

# Psychosocial and community assessment of relatives of victims of extra-judicial killings in Peru: Informing international courts

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## Key points of interest

- This paper proposes the need to include a communitarian perspective in the forensic documentation of human rights violations.
- Addressing the community impact and the local idiom of distress can enable a deeper understanding of survivors' long-term sequelae following human rights violations.
- Psycholegal accompaniment for victims, using a participatory research approach, is essential for the proper documentation of the consequences of violence in complex contexts, and the articulation of meaningful reparation proposals.

## Abstract

*Introduction:* During the Peruvian internal armed conflict, fifteen members of the Santa Barbara community were collectively executed by state agents, and their relatives were made victims of persecution, torture, and imprisonment. The case, known as the Santa Barbara massacre, was brought to the Inter-American Court of Human Rights. The documentation of individual, family and community impacts for the Court became a challenge due to the need to address cultural, geographical, political and community aspects. This paper aims to discuss the complexities of forensic documentation of human rights violations using a psychosocial and communitarian background. *Method:* The assessment included seven survivors from three different families. Both qualitative and quantitative instruments were used. A participative action research framework guided the design, documentation process, and discussion of outcomes with the survivors. *Results/discussion:* The report included four levels of documentation embedded in the Istanbul Protocol framework: clinical impacts from a western perspective, emic formulations and cultural idioms of distress, communitarian

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perspectives, and a proposal of reparation measures for the Court. Individual analysis revealed chronic mental health sequelae of forced displacement, imprisonment and torture. Local idioms of distress (in Quechuan, “pinsamientuwan,” “llaki,” “ñakary,” “umananay” and “iquyay”) deepened the understanding of the damage faced by the survivors. The analysis of the community uncovered three main areas of collective damage: broken social and cultural identity, lack of political participation, and loss of perspective on the future. Regarding reparations, survivors highlighted the pursuit for justice, the dignified remembrance of their loved ones, social re-inclusion of displaced persons into the community, education for offspring, and measures for the preservation of their community’s identity and culture. *Conclusions:* Psycholegal accompaniment for victims through a participatory research approach is essential for the proper documentation of the consequences of violence in complex contexts. It is also essential in guaranteeing that the forensic documentation of the impact of political violence can be reparative for the survivors in itself.

*Keywords:* Psycholegal assessment, mental health, enforced disappearance, torture, transitional justice

## Introduction

The so-called “internal armed conflict” (1980-2000) was the longest and most destructive war in Peruvian republican history. The Peruvian Maoist revolutionary movement known as “Sendero Luminoso” launched political and military actions to replace the bourgeois democracy in an impoverished country with flagrant social imbalances. Later, the Túpac Amaru Revolutionary Movement (MRTA) and

other armed groups joined the violent actions. On the other hand, the Peruvian state practiced systematic violation of human rights to eliminate political resistance and maintain the status quo.

The Truth and Reconciliation Commission (TRC) described the enormous impact of the war in terms of human, but also political, economic and social costs. It described how the conflict depicted the fragility of the rule of law and democracy. Poverty, marginalization and undermined family structures were exacerbated by the conflict. The most affected populations were Quechua-speaking highland communities, who were already excluded to some extent, and whose daily subsistence was based on agriculture and collective work (TRC, 2003). They suffered both state terrorism and insurgent military actions.

The two decades of conflict led to the collapse of the national security system, causing the regions to become isolated and the communities to become fragmented. The three democratically elected presidents, while combating the insurgent actions, used systematic authoritarian policies that included widespread human rights violations, such as extra-judicial detentions, torture, rape, enforced disappearances, and massacres of entire communities (TRC, 2003). Besides the approximately 70,000 fatal victims, the TRC highlighted that more than 600,000 people were forced to flee their hometowns, thousands were disappeared, and thousands more were detained or tortured. In Peru, torture was one of the most widespread violations of human rights. Recent actions to prevent and punish torture, and to offer access to justice for the victims, are still insufficient (Centro de Atención Psicosocial CAPS, 2016).

The objective of this paper is to present the complexities in the psychosocial and

community assessment of torture survivors after a massacre. We present the process of documentation related to Case No. 10.932 *Santa Barbara Campesino Community vs Peru*, which was subject to the attention of the Inter-American Court of Human Rights (ICHR).<sup>1</sup>

### **The massacre in Santa Barbara**

#### *About the Community*

Santa Barbara (4,380 meters above sea level) is an isolated community in the highlands of Peru, with temperatures between -5°C and 15°C all year round. The community comprises a small group of houses made of basic materials, with no water supplies or modern sources of heating. Due to extreme poverty and lack of state presence in the area, there are still no public services available, such as paved roads or electricity. Schools and health centers are up to three hours walking distance from the community.

#### *The Sequence of Events*

In 1991, a state of emergency was declared by the government in many regions of Peru to recover control of the country, combat revolutionary actions, and deter their potential supporters in local communities (TRC, 2003). The state of emergency permitted permanent military interventions in communities and the detention of civilians without judicial orders.

On July 2<sup>nd</sup>, 1991, two military patrols arrived in Santa Barbara where they interrogated community members in relation to the movements of Shining Path in the area. The army illegally detained 15 people; two were elderly, four were women (one of whom was pregnant), two were

men, and seven were children (between one and seven years old).<sup>2</sup> The army made them walk for hours to an abandoned mine, where they shot them and detonated their bodies using explosives.

