies. What does this forensic context reveal about the (new) place and status of victims, in this case Andean and Quechua speakers? What criteria lead the government to consider them as fake victims, and therefore fraudulent in their access to economic reparation, or as genuine "good victims"? What are the political and legal justifications?

This article provides an analysis of the social reactions in Andean communities to the bureaucratic application of exhumations. I question the shift from testimonial evidence to body evidence. The value given on testimonies during the work of the TRC (2001-2003) has indeed evolved. The exhumed remains became irrefutable evidence of the violence suffered and a means of demonstrating and endorsing the truth of narratives related to the violent past and thus acquiring an indisputable victim status. This notion of truth is to be put in relation with that of innocence. In Peru, the right to reparations is conditional on not having belonged to the guerrillas. In order to better understand the context in which the exhumations take place, a clarification is important. According to the State, public policy defines a victim as someone whose fundamental rights were violated violently and who was innocent of any wrongdoing. The notion of innocence is key. This implies members of Shining Path' guerrillas have been excluded from the Integral Reparations Plan (*Programa Integral de Reparaciones*). Indeed, Article 4 of Law 28592 (the law that created the Integral

Reparations Plan) excludes persons suspected of terrorism from the Unified Register of Victims (*Registro Único de Víctimas*). This fundamental aspect of the reparation process, therefore, compels Peruvian citizens to "generate their innocence" (Manrique 2014), despite their weak political affiliations to the State during the war, and the complexity of their situations during the armed conflict.

From the production of consent to the restitution of remains, my observations are based on a period of three years. I focus on the exhumation of nine bodies from a cemetery of a rural area in April 2015, which were handed over to the families three years later. These persons were assassinated during the war, in the early 1990s, but the families were able to bury them about twenty-five years ago after. The opening of these individual graves and the laboratory analysis of the exhumed remains in 2015 produced not only a rupture of a pre-existing relationship between the dead and the living, but also a breakdown of ongoing mourning and a deep distrust of state action.

The ethnographic research was carried out in a peasant community of the Andes where I had worked on the memories of war before this exhumation happened. With more than a year of fieldwork behind me, I benefited from relationships of trust with many inhabitants. I knew in particular all the families involved in the exhumation and their tragedy linked to the war. Only one was further from the sphere of my regular interlocutors. With each family concerned by the exhumation, I shared moments of work and entertainment (preparation of cornbread and chicha, soccer matches, village festivals, work in the fields, care of animals), and even intimacy, notably during our informal discussions between women, while visiting them in their homes, at the hospital, the maternity, or when we shared moments of remembrance of the lost ones at the cemetery. Occasionally, I also conducted interviews with six exhumations professionals. Five were conducted in Lima and one by telephone and e-mail.

In order to preserve the anonymity and safety of my interlocutors and to avoid any prejudice linked to the publication of the results of my research, I use pseudonyms and I do not disclose the exact location of the investigation where I worked during a year and a half. Tacana is a made-up name for a real place. The situation described in this article directly incriminates the action of the State and could cause retaliation against the people. I can only divulge that it occurred in a district of the rural Andes where 1200 people reside, distributed in seven peasant communities. It is an area of extreme poverty where people are totally

dependent on subsistence agriculture. The area in question has been heavily affected by the war because of its strategic location for the guerrilla and repeated repression by the army, including rape and torture.

### **Opening the bureaucratic black box: the production of consent**

In the aftermath of armed conflict, it has become common practice to implement tools and strategies aimed at reparations for victims, as well as to promote new processes of "lasting peacebuilding" (Brunneger and Faulk, 2016, and Lefranc, 2007). However, these forms of intervention are not free from ambiguities and contradictions, especially as normative ideals, in the form of moral obligations, are forced on populations affected by violence, without their input on the policies, goals, and implementation process. In the case of Peru, according to the TRC, the Andean peasantry experienced the greatest number of deaths and disappearances (Truth and Reconciliation Commission, 2003). Of the 69,280 victims, almost 80% were from rural areas of the country, which are also among the poorest, least educated, and most discriminated against. To understand the contemporary impacts of reparation and exhumation policies, it is crucial to position them within a long process of the Andean peasantry submission to the demands of the State.

