LANDSCAPES OF POWER IN A CATTLE-RUSTLING CULTURE OF SOUTHERN ANDEAN PERU

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Yaw sambo, yaw negro engañawallanki
Turuta sutipakuspapa
Suwallasayki nispa uywallasayki nispa.
Kunantaq kunantaq chukikuwashanki.
Maypicha revolver kanman
Sipiruykipaq nispa wañuchiykipaq nispa

En Chumbivilcas no hai ni puede haber justicia [1].

Located in the extreme southwest corner of the Peruvian highland Department of Cusco, the vast and seemingly empty grasslands of the province of Chumbivilcas are believed by other Cusqueños to be peopled with every conceivable type of criminal, from the common cattle thief to the noble bandit. Like other forms of frontier mythology, this imagery of Chumbivilcas is built around a peculiar combination of fear and awe: Chumbivilcanos are seen as dangerous, threatening intruders who nonetheless are considered to do things somehow better, with more flare or daring. Famous for their horses, fighting bulls, and music, the chumbivilcanos are considered to be free spirits who essentialize the ideal of highland rebelliousness underlying Cusco's historically engrained resistance to coastal culture and coastal politics [2].

As a social *space*, however, the province which is home to such admirably free spirits is seen by Cusqueños as an area that must be somewhat contradictorily restrained – its high grasslands kept part of, yet beyond, the idea of Cusco itself. As I was many times warned in Cusco, Chumbivilcas was no place to do anthropology, and worse yet, no place for a woman alone. This was a vision shared by all social classes in Cusco. In fact, during previous fieldwork, my peasant friends had studiously devoted much of their time at the regional markets I was studying to the task of preventing their anthropologist from talking to the Chumbivilcanos who also attended these fairs. This was necessary they assured me, because the Chumbivilcanos were notorious thieves who would certainly only feed me a pack of lies, before eventually swooping me up on their horses and galloping off into the sunset.

My initial interest in Chumbivilcas was thus stimulated by a certain lure of adventure and, in more scholarly terms, by my curiosity about the role the province plays in defining contemporary Cusqueño identity. More specifically, I was intrigued by the parallels between the cusqueños' romanticized imagery of the Chumbivilcano frontier, and my own, American mythology of "The West," a mythology which perhaps inspired that fascination or pull I felt towards "doing" anthropology in Chumbivilcas – especially when I, as a woman, had been essentially forbidden from doing so. As Renato Rosaldo has pointed out, the ethnographer's ideas of self, and of mission, find a natural model along the pastoral frontier characterized in the Western tradition as engendering "democratic values, rugged individualism, fierce pride, and a warrior spirit [3]." These altogether admirable social values which ethnographers wish to redeem both for themselves and for their subjects are, however, as Rosaldo argues, products of displaced and not authentic pastoralists, of predominantly literary or textual tropes, and of what Kenneth Burke has called "a rhetoric of courtship" between town and country, middle class and peasant, colonizer and

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colonized [4]. To Rosaldo's argument I would also add that this rhetoric is in large part as well a masculine gendered, if not male dominated, courtship of *adventure* whose spirit prevades both the writing of anthropology, and the ways in which its initiatory playground of "the field" is experienced by ethnographers of both sexes.

The rhetoric of courtship which first drew me to Chumbivilcas was a double one. There was my own relation as female anthropologist with the male defined rhetoric of (what was to turn out to be a peculiarly masculine version of) "the field"; and there was my interest – also "as an anthropologist" – in that other parallel courtship which occurs between urban, predominantly middle-class, Cusqueños and the rural, predominantly Quechua-speaking, peasants or "Indians" whom these Cusqueños imbue with a markedly pastoral ideal given currency under the title of *indigenismo*. Since the 1920s when Luís Valcárcel formed the Resurgimiento Movement in Cusco, *indigenismo* as a form of nativism has worked to resurrect and re-invent the concepts of Indian-ness, the Inca past, Andean culture, and "cusqueñismo" in ways which could further the regional independence of Cusco from centuries-old patterns of centralized government rule from the coast [5]. Unfortunately, while *indigenismo* has pursued its political goals in ways calculated to elevate the utopian socialist and pastoral ideals of the Incaic past, it has done this in large part by relegating present-day highland peasants to an essentially cultureless and voiceless situation of partiality and incompleteness. The "authentic" Indian, the true rebel, the "real" Andean culture is always just a bit further away, in the next province, along the frontier, or, as seen from the perspective of Cusco and its surrounding provinces, in the *tierras bravas*, or "wild lands", of the far off Chumbivilcas.

As I boarded the truck for my first trip to Chumbivilcas, my self-assigned task as ethnographer was nothing less than the unmasking of this process of cultural construction on both the part of these indigenista-inspired ideologies of wildness, and that of my fellow anthropologists whose constructions of an idealized Andean Culture had contributed to these Cusqueño intellectuals' well-intentioned, yet ill-fated, ambitions of cultural authentication. Upon arriving to Chumbivilcas, however, I soon found that the frontier imagery and resurgent violence Cusqueños attribute to the province is not only represented – it is very real. Chumbivilcas is the only Cusco province of the many in which I have worked where peasants are frequently armed, where violent beatings, and robberies by cattle rustlers are daily fare, and where the notorious highland political bosses called *gamonales*, continue to rule twenty years after the agrarian reform took away their lands. It is also statistically the poorest and least developed province of Cusco. In other words, the *tierras bravas* of Chumbivilcas are not simply a fiction; they form a real cultural landscape structured around specific forms of local power and the violent acts upon which this power is based.

This paper is an attempt to trace this counterpoint between the romanticized or redemptive *violence* of the anthropological and indigenista frontiers of writing and representation with which I, as anthropologist and as North American, was familiar, and that much less playful frontier of violence in the real world of Chumbivilcas. The specific subject on which I have chosen to focus, livestock-rustling, or *abigeato*, is peculiarly well-suited to this purpose on several counts. First, as viewed from Cusco, Chumbivilcas is a province peopled almost exclusively with *abigeos*, or livestock-rustlers. For the Cusqueños – who are themselves highlanders – these Chumbivilcano rustlers stand as troublesome yet tempting symbols of a romantic "native" rebelliousness constructed according to the same fictionalizing conventions by which the highlands, or *sierra*, in general have been empowered in Peruvian nationalist discourse. Second, cattle rustling is, for us as well, a culturally loaded image, although unlike either the Cusqueño or the Chumbivilcano, for us its imagery conjures a remote or cinematic violence which we are

tempted to dismiss to the unenlightened past of John Wayne movies, Robin Hoods, and social bandits. Third, to a remarkable extent, the Chumbivilcanos themselves have internalized this romantic ideal and today proudly refer to the "sport" of *abigeato* as their own overtly chauvinistic, and highly visible, means of flouting state power. Finally, rustling is both the dominant historical fact and environmental risk around which Chumbivilcanos of all social classes structure their daily lives and economic strategies. Thus, while rustling is the cultural practice most characteristic of the chumbivilcano ethos of "rebellion," freedom from State intervention, and manly adventure, it is also considered to be the major obstacle preventing Chumbivilcas from developing into the profitable meat and wool producing (capitalist) economy its inhabitants – despite their own daily experiences of endemic rustling – still believe it capable of being. Today, for example, peasant and mestizo organzations alike call for increased government support of the livestock "industry" in Chumbivilcas. Yet these same individuals will consistently refuse to receive government subsidies for the purchase of new cattle. They reason, perhaps correctly, that since the Chumbivilcano is "by nature an *abigeo*," the new livestock will inevitably be stolen. The government loan would therefore only serve to fatten the purses of illegal meat merchants and shoe companies in Arequipa, or alternatively to augment the prestige and honor of some *other* Chumbivilcano who might rustle the livestock for purposes of vengeance, prestige, and personal (family) honor.

In this respect, both the practice of livestock rustling in Chumbivilcas, and its perception as an act of cultural "rebellion" or difference by Chumbivilcanos, Cusqueños, and me (the anthropologist), essentializes and reproduces the uneasy relationship between two historically interlocking systems of exchange: (a) that of the capitalist market into which (stolen) meat and wool are sold, and (b) that of the community-hacienda economies and exchange networks constitutive of those local forms of power, or social difference, which rustling as a system of symbolic exchange defines in Chumbivilcas and its surrounding provinces. What particularly interests me about the history and culture of livestock-rustling in Chumbivilcas is the ways in which this historically determined relationship between two systems of economic and political reproduction [6], has been naturalized as a territorial or *cultural* frontier separating Indian from non-Indian, highland from coast, wildness from civilization.

In discussing these issues, I will use the term *frontier* to refer to any socially constructed relation of social difference, and specifically to the ways in which this imagined relation of (hierarchical) difference or exclusion is encoded into the territorial or geographic identity of a group of people. I will consider *power* to be the historically and culturally specific form of both coercive and consensual social relations by means of which such frontiers are maintained and reproduced as delineators of social difference. That the ideologies of social difference informing the frontier between Chumbivilcas and the State proceed from *both* sides of the divide (i.e., from within Chumbivilcano and highland culture in general, and from the State itself), *and* that this "frontier" ultimately serves only to empower the local *gamonal* (landholding) class, will be seen to raise complex questions about the nature of State power in Peru, as well as about the oppositional (or "frontier") status of those discourses inspired by both regional *indigenista* claims and the equally perilous fictions of cultural anthropology.

My research on the history of cattle-rustling has focussed on criminal records from the Superior Court of Cusco from the first 100 years of the Peruvian Republic, that is, from roughly 1830 to 1930. The cases I have reviewed thus far involve reciprocal accusations of cattle theft, "abuse of authority," ransacking of homes, homicide, and harassment between all the social and ethnic strata of Chumbivilcas (i.e., rich Indians, poor Indians, mestizo townspeople,

gamonales, and State authorities). This archival record shows the history of Chumbivilcano cattle-rustling as occurring in three periods consistent with the three major periods of structural change in the international export market for sheep and alpaca wool. Each period is also distinguished by the specific types of violent acts associated with cattle theft, and by the increasingly complex relation between those forms of local power (or "frontier justice") constructed around the practice of violent cattle-theft, and the legal authority ("justice") of the State. As E.P. Thompson has argued, it is these images of power and authority, or what he calls "the popular mentalities of subordination" which are the critical points from which any analysis of cultural hegemony must begin [7].

I. A (BRIEF) HISTORY OF CATTLE-RUSTLING IN CHUMBIVILCAS

Although animals have undoubtedly always been stolen in Chumbivilcas in one manner or another, the origins of what we might call modern livestock-rustling can be traced back to the beginning of the Peruvian Republic in 1821. Two factors were instrumental at this time in determining the direction future livestock-thieving would take. The first was the precipitous downward turn in the southern highland economy following the wars for independence, the consequent final collapse of Cusco's textile industry and the oligarchical landholding class it supported, and the break-up of colonial trade routes which had under Spanish dominion connected the now separately tariffed countries of Peru, Bolivia, and Argentina. The second was the remarkably weak presence of the nascent Peruvian State in that area of the southern highlands stretching between the cities of Arequipa and Cusco. While it was eventually to be the Arequipeño commercial élite – and the foreign, predominantly English, merchant capital that backed them – who would gain control over the alpaca and sheep wool market which dynamized the zone later in the century, for at least the first fifty years of independence the highland provinces of Cusco comprised a highly contested zone of factionalized territorial domains controlled by local political bosses called *caudillos* or *gamonales* [8].

Within these domains, the numerous Indian communities or *ayllus* of Chumbivilcas [9] served as the unsalaried labor pool without which the *hacienda* – and the *caudillo* or *gamonal* – could not exist. Having retained control over at least portions of their ancestral lands, these *ayllus* responded to the initial economic crisis (i.e, from approximately 1820 to 1850) by retreating into the regional economies of local production, traditional trade, and the unsalaried labor-for-land arrangements with local *haciendas*, upon which their region had depended for centuries [10]. This situation was to change however from approximately 1850 on, when the demand for alpaca wool on the international market began to rise. Agents from the English-backed Arequipeño commercial houses toured Chumbivilcas and its neighboring provinces, buying wool from the Indians who owned the vast majority of the region's camelid herds. The result was the contradictory situation in which *haciendas* – as producers of primarily cattle and sheep – maintained a very low level of market activity, while "traditional" Quechua-speaking Indians entered full force into a burgeoning liberal economy based on cash flow and "free market" principles [11].