The soldiers burnt the families' houses and stole their belongings, animals, and other goods. The military patrols surrounded the community to ensure that all members were captured, in what was considered by the ICHR as a carefully planned operation.<sup>3</sup>

The sons of the elderly people were not in the community because they were working as temporary peasants in other communities nearby. When they returned to their hometown, they found destruction and chaos and immediately started looking for their disappeared family members. After following the footprints of their relatives, and speaking to neighboring communities, they arrived at Mine Misteriosa. Here they found the remains of their parents, wives, and sons, which exhibited signs of being tortured, shot, burnt, and detonated. In a state of shock, they turned to local authorities and legal agents to seek justice. The response they received, however, was contrary to their expectations.

In the days following the massacre, the army deployed more military patrols to the area of Santa Barbara. This new military incursion seemed to be directed at closing the mine and removing any trace of human remains. The army captured 23 peasants, some of whom were the surviving family and community members of those massacred. Those arrested were walking to the mine, expecting to meet the local authorities and

<sup>1</sup> <https://ijrcenter.org/2015/02/19/inter-american-court-of-human-rights-holds-107th-session/>

<sup>2</sup> <https://cejil.org/es/comunidad-campesina-santa-barbara>

<sup>3</sup> [http://www.corteidh.or.cr/docs/casos/articulos/seriec\\_324\\_esp.pdf](http://www.corteidh.or.cr/docs/casos/articulos/seriec_324_esp.pdf)

a judge to attest the facts. However, the authorities and the judge never arrived, stating that their car ran out of fuel on the way to the mine. The army was waiting instead and kept the peasants tied and in captivity for more than seven hours. During this detention, the peasants learned that the army completed three visits to the mine to clear the human remains (Rivera-Holguín & Pérez-Sales, 2015).

The relatives and community members were then ordered by the military and state agents to walk for hours in the highlands, in extreme weather conditions without food or water, to a remote location where they were placed in a shed and prepared to be shot one by one (Rivera-Holguín & Pérez-Sales, 2015; TRC, 2003). By chance, one of the state agents read their identity cards and discovered that one of the captives was the brother of a local judge. This serendipitous finding saved the peasants' lives and they were ordered to leave the area and never return. Two weeks later, the authorities and the judge went to Mine Misteriosa to document the absence of human remains. However, the community witnesses were too afraid to go back.

Families and communities were intimidated and received death threats. Information about their relatives' whereabouts was withheld, and evidence was destroyed to prevent families from looking for them (Rivera-Holguín & Pérez-Sales, 2015; TRC, 2003). Undaunted, the survivors of the massacre continued their struggle to attain justice and denounced what happened in a local court. Consequently, some of the survivors were again detained and accused of cooperation with terrorists. They were sentenced in trials where the judge and the alleged witnesses were hooded, supposedly for security reasons, and were condemned to lifelong sentences in high-security prisons as members of Shining Path. They endured isolation, torture, and threats for around 20 years.

Other family members decided to move to different areas and have lived in isolation, experiencing persecution, harassment, hostility, social exclusion, and discrimination ever since. This involved concealing their identities and family names to avoid being labeled as "threats," to the point that they did not

**Photograph 1:** *Remains of the main house and annexes previously belonging to their daughters and parents-in-law*



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even want to be part of the International Court's legal process.

This was not an isolated case. The final report from the TRC (2003) identified what happened in Santa Barbara's community as part of a wider systematic practice of state terrorism to intimidate and control highland communities.

In spite of imprisonment, marginalization, poor health, and poverty, survivors have continually fought for their rights and justice (Rivera-Holguín & Pérez-Sales, 2015; Suárez & Suárez, 2016). Despite the national indifference and these precarious conditions, surviving victims launched social organizations to look for their disappeared family members, protect each other, and feed and school orphans (Suárez & Suárez, 2016; TRC, 2003).

### **International psychological expert reports after human rights violations**

After trying and failing to find justice in the Peruvian law system, survivors of the massacre of Santa Barbara had the chance to appeal to the ICHR in San Jose, Costa Rica. The case was accepted, and an expert psychological evaluation of the survivors of the massacre was requested (Rivera-Holguín & Pérez-Sales, 2015).<sup>4</sup>

24 years after the massacre, the report evidenced how these events dramatically changed survivors' lives. Although medical sequelae were not prominent after so many years, the massacre left indelible marks, such as the altering of life projects, and the dramatic dislocation of the individual, familial, community and social relations in the area (Gómez, 2009).

As described by the TRC (2003), most human rights violations in Peru (79%) were perpetrated against indigenous Quechua-speaking peasants. Despite this, most of the formal regulations and procedures for justice failed to take into consideration concepts and customs relating to the cultural identity and wellbeing of indigenous victims (Patterson, 2016; Rivera-Holguín & Velázquez, 2017). The regulations and procedures for justice in Peru followed western-oriented legal rules, which mainly focused on the punishment of individuals, rather than a search for justice and wellbeing by enhancing the restoration of social bonds and conviviality within society (Ansión & Rivera-Holguín, 2017).

In the same vein, the reports of many psychological experts focus only on trauma and overlook the communitarian and cultural components of damage, and the victims' views and proposals on reparation. Other reports<sup>5</sup> to the ICHR also emphasized the need for a strong cultural component addressing the altered family projects, interrupted community and social relations, and damaged cultural aspects of the victims' lives (Correa, 2012; Gómez, 2009; Vargas, 2017).