From the beginning of the Peru's demilitarisation to the present day, the Andean peasants have become accustomed to dealing with and anticipating the State's requirements. They have done so, for example, through testimonies given to foreigners working for the State, providing evidence and administrative documents. Additionally, they required to rebuild houses with the few materials provided by the rural repopulation programs after the war exodus, as well as set up aid programs for orphans in addition to those furnished by the state, organise commemorative activities, speed up the establishment of the register of local victims with the support of the municipality, erect monuments, and welcome workers from human rights NGOs and state agents. All these commitments were executed individually and collectively in each studied peasant community. Accepting exhumation is part of this long process of portraying the victim's suffering and demanding recognition and reparations. The Andean victims played a proactive role, going so far as to

become “technicians of the mobilisation” with knowledge about human rights to be heard in the public sphere, not to be forgotten once again<sup>1</sup>.

During the 2010's, families accepted exhumations to evidence the crimes and demonstrate their victimhood, therefore legitimising economic reparations (which had already been received or requested), and for fear of a lawsuit for fraudulent testimonies and the unfairness of the judiciary system.

*“I did not have any other choice but to accept the exhumation. They came from the Abancay prosecutor’s office and the forensic doctor said that if we did not agree to the exhumation, they would investigate and file charges. At that point I said: “What do you mean charges will be filed? Well then, yes exhume my father!” And in three months I thought they would deliver him to me. But however now, it’s been more than a year and a half and my brothers are very bitter and are angry with me. They told me: “Why did you agree to that? You shouldn’t have accepted that they take our father out of the ground like that.” [...] But they didn’t understand that it was more or less a threat.”*  
(Interview with Celia, by D. Delacroix, Tacana, 23 August of 2015)

Such a brutal questioning of the experiences of a violent past undeniably produced a deep disquiet among relatives who felt denigrated by these “professionals” [*profesionales*] whom they had never seen before. According to families, there was a complete lack of tact and empathy. It not only generated discomfort and discussions among the villagers, but also disrupted family relations. Celia was ten years old when the Shining Path killed her father in 1991. Her family left the community for twenty years. Only she and her mother moved back to Tacana ten years ago, while her other siblings remain in Lima. Celia agreed to the exhumation and was harshly criticised by her brothers, further increasing her and her mother’s despondency and frustration at this situation.

For these Catholic women, the main place of recollection was the grave, and the Christian calendar had punctuated their visits to the cemetery for almost thirty years. The absurdity of the situation of the “disappearance” of a body that had been there before became distressing for the families. They wondered about the right way to pay homage to the absent deceased while feeling guilty for having accepted this posthumous disturbance.

To understand the serious dysfunctions linked to the implementation of reparation policies, two paradoxes must be distinguished. First, exhumations do not always consist of a real search for those who

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<sup>1</sup> At the end of the armed conflict, the worst estimation was of 25.000 dead. The TRC’s estimation is almost three times as high in 2003. These figures show the invisibilisation of the rural population, and sometimes considered as not born from the point of the state’s view because they were without official documents.

disappeared, in the sense of individuals taken alive but whose relatives do not know what happened to them. Initiated by the public prosecutor, exhumations are sometimes carried out in cemeteries and target well identified graves where families have buried their loved ones and where they are accustomed to gather. This was the case with the human remains that were exhumed in April 2015 from the Tacana cemetery where the ethnographic survey was conducted. The members of this peasant community were thus confronted with an incongruous and prolonged displacement of the corpses of which they had been in possession for the last thirty years. As is the case elsewhere in Peru, the avowed purpose of this type of operation is to certify the deaths occurred during the armed conflict. Furthermore, the families already had the death certificates for the nine people exhumed in 2015 and knew perfectly well the circumstances of their deaths. The objective of the operation therefore seemed very unclear to them until the technical team in charge of the exhumation made explicit its ambition to hunt for false victims. The scientific study of the human remains was presented as a means of verifying the accuracy of the survivors' testimonies, and thus of inquiring into the justifiable nature of the inscription in the Unified Registry of Victims (*Registro Único de Víctimas*). In Peru, the official recognition of the status of victims is given by the issuance of a certificate, often solemnly handed over and carefully kept by the families. This document opens the right to individual economic compensation, which is crucial for the poorest inhabitants. The hunt for the undue beneficiaries, through the forensic analysis of the bodies, thus deeply questions the concreteness of the measures of reparation granted by the State and their capacity to give back to the victims full citizenship and the enjoyment of their rights. These rights were scorned in a context of perpetuation of stigmatisations and ethnic-racial discriminations against the poor Andean Quechua speaking population. Exhumations are motivated by the ideal that dignified reburials offer inclusion in citizenship and advance national reconciliation. In bureaucratic practice, the State distributes posthumous rights unevenly and thus holds the power to "citizenship" or "de-citizenship" after death (Baraybar & Delacroix 2021).