This new role of the Indian conformed nicely with the liberal ideals of Peru's founding fathers, if not its landowners. In the Bolivarian decrees, colonial institutions of paternal protection for the Indian were abolished and the Indian was assumed to be "equal" to the Spaniard or *criollo*, at least insofar as his status as "economic man" [12]. The economic and political policies set in motion by this liberal rhetoric of equality, however, soon found themselves in direct competition with the non-salaried, "traditional" relations of production characterizing the colonial *hacienda*. Not only did the new State do

away with the colonial apparatus for tax collecting, and other legal mechanisms for enforcing labor obligations among the indigenous population. Now the *hacendado* had to contend as well with Indians who could, and did, sell their alpaca wool on the free market at prices far exceeding those offered for the *hacendado's* own sheep wool [13]. Faced with this situation, *hacendados* were forced to find new ways to convince the Indians to tend their *hacienda* lands and livestock. One option for establishing this control was afforded by Bolivar's decree on state land redistribution and sale, announced on April 24, 1824, in the Peruvian city of Trujillo. This decree rendered Indian community lands previously protected by the Crown, alienable, and thus subject to sale to outside, non-Indian, buyers. The land-grabbing, both legal and illegal, which ensued was one crucial mechanism for gaining control of Indian resources [14].

In the underpopulated, poorly integrated livestock economy of Chumbivilcas, however, it was both labor and capital which the *haciendas* lacked. Indeed, historical research to date seems to indicate that, during the early years of the Republic, the land-buying option was apparently *not* used as frequently by the Chumbivilcano *gamonales* as it was by *hacendados* in other areas of Cusco [15]. One explanation for this point of distinction between the Cusco and Chumbivilcano landowner is, of course, the critical scarcity of currency with which to "buy" land [16]. The other, and I believe more important explanation, is the differing bases upon which the two groups claimed legitimacy for their authority or power as local lords within the Republican State. In other areas of Cusco, the landholding class was more integrated into the market economy, and hence shared to some extent the liberal ideals of the constitution and its precepts of "equality in law" (as in the market place). This landed or "gentrified" class of Cusco landowners rested its claims to power, and to the purchase and ownership of land, therefore, upon the legitimacy or authority of constitutional law.

By comparison, in early Republican Chumbivilcas the presence of both the market and the State legal apparatus was so weak as to preclude this option as a base from which to defend personal claims to power, authority, or ownership. To maintain control over the labor of an Indian population with more access to money than they had, the landlords of Cusco's southern high provinces instead fashioned other networks of social exchange. These exchange systems, which I will suggest emerged in large part from the *gamonales'* involvement in 19th and early 20th century livestock rustling, served simultaneously to differentiate the *gamonal's* power (i.e., his dominant role in rustling) from that of the Indians, and to isolate those Indians who did participate in the market, from the judicial or legal authority of the State. Without this access to the State, the Indians were unable to translate their incipient market activities into bases of real social power on the local level.

Critical to the establishment of these networks of symbolic exchange, and to their acceptance as codes of power (or social difference) by the Indians themselves, was the biculturalism of the *gamonal. Gamonales* differed from the traditional, colonial style *hacendado* in that they permanently resided on their *haciendas*, they often married Indian women, they were intimate with Quechua cultural values, and they spoke Quechua, frequently as their first language. This fluency in indigenous cultural codes enabled the *gamonal* to consolidate his personal domain of control over the local Indian population, through the manipulation of culturally embedded idioms of reciprocity, kinship, language, ritual, and respect. While the colonial *hacendado* had always to a certain degree depended on his understanding of Quechua culture and language in his commerce with the Indians [17], the traditional oligarchical or "aristocratic" *hacendado* did not himself identify to any significant degree with the indigenous way of life. By contrast, the 19th century *gamonal* used his personal and cultural identity with the

Indians to articulate their cultural commonality as a *regionalist* resentment towards the encroaching Republican State [18]. This regionalist rhetoric of cultural equality based on "reciprocity", language, territorial identity, and even kinship, ran strongly contrary to the liberal ideology of the State and its bourgeois – i.e., property-based – concept of "equality *in law*." Contrary to the models of agrarian power which hold in many other parts of the Andes, in Chumbivilcas personal power is (and was) not necessarily a product of amount of personal property. Indeed, the more powerful, and feared, *gamonales*, were frequently those with less, not more, land holdings [19].

It is this difference in the forms of legitimacy through which power or authority are maintained at the local level, which distinguishes the Chumbivilcano *gamonal* from the *hacendados* who controlled Cusco's other provinces. Before entering into the history of cattle-rustling per se, then, it is necessary to pause for a moment and consider the ethnographic reality of the *gamonal* not as a one dimensional social "class" defined only by virtue of his (or, rarely, her) ownership of the means of production (i.e. land) [20], but as a total social phenomenon implying culturally distinct forms of social power.

The *Gamonal*

The term *gamonal* derives from the name of a virtually indestructible perennial plant of the lily family, the *gamón* (asphodel). The *gamón* grows on even the harshest of soils and is sometimes classified as a "parasitic" plant, whose flowering and propagation occurs to the detriment of its less aggressive neighbors. As a metaphor for the particular class of bilingual, bicultural, and horrendously abusive landlords it describes, this name could not be more precise. First used as a label for the highland *hacendado* in Peru in the 1860s [21], "*gamúnal*" has now become part of standard Quechua vocabulary throughout the high provinces or *provincias altas* of Cusco (Canchis, Canas, Espinar, and Chumbivilcas).

Modern day usage of the term encompasses the following set of traits [22]:

(1) *the fusion of economic and political power on a local level and the expression of this union in the seemingly arbitrary excercise of force and violence.* Still today in the communities of Qolquemarca, Chumbivilcas, *gamonales* will periodically break into the peasants' homes, beating them mercilessly, stealing what little property they have, and raping their wives. This behavior is remarked upon frequently by the *campesinos* as a characteristic of the category of people known as "*gamonales*," and is explained by the *gamonales*' weak resistance to such pervasive forces as "*envidia*" (envy) or "*antojo*" (temptation or fleeting desire for something). The targets of the *gamonal*'s malevolous actions are frequently *campesinos* with whom he has recently had intimate social relations (drinking, fiestas, working relations) or with whom he has established the more permanent (and thus threatening) relations of *compadrazgo.*

(2) *the foundation of personal as well as economic power in non-monetary, servile, or "feudal" types of social relations.* All labor on the *haciendas* was non-salaried, and only recently have salaried work relations begun to be introduced into some regions of Chumbivilcas, much to the dismay of the *gamonales* who continually grumble about the impossibility of getting "good help," about how the *campesinos* have all turned lazy since the agrarian reform, and about the exorbitantly high price of the *jornal*, or day-wage (in 1986, c. US.$0.50).

(3) *rudimentary levels of technological innovation in both agricultural and livestock production, and reluctance to convert capital accumulation (cows) into productive forms of capital investment.* One particularly salient example of this is the stories circulated today about the "grandfather" of a particularly powerful Qolquemarca *gamonal* family. This man, it is said, accumulated enormous quantities of money in both silver and paper currency. What is remarked upon in particular, besides the quantities of money he owned, was the fact that,

instead of investing the money on capital improvements on his *haciendas* (for example, by purchasing breeding stock, etc.), he would, according to the legends, seat himself every week in the *puna* outside his *hacienda* home, alongside the many trunks of money which he would "*hacer solear*" (sun). Each trunk was guarded, "as if a cow" ("como si fueran ganado"), by a peon from his *hacienda*. At the time of the Agrarian Reform (1970), the man buried his money rather than turn it over to the State, or alternatively, invest it in some business other than his *hacienda*. While people have, of course, frequently looked for this treasure, so far all that has been turned up on the former *hacienda* is a mass grave of old bones found by the Agrarian Reform officials, and attributed, by the local residents, to one of the "old man's" notoriously vehement bouts of vengeance.

(4) *being a resident, as opposed to absentee, landlord.* Partly due to the distance from Cusco and Arequipa, the Chumbivilcas *gamonales* lived on their *haciendas* on a permanent basis. This residency pattern gave them at once closer cultural contact with the Indians on their *haciendas* and in the surrounding communities, and a greater stake in controlling the local political situation. After the agrarian reform, many of the *gamonales* left Chumbivilcas with their families. A majority of them, however, soon returned, complaining that in Cusco "there was nothing to do," "no one knew who I was," and that in general they "missed *la tierra*." Today many of the *gamonales*' sons and daughters have remained in Chumbivilcas as school teachers, preferring to teach in their home territories rather than in the larger urban areas where they have no networks of local, familial power.

(5) *The use of ethnic identities and cultural idioms normally considered as "Quechua" or "Indian."* Many of the *gamonales* in Chumbivilcas today speak Quechua in the home, and consider it their preferred language for joking, songs, emotional expressions of love and anger, and for any situation requiring reassertion of personal authority, such as when faced with an "uppity" *campesino*. Some *gamonales* even consider themselves to be the "true" descendents of the Incas (or of the 18th century Indian leader, Tupac Amaru), and, as such, representatives of the "authentic" highland spirit. This is particularly true of the *gamonales* from Canas, bordering Chumbivilcas to the east. All *gamonales* from the high provinces, however, consider themselves culturally distinct from the less "quechuaized" *hacendados* of, for example, the Cusco provinces of Urubamba or Quispicanchis. These *hacendados* led, in general, a more "refined" lifestyle influenced by the latest in European or coastal fashion. Their families maintained close ties with the coastal élite and their sons and (occasionally) daughters were educated in Europe or in Lima [23].

The *gamonal* thus differs from the traditional "aristocratic" or "oligarchical" landlord on two important counts: he resides permanently on his lands, and he constructs his domain of social power less around the fact of property ownership per se than on the skillful manipulation of, on the one hand, the traditional codes of *Quechua* cultural identity (language, lifestyle, drinking, kinship, ritual, gender), and, on the other, brute physical violence. The *gamonal* is "like" his Indians: he shares their language, "marries" their women, subscribes to their cultural norms, lives as they do. Yet he is also the terror of their lives for, like the fascist or torturer, he can, at random, turn this "identity" into violence and pain [24]. Indeed, the *gamonal*'s daily relations with "his" Indians can vacillate from intense camaraderie and *cariño* (affection) one moment, to verbal abuse, random beatings, rape, and punishment the next. This violent seesawing is characteristic of the *gamonales* I have known (and "observed") in Chumbivilcas, and it is the trait most often highlighted in the numerous stories told by *campesinos* about these men in their heyday, before the Agrarian Reform of 1970 when the majority of their lands were expropriated leaving them without a basis of *economic* legitimacy. Over and above any

contractual, or institutionally legitimized ties to the Indians who work his remaining lands, it is this seemingly arbitrary ability to exert physical violence without contest that constitutes, in the eyes of the *campesinos* themselves, the basis of the *gamonal*'s permanence as a powerful figure of local authority and respect, even today, *after* the Agrarian Reform.

This ability of the *gamonal* to suddenly "turn violent", however, is not simply "arbitrary". Nor can it be reduced to a facile construction of class (if we consider class only in terms of property-owning status). It is a privilege constructed around the historically specific forms of violence practiced in Chumbivilcas, and the historically specific nature of Chumbivilcas as a social, geographic, and economic frontier within the Peruvian State. Another way of looking at it is to see the violent act as a commodity, not unlike land, which the *gamonal* – who is culturally like the Indian – owns, but the Indian does not, and whose "ownership" and exchange value is protected by the "laws" of self-made frontier justice much as private property is protected by the laws of the state. Unlike land, however, "ownership" of an activity (or privilege) must be constantly asserted through use, and it is this pattern of usage which constitutes the fiction legitimizing ownership, much as the bourgeois legal fiction of "equality before law" sanctifies private property, ownership of land, *and* those constructions of criminal agency by which the *gamonal* was eventually excluded from prosecution for the *abigeato* performed by "his" Indians. In this respect, it is important to remember that it is not the practice of violence *per se* which distinguishes the *gamonal* from the Indian or *campesino*. Rather, it is the ability to perform violent acts *without punishment* which differentiates the *gamonal*'s violence from that *campesino* who might share the *gamonal*'s and rustler's culture of masculine violence, but whose class position relative to the State places him in a different position with respect to the laws through which liberal "equality" is enforced.