<sup>4</sup> <http://www.iri.edu.ar/wp-content/uploads/2016/08/2-2016-derint-cidh-casocomunidad-Santa-Barbara-Peru.pdf>

<sup>5</sup> Clemencia Correa (Cases of Rosendo Cantú & Fernandez Ortega versus Mexico), and Nieves Gomez (Cases of Plan Sanchez and Dos Erres versus Guatemala) included psychosocial, contextual and cultural aspects of mental health, and described how these violations affected the identity of the whole community and altered the community's projects. Ruth Vargas (Case of Norin Catriman and other members and activists of the indigenous Mapuche people versus Chile) described the consequences of the violation of individual and collective human rights of the Mapuche etnia.

The ICHR has become more sensitive to these aspects (2004<sup>6</sup>, 2009<sup>7</sup>, 2010<sup>8</sup>, 2014<sup>9</sup>, 2015<sup>10</sup>) by delivering sentences and recommendations regarding memory and dignity, public acknowledgement, and access to health and education for the victims, their families and communities. However, the indigenous components of justice, which emphasize the restoration of social links and collective wellbeing, are still challenging western concepts of law (Rivera-Holguín & Velázquez, 2017).

### Methodology

A participatory action-research process guided the design, fieldwork, and discussion of results. Group meetings with survivors were held to review the optimal ways to proceed with psychological evaluation and assessment, meetings, timing, and networking. Psychosocial support, communitarian accompaniment, and commemorative activities proposed by survivors were also included.

The study was developed in three phases between April 2014 and October 2015. The first phase involved participatory work, planning, and data collection. The second phase was concerned with data analysis and discussion conducted by the interdisciplinary team. During the third phase, results were validated by discussing preliminary results with survivors.

### *Psycholegal Accompaniment: A Collaborative Model for an Integrative Approach*

The project relied on an interdisciplinary approach, based on close interaction between the psychological and legal teams. The lawyers regularly updated survivors on the legal process in accordance with their needs and demands regarding the possibility to have new DNA tests. Psychologists discussed their expectations, particularly in relation to the whereabouts of their relatives in the pursuit of justice. This process was handled in a caring environment,<sup>11</sup> sensitive to subjectivities, emotions, and culture. The psychological team provided detailed information to lawyers regarding the evaluation process, the emotional experience of the victims, and aided their understanding of grief, ambiguous loss, family and community dynamics.

The survivors of the massacre were assembled and took an active role in proposing activities for the restoration of dignity to their family members, in which authorities participated. For example, the involvement of local authorities and community members in discussing justice and reparation in public assemblies was

<sup>6</sup> Corte IDH. 2004. Caso Masacre Plan de Sánchez vs. Guatemala. Sentencia 29-05-2004. Serie C. No. 105.

<sup>7</sup> Corte IDH. 2009. Caso Masacre de las Dos Erres vs. Guatemala, Excepción Preliminar, Fondo, Reparaciones y Costas. Sentencia 24-11-2009. Serie C. No. 211.

<sup>8</sup> Corte IDH. 2010. Caso Fernández Ortega y otros. vs. México. Excepción Preliminar, Fondo, Reparaciones y Costas. Sentencia de 30 de agosto de 2010. Serie C No. 215. Corte IDH. 2010. Caso Rosendo Cantú y otra vs. México, Excepción Preliminar, Fondo, Reparaciones y Costas. Sentencia 31-08-2010. Serie C No. 216.

<sup>9</sup> Corte IDH. 2014. Caso Norin Catriman y otros (Dirigentes, Miembros y activistas del pueblo indígena Mapuche). Fondo, Reparaciones y Costas. Sentencia 29-05-2014. Serie C. No. 279.

<sup>10</sup> Corte IDH. 2015. Caso Comunidad Campesina de Santa Barbara vs. Peru. Excepción Preliminar, Fondo, Reparaciones y Costas. Sentencia 01-09-2015. Serie C. No. 299.

<sup>11</sup> This was deemed particularly important as legal procedures in Peru tend to be long-lasting and complex, which represented an additional source of distress for the families and communities.

important to them. Time was made for remembrance and building a collective memorial to their challenges and efforts. The survivors also promoted spiritual and commemorative activities—they organized a catholic mass, evangelical rites, and even a journey to Santa Barbara, where they performed a symbolic ceremony with candles, flowers, and prayers.

*Participants:* The seven participants had been looking for their disappeared family members for more than two decades before they had appealed to the ICHR. When the massacre took place, two of the seven survivors were minors. At the time of the study, the participants were between 26 and 60 years old, and they lived in different regions of the country. Only one of the survivors currently lives in the area of Santa Barbara, where most of the houses remain in ruins.

*Instruments and procedures:* A mixed method approach was used, giving pre-eminence to semi-structured individual and group interviews (Johnson & Onwuegbuzie, 2004) and the interviews followed the structure proposed by the Istanbul Protocol (UNCHR, 1999). The interviews were in Spanish and Quechua.

