

Peru's supreme court sentences Shining Path leaders to new life prison terms

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After five hours of deliberations, the Peruvian Supreme Court voted last week to sentence Abimael Guzman, his wife Elena Yparraguirre, Osmán Morote and seven other members of the Maoist guerrilla group Shining Path (Sendero Luminoso) to life in prison for ordering the bombing in July 1992 of Tarata Street, a densely populated commercial area of the Miraflores district in Lima.

According to the daily *Correo*, “The Shining Path leadership is charged with crimes against public tranquility, terrorism in the form of aggravated terrorism and crimes against public health.”

The life sentences for the bombing of Tarata Street come on top of previous life prison terms for “terrorism” and “treason” dictated against the Shining Path leaders in 1992 by a secret military court, after they were captured by Peruvian intelligence forces. Several appeals followed, but all ended up in courts upholding the original sentences.

The Public Prosecutor's Office, reports *El Comercio*, will appeal the acquittal of the defendants in the Tarata Case in relation to drug-trafficking charges.

The timing of the new terror trial serves a definite political function under conditions in which the entire Peruvian state apparatus, and in particular the judicial system, is enveloped in a wave of corruption scandals.

The former Wall Street banker, Pedro Pablo Kuczynski, was forced to resign as president in March over charges relating to the sprawling corruption scandal involving the Brazilian construction giant Odebrecht.

His successor, President Martín Vizcarra, confronts a spreading crisis involving audiotapes of high-ranking judges, prosecutors and attorneys bargaining over verdicts, sentences and positions.

Under these conditions, the re-prosecution of Shining

Path serves to divert public opinion by reviving the widespread resentments among the Peruvian people over the crimes committed during the 20-year war fought between the guerrilla group and the Peruvian Army.

In its final report, Peru's Truth and Reconciliation Commission concluded that 69,280 people had been killed or disappeared between 1980 and 2000; 54 percent at the hands of Shining Path and most of the rest by the Peruvian Army. The overwhelming majority of the victims were drawn from the country's 6 million citizens of indigenous origin, who make up about 20 percent of the population.

On the evening of July 16, 1992, two vehicles parked on Tarata Street, each loaded with 250 kilograms of explosives, were detonated, killing 25 people and wounding more than 200. The explosion was so powerful that it damaged 183 homes, 400 businesses and 63 parked cars.

The attack on a busy commercial center of Miraflores marked a turning point in public perception of the fight against Shining Path. For the first time, the bloody struggle had exacted victims in a neighborhood frequented by Lima's upper classes, who had remained largely indifferent to the death and suffering experienced by the indigenous population in the Andes.

Adhering to the Maoist doctrine of peasant-based guerrilla warfare in the countryside, Shining Path began violent operations in the early 1980s. Its main source of recruitment was from among college students from Huamanga University in Ayacucho, where Abimael Guzman taught philosophy, the Huancayo University, also located in the central Andes, and the La Cantuta teachers' university, along with two major national universities in Lima—the National University of San Marcos and the National University of Engineering.

Shining Path began operations in Lima in 1983. In addition to blowing up electricity pylons, creating blackouts in large parts of the capital, Shining Path members set fire to factories and attacked bourgeois party offices. Eventually it would expand its operations, blowing up car bombs in the streets.

Initially, Shining Path gained popularity among the most oppressed peasant youth who were attending university in the highlands. It was able to capitalize on centuries of oppression and neglect by the central government toward the poorest Andean regions of the country—Ayacucho, Huancavelica and Apurimac.

By 1991, Shining Path controlled most of Peru's central and southern Andean region. The war cost the lives of tens of thousands of innocent peasants with mass casualties inflicted by both the Peruvian Army and Shining Path.

Shining Path soon lost its façade of a guerrilla movement fighting to liberate the Andean people from the oppression of the state. It began holding summary trials in the villages of poor peasants, accusing them of passing information to the Peruvian Army. Trials turned into mass executions.

Losing popularity among the peasants, who found themselves in the crossfire between the Peruvian Army and the guerrillas, by 1985 Shining Path turned increasingly toward acts of terrorism, including the assassination of leaders of leftist groups, local political parties, trade unions and peasant organizations.

Meanwhile, the killing of students suspected of being sympathizers of Shining Path was directed from the highest level of the government. Former president Alberto Fujimori, who claimed victory in the 1990s for capturing Abimael Guzman, was found guilty, together with his sinister adviser Vladimiro Montesinos, of crimes against humanity for having ordered the “La Cantuta” and “Barrios Altos” massacres carried out by the Colina death squad. Fujimori and Montesinos were condemned to 25 years incarceration for these crimes, along with separate sentences for acts of corruption.

In contrast to the re-prosecution of the Shining Path leadership, in December 2017, then-President Kuczynski pardoned Alberto Fujimori, who remains free to this day.

There are still more Shining Path-related trials yet to come. According to *El Comercio*, “This ruling does not end the judicial processes of the terrorist leaders. They

have to face two other trials ... One of them is the process for the killing of 117 peasants from the Ayacucho town of Soras in 1984.”

The other case involves a different set of defendants, who have not been implicated in any acts of violence or terrorism. These are the leaders of the Movement for Amnesty and Fundamental Rights (Movadef), founded in November 2009, and led by Alfredo Crespo, Abimael Guzman's defense lawyer. They are facing charges of being members of Shining Path and having received money from drug trafficking to finance their activities.

The group has focused on demanding a general amnesty for all those jailed in connection with Peru's 20-year dirty war, from the Shining Path prisoners to Fujimori and members of the security forces. In 2011, the group sought recognition as a political party in order to run in elections, but its petition was denied by federal election officials.



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