In either case, whether we see it as a privilege or as a good, the fiction through which Chumbivilcanos have come to see violence as a personally "owned" (or fetishized) form of power separating the privileges of one social class from those of another, is best examined by considering the specific ways in which violent acts have assumed the shared cultural form through which they can function as "fiction". This form or fiction is the "sport" of *abigeato*. Here I will only briefly summarize the first two periods of 19th century *abigeato* history. As we will see, it was during these two periods that the *gamonal* developed cattle-rustling into a highly *visible*, or theatricalized, idiom of personal power. This theatricalisation of cattle-rustling simultaneously confirmed the *gamonal*'s personal regionalist identity with the anti-State sentiments of the Indians from whom he robbed, and established a pattern of usage constitutive of his "ownership" over those forms of violence through which "justice" could be appropriated from the sphere of legitimation belonging to the State. We will then look more closely at the third period from 1900 to 1930. During these years the *gamonal*'s relationship to "his" violence (power) ceases to be personal or direct, and assumes instead the form of a true commodity produced by (between) the Indians who work for the *gamonal*, yet "owned" as a sign of power by the *gamonal* alone.

A. 1830-1870: Violence and Personal Authority

Criminal documents from Chumbivilcas in the first forty or fifty years of the Republic (1822-1870) show a high percentage of cases involving the use of physical, one on one, violence by state appointed officeholders. In these cases violence appears as a legitimating idiom for authority in areas of weak state support for appointed office-holders. Livestock thefts reported from this period occur within the context of these other, more inclusive, crimes committed by local level, appointed authorities of the State such as governors, mayors,

municipal council members, and sub-prefects.

One particularly salient example of this association of violence with state authorities and with the concept (abuse) of authority itself, comes from the town of Livitaca in the year 1854. In this dossier, the Indians and mestizos of Livitaca join together to initiate a *juicio* in the Superior Court of Cusco against their Justice of the Peace, Antonio Salas. They accuse Salas, whom they call by the indigenous title of authority, "Cacique," of being "un ladron ratero que de los pobres indios de Livitaca y de sus comarcas les quita arbitrariamente una o dos baquitas, lo menos una obejita, que esto es notario en todo el pueblo de Livitaca [25]."

Although there is not time here to go into the gruesome details of Cacique Salas' rather bizarre series of physical abuses, murders and assaults on private property, two aspects of his case will help us to understand what it was exactly the Cacique hoped to achieve through his violent acts. The first has to do with the number of animals and amount of property robbed. The second has to do with the particular geography of judicial procedure the Cacique built around his person.

From the Indians of Livitaca the Cacique stole in very small, seemingly insignificant numbers. Furthermore, there is no account of his having stolen any of the alpacas or llamas whose wool at this time fetched a much higher price than that of sheep on the regional wool market. His thefts, in other words, were clearly not for material or monetary gain. Instead, it was from the mestizo, or "misti", residents of Livitaca that the Cacique stole with a vengeance. Though more impoverished in wool-bearing animals than many of the Indians, these local "mistis" would nonetheless have been the more immediate threat to the Cacique's own monopoly over state sanctioned forms of power. The Cacique not only stole more often from these "mistis", he frequently destroyed the goods he took. From the Chavez family, for example, the good Cacique

> stole 88 sheep, eleven cows, fifty pesos in currency, one horse, 400 pounds of dried potatoes, eight women's shawls, eight skirts, eight shirts, four velvet vests, five beds with blankets, covers, and skins, ten new blankets ... one load of dried peppers, two fine ponchos, a saddle, and all the new and old clothes, one silver-plated bit, forty loads of potato seed, 250 pounds of eating potatoes, and everything there was of foodstuffs ... Beyond all the plundering so far indicated, he culminated his inhumanity and lack of compassion towards our laments, by leaving all the household utensils, like jars, water jugs, pots, plates, pitchers, and so forth, destroyed and in pieces [26].

Other complaints against the Cacique testify as well to the arbitrary and largely destructive nature of his violence. They indicate that his violence was directed to the building of personal power in the form of a monopoly over claims to state office, and not necessarily to the accumulation of material goods. These complaints include, among others, the charge of triple bigamy, of whipping Indians, of "killing an indigenous woman by dragging her tied by her hair to his horse's girth ... and afterwards giving orders that she be proclaimed dead of the plague", and of selling "the young children of those who perished in the plague [27]."

The consolidation of local power which these acts assured the Cacique in Livitaca, was further reinforced by their placement within wide networks of personal relations. These networks of friendship and *compadrazgo* replaced the still largely non-functioning geography of State bureaucracy and market in the early Republican period. Thus, for example, the "Cacique" Salas had cousins, uncles, *compadres*, and nephews strategically placed in important offices of all the neighboring provinces. This alternative, or personal, geography, was also useful in that whenever a complaint did surface against the "Cacique," he would manipulate the judicial system in such as way that the plaintif had to travel to the neighboring Department of Apurimac to have his case heard by Salas's *compadre*, Benito Montesinos, himself one of the most powerful *hacendados* of Apurimac [28].

In the case of "Cacique" Salas, then, a local

Justice of the Peace, in a context of weak State sanction for his office, consolidates his domain of ("state"/"legal") authority around two types of social relations: violent physical relations (between the two immediate parties in an act of physical violence) and the social (or dialogic) relations constitutive of "justice" as an act of accomodation or negotiation. Through this latter type of relations the Cacique constructed a geography wherein local residents' dialogues with the State and its law were mediated through his person and through the geographic network of his friends and *compadres*. Both physical violence and judicial procedure (law) thus come to be identified by the residents of Livitaca as forms of social relations intrinsic to, or centered on, the individual (persona) who not only embodies State authority, but who also controls the territory or landscape of judicial procedure. In the court record, witnesses explain the violence of Salas's murders, whippings, beatings, persecutions and tortures as activities coherent with the personality of Salas, or as several say, expressions of "su natural malignidad [29]." Physical violence *per se* is not considered by any of the plaintiffs or witnesses as something inherent to the *activities* in which the Cacique practiced his violence – for example, cattle theft. Rather, violence as a personality trait and as a repeated mode of social interaction is associated with the cumulative acts, including cattle theft and the administration of "justice," through which the Cacique constructs his *personal* and jurisdictional (territorial) legitimacy as Justice of the Peace.

B. 1870-1900: The Theatre of the Pandilla

In the Salas case, and in other contemporary cases [30] then, it was above all the simplicity and visibility of one-on-one physical violence which came to constitute the social relations underlying the exercise of legal authority by Indian and mestizo office-holders alike [31]. During the following stage of cattle-rustling history, this "simple" violence of the (male) human body was extended to incorporate a more highly theatrical form. This form was at once more visibly expressive of masculine force, and more highly specialized, more exclusive, less attainable within the means available to campesinos, poor "*vecinos*", and state office-holders working on their own [32]. At the same time, this new form built upon those equations of legal jurisdiction with the personal territories of powerful men developed during the preceding period. This new "theatrical" form was the *pandilla*, a band of from 5 to 60 armed and mounted men working under the orders of a particular "boss" or *gamonal*. These *pandillas* begin to be prominent in the historical record starting around 1860 or 1870. During the 1890s, they emerge as the controlling force in the political and economic life of Cusco's *provincias altas* [33].

The Montufar brothers' *pandilla*, active during the 1890s, provides a vivid example of how such bands operated [34]. The targets of their raids were predominantly Indians. Both indigenous and mestizo witnesses, however, testify to the theatrics of the band's raiding activities, which included among other forms of display, cattle theft. Galloping around the province in bands of from 20 to 60 armed men, the Montufar boys staged spectacular displays vaguely reminiscent of scenes from our own American "wild west" movies. Their movements, however, were not random. Rather certain families were targetted and subjected to repeated visits. In this way the Montufar brothers emphasized the stable, one might almost say, dialogic, role of a set cast of actors, victims, and spectators in their theatre of power staged for an audience which went beyond the immediate victims to include the district as a whole. As one victim recounts his experiences

> the governer Justino Montufar ... in the company of his father Don Valentin and his brother Alejandro and a justice of the peace ... appeared in person on the aforementioned day at my puna-home (*estancia*) named Culluctaya, commanding sixty mounted men and another thirty on foot, and [they] proceeded to mistreat my youngest daughter Bernardina ... as a result of

> which she now has serious contusions ... and [then they] proceeded to dig through my rooms; and the following day they sent those of their gang (*cuadrilla*) of the day before ... and these slaughtered the wool-bearing animals and transported the majority to the town ... as if they had won some great battle ... There is no authority who can judge them ... and last year the same Montufar [family] carried off 176 head of sheep ... under the pretext of [charging] pasturage [35].

The Montufar stole not only animals, but pasture lands as well "so as to kill off [the Indians'] remaining herds". Land was frequently stolen under the pretext of "charging pasture fees." In fact, the use of legal and economic discourse to "legitimize" violent appropriations comes to be a distinguishing trait of *pandilla* activity during this period. Other *pandillas* "bought" the animals they stole [36]. Through such repeated usage in the context of theatricalized violent force, the *gamonal* appropriated the judicial (and economic) rhetoric of the State (or marketplace), and turned it into a theatrical convention establishing the fictional space, stage, or *landscape*, within which his spectacle of violence was to be viewed and interpreted [37]. Thus, while "justice" (as a social relation of supposedly negotiated gain-loss) had not yet taken on the overtly reified form in which it is today discussed in Chumbivilcas – where there are men who "own" (or have) justice and those who don't – at the time of the Montufar brothers, people clearly recognized the conditions of its production and the fact that the means of attaining – or staging – this production lay outside those available to their so-called authorities:

> In these very remote places I have not been able to find justice be it because of the temerity of the authorities who should protect me, or the outrages excercised by men who make known their conditions of race over Indians such as I ... because such is the hatred these Montufar, *as men without god or law*, have for me, [when I attempt to go to the judge] they position ten men well armed with precision rifles with the purpose of handing me over dead or alive to [the Montufar family] [38].

Compared with the earlier period when state appointees such as Salas used violence as a means to reinforce their legal status as authorities over Indians, mestizo townspeople, and *hacendados* alike, in the Montufar case, and in the many other similar cases which surface during this period, it is now clearly the *gamonales* who dominate State office-holders. The Montufar brothers treat the authorities as social and political inferiors. They boss them around, pay them what they please, and use them to obstruct processing of legal cases brought against them. In short, violence as the language of authority, and hence of "justice", has passed from the hands of the legal authorities to those of the *gamonales*-- as "men without god or law" – who control the means of its production: namely, arms, men, horses, and territory.

The *pandillas* also played a part in the usurpation of legal power by creating an economic and political geography in which the centers of administrative and economic activity came to be located not in the district or provincial capitals, but in the *haciendas* belonging to those families with the most powerful *pandillas*. It was from these *haciendas* that the *gamonales*, aided by the dramatic presence of their armed *pandillas*, directed the political life of their provinces, forcing state authorities to travel to them to conduct official business [39]. (Or, in those instances when the *gamonal* himself managed to obtain political office, he simply moved the governmental dispatch to his often quite remote hacienda house [40].) When confronted with the periodic necessity of controlling the "free" or "empty" spaces between poles of power which were in any case not tied to State institutions but to the personal power of the *gamonal*, the Peruvian government frequently had recourse to "*medidas excepcionales*," such as the company of Army sharpshooters sent to Chumbivilcas in 1894 in an attempt to control *bandoleros* [41]. Similar measures were taken in the repeated, unsuccessful attempts to create rural commissaries in Chumbivilcas [42], or simply to collect taxes from the Chumbivilcas landowners, an

activity which frequently required army intervention [43]. This physical and conceptual distancing of state authorities from political and economic power, contrasts sharply with the previous period when it was the national authorities themselves who refined the use of physical violence and the creation of alternative, or "personal," geographies as a substitute for the "legitimate" power denied them by the still incipient (and conflict-ridden) Peruvian State.