At least two individual interviews were conducted per participant, with clarifications sought between interviews (n=15). Group interviews were also conducted to elucidate emergent themes and explore contrasting findings through collective discussion (n=3). Interviews collected narratives of local idioms of distress and social suffering (Das, Kleinman, Ramphela, & Reynolds, 2000; Nichter, 2010; Pedersen & Kienzler, 2015). Interviews were transcribed in Spanish, based on the audio recording

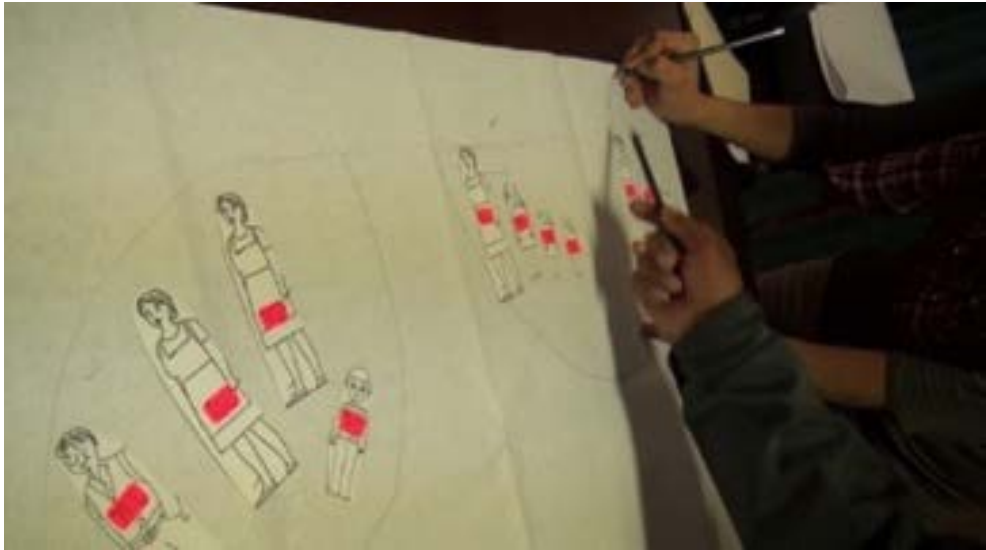
of the interview and then analyzed using an inductive approach. Two members of the team used an emergent thematic coding approach to code the interviews independently and then they contrasted and synthesized both proposals into one matrix with key concepts and examples (Gale, Heath, Cameron, Rashid, & Redwood, 2013).

Qualitative information regarding psychological impact was triangulated with three clinical questionnaires: the General Health Questionnaire (GHQ-12); the Hopkins Symptom Checklist (HSCL-25); and the Post-Traumatic Checklist (PCL-C), validated for Peruvian Quechua-speaking population by Pedersen, Gamarra, Planas and Errázuriz (2001).

Intercultural contexts challenged researchers to include participatory tools and to encourage survivors to have an active role in the process (Suárez, Balcázar, García & Taylor, 2014). Thus, a timeline and drawings were used to assist survivors to portray their narratives. The use of genograms elicited a better understanding of the family composition and the impact of violence. Since Quechua families do not follow the western model of a standard biological family, co-creating the genograms with the interviewees offered an invaluable context for remembrance and disclosure. It also facilitated a more in-depth exploration of relevant topics during the interviews (Rempel, Neufeld & Kushner, 2007).

The aims, benefits and risks of the assessment were discussed with participants and they signed an informed consent form prior to data collection. Participants gave consent to the dissemination of the results of the assessment. The assessment was implemented with professional independence to make clinical judgments and provide impartial evidence. After each interview,

**Photograph 2:** *Genograms during assessment: Survivor describing the massacre*



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there was a closing session with individual and group exchanges, in which emotional issues were addressed. This was added to the healing commemorative activities proposed by survivors. Follow-up is still being provided.

### Results and discussion

We distinguish between the clinical impacts in western and local cultural formulations, communitarian impacts as expressed by survivors, and the proposal of reparations.

#### *Starting Point: The Individual Assessment from Western Concepts*

The results of the GHQ-12, HSCL-25, PCL-M and the interviews revealed deep damage, despite the psychological assessment having been undertaken more than two decades after the massacre. The symptoms had evolved from immediate acute manifestations—including ideation and suicide attempts, severe dissociative experiences and sadness—to chronic distress

that interferes with the interviewees' daily living, reflected in emotional, cognitive and behavioral symptoms, such as intense fear, feelings of vulnerability, irritability, difficulties in concentrating, temporary disorientation, and trouble with decision-making (see Table 1).

Survivors experienced prominent and intrusive re-occurring symptoms related to torture, detention and the finding of human remains. In most cases, fears were activated by the presence of state agents, and as sequelae of frequent nightmares. At least two people described prominent numbness, illustrating permanent difficulties with connecting to their feelings and the feelings of others since the massacre. Some of them exhibited loneliness and most of them reported difficulties in their relationships with others (De Haene, Rousseau, Kevers, Deruddere, & Rober; 2018; Navarro, Pérez, Lopes, Martinez & Morentin, 2016).