When the nine bodies were removed from the cemetery, relatives felt tremendous shock and pain to see their deceased taken from the place where they had rested for decades, especially given that they already had death certificates. The public prosecutor decided to investigate simple cases to further "gain points"



and advance his career, such as ones that had already been investigated and certified<sup>2</sup>. One of the experts present at the exhumations in Tacana explained that the ultimate objective was to get to the truth and to verify what the victims had testified.<sup>3</sup> During our conversation, he assumed that the ideals of dignity set out in the national plan of exhumation could conflict with reality.

As regards the possibility that relatives may refuse the exhumation if they consider it irrelevant, or anticipate its harmful consequences, the expert replied that, more often than not, those who have received reparations do accept the forensic process, "*in contrast to people living in cities who are less interested and may even refuse to have their relative exhumed*" (Interview with Aberto, by D. Delacroix, personal communication via telephone, August 2, 2016). City dwellers often have higher incomes than peasants in the countryside. They are therefore less dependent on economic reparations for victims and can afford to refuse an exhumation order. In the case studied, two people exhumed in Tacana died in the explosion of a bridge down in the valley. There were also doctors and nurses in the ambulance that transported them. All of them lost their lives in the bombing attack, but only the victims from the rural Andes were exhumed. The other dead, buried in the urban cemetery of Abancay were not included in this control measure. Several hypotheses can explain this asymmetry of treatment: a lesser capacity to oppose state agents in rural and Quechua speaking areas, but above all, the persistence of ethnic-racial discrimination against this segment of the population and a paternalistic attitude on the part of the State, which stigmatises them (in particular as fraudsters of social assistance and reparations) and ultimately relegates them socially.

The Andean peasantry has long been accustomed to the intervention and suspicious gaze of administrative agents in their personal and family lives. A parallel with other forms of state governance in the Andes is useful here. Emmanuelle Piccoli (2014) shows that the Peruvian state's control over a program to combat extreme poverty called *Juntos* ("Together") extends to the privacy of the home. Extra-legal

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<sup>2</sup> For several members of the *Equipo peruano de antropología forense* (Peruvian Forensic Anthropology Team, EPAF) with whom I spoke, the Tacana case is far from isolated. The EPAF, which is an NGO, maintains a humanitarian objective in its exhumation practice and has had some clashes with the *Equipo peruano especializado* (Specialised Forensic Team, EFE), which reports directly to the public prosecutor. The EPAF accuses it of sometimes losing the objective of finding the disappeared by confining itself to legalising the deaths of people murdered during the war, but whose identities and burial places are well known to the inhabitants. According to members of the EPAF, some prosecutors have turned to simple cases to "make numbers" and demonstrate that the exhumation process is moving forward, while promoting their careers. Between 2002 and July 2015, 3,267 bodies were exhumed, of which just over half have been identified (sources: interview with Ivan Rivas Plata Caballero of the EFE, August 2015). The exhumed bodies that remain unidentified are due, in part, to a lack of resources for the development of a DNA database, or even, as some EPAF members allege, a "lack of will on the part of the State". Recurrent testimonies on the deplorable storage of bones in institutional premises abound in this sense.