C. 1900-1930: Muchachos and Patrones

Whereas during the early stages of *pandilla* activity, the "boys" of the gang counted on the participation of their sponsor or "patron," documents from the final stage of *abigeato* development consistently deal with *cuadrillas* acting under orders of a *hacendado* who nonetheless does *not* join them in their raids [44]. Although in these cases there is no question as to whom the *cuadrillas* "belong," no witness is able to say, as was so commonly the case a decade before, that the *gamonal* himself inflicted physical harm, raided the *estancia*, or stole a cow. This shift in role for the *gamonal* corresponds precisely with those years – 1900 to 1930 [45] – when the sheep wool produced on *haciendas* began, for the first time, to compete successfully with alpaca on the international export market. In light of this new found economic legitimacy in the national market system he had previously rejected, the *gamonal* withdrew from the personally illegitimate role he had formerly played in the *pandilla*. His position as leader or "owner" of the rustling gang, however, remained intact. The *gamonal* thus participated in two ideologically opposed systems of economic reproduction and political legitimation-- (a) the capitalist sphere of exchange with its laws designed to protect the rights of private property and the equality of human labor, and (b) the local sphere of *hacienda* production based on unsalaried labor relations, the ostentatious display of accumulated (but not invested) wealth, and, increasingly, on the theft of the very wool the *gamonal* sold.

One example of this is the case of Waraqo, an Indian community of Qolquemarca whose lands and animals were continually attacked by *cuadrillas* belonging to "Doctor" Ugarte, the national deputy of Chumbivilcas to the Peruvian congress [46]. Faced with this situation, the community members in 1924 direct their letter of criminal charges directly to the President of Peru, stating that

> the *gamonales* [Ugarte and Aguirre] form numerous gangs of assailants and lackey thieves from their *haciendas*, armed to the hilt with rifles and other imposing arms and headed by those bandits [the mayordoms of the *haciendas*], the scourge and the last desperation of our families [47].

These *cuadrillas* numbering between 20 and 40 men were armed with "revolveres, carabinas y otras armas del Estado [48]." They not only stole cattle. They evicted Indians from their homes and burned pasture lands to force the Indians to work on the Ugarte's *haciendas*. As a result of these "patrols" (*patrullas*) by Ugarte's and Aguirre's "boys," the community of Waraqo lost in the course of two years "1,400 soles [equivalent at that time to thousands of dollars], 416 sheep, 149 cows, 190 horses, 24 mules, 16 houses and one breeding donkey [49]." In their letters, the Indians clearly identify the *hacendados* responsible for these attacks. Yet they cannot say the *gamonales* themselves attacked them. *Criminal* or "legal" responsiblity for the production of violence and the stealing of property had instead passed to the Indian *"muchachos"* who worked for the *gamonal*.

In other contemporary cases, this transferral of legal responsibility to the Indian is complemented by the new legal role of the *gamonal* himself. In these cases, the *gamonal* appears in two, apparently conflicting, roles. In the eyes of the local populace, the *gamonal* was the "owner" of the *cuadrilla* (i.e., "owner" of the visible or theatricalized means of producing violent acts). In the eyes of the State, however, the *gamonal* appeared in the role of lawyer,

"protector," or "legal defender" of the largly Indian *abigeos*. Through this duplicitous politic of legal manoeuvre, the *gamonal* constructed two different landscapes of power, each designed to promote his personal power in the eyes of a different public.

This double role emerges clearly in the case of the "notaria cuadrilla de *abigeos*" formed by members of the Jauja, Salazar, and Cjusco families "radicantes en la finca de Ccahuanamarca, propiedad de don Francisco Boza Gutierrez [50]." The members of this Chumbivilcano band are charged with stealing alpacas from Indians in the distant districts of Totora, Oropesa and Antabamba (Department of Apurimac). Given this tremendous geographic range, the band's continued success depended on the territorial refuge afforded by their "owner's" *hacienda* (Ccahuanamarca), as well as on that provided by several other "safe houses" in different *haciendas* along the way. Thus, while the *cuadrilla* had one principal "patrón" – whose role in the court proceedings was, in the words of the expediente, to perform "articulaciones maliciosas a favor de sus colonos [51]" – other *hacendados* also appear in court as the Indians' "defensores legales" and interpreters [52].

Such strategic alliances not only facilitated court proceedings and the movement of cattle over great distances. The kin and *compadrazgo* relations of different *hacendados* with the authorities of their respective provinces and departments also permitted the *abigeos* to construct their crimes around a skillful use of the judicial boundaries of State geography, *as well as* around those "unofficial" (not legally recognized) boundaries of protection and refuge provided by the *haciendas*. When victims of the Salazar-Cjusco band set out to find their stolen property, or chase the *abigeos* themselves, they did so in this complex geography of patronage and protection. Thus as one Indian reasoned in explaining why he had given up the chase ...

> We followed the trail up to that devilish point called Yurak-orqo ["White-Mountain"] where we saw two mounted men who approached flinging whiplashes and hurling stones which they had stashed in their saddlebags ... [my] nose was bloodied and face swollen, and [we were] bruised all over the body due to the kicks and punches received ... with all of these threats we became afraid to continue on to Yurak-orqo, abandoning instead the tracks which must have gone on, and this was due more to our lack of resources in a foreign jurisdiction ...because the thieves were residents of the province of Chumbivilcas and had influences there, which I as an alien to that place do not have nor ever could have [both] because I am a resident of Antabamba and because they form well organized gangs of thieves who decimate the small livestock industry, and there have been efforts both on the part of the patrons of these thieves, and on that of a few shady lawyers who wish to exploit the situation, to hide the facts [of our robbery] and to play it down [53].

State or judicial boundaries were likewise strategic in the case of Waraqo referred to above. Waraqo, belonging to the district of Qolquemarca, is nevertheless located deep within the judicial territory of Velille close to the departmental border between Cusco and Arequipa. As such, Waraqo forms part of an ancient structure of territorial organization characteristic of pre-Spanish and early colonial Chumbivilcano social organization and maintained – largely for its benefits to *abigeos* – up to the present day. In this structure of territorial organization, *ayllus* – in this case the *ayllu* of Qolquemarca – retain control over distant "islands" of land called "punas." (The Chumbivilcano "punas", however, are not ecologically distinct from the home territories of the *ayllus* to which they belong [54].) Today, "punas" such as Waraqo are the favored target of *abigeos*, the logic being that, once robbed, the cows can be moved into another judicial district far removed from the one in which the cows' owners will – according to Peruvian national law – have to file their deposition [55].

In the construction of this "alternative geography," however, it was not so much "tradition" as the violent act itself which played the most important role in defining, and defending, territorial frontiers. The Indian *abigeos* of the 1920's employed extreme methods to dissuade their victims from follow-

ing them into their patron's *hacienda* lands, or alternatively, from entering the jurisdictions of unfriendly district, or departmental authorities. One tactic was to place those victims who dared to complain in jail under the conjured up charge of being themselves "inveterate and habitual rustlers [56]." In other cases it was the personal ties of compadrazgo and kinship; uniting gamonales with the provincial authorites which discouraged the functioning of legal justice [57]. Under the very national laws which the Indians were attempting to implement in their home territories, a criminal case had to be "seen" in the district in which the original crime occurred. A complaint against a local lord however could not be heard at the local level under threat to the plaintiff's own life; and if he/she went to the courts of Cusco, she/he would only be sent back. Thus, as one Indian reasoned

> if the Correctional Tribunal [of Cusco] does not accept my petition, I will abandon completely the processing of any civil or criminal suit, so as to not initiate any lawsuit in the Province of Grau [because], since, as I have manifested in the body of my text, there is in the district no human power which is capable of counteracting, or which is not under cover of the influence of, the [hacendado] Montesinos [58].

In other instances, the violence with which the *abigeos* intimidated their victims was extreme. In 1926, for example, the *estancia* of the Indian Pedro Palomino of Curasco (Apurimac) was attacked four times by the "muchachos" of the *hacendado* and provincial deputy, Alvarez Duran [59]. On these occasions, they stole 8 cows and 69 horses (some belonging to another *hacendado* for whom Palomino worked as herder). Not satisfied with simply stealing his animals, the *abigeos* – who, according to Palomino, were "armados con rifles del Estado, sistema Mauser argentino" – ended their "aventura" with the decapitation of Palomino's sons. Following this

> the asassins went down to the town carrying with them the heads of their victims. There they gave themselves over to the most torpid orgy ... [after which] they hid the heads of my unfortunate sons in the house ... and somewhat later threw them in the river, where they were later found by two mestizos from the town who advised me that they had found only the completely destroyed [and] rotted skulls, which I have brought with me and turn over to the disposition of the High Court of Cusco [60].

In attempting to have his case heard by a judge, the father was forced to travel no less than four times on foot from Chuquibambilla to Cusco (a three to four day walk) carrying the rotted skulls of his two dead sons. (These, however, as State's evidence, he eventually managed to leave on a judge's desk in Cusco.) On his final trip

> more than twenty persons came to greet me obeying [the orders of] don Eufracio Alvarez Duran and don Alfredo Boteger [and] they posted themselves in different points just outside the town of Chuquibambilla [Apurimac], with the purpose of vicimizing me in the same manner of decapitation as they did to my sons; for this reason and in defense of my own life, I had to return to this city [of Cusco] with the end of imploring the Correctional Tribunal of Cusco that they do me the service of providing one of the Criminal Judges of this City to initiate the court proceedings, since there exists the impossibility of doing so in the province of Grau, where is it public and notorious ... the existence of gangs of bandits that cruise the province under the open protection of the regional deputy Alvarez Duran who is the author of the [aforementioned] crimes because he knew of the plan and ordered its execution [61].

II. FRONTIER JUSTICE AND THE STATE

In the time of Cacique Salas and the Montufar Boys, the "tierras bravas" of Chumbivilcas, Grau and Antabamba existed quite simply beyond or outside – or perhaps more appropriately, in stark irrelevance to – the law of the State. By the 1920's, however, the *gamonales'* theatre of violence had reached a new stage in which the geography of *abigeato*, and the social relations through which "justice" was achieved for both the *abigeos* and their victims, not only escaped control of the State. They were intentionally placed at odds with –

and thus made use of – the very territorial boundaries and judicial offices around which liberal (constitutional) concepts of legal authority and individual rights were constructed. The responsibility for orchestrating the social relations constitutive of State sanctioned "justice" at the local level remained in the hands of the *gamonal*-lawyer who also "owned" the means of producing that self-made, masculine, or "frontier justice" which ran counter to State power. In the eyes of State law, and in the liberal rhetoric of "economic man" and "equality before law", however, legal responsibility for the violent *acts* through which frontier justice was made (and territories of refuge defended from the State) belonged to the Indians or "muchachos" who performed them.

It is this discrepancy between two culturally and historically distinct codes of individualism – an active or self-made justice, and a passive or imposed idea of equality in law – which enabled the *gamonal* to convert the violence of cattle-rustling into a landscape constitutive of his own personal and territorial power. It is here as well that the frontier character of Chumbivilcas within the Peruvian state and market system is critical. The *gamonal*, as a participant in the wool (and, later, meat) market desired a legitimacy in the eyes of a (coastal dominated) State economy from which he had been previously excluded by virtue of both his participation in the *pandillas* and his cultural identity with the Indians. At the same time, the *gamonal*'s local legitimacy as territorial lord, and as "owner" of the means of producing the violence constitutive of personal territorial power, required that his control over the networks of livestock theft remain visible as theatrical idioms of anti-State "rebeldia" and regional autonomy. The *gamonal* attained this dual legitimacy in part by his privileged ability to straddle both sides of the "frontier" between coastal and highland, Spanish and Quechua, mestizo and Indian, capital and accumulation. By virtue of this strategic, and ultimately "cultural," advantage, the chumbivilcano *gamonal* enjoyed privileged access not only to two systems of exchange – one premised on the transformation of commodities (cattle) into capital, the other formed around the cultural practice of rustling as a network of symbolic exchange structured so as to "produce" or consolidate the visible, violent power of the *gamonal* as local lord. His dominant position in Chumbivilcas also depended on his corresponding fluency in the historically distinct codes of political legitimization, *power*, and social difference corresponding to these two forms of social reproduction.

In the following section I suggest that, in Chumbivilcas today, those relations of social difference constitutive of "power," form a specific system of social exchange realized in part through the (theatricalized) "sport" of rustling, and based on the reciprocal social and territorial constitution of masculinity, honor, and vengeance. As a means to protect his own position as landowner within this local system, however, the *gamonal* also worked according to the quite different social 'frontiers' of racial and cultural difference set up by the economic priorities of private property and capitalist production, and by the legal rhetoric of the State. In this rhetoric, as we will see, the bourgeois ideology equating different forms of human labor served to formulate criminal definitions of *abigeato* that effectively eclipsed the role of the *gamonal* in the rustling economy. This was achieved by a legalistic (and ultimately economic) logic defining *abigeato* not as a local system of exchange or class (*gamonal*) power, but as a form of criminal production anathema to the economic interests of the state.