**Table 1: Long-term sequelae in survivors of the Santa Barbara massacre**

Age	Family losses in the massacre	Other experiences and suffering related to the context of internal armed conflict	GHQ-12, HSCL-25, & PCL-M	Description of current mental health
MH, 45 years old	Loss of 14 family members (pregnant wife, one-year-old-son, mother, father, sisters, cousin, nephews, and nieces).	Found bodies of his loved ones hidden in Mine Misteriosa (bodies were shot, exploded and burnt). Life threats and persecution when reporting the extrajudicial execution and enforced disappearance of his family. Accused by faceless courts to life imprisonment and later sentenced to 20 years without evidence. Physical and psychological torture during imprisonment. Transferred to prison 900 km. away from family members. Loss of community ties and family bonds. Loss of family's house, lands, animals, and livelihood.	GHQ: > 2** HSCL: 2 Depression indicators: 1.9** Anxiety indicators: 2.07** PCL: 57**	<i>"I'm better away, in another town. Better because when I visit my family, everything makes me remember."</i> <i>"I have the emotions blocked (...). The other day, when I arrived home, I couldn't cry... I can't cry, my heart gets hard (like a rock...). I'm beaten, I get strong to pretend I'm fine."</i>
ZO, 55 years old	Loss of 14 family members (wife, three daughters, father-in-law, mother-in-law, sisters-in-law, brother-in-law, nieces, and nephews).	Found bodies of his loved ones hidden in Mine Misteriosa (bodies were shot, exploded and burnt). Survived violent attacks and torture in the aftermath of the massacre when looking for his family. While kidnapped by the army, witnessed three explosions in Mine Misteriosa where his family's remains were found. Life threats and persecution when reporting the extrajudicial execution and enforced disappearance of his family. Accused by faceless courts and imprisoned for 11 years and seven months without evidence. Physical and psychological torture during imprisonment. Loss of community ties and family bonds. Loss of family's house, lands, animals, and livelihood.	GHQ: > 2** HSCL: 1.98 Depression indicators: 2.1** Anxiety indicators: 2.0** PCL: 84**	<i>"I dream my daughters, my wife. That misreads me psychologically (...). The dreams, they appear once a week, every fifteen days, every two months (...). It's not steady. If it were, it could affect me more... but they have never stopped coming. My wife, my father-in-law, my daughters... that's a great anguish."</i> <i>"I spend a lot of time sad. With worry. I'm like absent."</i>
GH, 52 years old	Loss of 14 family members (mother, father, sisters, cousin, nephews, and nieces).	Found bodies of his loved ones hidden in Mine Misteriosa (bodies were shot, exploded and burnt). Survived violent attacks and collective torture in the aftermath of the massacre when looking for his family. While kidnapped by the army, witnessed three explosions in Mine Misteriosa where his family's remains were found. Life threats and persecution when reporting the extrajudicial execution and enforced disappearance of his family. Accused by faceless courts judges to life imprisonment and later imprisoned for eight years and nine months without evidence. Physical and psychological torture during imprisonment. Loss of community ties.	GHQ: 1 HSCL: Wasn't applied because of mild general health affection PCL: 42*	<i>"That's why my head fails a little, today we are talking and tomorrow I do not remember some words. [In] the tortures they hit my head. Tomorrow, I [will] forget what we talked about."</i>

ZH, 61 years old	Loss of 14 family members (mother, father, sisters, cousin, nephews and nieces).	Life threats and persecution when trying to report the extrajudicial execution and enforced disappearance of his family. Social discrimination and stigmatization. Loss of community ties.	GHQ: 1 HSCCL: N.A. (mild general health affection) PCL: 27	"I lost consciousness, I forgot everything, I didn't remember what I had to do with some things."
VC, 41 years old	Loss of six family members (sister, brother-in-law, nephew, and nieces).	Loss of father in violent attack during the war one year before the massacre. Loss of mother and two sisters during the difficult years of isolation, while looking for justice. Forced to flee from his area and into hiding for 10 years. Collective isolation after being displaced from home and community. Social discrimination and stigmatization. Loss of community life, and family bonds, family's house, lands, animals, and livelihoods.	GHQ: > 2** HSCCL: 2.68 Depression indicators: 2.6** Anxiety indicators: 2.8** PCL: 84**	"Suddenly memories come to me and (...) I direct what I'm doing to other things. I think that this way of being absent at times affects me in the workplace." "Very quickly I react. I did not have that kind of reaction before. For example, when I do things in the community, I am thinking that the other will do bad for me."
MG, 46 years old	Loss of four family members (sister, nephews, and brother-in-law).	Survived violent attacks, collective torture and life threats by the army when looking for her family. While kidnapped by the army, she witnessed three explosions in Mine Misterosa where her sister and nephew's remains were hidden by the army. Persecution when looking for justice for her beloved ones. Loss of mother when still looking for justice. Loss of community life, family bonds.	GHQ: > 2** HSCCL: 2.2 Depression indicators: 2.09** Anxiety indicators: 2.06** PCL: 70**	"I can't go alone, everywhere my son always accompanies me or my husband, and we are all afraid." "The trauma is always re-living what happened..."
AH, 26 years old	Loss of 14 family members (father, grandmother, grandfather, brothers, uncles, aunts, cousins).	Loss of father in the massacre when he was three years old. Loss of his mother at 12 years old. No access to education. Isolation and poverty. Fragile family bonds. Loss of community ties, and loss of family's house, lands, animals, and livelihoods. Social exclusion.	GHQ: 2 HSCCL: NA PCL: NA	"My father was murdered, I couldn't meet him. If he would be alive, he would make me study." "No one tell me about it, I don't know why. They don't want to talk."

\*\* Severe impact      \*Moderate impact

*One Step Further: Recognizing Emic Formulations and Cultural Concepts of Distress*

Cultural diversity and contextual understandings are key issues when identifying symptoms of distress in a non-western populations. The survivors expressed their suffering through the concepts of “pinsamientuwan,” “llaki,” “ñakari,” “umananay” and “iquyay.”