<sup>3</sup> Interview with Alberto, by D. Delacroix, personal communication via telephone, August 2, 2016.

conditions are imposed in parallel by the program managers to achieve more general objectives related to hygiene, maintenance and decoration of the house. Mothers of families have thus seen the symbolic and moral violence against them increase. In addition to the reproach of being the main vectors of the transmission of poverty, they are accused of being "dirty", "inactive", and even "liars". Coercive and openly calling for the denunciation of mothers who improperly received the financial aid of 200 soles per month (about 54 dollars), the *Juntos* program also produces "an ambiguous logic of 'competition of the weakest' [which] imposes, [...] the need to demonstrate one's extreme poverty not only to the local manager, but also to the other women who are not befriended and who could denounce a comparable economic success." (Piccoli 2014: 332) Efforts to access and maintain one's position as a recipient of economic assistance thus create divisions among residents as "the state becomes inquisitive" (Piccoli 2014: 33) and hunts down those it considers fraudulent. In the same way, the forced consent obtained by the professionals of the exhumations in Tacana later led to intra-family tensions and competition among the victims.

### **What are Andean communities concerned about fraud?**

Defined by geography and language (Andean inhabitants and Quechua speakers), these victims were the focal point of the social memory of the war created by the social actors of capital, i.e. from the place of power which was not the epicenter of the war. To advance towards peacebuilding and "reconciliation", the image of indigenous and depoliticised victims has gradually emerged on the national and international scene. The dissemination of the TRC's work to civil society, through commemorations and human rights awareness workshops, have especially contributed to the emergence of this depoliticised Andean victim figure. National human rights organisations played a critical role in creating a compassionate and non-political perspective on indigenous victims (Delacroix 2016, Koc Menard 2014). The visibility given to the war's protagonists in commemorative activities can be considered as a form of essentialism insofar as they emphasise a mystical spirit, traditional dances and rituals (such as *pago a la tierra* or funeral altars, Sicuris' dances, continual reference to the Pachamama like a "motherland mourning her dead sons", according to the sculptor of The Eye That Cries memorial in Lima, Lika Mutal). As a result, insisting on the indigeneity of the victims and their innocence is a way of dispossessing them of any political opinion. Or, at least, not to allow it to be expressed in the public sphere, nor the responsibilities of the perpetrators.

In the case of South Africa, Sandrine Lefranc (2013) has shown the injunction to express the pain of trauma and mourning that reigns within the TRC (Truth and Reconciliation Commission) and that has very clearly oriented the testimonies collected by this instance. Moreover, the author analyses the banishment of anger and any form of repoliticisation of the conflict that such a perspective engenders. Similarly, in Peru, the predominance of a cautiously non-politicised victim discourse and compassionate register can be observed. In order to analyse their social implications in the Peruvian memorial process, it is important to dissociate the psychological and ethical aspects of the problem posed by these forms of relationship with the past from their strictly sociological character (Fassin 2010: 11). The evolution of the political discourse towards the mobilisation of moral sentiments poses the risk of masking the real and material situation experienced by the Andean peasantry. By emphasising individual experience, the effects of many commemorations that take place in Lima, such as those held at The Eye that Cries memorial, are no longer to provide explanations of the causes of the war, but to offer keys to feelings of sorrow, if not pity, and to become aware of, or even indignant about, the human losses caused by the armed conflict.

Questioning the posture of the humanitarian spokesperson and its effects on the representation of victims and human suffering, Nathalie Koc-Menard shows that a certain number of researchers working on the war and the post-war period in Peru contribute to constructing the image of a "passive, monolingual Quechua and ignorant victim, whose voice has no power to be heard" (2014: 222). Nathalie Koc-Menard shows that appeals to empathy and compassion elude the ambiguity of the war and its grey areas. In the end, it is a human suffering and 'pure' victims, caught in the crossfire, and "ahistorical" (Koc Menard 2014: 225) that are exhibited. This rhetoric supports the idea that the war was a homogeneous phenomenon that affected everyone in the Andes in the same way. This is at the expense of an analysis that takes into account the internal fragmentation between and within peasant communities, the forms of resistance used by the population against the abuses of the armed actors and the participation of some inhabitants in the political project of Shining Path. Behind the 'good intentions' of human rights activists to raise the awareness of the rest of the citizens about the sufferings endured by the inhabitants of the Andes during the war, there is a tendency to simplify the phenomenon of violence and to highlight only the victims, not the political actors. As a result, this type of narrative reinforces the fact that the status of victim monopolises other possible forms of identification on the national and local scene.