A. Frontier Justice and the Chumbivilcano landscape

Wayqopi waka ñak'asqay
Orqopi runa sipisqay
Kunan tawaña delitu
Subprefectupas amigullaytaq
Gubernadorpas amigullaytaq

Kunan tawaña delitu
Imayna wanqankus noqata [62].

Today, when asked "what it means to be a Chumbivilcano," or "what it is that is special about Chumbivilcas," peasants and mestizos alike refer to the relation between "justice" and place. In a highly abbreviated form, this debate, to which Chumbivilcanos constantly refer, runs something like this:

> "In Chumbivilcas there is no justice. But, on the other hand, there is more justice, because it is the only place in Cusco, where you can make your own justice."

Two things should be noted here. (1) Justice is considered peculiar to, or diagnostic of, the geographical concept of Chumbivilcas when it is actively *made*; and, (2) justice is antithetical to the state of being a Chumbivilcano when it is a thing out there to be *had* (or given). Justice is, in other words, a positively valued concept when it is initiated by the individual for his or her own ends *and* when it is a personal relation between two individuals unmediated by courts, judges, laws, and the State. Justice is here rendered in an idiom of extreme individualism: all individuals share equal access to justice insofar as they themselves are the ones responsible for "making" it. The extent to which this dictum determines Chumbivilcano ideals of self cannot be overestimated. Honor and vengeance are the stuff of everyday life, with *campesinos*' as well as mistis' lives being largely run around the necessity to constantly keep up with the Quispes in matters of "venganza."

In the Chumbivilcano brand of vengeance, however, there is a perception both of a limited quantity of justice *and* of a certain impartiality in getting back that portion of justice which is rightfully yours. This is true of the ways in which cattle-rustling is practiced today. Whether these rustlers work in the "professional" bands which are the heritage of the *gamonales*' *pandillas*, or in the more "casual" manner of an individual peasant or misti rustler, their pattern of rustling suscribes to certain shared codes of personal honor. If someone steals your cows, you must protect your honor – restore your quota of "justicia" – by stealing back a cow. Whether this cow is stolen from the original thief or not, is not particularly relevant. What *is* important is to "hacerse [o conseguirse] la justicia". The ironic impartiality of such an extreme notion of "equality in justice" is not wasted on the Chumbivilcanos, who proudly refer to *abigeato* as their provincial "sport" precisely because its rules are "sporting" or impartial as to who will get robbed.

"Justice", then, must be done and done *to* somebody who, if they are a honorable person, must then react back. A common form of expressing this dynamic is with the reciprocal Quechua suffix *-naku*, meaning that an action denoted by the verb is reciprocally carried out between two people (or parties). Thus, for example, if *takay* means to wrestle, or fight using only the body as a weapon, then *takanakuy* is when two people "crash their bodies together [63]. Similarly, if *suway* means to steal or rustle, then *suwanakuy* is when two people steal from each other. (*Suwa* is a generic noun for thief, although in Chumbivilcano usage it often refers to *abigeos* specifically.) The reciprocity implied in the use of *-naku*, however, can also be used to express the sense of things running out of control, particularly in regards to matters of thievery and vengeance.

> Asta kunanpas chaykunallayá. Pero kunanqa suwa puraña suwanakapushanku. Manañataq kanchu ñataq chay mana suwakunata tukupunkuñataq, q'ala totalta uywanta chayqa, manañataq. Hina vicioyuhtaq kanku, queriendo o no queriendo paykuna pura suwanakapushanku.
>
> (Up 'till now that's the way it's been. But now among pure *abigeos* they are robbing each other. No longer is there anything; no, they're just finishing the thieving, everything, all the animals, there's no longer anything. You see, they have the vice, whether they want to or not, they go on robbing each other purely among themselves.)

Thus the cycle of violence repeats itself among the *abigeos* whom this man watches, fearfully,

from his home in a puna community of Llusco. As a reciprocal form he sees the impulsive (*-pu* suffix) reciprocity (*-naku*) of thieving "just among thieves" (*pura*), as a force raging out of control and, perhaps, someday finishing off the *abigeos*. Indeed as he later comments, again making use of the *-naku* verb form, the *abigeos* are "people who kill each other off" (*wañuchinakuq kashan*).

This man's formulation of the *abigeato* dilemma reflects the historical formation of contemporary Chumbivilcano attitudes towards place and social identity on two grounds. First, it reflects the theatricalisation of violence as a spectacle set up by the *abigeos* as a display of self or of personal honor. This male sense of honor is acted out through scenes of reciprocal vengeance-taking involving both men and women [64]. These scenes are designed as much for their immediate victims, as for the audience, or community, who watches from afar. Abigeo feuds and battles are the stuff of daily conversation in Chumbivilcas. Everyone knows which family is ahead of which, and what are the stakes, who has stolen whose cows, and where the cows were taken. This score-keeping is part of the socially constructed landscape or stage empowering the *abigeo* by ensuring that his violence – which is, of course, illegal in the eyes of the State – be kept nonetheless perpetually visible in a theatrical, public form. Particularly spectacular displays occur in the fiestas for the patron saint of cattle-rustling, Santiago. This annual fiesta in the village of Antuyu is sponsored by the misti cattle-rustling families who live there. The *abigeo* sponsors, however, rarely attend the feast, conveying power instead through their absence, or, as occurred in 1986, by the unannounced, dramatic entry of a principal family member whose face and chest were smeared with blood.

A second point related to that of theatricality, is the *campesino*'s formulation of the potentially endless nature of a form of thievery whose reciprocity is perceived as something inherent to Chumbivilcas as a *place*, and therefore to the Chumbivilcano as a person. When asked what can be done to irradicate rustling, *chumbivilcanos* of all social classes express a cynical sense of hopelessness since, as they reason, everyone, including their neighbors and kin, is a potential *abigeo* or, at the very least, complicitous with the *abigeos*. In the list of demands presented by the peasant communities to the President of Peru in 1986, the first request is for an all out, government sponsored campaign against cattle rustling. As the presidents of two of the participating communities later commented to me, this demand was a good joke against the government since, "Who knows how many of us among the assembled community presidents are *abigeos* ourselves?" In relating their experiences, victims of *abigeos* likewise vacilated wildly between condemnation for the loss of property and physical harm suffered, and their irrepressible admiration for the manly valor, nice horses, arms, and "rebellious" spirit of the very villains they condemn. More often than not victims would end their interviews with a simple request that I supply them with some guns so that they too could "get back their own."

Stolen cows are thus recycled in an endless display of the bovine signifiers through which masculine honor and vengeance are constructed in Chumbivilcas. As an inherently reciprocal process, however, this recycling, and the (somewhat disorderly) power it generates as a system of local (symbolic) exchange is contained within certain quite definite limits. These limits are defined by the attachment of Chumbivilcano identity and individualism to a very clear concept of landscape or place.

Critical to this idea of landscape or place is the notion of "*bravura*" meaning wildness, or bravery such as that shown by savage beasts. As we have seen, justice can only be effectively obtained by men who go out agressively and make it [65]. Yet the ability to "make" justice and display the "bravery" or "valor" (*valentia*) necessary to do so, is seen to result not so much from the individual as we think of him/her, but from the particular environment or place in

which the Chumbivilcano lives. Thus, Chumbivilcas is called "la tierra de los hombres bravos" ("land of the brave/wild men"), while Chumbivilcanos themselves are said by outsiders to be *chuchu*, "hard, leathery, and frostbitten", because of their formation as persons within the harsh, cold *punas* (high grasslands) in which they live [66]. These *punas* are spoken of as harsh, infertile, and empty, *and* as dangerous, powerful, and – in the Quechua tradition – alive. The power of this animate nature, is consistently described in Chumbivilcas as a masculine form, different in gender and thus in kind from the traditional Andean sense of a female earth. Traditional *huaynos*, or songs, from Chumbivilcas constantly refer to this bonding relation between *man* and nature [67]. They describe the Chumbivilcano as a man who wanders alone, accompanied only by his mandolin and faithful horse (whose role in Chumbivilcano folklore as symbol of natural virility is second only to that of the bull). Similarly, the historical and personal narratives told by *gamonales* today frequently refer to a hostile natural force "obliging" them to turn to extralegal activities, such as cattle-rustling. As these same men will comment, "had they not been born in Chumbivilcas, they would not have led lives of violence, revenge and theft. But, as they put it, "having been born in Chumbivilcas, what more could I have done [68]?."

The exchange system constituted through livestock rustling is similarly described by Chumbivilcanos in a rhetoric of place. This rhetoric has to do, on the one hand, with the geography or landscape of a "tierra brava" constructed around the territories of the *gamonales'* historical *pandillas, and*, on the other, with those "Andean" concepts of nature and place to which Indian and *gamonal* alike suscribed. In accordance with these Quechua values, territory is an actively constructed concept, whose boundaries must be constantly recreated through daily exchanges of offerings and formalized salutation between neighbors [69]. In the emergent "wild lands" of Chumbivilcas, these repeated social acts through which territory, and person, were defined, assumed the form of the violent interchanges of cattle-rustling, and the social activity of "making justice."

Today, for example, *abigeos* are frequently associated with the boundaries between villages and *haciendas*, cultivated and uncultivated lands, or legal jurisdictions. One famous *abigeo* (descendent of the Salazar band described above) is known as "rayanpa churin," "the son of the [boundary] line" between his community and the puna pasturelands. *Abigeos* are also known to have their own *apus* or sacred mountains. These mountains, to which *both campesinos* and *gamonales* pay homage, simultaneously protect and empower the rustlers by determining the range or territory within which the reciprocal *suwanakuys* can take place. As part of this bounding of violent power through place, it is important to note that in Quechua there is no concept for violence *per se*. The act of inflicting physical harm on another person is instead described using specific verb forms which contain within the meaning of their action, the type of instrument or the body part with which pain is inflicted. The violent act involves two specific persons, mediated by a specific type of object (to hit with a stick *[p'anay]*, with a stone *[ch'aqey]*, etc.) and bounded by a mutual understanding of place. Similarly, there is no Quechua word for "nature" as a generic thing. The animate force of the land only exists in its relation to people, and to the historically remembered territories where people live, work, and steal cattle.

B. The landscape of criminal production in the Peruvian penal codes

> El *abigeato*, como una tremenda maldición, continua implacablemente y con más perversidad y con más descato que nunca hoy su nefasta obra de exterminio y desolación, haciendo temer en su avance ya incontenible, ... por un próximo y definitivo derrumbe de las bases mismas de la industria ganadera y dando lugar al mismo tiempo al desbordamiento más dantesco de todas las más bajas

> pasiones humanas junto con el daño material y económico próximo a la ruina y la miseria [70].

These concepts of landscape and of what we would call "frontier justice" or "frontier law" together came to define Chumbivilcano cultural identity as a regionalist, territorial claim. From the vantage point of the State and the capitalist market, however, rustling, and the system of exchange it reproduces came to be seen as a process of *production* whose control over man became equated with the laws of "Nature." This process is better understood by looking at the penal codes through which *abigeato* came to be defined by the State as a violent or criminal act performed by Indians. In these codes, as we will see, violence is expressed as a generic or unsituated concept of disorder, inferiority, and alterity, tied to the idea of Nature in the unplaced, Western sense of the word. In short, in the legal discourse through which Indian *abigeos* were judged and found guilty, violence functioned as a generic marker of difference or opposition. As I will suggest, it was through this oppositional, and basically racist, discourse that the *gamonales'* who sponsored "Indian" rustling turned the violence of *abigeato* into a locally produced form of power which they themselves "owned," but which in the eyes of a State legal system concerned with other forms of power and production, the *gamonal* did not himself *produce.*

The first clear legal distinction between *abigeato* and simple larceny (hurto) is set out in "The Law for the Repression of Cattle-Rustling" passed in Lima on October 16, 1900 [71]. In this law, a theft of cattle or other livestock can be prosecuted *as abigeato* if and only if the crime occurs "in an open space, or in the open countryside." In the revised penal code of 1927, this distinction is further qualified in the following terms:

> 1) "Abigeato: the concept. The *abigeo* shall be considered a thief who robs animals outside of populated places".
>
> 2) "Abigeato shall be considered the unjustified possession of livestock or the justified possession of livestock by any person not known in the place, or a vagrant of bad fame."
>
> 3) "Abigeato shall include the crime of unjustified transport of livestock, or any transport of livestock by way of an unknown path not designed for public traffic, or by any known road at night [72]."