“Pinsamientuwan” (the experience of having worrying thoughts throb inside one’s head) could be understood as a continuum that goes from not being able to think (“manan pinsamientuwan”) to feeling full of worrying thoughts (“tutal pinsamientuwan”). Pedersen & Kienzler (2015) in their review of local idioms of distress in the Peruvian Andes stated that perceived extremes on this continuum are considered serious cases by the community. “Pinsamientuwan” is closely related to the idea of “rumination” and “thinking a lot,” that is also described in other contexts (see Hinton, Reis & Jong, 2015). It is associated with headaches, but also with damaged intergenerational relations, isolation and silences in the families.

Survivors attribute “pinsamientuwan” to the unfulfilled desire to learn of their families’ whereabouts, frustration at the lack of response from authorities, and the difficulty of sharing these sequelae with others: *“I’m always worried, a lot of thinking (...) my brain hurts, when I remember, my head only worries me”* (MG, 46). “Manan pinsamientuwan” was also mentioned: *“that’s why for a while I’m distracted, like lost, I don’t remember, suddenly my mind is blocked (null), my memory is blank”* (MHQ, 45).

The survivors describe their emotions during these years as “llaki” (comparable to constant painful memories) and “ñakary” (external suffering brought to the community and extended to all

individuals). They are attributed to the cumulative impact of events spanning years and are seen as the embodiment of suffering (Malvaceda, 2010; Pedersen & Kienzler, 2015; Theidon, 2004). The survivors also associate “llaki” and “ñakari” with current symptoms of sadness, distress, constant tiredness, apathy, and uncertainty:

*“I got up alone and cried, everybody noticed that any time I lost my head. This is too sad (too much), I went to my house and it was all burnt, my mom’s belongings, everything (...) I cried to the mountains. We were confused, desperate”* (MH, 45).

Suffering and living with permanent sorrow interfere with their daily lives. Participants reported that they will never be the same again, as both body and soul are affected: *“with that we live, we are totally forgot, half traumatized. In my house I even close the door and leave my keys inside—that’s because I have no mind, I lost several relatives”* (ZH, 60). The language of pain stretches beyond words and can be traced in the interaction between social relations and the body. “Umananay” as described by Darghouth, Pedersen, Bibeau, and Rousseau, et al. (2006), refers to a sort of headache that connects body and emotions within a framework of suffering, and familial and social problems. For example, ZO said, *“since that date my brain presses me (me ajusta), my heart stirs me (me agita) (...). It hurts more when I start worrying”* (ZO, 55). In the Andean culture, body and mind are connected and constantly interact with nature and the environment, meaning that chronic sorrow affects everyday performance. The term “iquyay” (weakness and pain in the body) expresses this interconnectedness between mind and body, and between sorrow and physical pain (Malvaceda, 2010; Theidon, 2004, 2006). Survivors described feelings

of weakness and lethargy as connected to despair and sorrow: *“my arms hurt as if someone punched me”* (MG, 46), which prevented them from performing productive and social activities.

Social suffering can be described as the relationship between physical pain, traumatic events, and worrying grief-related thoughts (Das et al., 2000). This can be seen in the accounts of survivors: *“my mom cried a lot, with headache, she died with that. Her head ached, she cried a lot, (because) my sister was lost and her little children (...) my mother complained about her head, we gave her herbs.”* (MG, 46). That profound and insurmountable pain is transmitted to the following generation; when confronted with the past, the mother, whose death is attributed to “umananay” stated, *“my brain hurts when I remember, when I worry (...) it feels as it will explode”* (MG, 46).

Other parts of the body also experience pain, which is often the consequence of poor living conditions during their search for justice—total “pinsamientuwan,” mistreatment during imprisonment, or the sorrow and despair derived from extreme violence: *“current pain in the spine, in the waist (...) after I’ve slept on the ground, I might have got cold in there, in the prison of Ayacucho”* (GH, 52).

Survivors expressed their suffering and displayed an even closer bond to their bondings, their animals, plants, river, mountains and wind:

*“When I’m around (my land), I see my house totally black, burnt, and from there I do not remember. I feel despaired. I see the dead puppy, the head of the chicken, all undone. I feel despaired. I screamed, cried to the mountains (...) I drink water from the puquial. When I see my abandoned house, there is nothing (now), not even a plant”* (MH, 45).

However, nature is not the only setting. It is represented through different characters that take roles and participate in everyday life:

*“I went (out of the house) to the door, I lost my mind. To the river we went. On the way a strong wind hit me and (then) I reacted, my brothers-in-law were behind, crying”* (ZO, 55).

Talking or screaming to the mountains depicts the interaction that Andean people have with their natural and supernatural entities. Survivors expressed their sense of connectedness with nature in their suffering experience in three ways. Firstly, they described nature as an entity that can be screamed at in times of suffering and sorrow. Secondly, it is viewed as a source of remedy in the healing process (*“drinking water from the puquial”* or providing *“herbs and sources for traditional rituals”* (MH, 45)). Finally, nature can be seen as an opportunity to reconnect with reality when “pinsamientuwan” or “llakis” are numbing their minds.

Even though most of these symptoms are persistent among survivors, they also express trust and hope in the future: *“I trust a lot, with support (...) I would like to go to therapy”* (MH, 45) and *“I have never lost hope”* (ZO, 55). As seen in other studies, survivors manage to express positive expectations and show resilience (Suárez & Suárez, 2016).

#### *A Holistic Approach: Acknowledging the Communitarian Perspective*

Survivors’ narratives revealed that a community perspective exists beyond their individual ones. The grieving experience of the survivors is linked to current limitations regarding political participation, the performance of their cultural identities, and the development of a communitarian perspective on the future.

The community was never rebuilt, its members are dispersed around the country.