This same section of the population is subject to forced exhumations that disturb mourning processes.

*“So, they have taken out these little deaths [muertitos] of the period of terrorism to know if they really have died because of the Shining Path, or if they have been poisoned, or if it was because of something else. The bodies have been removed and they still haven't been returned. [...] The prosecutor said that they were going to bring new coffins, but that the families have to bear [the cost of] the reburial. And that's why you can see in the street the cement, the iron bars to build their [funerary] niches. [...] A lot of people have cried, mainly women. For them, for those families, it was like going through it again, crying again. It was like remembering these difficult times. [During the exhumation] You could have also seen hair. And the women fainted. They have taken [the bodies] to Lima to do some tests, which surely are used to doing. But they haven't returned yet. They had said it would last two or three months, but now it's very longer and they have not yet returned.”* (Interview with Eulalia, by D. Delacroix, August 21, 2015, Tacana, Peru)

In the rural community of Tacana, in Apurimac, mounds of cement and iron bars were placed in front of the doors of nearly a dozen houses in August 2015. The presence of these building materials usually means the elevation of the house's second floor. In this village of around 500 inhabitants, where there is great poverty, so many residents were not undertaken such expensive renovation at the same time. Each family was in expectation of the return of the relative's exhumed corpses and to organise the second burial of their loved ones, they purchased materials for the construction or renovation of the graves and grave-stones. Forensic experts in charge (Specialised Forensic Team - EFE) had promised that the remains would be delivered to families within two or three months of identification. Five months later, these construction tools, in plain sight, symbolised the waiting for the return of the bodies. Despite a law passed in June 2016 to prioritise a humanitarian approach to the exhumation practice, it has taken more than three years for the remains to be returned to families.

Although there are mass graves - i.e. clandestine burial sites - in the district of Tacana, in this case, the remains were taken from identified graves in a cemetery (with a wooden cross bearing the victim's name or even with a tombstone). Families commemorated the deceased through various Christian rituals, including All Saints, and the anniversary of the death of the deceased. Likewise, the burial sites opening in April 2015 were actively maintained and honoured.

During the war, these burials had often been organised in haste, at night, because of fear of reprisals. In addition, because residents had largely fled the village, very few returned to participate in the burials. Relatives could only complete the most basic and urgent burial rites. Thus, the bodies were often unwashed, and coffins were frequently absent. But for each of the nine bodies exhumed in Tacana, a minimum funeral rite had been conducted. Also, except for one, all of the bodies were buried in coffins. Definitively, the Tacana situation was not about a clandestine mass grave site neither the identification of missing persons.

Therefore, I would like to question the meaning and scope of this exhumation, insofar as relatives felt obliged to participate in it in order to show indisputably that their loved ones were victims, even though the evidence of the murder already existed since they had the death certificates.

As has been said, Tacana's inhabitants' feelings is that their war narratives have been suspected of fraud and, in a way, that they have been controlled by the analysis of the corpses in the laboratory. They felt compelled to prove through biological evidence, almost three decades later, that their family members had been murdered and, therefore, that they were indeed victims deserving of reparation. The opening of individual graves was experienced as a desecration. So why this targeting in a context where mass graves that are still closed exist in this locality?

Economic reparations to victims were granted collectively and individually within the framework of the Integral Reparation Program (PIR). In 2013, the Reparations Council report gave the figure of 5,969 registered peasant communities, of which only 32.5% had received collective compensation in the form of agricultural projects or infrastructure. As of March 2013, the Unified Register of Victims (*Registro Unico de Victimas*) had registered 182,350 victims, of whom 16% had been compensated, corresponding to 29,392 persons who had received an average of 10,000 soles (approximately USD 3,300) (Ministry, 2013, pp. 34-36). Pilar Coll (2010) was the first executive secretary of the National Human Rights Coordinator. As she mentions, the extreme poverty of most of the Andean peasantry largely explains their perceptions in terms of economic reparation.