This image of *abigeato* as a crime committed by vagrant, unnamed people, on unknown roads, in an unpopulated, nocturnal setting might be thought to have muddied somewhat the legal prosecution of such nefarious crimes. Students of Peruvian jurisprudence were quick to note these ambiguities, and lost no time defining the necessary prerequisites for a crime to be "nocturnal" and for a place to be "uninhabited" ("despoblado"):

> When the law speaks of a theft ... it refers to any appropriation of a foreign good with violence perpetrated on persons or objects, or to any nocturnal thievery, even when this thievery is committed during the daylight hours.
>
> Only in the case in which a person is assaulted in an uninhabited area or on a public road, the punishment will be considered to be grand larceny [as opposed to petty larceny, or hurto, which is theft committed without violence of any kind], even when no other act of violence is committed, since [the law] views it as sufficient duress on the soul of the victim the terror which will take hold of him upon being attacked in a uninhabited place [73].

The qualities of "nocturnal" and "uninhabited" associated with *abigeato* – and with the real territories of refuge and violence constructed by the Chumbivilcano *gamonales* – are thus legally constituted as aspects of an unbounded space of terror which is itself assigned agency in the production of a criminal act. It only remained to give legal definition to the person of "mala fama," or bad fame, whose presence was the third prerequisite for livestock theft to be prosecuted as the more serious crime of "*abigeato.*" Two theoretical concepts influential in the revision of the Peruvian penal code of 1924 provided the ground for converting "mala fama" as well into a prosecutable form of

criminal agency. Both concepts were borrowed from the doctrine of the "positive individual" formulated by the Italian school of political criminology [74], which at that time had shaped the criminal codes of nearly every Latin American country, as well as those of fascist Italy, Austria, and Germany [75].

Two interpretive stances came out of this doctrine. The first was the premise that the only legally responsible individual is the one who *performs* the criminal act, "como es natural ya "que el hecho de favorecer o receptar no esta ligado a *la causalidad* de la accion delictive[76]."

The second was the doctrine of "peligrosidad" or "dangerousness," defined as the physiological, genetic, cultural, or environmental conditions contributing êto the "subjective dangerousness" of the delinquent as an "enemy of society [77]." In the penal code of Peru (hailed by European scholars as the clearest of all the Latin American penal codes in matters of peligrosidad), these environmental factors promoting "subjective dangerousness" had been pre-defined in former laws as those qualities of "nocturnal" and "despoblado" already associated in other forms of national ideology with the Andean highlands [78]. Now culture and race were added to the penal code as agents of criminal acts which must, therefore, in the interests of liberal "equality in law" be given special consideration in the prosecution of certain types of crimes:

> Art. 45. In matters of crimes committed by half-civilized or degraded Indians, the judges will take into account the Indians' state of mental development, their level of culture and their customs, and proceed to judge them prudencially [79].

In prosecuting crimes committed by Indians, it was up to the judge, then, to decide what *proportion* of the Indian could be held responsible as a legal individual. To do this, the Indian's individual identity before the law had to be carved out from the larger undifferentiated block of "culture" to which he belonged. In performing such delicate operations, it was again the Italian doctrines of the "positive individual" and the quantifiable concept of "dangerousness" which were to provide the Peruvian judge with his scientific measurement of proportion. According to the Italian criminologists, the individual did not commit crimes of his (or much less, her) own free will, but rather as a result of environmental, racial, or physiognomic factors which (unlike free will) could be scientifically tested and, therefore presumably prevented [80]. Individuals from different racial and economic environments were correspondingly believed to contain within them different levels, or ratios, of "dangerousness." It was only a matter of time before Indians accused of cattle rustling became subject to rigorous physical examinations to determine their precise proportions of objective "dangerousness," and legal subjectivity [81]. To quote one of these reports whose methodology is drawn directly from the Italian texts on criminal anthropology [82]

> The subject is an Indian around 45 years old, of good constitution and a robust complexion. He has a physionomic expression typical of a cretin, this, in harmony with the cranial-facial deformation I observed ... [This deformation] is congenital and it is logical to suppose that the intracranial organs, the brain and its annexes, participate in this deformacion, obeying the law of the adaptability of the contents to its container. As a consequence of the subject's poor cerebral development, his intellectual functions are severely repressed as evidenced by the fact that he is an illiterate and only speaks Quechua... [Moreover] he has no clear concept of morality, he does not know his [legal] rights and obligations ... He is accused of cattle-rustling and he tells about his acts with complete frankness and naturalness, as if it was of no importance whatsoever. In his conception [it] was not even a crime, because the owner got back the livestock which was stolen [83].

In other cases, the cultural or racial attributes of the Indian *abigeo* were confused with legal ideas about civilization and savagery, night time and the "despoblado." In several of these cases, the fact that the accused lived outside a town was found to be sufficient evidence of criminal cattle-rustling. Thus, for example, in 1913, the

Superior Court of Cusco ruled against Timoteo Soto, an Indian from Cotabambas accused of *abigeato* on the basis of four witnesses who charged that Soto "has for his house a hut which is situated inside the brush and isolated from all the neighbors and as a consequence everyone sees him to be the author of all the thefts [84]." Other witnesses confirmed this incriminating testimony with the observation that on several occasions they had seen Soto "eating raw meat from the cows he had stolen, and wiping his bloody hands on the trees and bushes surrounding his domicile [85]."

The violence of *abigeos*, and the violence of their imagery, thus continued in the legal codes themselves to reproduce the geography of *despoblados* and nocturnal terror constitutive, on the local level, of that system of symbolic exchange whose cultural values of honor, vengeance, individualism and masculinity ultimately served to legitimate the *gamonal*'s local authority as "owner of the means of producing violence." Again, however, in the eyes of the state, legal responsibility for the violent act itself rested with the Indian or *muchacho* who performed the *labor* of rustling, albeit as an employee of the *gamonal*. In the sociological theory of cattle rustling formulated by contemporary Peruvian criminologists, the at times quite brutal violence of the *abigeos* is uniformly explained as a "racial" or "cultural" trait [86]. *Abigeato* was seen to be "el delito más común entre los delincuentes indios [87]," while the Indian *abigeo* was described as possessing sentiments and moral values "ajenos" to those of Peruvian, national society [88]. Indian *bandoleros* were described variously as "famosos por las crueldades que perpetran [89]," as subject to "complejos mentales antiquisimas y primitivas [90]," as "privado del sentimiento de amor," (being subject instead only to "el instinto brutal del sexo [91]," and, finally, as lacking intelligence, a trait which "en el grueso de los de la sierra se halla atrofiada [92]." Highland or Indian bandoleros were also widely considered to be cannibalistic, to drink the blood of their victims, to use the human body parts of their mutilated victims as ritual fetishes or as gambling chips, or in the preparation of barbecues *(pachamancas)* [93].

In accordance with dominant Italian criminological theories concerning the climatic and racial origins of criminal behavior [94], the Indians' propensity towards such things as cannibalism and mutilation was similarly explained as a product of the harsh sierra environment [95]. Indeed, such influential sociological studies as that of the Peruvian José Varallanos, established their methodological structure around a comparison of coastal versus highland *bandoleros*. While coastal bandits were for the most part seen to maintain the codes of romantic chivalry and bravery appropriate to romantic ideals of "the social bandit," their highland counterparts were said to be prone to violence not only by virtue of the superstitious nature of their "culture," but also by virtue of that "moral insensitivity" bred by a harsh environment – since, as he reasoned, "el hombre en el Perú no es sino consecuencia del terreno [96]".

The distinction between the criminologist's or sociologist's discourse of geographic causation, and that of the Chumbivilcano's territorially constituted "rebeldia," could not be greater. As a radical form of individualism caused by the historical, territorial nature of a specific landscape (or in the terms of the discourse itself, by the peculiarly *masculine* type of nature assigned to Chumbivilcas as a place), the discourse of provincial identity which Chumbivilcanos use to set themselves apart from other Cusqueños, emerges from those reciprocal (i.e. social) acts of rustling, making justice, and saving honor through which the "masculine" qualities of *chumbivilcas* are constantly re-inscribed in the (Chumbivilcano) landscape. These activities uniting people to the places around them are not, however, unconsciously

"cultural acts," emanating in some blind, mysterious way from the history which has shaped the Chumbivilcano landscape. They are in some sense as well *conscious* acts of territorial reconoitering which serve to remind individuals of the social nature of their landscape *and* of the specific, historically constituted forms of power which have gone into its formation, including cattle-rustling, *gamonal*ismo, and the international capitalist (wool) market.

It is for this reason, I believe, that, of the various Cusco provinces in which I have worked, the Chumbivilcano peasant is the most clearly political in his construction of social difference. At least partially because of the radical individualist values of bravery and justice embedded in the Chumbivilcano landscape for the *gamonal*'s own illicit ends, the Chumbivilcano peasant does not view the "misti" or "*gamonal*" as in any substantive way different, that is in ethnic, or much less racial, terms. Rather the peasant sees the *gamonal* for what he is: a historically privileged class enemy. The very landscape in which the peasant lives is inscribed with the violence of the *gamonal* and of his protegé, the rustler; and the peasant forgets neither. As a lived and remembered social space, the mythologized isolation of Chumbivilcas's folkloric "tierras bravas," serves as a daily reminder that the *gamonal* has acquired his monopoly on local power, his "ownership" of justice, and his immunity to punishment, through his historically privileged access to the State, *and* to that discourse of radical social difference in which power is imagined (and legally defined), not along class lines, but along the imminently racial lines of "Indian" and "non-Indian." Similarly, while Chumbivilcanos as a group – both peasant and *gamonal* – consider themselves different from other Cusquefios because of their relation to the place of Chumbivilcas, the concept of self which emerges from their landscape is not one which defines itself through opposition to what lies *outside* that place. The Chumbivilcano, unlike the Peruvian lawmaker or coastal politician, only practices his 'frontier justice' inside of Chumbivilcas [94].

The unbounded, dehistoricized space of terror and "positivist" individual agency, of the Peruvian penal code, Peruvian national identity, and Cusqueño regionalist identity, use space in a different way. They define the individual as an autonomous, unplaced agent whose actions both real and potential have, as if in a mechanical chain of cause and effect, an impact on all other individuals in society. Thus the "subjective dangerousness" of certain individuals must be given agency and made to be legally prosecutable, so as to protect not only the individual from him or herself, but to protect society as a whole. The unplaced idea of the legal individual is, in other words, part of a colonizing discourse which sees "the subjective dangerousness" of those other unknown people living in unknown, uninhabited, un-historical places, as something which must be assigned individuality and brought into the fold. It was precisely this process of historical erasure – realized through the naturalization of historical and economic frontiers of power, as boundaries of racial and cultural difference – upon which the *gamonal* capitalized to, on the one hand, burden "his" Indians with the legal *crime*, and alien image, of the rustler, and, on the other, keep the State out of his own "wild land."

IV. OF JUSTICE AND DIFFERENCE

> Metaphorically and in virtue of a certain resemblance there is a justice, not indeed between a man and himself, but between certain parts of him; yet not every kind of justice but that of master and servant or that of husband and wife. For these are the ratio in which the part of the soul that has a rational principle stands to the irrational part ... [T]here is therefore thought to be a mutual justice between [these parts] as between ruler and ruled. [Aristotle]

Like other parts of highland Peru, and the Third World in general, the forms of social power, social exchange, and social justice

constitutive of Chumbivilcano peasant culture today, have been constructed through the ideological and economic collusion between capitalism, the state, and the "traditional" economy of *haciendas*, middlemen, and peasant community production. What I have tried to focus on here has been the specific ways in which this collusion of economic and cultural forces has been mediated by a specific social class, representative of an, in many ways, unique combination of social and cultural identities. This class is, of course, the bi-lingual and what we might call bi-cultural *gamonal*.

But it was not only the presence of the *gamonal* as resident landlord, coercive employer, and, occasionally, corrupt State official, which determined Chumbivilcas' special "frontier" quality, for this is a pattern found throughout highland Peru. Rather it was the *gamonal*'s involvement in a particular form of illegal, violent activity whose purpose, for the *gamonal*, was twofold: to increase the visibility of personal, violent force; and, later, to facilitate the flow of goods (livestock) into the capitalist market without at the same time sacrificing the relations of production and accumulation characterising his hacienda as a local economic system.

