

Human Rights & Human Welfare

Volume 9

Issue 11 *November Roundtable: An Annotation of "Healing the Past, Protecting the Future" by Alejandro Toledo*

Article 4

11-1-2009

From Atrocities to Security: A Parable from Peru

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Recommended Citation

James, Stephen (2009) "From Atrocities to Security: A Parable from Peru," *Human Rights & Human Welfare*: Vol. 9: Iss. 11, Article 4.

Available at: <https://digitalcommons.du.edu/hrhw/vol9/iss11/4>



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From Atrocities to Security: A Parable from Peru

Abstract

I have no expertise on the domestic politics of Peru, but I know that its often violent past shares much with its Latin American neighbours. Though not a practice confined to this region, I also know that events in the region have made notorious the chilling euphemism “disappearances.”

Keywords

Human rights, Peru, Truth and Reconciliation Commission (TRC)

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From Atrocities to Security: A Parable from Peru

by Stephen James

I have no expertise on the domestic politics of Peru, but I know that its often violent past shares much with its Latin American neighbours. Though not a practice confined to this region, I also know that events in the region have made notorious the chilling euphemism “disappearances.”

Since 1994, the UN has endorsed the ideal of “human security,” which emerged from critiques of simplistic, growth-oriented development and realist conceptions of national security (see further the work of scholars such as S. Neil McFarlane and Yuen Foong Khong). The grim accounts of gross human rights violations, corruption, impunity and authoritarianism in Peru (see, for example, the report of the [Truth and Reconciliation Commission](#) and [Amnesty International’s response in 2004](#);) provide an appalling inventory of many of the ways that international human rights and humanitarian law can be violated: torture, massacres, genocide, sexual violence and slavery, the use of child soldiers, displacement, discrimination of all kinds, extrajudicial executions, forced sterilizations, coercive and illiberal anti-terrorism legislation, abuses by the police, army and intelligence services, disappearances, kidnapping, hostage-taking, and mistreatment of the poor and indigenous peoples.

Since this history is a negation of human security and dignity it can only be reversed by embracing democracy, the rule of law, economic security and what might be termed humanization. While there is sure to be a vast literature on Peru’s truth commission, in itself and comparatively—that addresses the usual concerns over the balance between the aims of retributive (or deontological) and restorative justice, reconciliation, forgiveness, redemption, peacebuilding, deterrence, commemoration and reconstruction—in the following I concentrate on reconstruction.

In an interview for *Foreign Policy* in 2008, Toledo said that “It is not sufficient to be elected democratically. The hardest thing is to govern democratically.” This is a wise insight. Peru should aspire, as should other countries, not to have a hollow democracy chained to the ballot box, crucial though elections are, but to create a liberal, social and constitutionalist democracy. It is sometimes thought that the liberal (I mean in the rights-oriented sense) is incompatible with the social. But this is not true. Liberals like John Stuart Mill, and the founders of the United States of America, were right to guard against the dangers of the dictatorship of the majority and its potential to endanger the welfare of groups and individuals. There is nothing wrong with constraining majorities in this constitutionalist sense. However, the state need not be the enemy if it acts with the public welfare (remember Cicero’s exhortation) as its priority. If it does so, the concerns of traditional national security and the “newer” conceptions of human security can be reconciled. Given the pioneering role of Latin America in promoting social democratic rights, for example in the Bogota Declaration of the 1940s, such reconciliation is fitting.

Second, Peru needs to identify with greater precision, and then institutionalize, the core aspects of the rule of law. The principles of the rule of law prescribe an inelastic minimum standard for legality, one familiar to students of the common law. Laws should, for example, be prospective, transparent, democratic, in accordance with constitutional process and substance, reasonably coherent and interpreted and reviewed by a tenured, impartial judiciary. Peru’s judiciary has

often been at the mercy of the military and the executive and thus susceptible to undue influence. The separation of powers did not exist.

Third, as Toledo has recognized (for example, in June this year in an address at UCLA), economic security is vital. Without it, economic growth and development do not deliver wealth equitably. The very concept of *human* development built on the insights of economists who recognized the potentially misleading nature of GDP and per capita income as barometers of social justice, an adequate standard of living and a dignified life. Moreover, connections between poverty and civil and international strife are clear. Indeed Peru's Truth Commission recognized the links between inadequate education, poverty, inequality and violence: the majority of victims were peasants, many poor and poorly educated people in rural areas were recruited by the Shining Path and their low status meant that many privileged Peruvians turned a blind eye to their plight.

This brings me to my final point. As with many cases of human rights violations, the victims in Peru were dehumanized before they were abused. This is evident not only in the violations committed against peasants and indigenous peoples but in the sexual violence towards women, and in assaults on gay, lesbian and transgender persons. Additionally, systematic discrimination helps to maintain the poverty of the worst-off and reinforces the stigma that attaches to them. To combat dehumanization, societies must re-humanize the vulnerable and the persecuted, including the victims of human rights violations. Truth commissions have a vital role to play in this re-humanization: they give a forum to victims, validating their testimony and providing them with some catharsis, vindication, reparation and compensation.

To say that the struggle of Peru will be an arduous one is an understatement. Only recently the former president of the Truth Commission, Dr Salomón Lerner Febres, has been harassed and intimidated by its opponents; [they even killed his dogs as a warning of what he might suffer](#). Such cruelty reflects the kind of dehumanization I have been discussing. Let us hope that, as Toledo said, there *has* been “enough death” and that Peru can move steadily from atrocities to security.

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