*“I was very impressed when the Truth Commission began to hear Argentine and Chilean professionals say that people felt that they were selling their family member's body when they received financial compensation. I believe that, in the Peruvian case, it is not a question of our people being less dignified, far from it: it is a question of poverty. The victims in Peru are among the poorest. It is therefore a question of survival and a question of justice. So, when I listened to those experts, I told them that no one in Peru would refuse financial compensation. But it does seem to me that we must take great care in the way we make reparation so that it does not humiliate, but dignifies, so that people feel more dignified when they receive it.”* (Coll 2010: 50)

The entanglement of financial interests and the desire for public recognition may make the task of reparation more difficult in Peru than in other countries of the Southern Cone where families of victims are better off economically, enjoy higher social status, and are not the targets of discrimination, as the Andean peasants are. In the situation in Peru, institutional and organisational actors should feel obligated to uphold certain ethical standards in repairing the damage suffered by Andean peasant families. Contrary to Pilar Coll's warning, it would appear that institutional actors are not necessarily more careful. On the contrary,

the patterns of domination and discrimination, inseparable from certain forms of paternalism, deny or underestimate the emotional impacts on the Andean Quechua-speaking peasants. In Tacana, once unearthed from their graves, the remains were taken by the technical team in boxes of “*panetón*” (a Christmas cake). Far from the ideal of restoring dignity to the dead (in Spanish: “*dignificación de los muertos*”), I suggest that the exhumed body has become a place for the production of the truth about the past and that cemeteries are the scene of new power relations. But the truth uncovered by the exhumations remains is a very partial and politically biased truth.

Indeed, the mass graves near these villages remain closed, because they are linked to a dark part of local memory, to the “grey zone” of the actions and positions of the various community’s members during the war, as described in the works of Primo Levi’ about the Holocaust. However, the graves remained closed because the families were afraid to denounce the Army's operations and, therefore, to establish the “innocence” of their dead. According to political logic, a victim of the army was potentially a terrorist.

#### **“Let's check that your father died from terrorism”, or widespread suspicion.**

Generally, the indignation of the relatives prevailed. Felipe Díaz was five months old when his father and sister died in 1991 as a result of the bombing of a bridge about 25 miles from the town of Tacana. His mother was thirty-two years old and had two other young sons. Having received economic reparation for the father, but not for the death of the daughter, the family agreed to the exhumation of their loved ones whom they had buried after recovering their bodies from the morgue. The requests for exhumation generated a great deal of confusion among the families:

*“In April [2015], they arrived and said they were going to exhume the bodies of the authorities who had died [in 1986], which were nine victims, I believe, and they had to be exhumed. And so, they came, I don't know if they had consulted with the president of the community or with the mayor, and they began to remove [the bodies], to remove, to remove. They had a list. But that, yes, with the prior authorisation of a responsible relative. And so, they came to us and we asked them: “Why? Why? Why?” And they really said: “For an investigation”. Because they really want to get to the point of knowing if they are really killed by subversion. If it was really by the Shining Path. Because other people say they have died a natural death and are posing as death by the subversion and are getting paid. Something like that [they said]. So, for them to analyse all that, they started removing the bodies. That's what we've been told. [...] In my father's case, we have taken him out and the exhumers said: “What type of death was it?” “It was an ambush” [we answer]. And from there, they saw how their bones were broken.”* [Interview with F. Díaz, by D. Delacroix, 20 August 2015, Abancay, Peru. The highlights are mine]

In Felipe and his mother's account, the exhumation was done overnight without warning the relatives. Even the initial questions from the Diaz family to the technical team in charge of the exhumations illustrate their perplexity regarding such an initiative. The arrival of the experts was experienced as a brutal break in a two-decade long process of mourning and remembrance.

Family members also saw their status as victims questioned. Their accounts of the violence were tested to determine their truthfulness. In the testimonies of the relatives I collected, they often highlighted their difficulties in characterising who had come to conduct the exhumations. Felipe Diaz even resorts to an "exhumer" [*exhumador*] neologism to describe a profession that was hitherto unknown and alien to him.