The cycle of exchange generated by this somewhat duplicitous system was complex. The *gamonal* sold (stolen) livestock into the capitalist market, transforming them into commodities and returning the money earned to his *hacienda* in Chumbivilcas. There the money was re-"invested" not in capital improvements for the production of more commodities (capital), but in the perpetuation of a theater of violence designed to reproduce the hierarchies of family power in place in Chumbivilcas since at least the mid-nineteenth century. The Molina, Ugarte, Alvarez, Velasco, Pacheco, and Romero families were the power base of Chumbivilcas. Each controlled its own properties and its own territories for rustling. The maintenance of these territories, as we have seen, was the responsibility of their "boys" who, in rustling cows and raiding peasants' puna homes, set into motion a system of symbolic exchange less productive of cows or of capital *per se*, than of the bovine signifiers constitutive of *gamonal* family *power*. By 1930, for example, Luciano Alvarez, the *gamonal* referred to earlier as "sunning" his trunks full of money, had accumulated on his five *haciendas* in Qolquemarca, 2510 horses, 7800 cows, 750 bulls, 39 donkeys, 4100 head of sheep, and 680 mules [98]. Washington Ugarte, deputy of Chumbivilcas to the national congress and plague of the community of Waraqo, owned over 4000 camelids, 850 head of cattle, and roughly 1300 head of sheep [99]. Yet the flow of animals from the *haciendas* into the market was relatively weak; they remained instead in Chumbivilcas – signs of wealth, accumulated but never spent, reinvested only in the circulation of livestock through the channels of rustling that connected rival *gamonales*.

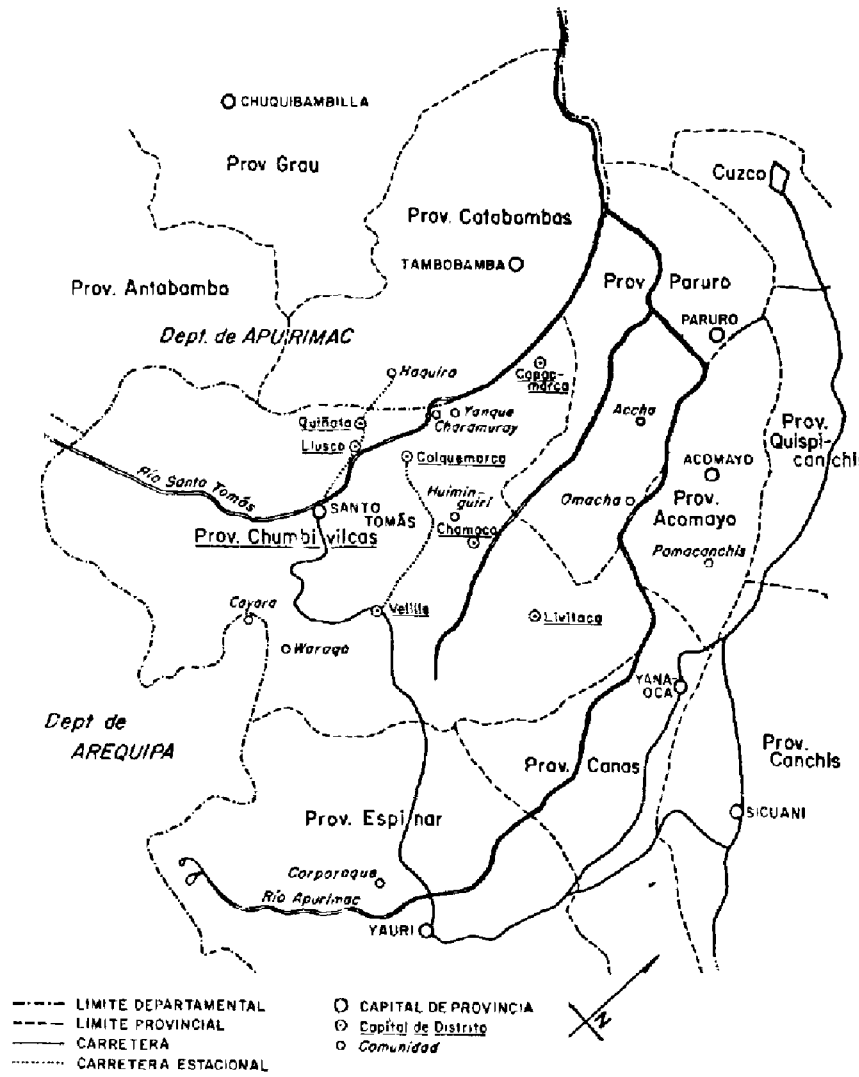
The *gamonal* thus used the livestock generated by rustling to further forms of local power which the State perceived first -- in the initial stage of the *pandillas* – as illegal, then later, with the rise of the *gamonal* "lawyer," as useful entries into an area – Chumbivilcas and its surrounding provinces – in which the State had previously had little or no control. *Gamonales* became deputies, lawyers, sub-prefects, and other representatives of state power in Chumbivilcas, and they used this power to their own ends. In the meantime, the national legislature reacted with alarm to the spread of rustling, by passing new laws with stricter penalties for livestock theft. These laws were of course inspired by the perceived need to protect private property, though their result was something quite different. By constituting rustling as part of a "natural economy," inherent to the sierra as a place, and to the Indian as a naturally violent, degraded, or "semi-civilized" being, the national laws came to view rustling not as a system for the circulation of a (non-commodified) *power* crucial for the reproduction of a landed *gamonal* class, but as a system of

(commodity) *production* threatening the state and proceeding from "outside [100]." Thus for example, it was common for *abigeato* to be described in the Cusco newspapers as a species of national emergency, or in one case as an "exodus of livestock from the country [101]." On other occasions it was denounced as "an industry which will take over whole provinces and entire regions of the nation [102]," or as an alternative economy run by "cattle thieves who are generally Indian or cholo ... [and] who are [as a result of rustling] today the owners and lords of the national wealth of the highlands [103]." Interestingly, given the legal definitions of *abigeato* as a crime of the open countryside, one common suggestion for stopping the spread of *abigeato* was simply to put fences up in the *punas* [104].

Only in idealized models of economic systems does a rationality coherent with the logical ends of the system surface in practice. In the case of Chumbivilcas, the failure of capital to achieve its rational ends could not have been more marked. In setting apart rustling, the Indian, and the sierra, the State helped to consolidate precisely that "frontier" of social difference constitutive of the *gamonal*'s continuing dominance in those areas of "primitive accumulation," "non-capitalist" production, and "criminal" activity which the State – were it a rational capitalist entity – would surely wished to have colonized and tamed.

Viewed from this perspective the problem of Chumbivilcas as a "cultural" frontier constructed (or at least legitimated) by the State, subscribed to as a romantic ideal by both the Chumbivilcano peasant and the Cusqueño middle class, and benefitting the *gamonal* class alone, raises complex questions with respect to the nature of cultural hegemony in Peru. The usual historical and anthropological scenario of state power in Peru is one which weighs force over consent: state and capitalist domination proceeding primarily from the coast and from outside Peru is seen to be pitted against culturally inspired "resistance" movements of, if not Indians *per se*, then at least of "Andean" peoples. Yet, as we have seen, in the cultural reproduction of Chumbivilcano rustling – which, as we will recall, is Cusco's symbol of a native "rebeldia" – not only is the rustler *not* acting according to any pristine, or much less "indigenous," cultural allegiances, the *gamonal* has actually used the image of a cultural and economic frontier set up between his province and the state to consolidate his own hold on real local power. As a structure of local hegemonic control, the *gamonal*'s privileged access to power has thus been assured as much through the physical reality of his personal violence, as it has been by, on the one hand, the ambiguities of the peasant's own territorially and gender defined value system [105], and, on the other, the ways in which geographic and racial categories have been internalized into the legal codes and value systems designed (or intended) to promote "justice," individual rights, and capitalist gain. Does "hegemony," then, lie with the *gamonal*, who benefits from the conflict between intent and consequence on *both* the part of the "macho" *campesino* and the "liberal" State? Or does it lie with the State, whose hold over Chumbivilcas is assured by the presence of the *gamonal*? What does the "rebeldia" of livestock-rustling mean with respect to the Chumbivilcano's real relation to the State? What does it mean that the Cusqueño movement for regional political and cultural autonomy from the coast rests its claims on the same frontiers of "cultural" (read: racial) difference that reproduce the power of the *gamonal*, and ultimately of the state? Finally, what does it mean that anthropology has itself contributed in large part to this construction of an idealized and homogeneous "Andean Culture" existing in the sierra, but not on the coast?

Today in Peru a "dirty war" against the Maoist insurgent party, Sendero Luminoso, is being fought by soldiers taught that "Indians" are violent "by nature [106]." This war is championed by liberals such as Mario Vargas



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Llosa who draw on anthropological writing to construct an Andean "indigenous" violence, blindly caused by the environment and by, what he calls, "the Peruvian Indian's submission to ancient cultural ways [107]." Given this scenario, what does it mean to write about violence in Peru? Is it possible for me to write about the cultural and historical roots of violence in ways which will *not* simply *re*-inscribe that violence on the Peruvian landscape? Or should I continue to *try* to represent and denaturalize those frontiers of racial and cultural difference which continue – both because and inspite of anthropology – to divide spheres of violence in Peru into legal and illegal, military and "terrorist," even in the language of terrorist resistance itself? Finally, I would ask, is it even possible to ask, "What is 'the field'?" – to salvage, in short, something from the frontier of *ethnographic* experience? Or should we write it

all off to that foggy frontier of the fashionably unrepresentable, the textual, the tropic, and the personally politic?*

While the "truth" of violence might seem far off and difficult to grasp for those who consider *only* the politics of writing and the text, it *is* worth trying to represent if we are people who believe that violence is produced, not in a text, but in the real world system of imperialism, racism, and capitalist exploitation. In this sense then, the true political frontier of post-colonial anthropology lies not in a rejection of violence and of truth – in a fashionable retreat to the "politics" of the text and in a concomittant rejection of that rhetoric of courtship which is both text *and* field. Rather it lies in the challenge of redeeming the political power of a disruptive, surrealistic violence intrinsic to ethnographic representation, and using it to say something about a real violence which is not there for us to market, but more incriminatingly, there because we are here, in the world system of which Chumbivilcas also partakes.

NOTES

1. Chumbivilcano women's love song; *El Comercio del Cusco*, 19.XII.1923.
2. Popular resentment of coastal, and particularly Limeño, domination has fed Cusco's recurrent popular movements for regional separatism, decentralisation, and, on a cultural level, "cusqueñismo" (cf., Jose Luis Rénique, "De la fé en el progreso al mito andino," *Márgenes* I,(1987), pp. 9–33, and *Estado y Movimiento Social en el Sur Andino del Peru, El Caso del Cusco* (Lima: CEPES, 1988). Partly as a result of this marked regional pride, Chumbivilcas is often depicted by Cusqueño historians as the cradle of indigenous resistance movements, such as that led by Tupac Amaru in 1780–82, as well as of the ensuing battles for national emancipation from Spain (LIWI, *Liwi, Edición Extraordinaria Dedicada al Magisterio Chumbivilcano*, 7 (Nov. 1960).
3. Renato Rosaldo, "From the Door of His Tent: The Fieldworker and the Inquisitor," in James Clifford & G. Marcus (eds.), *Writing Culture: The Poetics and Politics of Ethnography* (Berkeley: University of California Press, 1986), p. 96.
4. Cited in Rosaldo, *op.cit.*
5. Luís Valcárcel, *Memorias* (Lima: Instituto de Estudios Peruanos, 1981); Rénique, *op. cit*, 1987; José Deustua and José-Luis Rénique, *Intelectuales, Indigenismo y Descentralismo en el Perú, 1897–1931*, (Cusco: Centro de Estudios Rurales Bartolomé de Las Casas, 1984).
6. Cf., George Dupré and Pierre-Philippe Rey, "Reflections on the Pertinence of a Theory of the History of Exchange," *Economy and Society* (1973), 2(2):131–202.
7. E.P. Thompson, "Patrician Society, Plebian Culture", *Journal of Social History*, (1974), 7(4):387.
8. The outline presented here of the early Republican economy is drawn from the more detailed studies in economic history by Heraclio Bonilla, "Comercio Libre y Crisis de la Economía Andina: el Caso del Cuzco", *Historica* (Julio 1978) 2(1):1–25; José Deustua, "Producción Minera y Circulación Monetaria en una Economía Andina: El Perú del Siglo XIX", *Revista Andina* (Dic. 198[illegible]) 4(2):319–54; Alberto Flores-Galindo, *Arequipa y el Sur-Andino, Siglos XVIII-XX* (Lima: Editorial Horizonte, 1977); Manuel Burga y Alberto Flores-Galindo, *Apogeo y Crisis de la República Aristocrática* (Lima: Ed. Rikchay Perú, 1987); Luís Miguel Glave, "Agricultura y Capitalismo en la Sierra sur del Perú", in J.P. Deler and Y. Saint-Geours (eds.), *Estados y Naciones en los Andes*

