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Shining Path Leaders Get Life in Prison

by LADB Staff

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A Peruvian court sentenced several top figures from the Maoist rebel group Sendero Luminoso (SL) on Oct. 13, finding leader Abimael Guzman and his partner Elena Iparraguirre guilty of terrorism and sentencing them to life in prison. The court also sentenced 10 other co-defendants to sentences ranging from 24 to 35 years, with the terms beginning when they were first incarcerated in the 1980s or 1990s. Guzman was tried after his capture in 1992 by a secret military court, but the verdict and life sentence were thrown out in 2003.

Life for Abimael Guzman and partner

Former philosophy professor Guzman led a 12-year rebellion beginning in 1980 in which 70,000 people died. In 2003, a truth and reconciliation commission blamed more than 31,000 killings on the guerrillas (see NotiSur, 2003-09-12), and some other estimates reach 40,000. The Peruvian government began a public retrial of a dozen SL leaders in 2004 with civilian judges in charge of the "megatrial" by the Sala Antiterrorista court convened at the naval base and prison of Callao where Guzman has been held since 1993 (see NotiSur, 2004-12-03). The public nature of the proceedings and civilian judges were the main purpose of the retrial.

Guzman's first retrial in 2004 ended in chaos after he and Iparraguirre shouted communist slogans in his defense in front of live television cameras. The retrial ended 10 days after it began, when two of three judges stepped down after becoming mired in complaints about their previous involvement in rebel trials. To avoid a repeat performance, tape recorders and cameras were banned from the courtroom for this trial. However, television stations were allowed to use footage from the court's closed-circuit television cameras to broadcast Guzman's sentence live on Oct. 13. The verdicts took several hours to read, and Guzman stood motionless with his arms folded as the court gave its judgment.

SL, known in English as Shining Path, a Maoist fundamentalist guerrilla group, waged a violent campaign to overthrow the Peruvian state. Survivors from a SL massacre in the Andean village of Lucanamarca, where 69 peasants were shot and hacked to death, gathered outside the court to demand maximum sentences for the defendants. "They killed them with machetes, stones, axes and for those who did not die in agony in this way, they put them into a vat of boiling water," Ignacio Tacas, a 35-year-old farmer from the village, told the Associated Press. The SL founder said the massacre had been a response to "reactionary military action." He said, "I am a revolutionary combatant and totally reject being a terrorist."

The insurgency provoked a state backlash by the government of former President Alberto Fujimori (1990-2000) that was blamed for tens of thousands more deaths. Fujimori is currently in exile in Chile facing extradition to Peru, where prosecutors have been pursuing him on charges relating to corruption in office and human rights violations during the SL crackdown.

Guzman's lawyer Manuel Fajardo had argued his client should be granted an amnesty because of violations against his right to due process. He told the Associated Press that the verdict had been based not "strictly on the law, but rather on politics," and said that the deaths had been an inevitable result of the war between the SL and the Peruvian government. Fajardo said they would appeal the verdict.

On June 14, a civilian court sentenced another top SL commander to 24 years in prison, authorities said. Oscar Ramirez Durand was found guilty of carrying out more than 50 armed attacks against military patrols and civilian militias in the Ayacucho region in Peru's central Andes, court officials said. Lucanamarca massacre central to trial Many of the conflict's victims were civilians, caught between helping the rebels or helping the authorities.

On April 3, 1983, people living in and around the Andean village of Lucanamarca were getting up and getting ready for a normal day. Hours later, 69 of them were dead, killed by SL fighters. According to Amnesty International (AI), the massacre set the precedent for what was to become a regular pattern of gross human rights abuses, including mass killings, by the rebels. The events in and around Santiago de Lucanamarca, in the province of Huancasancos, were detailed by the government-appointed Commission de Verdad y Reconciliacion (CVR).

The killings began early in the morning when some 60 rebels captured and then killed a group of 29 men, women, and children with axes, machetes, and guns. The commission heard from a witness who told how he had found the bodies, "with their hands and feet tied," burned and hacked, in his house. The commission's report said the rebels then went on their way, stopping at various hamlets to search out people suspected of collaborating with the security forces. The rebels finally arrived in the central square of Lucanamarca, where men were separated from women and children, made to kneel down in front of the church, and killed.