When the psycholegal team visited Santa Barbara, it was still as it was left in July 1991. The survivors never came back due to systematic persecution, horror and fear. Before the massacre they felt they were part of a community, but now they feel that they neither belong in Santa Barbara nor where they currently live.

The Andean culture of the highlands is organized around a collective system that supports survival in extremely difficult conditions, as found in the nuclear and extended family bonds:

*“My parents needed support (...) I decided to live next to my father to help him with the animals. My wife’s mother was a widow and her sons: one worked in Huancavelica and the other studied. I helped (my parents and my mother in law) both. That’s what I dedicated myself to—my family”* (MH, 45).

The feeling of orphanhood generated by the absence of family bonds remains intense even two decades after the event. The disarticulation of the community and the lack of collective ties affected their collective and cultural identity. By becoming poor workers in the peripheries of towns, they lost what once shaped their identity and gave meaning to their lives, namely their participation in a network of social relationships, and their social capital: *“we were an organized family. We were a respected family. Until now many people still remember my father (...) and what are we now?”* (VC, 41).

These family bonds gave the opportunity to be part of the social life within communities where daily living is based on family work and being alone implies extreme poverty: *“I’m practically left alone. My brothers have their families”* (MH, 45). When membership of a community is impossible, suffering increases as survivors perceive themselves as “huaccha,” a Quechua word

referring to being alone, condemned to sadness, poverty, and orphanhood (Ossio, 1995). Due to the persistent consequences of displacement, imprisonment and torture, some of the survivors never had a partner and were not able to create a new family. The devastation of their birth families led to live as “huacchas.”

For those who remained in neighboring areas of Santa Barbara, the disarticulation of their family threatened the roots of their identity due to fewer possibilities to engage in an active social life with group activities:

*“We have lost our culture. (When we lived in the community) we practiced those customs, now we don’t because they remind us of those cases (the massacre). That has led us to stop practicing activities as ‘los matos,’ ‘the celebration of the Santiago,’ ‘all the saints’ or gathering in Christmas. Because we are only two or three remaining people.”* (VC, 41).

A community is also a space for political participation. The destruction of the community in the massacre meant that they were dispossessed of the opportunity to engage in communal political processes, exchange ideas, and take responsibility for community organization (Rivera-Holguín, Velázquez & Morote, 2016):

*“Even though [in the neighboring community] they welcomed us, there was a limitation in our participation in the meetings, we were just refugees from another community. We were not full community members (‘comunero’) with the right to participate in all activities (...) When there are meetings at the community level, they do not give us the possibility to have an opinion at the same level as others. [They say] ‘Why do they have to talk?’ They do not belong here. Sometimes you hear comments that try to involve you with the situations from the past, as if you brought the violence with*

*you and were a danger when we have not ever participated directly or indirectly in anything related to the violence. Why is there so much marginalization from neighboring communities if we did nothing?”* (VC, 41).

As the above quotation captured, the non-reconstitution of their home community has left them isolated and unrooted.

Additionally, hosting communities play a key role in the impact of survivors in the aftermath of the violence (Betancourt, McBain, Newnham & Brennan, 2014).

Finally, a key aspect of the communitarian life is a shared perspective of the future (Lazarus, Seedat, & Naidoo, 2017). The survivors repeatedly mourned for what their lives could have been like with resentment: *“What happened detaches us and harms us. We would have been living together”* (MH, 45); *“they took my life first with the massacre and then with the jail”* (ZO, 55).

In addition to the emotional implications of returning to Santa Barbara, the survivors presented the material costs of re-starting their lives in the community as almost insurmountable. Only one of the survivors, the son of a disappeared elder, lives close to the former community. With no family and few material resources, he lives in extremely harsh conditions: *“it’s abandoned here, I wanted to build but there is no water (...) and I only have 20 little alpacas to survive... we do the best we can...”* (AH, 26). The feeling of ambivalence was pervasive amongst some of the survivors:

*“Sometimes I think about going back and rebuilding my house, but I never make up my mind (...) If I were to build, it would be in my home town (...) I can make my life in my new city, but I miss my family (...) (When) I return from my home town to my new city, I remember the love of a mother who says goodbye, a dad who gives you advice. There is no longer that for me. There*

*is no one to worry about if you are dead, sick or healthy (...) I am alone”* (MH, 45).

#### *Looking Forward: Responding to Harm*

Addressing the future is also related to their current search for justice and the possibility of reparations. The seven survivors showed signs of resilience, resistance and some proposals for the future as other researchers also found in similar contexts (Melville & Lykes, 1992; Suárez & Suárez, 2016). They highlighted their pursuit for justice, and the need to build a better society, secure education for their children, overcome the effects of war, preserve their identity and culture, and live in their community.

Reparations are an essential way of providing dignity and recognition to victims and their relatives (De Greiff, 2008; Uprimny, 2009). The group addressed the right of victims of torture to receive reparation—both economic but particularly the non-monetary kind—including an acknowledgement of responsibility, apologies, burials, memorials, medical and other forms of rehabilitation, according to international precedents (Shelton, 2007). The psycholegal team did not suggest any specific measure but discussed the issue with each victim individually and also during work groups. The Peruvian Plan of Reparations proposed a host of reparation measures<sup>12</sup> but the Peruvian state has not

<sup>12</sup> The Peruvian Integral Reparation Plan (TRC, 2003) developed six reparation components: Symbolic Reparations, Health Reparations, Educational Reparations, Restitution of Civil Rights Reparations, Economic Reparations and Collective Reparations: <http://www.psicosocial.net/grupo-accion-comunitaria/centro-de-documentacion-gac/violencia-y-cambio-politico/justicia-verdad-y-reparacion/251-plan-integral-de-reparaciones-gobierno-de-peru/file>

implemented them fully. Thus, it has not tended to the needs of the victims, nor recognized the overwhelming impact that the war had on communities, including the unique challenges to mental health (Laplante & Rivera-Holguín, 2006, Macher, 2014, Rivera-Holguín & Velázquez, 2017).