When Felipe insists on the word "really" ("*de verdad*" in Spanish), one perceives the State's intent to verify the truth of a story, and to scientifically support the testimonies given to the TRC, that is, to control the victim status of its citizens and, consequently, their rights to compensation. The words of the victims are mistrusted, while the conditions of the bone remains is credited with an unquestioned scientific value. Didier Fassin (2010), analysing the process for applying for asylum in France, describes the "evidence of the body". Undocumented persons must submit to a body exam to search for traces of violence that may still exist on survivor's bodies. The results must be certified by a doctor; the exam dominates their stories of the asylum process. When considering the exhumation process in Peru, experts, who took part, discuss the need for a verification process, "because there were many abuses". However, from the point of view of the relatives, the conditions of the exhumation were also considered an "abuse".

Fassin (2010) also explains how the insistence on "the truth of the body" ended up transforming the political subjectivity of refugees. In Peru, we can observe a similar process. To prove undeniably that a relative is a victim, his or her body is put at the service of this narrative. In turn, subjected to a decisive test to access the truth ("*épreuve de vérité*" in Fassin's words) and trying to maintain dignity in this test, the individual in search of recognition of his/her status as a victim is in a situation of psychological violence, accepted in part due to the internalisation of social inferiority.

In fact, Tacana residents have argued that having "false victims" among their dead could damage their image as a community affected by the violence that qualifies them for support by human rights NGOs and included in the Reparation Plan. The frequent affirmation of the inhabitants that "in Tacana, everyone

is positive" (where positive equals "truth victim" so innocent) can be understood within this moral imperative. However, what does it mean to be a "real" victim in Peru today?

The Tacana exhumations, described as "forced" by many residents, was experienced as a radical reassessment of victim status of the deceased and a method of control over the beneficiaries of the reparation program. The narratives of relatives and survivors about the history of violence have been subjected to a decisive and indisputable test: the forensic analysis of the body to validate the crime. Historians, specialising in the criminal field in Europe, have clearly shown that the acceptance of expertise by magistrates since the 16th century marked a turning point. It was the end of providentialist justice and the beginning of evidence-based justice, drawn, in part, from the examination of bodies (Branli and Porret 2014). The neologism "pénalo-naturalist" that Michel Porret coined characterises this interweaving of the legal and the medical to support a Lockian epistemological ideal of quantifiable and indisputable knowledge. This perspective, informed by positivism, mistrusts the truth of witnesses unless supported by scientific fact. (Porret 1998).

Would forensic expert reports and DNA analysis results constitute a new means of action and legitimacy appropriated by their own language of truth? Élisabeth Claverie (2012) provides some insights into this question based on her analysis of the exhumations of Lake Perucac, located on the border of Bosnia and Herzegovina and Serbia. In Lake Perucac the remains of the Muslim victims of the Višegrad massacres were discovered. The reappearance of the bodies showed the "multiplicity of [moral] economies, sometimes competing or difficult to make contiguous." The first of these is emotional and psychological for the families of the disappeared. The exhumations allowed them to stop waiting for their loved one to return. The second is judicial and political. It involves the transition from the status of "disappeared" to that of a clear "victim" of the conflict (direct and intentional), supported by judicial evidence. In the case of Peru, absent the political commitment of successive governments, the legal evidentiary status of the recovered bones is more tenuous and fragile. Bones are often stockpiled, sine die postponing lawsuits against those responsible, especially if they are military.

At last, the tales of the relatives clearly denote a symbolic violence by the specific way in which the exhumations occurred that left only broken graves and many resentments. The exhumation process



progresses not to restore an identity, but to prove with figures and facts, that the "right" victims are being recognised. However, the lack of information following the exhumation, which relatives deplore, produces a new form disappeared. Indeed, these types of exhumations end up producing new forms of disappeared persons. They were carried out to "legalise death" as they are officially called, or to "control the nature of the murders" as an expert in charge of the exhumation of Tacana told me. In practice, they lead to families being deprived of the bodies they have had for several decades. Their dreamlike accounts, the continuity of the vocabulary of enforced disappearance and the rumours of the theft of exhumed bones translate this aberrant situation of the inhumanity of humanitarianism where the impossible has become possible (Delacroix 2021).