"They made us get down, saying, 'You wretches wanted to escape, now you've got to be punished.' I was hit by a bullet and fainted," one of the survivors, Marcelino Casavilca, told the commission. AI reported at the time that many of the victims had been captured, put on mock trial, and then killed. Guzman confirmed that the killings had been carried out on the orders of the movement's leaders in an interview in 1988 with *El Diario*, a newspaper that openly supported the rebels. "In the face of the reactionary operations of the military we replied forcefully with our own operation: Lucanamarca, neither they nor we will forget it," said Guzman. "More than 80 people were wiped out there, that is a fact, and we admit it there were excesses there....On some occasions, such as this, it was the Central Directorate that planned the operations and gave the orders....The main thing was to make them understand...that we were prepared for everything."

SL members entered the region in 1982 as part of the movement's avowed aim to overthrow the existing order and create a perfect communist state in Peru. But, as elsewhere, the group quickly lost any sympathy among the wider population, with its often brutal enforcement of its rules and disrespect for indigenous culture, and anti-SL patrols known as *rondas* began to form.

In March 1983, some Lucanamarca residents who had formed such a patrol captured an SL commander, took him to the main square, and stoned, hacked, and shot him. For many of the

witnesses who spoke to the commission, a desire to avenge his death was behind the attacks by the SL the following month. Killings such as those in Lucanamarca fuelled the violence as rebel brutality was met by state or state-sponsored repression. Massacres and extrajudicial killings were also committed by government forces and vigilante groups they helped create.

A few hundred Senderistas remain in south and southeast

A few hundred SL rebels are still operative in the country's south and southeast, but a BBC correspondent in Lima says they now pose little threat. In February, police killed one top SL leader, "Comrade Clay," in a shootout and said they were on the hunt for another top leader, "Comrade Artemio." Analysts and official sources estimate there are fewer than 500 remaining active SL guerrillas in the Huallaga River, the Apurimac valley, and the central jungle. The guerrillas allegedly are supporting narcotrafficking and coca-growing operations there.

Tupac Amaru rebel leader re-sentenced in March

The leader of a Cuban-inspired guerrilla group that grabbed the world's attention nearly 10 years ago with a takeover of the Japanese ambassador's residence was also sentenced to 32 years in prison in a civilian retrial earlier this year. Victor Polay, 54, stood with his hands clasped in front of his waist as the verdict was read by a court clerk late March 21 at the end of a three-hour court session broadcast live on state-run television. With time served, he is scheduled for release in 2023. Polay was first captured in 1989, but escaped in a massive prison break a year later. Police recaptured him in 1992. Polay and nearly a dozen other top leaders of the Movimiento Revolucionario Tupac Amaru (MRTA) movement had faced 20 years to life for some 29 crimes between 1987 and 1995, including kidnappings, assassinations, and attacks on a KFC restaurant and the former US Embassy compound.

Polay's second-in-command, Miguel Rincon who was caught plotting a hostage takeover of Congress in 1995 to press for the release of rebel prisoners also received a 32-year sentence. Other sentences ranged from 18 to 28 years.

A petition published March 17 in the newspaper La Republica signed by more than 110 artists, politicians, social scientists, and celebrities asked for leniency for Polay, saying he had suffered "subhuman" treatment in prison since 1992, when a hooded military tribunal handed him a life sentence. Unlike SL, which was known for wholesale massacres, the MRTA tried to cultivate a Robin Hood image, distributing food from hijacked trucks in poor neighborhoods. It staged its most notorious attack in December 1996, when 14 of its guerrillas stormed a cocktail party at the Japanese ambassador's residence in Lima, taking hostages to be bartered for imprisoned comrades.

A four-month standoff ended in April 1997 with a commando raid that succeeded in rescuing 71 hostages (see NotiSur, 1997-05-09). One hostage was killed, as were all the rebels. The group has been dormant since that incident. The CVR blamed MRTA for less than 2% of deaths from political violence that nearly shattered the nation between 1980 and 2000, while SL was deemed responsible for as many as half the nearly 70,000 deaths.

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