Although the damage described by the survivors is irreparable, the reparations have a strong symbolic meaning that will not replace or repair what was taken from the survivors but will at least acknowledge damage and help them in partially rebuilding their lives (Hamber, 2008). One survivor emphasized “*how they [the State] would not compensate for the damage, never. They will never be able to compensate for the past, the wounds... the open sores in the heart*” (ZO, 55).

Survivors considered that the reparations should prioritize assurances around the State’s search for their disappeared family members’ remains, as this can dignify the memory of the people executed by the army, and ensure prosecution of those who were responsible.<sup>13</sup> They also stressed the mandate for economic reparation and measures of collective development in the area.

The expectation is that economic reparations will help with individual needs and also recognize the community as a center, and represent collective measures related to dignity, the prevention of violence, improved education and roads, and investment in animals as a source of development.

Exhumations of mass graves are necessary for mourning and for funeral rituals, and help survivors to process loss. In this case, explosions had taken place at least

twice, so the possibility of finding remains after so many years was minimal. However, the relatives wanted the State to assume the task regardless. Survivors claimed: “*I’m asking for a new exhumation. Only then I will reach my full calm in life, to bury them*” (ZO, 55); and “*How much I would like (to find my sister)? [That] worries me a lot: she is not here. Some people found [the remains]. Is that true? (...) that is my wish, at least a small piece*” (MG, 46).<sup>14</sup> Even though there are recent laws<sup>15</sup> regarding the search for disappeared people in Peru, there are still thousands of families waiting for the implementation of these laws.

A key priority of the survivors was to dignify the memory of the victims. They proposed that this takes place firstly through memorial and remembrance; for example, the Peruvian state establishing local monuments and places of remembrance. Secondly, survivors believe in the importance of educating society to prevent the stigmatization of victims as people who bring violence to communities: VC (aged 41) stated, “*the government has to make the monument; the government has to*

<sup>14</sup> After the sentence of the ICHR, the human remains were identified and given to the families for a proper grave. The psychological expert report (Rivera-Holguín & Pérez Sales, 2015) contributed with a host of specific recommendations regarding reparation that were considered by the ICHR in its sentence. [http://www.corteidh.or.cr/docs/casos/articulos/seriec\\_324\\_esp.pdf](http://www.corteidh.or.cr/docs/casos/articulos/seriec_324_esp.pdf)

<sup>15</sup> The Law No. 30470 was enacted in 2016 to look for the disappeared missing people of the Peruvian internal armed conflict. In 2018, the Legislative Decree No. 1398 was enacted to create the Genetic Bank to ease the identification of the disappeared persons. In Peru, more than 20,000 were disappeared during the period 1980-2000, and there are still 13,000 people with unknown locations. In the last 20 years, only 3,000 bodies have been restituted.

<sup>13</sup> For instance, one of the main people responsible for the massacre fled to the United States.

assume it, through the regional government,” while MH (aged 45) communicated the following reflections: “a memory, for children to know in the future what has happened in the community. (...) A monument devoted to the people that were murdered or disappeared”. Another stated: “As a symbolic reparation, the government has to name streets after the disappeared children to remember what happened to them. Youngsters do not know anything about the past, they may think: ‘What might have they done?’” (ZO, 55)

Regarding society in general, survivors proposed the inclusion of human rights in the national curricula of primary and secondary schools to educate students on their country’s history of human rights violations.

### Conclusions

This study makes a number of key contributions relevant to designing forensic research and reparation programs.

The participatory-action research design gave survivors a sense of control over the process and used a methodology that attempted to be a healing element in itself. The interdisciplinary and collaborative approach also allowed the psycholegal team to build a report in which the relatives could recognize themselves.

Community-based approaches may ease the interplay of individuals, families, context, culture, and other social determinants in the wellbeing of communities. They recognize community’s participation, knowledge, identity and sense of belonging, thereby fostering social bonds that contribute to building a sense of control, and enhancing local leadership for social transformation. Embracing and promoting the role of victims in the process represents an empowering action and has a healing aim—recognizing in oneself the capacity to take active roles that can lead to finding new resources to

cope with adversity. Searching for justice individually in Peru can be frustrating and can foster a sense of impunity. At the same time, sharing the experiences of the process of seeking justice allows the recognition of a common history and joint efforts to re-signify and rebuild social bonds. The forensic work showed that damage needs to be framed in the familial and relational spheres and that maintaining the family bonds, small as they were, was an important protective factor. The existence of family and collective bonds that foster the seeking of justice could be a future line of study in the field.

Incorporating these elements of participatory action research makes the forensic documentation a reparation process in its own right. This psycholegal dimension is key and it should be part of any legal process in the context of human rights violations.

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## Appendix 1

**Photograph 3:** *Contemporary bedroom of house in Santa Barbara*



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## Appendix 2

**Photograph 4:** *Remains of cooking materials made of stone “Mortero”*



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