The resurgence of corpses and their scientific and bureaucratic life suddenly reactivates many issues related to the posterity of violence. From my fieldwork in the Peruvian Andes, two elements about the relationship between citizens and the State can be analysed in terms of the administration of chaos, understood as the 'ordered disorder' that Michael Taussig (1993) identified for the case of State action in Colombia. These two elements are the transfer of the bodies (from the cemetery to the laboratory) and their being held in administrative limbo for a three-year period, in which families were not able to obtain information on their whereabouts. My ethnographic field material allows me to demonstrate that the treatment of these bodies represents a continuum of violence, even after Peru's demilitarisation. Paradoxically, this type of exhumations undermines the declared ideal of recognising the war's damages and honouring the victims. Indeed, the experience of this type of exhumation is marked by a process of disqualification of speech and downgrading of Andean victims.

## **Conclusion.**

In Peru, is the mourning of some less relevant than that of others? Confronting a body that has been dead for decades is an extremely sensitive experience for the relatives of war victims who have already experienced the brutality of their murder. When an exhumation aims to identify a missing person, it can bring an answer to the families and contribute to the mourning process. When it is a question of removing

victims that the families had buried in coffins, the benefit of the technical operation is questionable. This reflects the paradoxes of so-called "restorative" exhumation policies.

On the one hand, there is continuing discrimination against the Andean populations. This is particularly evident in their frequent portrayal as fraudsters in social assistance and economic reparation programs. In addition, institutional and legal decisions sometimes lead to asymmetrical treatment of victims depending on whether they are from the rural Andes or have higher economic and social capital. Andean peasants are targeted by the exhumation of the relatives they themselves buried in the 1980s and 1990s, while the deceased family members of doctors and other medical professionals are not disturbed, leading to exhumations being highly contested. On the part of the exhumation professionals, this process can be part of a social commitment to victims, but at the same time it is caught up in the political and media agenda of the State and its interest and point of view regarding Andean peasantry. This is seen in the institutional treatment of local populations during exhumations that are part of a national process replicated in different parts of the country (Robin Azevedo, 2016).

On the other hand, the concrete implementation of certain exhumations is radically different from the objectives of searching for missing persons and restoring dignity to the dead. In the case studied, it was not even a question of legalising the deaths of these victims as the families already had their death certificates. Would exhumations be carried out in Peru to make headlines and demonstrate that this part of the exhumation process is progressing? Several elements of my ethnography, conducted between 2015 (date of the exhumation) and 2018 (date of the handing over of the remains) lend credence to that theory. It would be interesting to analyse what the 2016 Law for the Search of Missing Persons during the period of violence (Ley 30470), which claims to focus on the humanitarian nature of exhumations, has achieved. Definitely, in Tacana, the sensibility of the families has not been sufficiently considered by the agents of the state involved in this process.

The new centrality acquired by the exhumed bodies is ambivalent in the end. Indeed, the recovery of human remains, especially when they do not correspond to missing persons, disturbs personal and collective grief. It constitutes a rupture in the pre-existing relationship between the living and the dead which was experienced, in the case presented, as violence to the living and a disrespect for the dead by agents of the state. But Andean peasants also use this process of objectification of the crime to assert their status as

victims. The body analysed in the laboratory becomes evidence of atrocities and scientifically confirms the narratives of beneficiaries of economic reparations. In this sense, the exhumed body has a value of proof (superior to that of the testimonies), and legitimises the granting of posthumous rights and victim recognition, but it also subtly acquires an economic value.

Are exhumations a vast exercise in establishing “truth” to uphold collective honour? Offended by a State that has questioned their tales, Andean inhabitants tried to assert their testimonies by giving way to the institutional normative framework, even if this meant enduring the lack of respect for their dead. They faced a serious dilemma: the desecration of victims’ graves had to be passively accepted in order to establish incontestable victimhood. Do exhumations also constitute a trial of the victim through a scientific and official judgement? The forensic approach has undeniably enabled family members to adopt new forms of action, discourse and "truth regimes". However they have also been immersed once again in a process of symbolic violence and re-victimisation, with multiple impacts at the psycho-emotional level, both in terms of the place they must constantly negotiate within national society in their interactions with state agents, and also through the gaze that is forged on them from the outside. The hunt for "false victims" is part of a moral economy that must be analysed in depth in order to understand the lasting submission of Andean peasants to the demands of the State, even under the guise of development and national reconciliation.

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