* In August 1986, just before I left the field, a commando of guerrillas from Sendero Luminoso attacked the post of the Civil Guard in Velille, Chumbivilcas. Two policemen were killed, and subsequently all police except those in the larger posts of Santo Tomás and Velille were withdrawn from Chumbivilcas. Later that month my *gamonal* informants from Qolquemarca attacked a rival *gamonal* family, stealing six horseloads of weapons and 20 million soles in money. They were disguised as "Senderistas." Today Chamaca, Livitaca, and parts of Qolquemarca are "liberated zones" controlled by Sendero comandos who have initiated a redistributive economy and who acquire their arms from *gamonales* and rustlers. Rustlers still attack peasant estancias in Livitaca and Chamaca, only now they wear ski masks (pasamontañas), the symbolic icon of Sendero. Machine guns have replaced the *pandillas*' ancient Mausers and carabinas, and the police have withdrawn. Sendero tacitly allows for rustling activity, as it is their source of guns. The "blacklist" has been published, but the *gamonales* remain. As I write about livestock rustling and its history, the forms of violence it projects assume a rustic flavor. And I ask myself, what is the rhetoric of courtship now?

(Lima: IEP, 1986), pp. 213–43; Neils Jacobsen, *Land Tenure and Society in the Peruvian Altiplano: Azángaro Province 1770–1920* (Ph.D. Dissertation: University of California, Berlekey, 1982), pp. 63–137; Magnus Morner, *Perfil de la Sociedad Rural del Cuzco a Fines de la Colonia* (Lima: Universidad del Pacifico, 1978); and Jean Piel, *Capitalisme Agraire au Pérou*, T.II L'Essor de Néo-Latifundisme dans le Pérou Républicain (Paris: Editions Anthropos, 1983). As all of these authors point out, it is still difficult to determine the nature and extent of the so-called "crisis" during this period.

9. Prior to the Inca conquest in the 15th (?) century, the Chumbivilcanos formed a distinct linguistic group. While their social organization reflected features common to all Andean societies (moiety division, ten part divisions, verticality; etc.), it is probable that their ayllu structure was highly dispersed territorially in a non-vertical (i.e., non-ecologically diversified) archipelago structure. Some aspects of this dispersed regional ayllu structure were maintained after the Spanish resettlement program in which Indians were made to live in the ten *reducciones* which later became Chumbivilcas' eight district capitals (and annexes). I have described the pre-Spanish and colonial social organization of Chumbivilcas in more detail elsewhere (Deborah A. Poole, "Qorilazos, Abigeos y Comunidades Campesinas en la Provincia de Chumbivilcas", in *Comunidades Campesinas: Cambios y Permanencias* (Lima: CONCYTEC y Centro "Solidaridad" Chiclayo, 1987), pp. 257–95.
10. Regarding the relatively flexible ability (or tendency) of Indians to withdraw from and enter into the colonial market economy see Luís Miguel Glave, "Problemas para el estudio de la Historia Regional: El Caso del Cusco, *Allpanchis*, 14 (1980), pp. 131–66, and Glave, *op. cit.*, 1986.
11. This access to monetary income did not necessarily signify significant "wealth" (Rory Miller, "The Wool Trade of Southern Peru, 1850–1915", *Ibero Amerikanisches Archiv, N.F.*, (1982) 8(3):301–3). Indians were, of course, cheated roundly by the wily middlemen and commercial agents to whom they sold their wool (Flores-Galindo, *op. cit.*, pp. 64–77; Jacobsen, *op. cit.*, pp. 103–11; cf., for a slightly later period, Manuel Burga and Wilson Reategui, *Lana y Capital Mercantil en el sur la, Casa Ricketts, 1895–1935* (Lima: IEP, 1981) pp. 74–110). The point is that at least they had access to some market participation and to a source of income independent of the hacienda economy *per se*. This was an option the *hacendado's* in large part did not share at this time. Regarding price curves for these years and general structure of the wool market, see Miller, *op. cit.*; Jacobsen, *op. cit.*, pp. 271–340; Karen Spalding, "Estructura de Clase en la Sierra Peruana, 1750–1920," *Análisis*, vol 1 (1977), pp. 25–35; Burga & Flores-Galindo, *op. cit.*, pp. 33–45; and Flores-Galindo, *op. cit.*
12. Peru, *Colección de Leyes, Decretos y Ordenes Publicadas en el Perú desde su Independencia hasta 1830*, (Lima: Imp. de José Masias, 1831); Jean Piel, *Capitalisme Agraire au Pérou, Originalité de la Société Agraire Péruvienne au XIXeme Siecle* (Paris: Editions Anthropos, 1975), pp. 254–280; cf., for Bolivia, Tristan Platt, "Liberalism and Ethnocide in the Southern Andes", *History Workshop Journal*, vol. 17 (1984), and Platt, "The Andean Experience of Bolivian Liberalism, 1825–1900: Roots of Rebellion in 19th Century Chayanta (Potosi)", in Steve Stern (ed.), *Resistance, Rebellion, and Consciousness in the Andean Peasant World, 18th to 20th Centuries* (Madison: University of Wisconsin Press, 1987), pp. 280–326.
13. Miller, *op. cit.*; Spalding, *op. cit.*
14. Peru, *op. cit.*, pp. 23–4; Jacobsen, *op. cit.*, pp. 416–492; Piel, *op. cit.*, pp. 281–3.
15. This pattern is difficult to trace since by definition the usually illegal purchases of Indian land were often not accompanied by paperwork. My conclusions are therefore based on a preliminary analysis of other types of administrative and fiscal documents. These seem to indicate that large-scale land usurpation occurred somewhat later in Chumbivilcas than is usually thought to have been the case in other provinces of Cusco and Puno (Burga & Flores-Galindo, *op. cit.*; Jacobsen, *op. cit.*; Jean Piel, *Crise Agaire et Conscience Créole au Pérou* (Paris: Editions du CNRS, 1982), and Piel, *op. cit.*, 1983).
16. Deustua, *op. cit.*, gives a historical analysis of the generalized scarcity of currency throughout the southern Peruvian sierra during these years.
17. Cf., Bruce Mannheim, *"Una Nación Acorralada*: Southern Peruvian Quechua Language Planning and Politics in Historical Perspective", *Language and Society* 13 (1984), pp. 291–309.
18. Indian resentment toward the economic and administrative policies of the liberal State has been well documented for 19th century Bolivia (Platt, *op. cit.*, 1984, and 1987). There Indian grievances against the State took the form of opposition to new tax codes, among other policies. Similar processes were at work in 19th century Peru, though thorough study of the 19th century tax and land policy conflicts between the State and Indians remains to be done for Peru.
19. A prevalent view has been to distinguish the *gamonal* from other, less violent, representatives of the 19th century landed classes, by the supposedly

larger size of the *gamonal*'s landholdings (eg., Burga & Flores-Galindo, *op. cit.*, pp. 100–2; cf., José Carlos Mariategui, *Siete Ensayos de Interpretación de la Realidad Peruana* (1928), (Lima: Amauta, 1958). My observation in Chumbivilcas has been that, more than amount of land held, it is the personal or "cultural" power assigned to the *gamonal* which set him apart as such.

20. It was common for the chumbivilcano *gamonal* to have more than one "wife", and to acquire land through these different women. As a result it was often the wives of such *gamonales* who actually ran the *haciendas* as an ongoing enterprise, while the husband was out terrorizing the campesinos (and his other wives ...). Although this pattern is by no means exclusive to Chumbivilcas, the economic role of women members of the landholding class have yet to be seriously considered by Peruvian historians.
21. Pablo Macera, "Las Plantaciones Azucareras Andinas (1821–1875)", in *Trabajos de Historia*, T.IV (Lima: Instituto Nacional de Cultura, 1977), p. 283.
22. Cf., José María Arguedas, *Yawar Fiesta* (Lima: Editorial Horizonte, 1980); Burga & Flores-Galindo, *op. cit.*, 1987, pp. 100–8; Flores-Galindo, 1977, *op. cit.*, pp. 55–8; Macera, *op. cit.*; José Carlos Mariategui, "El Proceso del Gamonalismo", *Amauta*, 25 (1925), pp. 69–80, and Mariategui, *op. cit.*, 1958, pp. 33–4; Rodrigo Montoya, *Capitalismo y no-Capitalismo en el Peru* (Lima: Mosca Azul, 1980), pp. 207–29.
23. For colorful descriptions of this "genteel" class of Cusco landowner written by one of their contemporaries, see Valcárcel, *op. cit.*, pp. 75–96. The same author also provides a lively recounting of the feuding and gun battles which which the Chumbivilcano *gamonales* settled his election as provincial deputy for Chumbivilcas in the national parlament (*Ibid*:192–202).
24. Cf., G. Bataille, "The Psychology of Fascism (1933)", *New German Critique* vol. 16 (1979), pp. 64–87; Elaine Scarry, *The Body in Pain: The Making and Unmaking of the World*, (Oxford: Oxford University Press, 1985); Michael Taussig, *Shamanism, Colonialism and The Wild Man* (Chicago: University of Chicago Press, 1987), pp. 3–72; Jacobo Timerman, *Prisoner Without a Name, Cell Without a Number* (New York: Vintage, 1982).
25. Archivo Departamental del Cusco (ADC), Corte Superior de Justicia del Cusco (CSJC), Leg.114, 1854:f.32.
26. *Ibid.*, f.8.
27. *Ibid.*, ff.4–4v.
28. *Ibid.*, f.8v.
29. *Ibid.*, f.9, *passim.*
30. Eg., ADC, CSJC, Leg. 21, 1855, fs. 20, and ADC, CSJC, various legajos, "Relaciones de Causas Criminales 1855-1878.
31. Eg., ADC, CSJC, Leg.21, 1855, fs. 10.
32. Male violence as such is not, of course, a controllable, or non-specialized, form of behavior. Historical documents confirm this and point toward a general proliferation of violent crime among males of all social/ethnic strata from 1855-1878 ("Relaciones de Causas Criminales Pendientes antes los jueces de primera instancia de las Provincias del Cusco," ADC, CSCJ, varios legajos, 1855–78, and ADC, CSJC, Leg.21, *Libro de Resoluciones Verbales, Layo 1855*). The associations between violence and masculinity projected by powerful *gamonales* was, and is, appreciated or valued by the campesino in a process of psychological absorption common to many other, and otherwise culturally quite different, colonial situations (Frantz Fanon, *Black Skins, White Masks* (New York: Grove Press, 1967); Ashis Nandy, *The Intimate Enemy: Loss and Recovery of Self Under Colonialism* (Delhi: Oxford University Press, 1983). In future work I hope to focus more on the importance of these gendered concepts of violence in the formation of Chumbivilcano peasant culture.
33. The *pandillas* originally were formed around issues of national politics, particularly in the tempestuous period of regional anarchism following Peru's defeat by Chilean forces in 1883 (Burga & Flores-Galindo, *op. cit*; Piel, *op. cit.*; Lewis Taylor, *Bandits and Politics in Peru: Landlord and Peasant Violence in Hualgayoc, 1900–1930* (Cambridge: Centre of Latin American Studies, Cambridge University, n.d.). The criminal cases brought against the *pandillas*, however, clearly reveal the extent to which such national debates were molded around the local enemities and rivalries between landed families in Cusco's *provincias altas*, and around the need to control indigenous labor supply by coercive means (eg., ADC, CSJC, Leg.24, 1885; and ADC, CSJC, Leg.35, 1885).
34. ADC, CSJC, Leg.85, 1901.
35. *Ibid.*, f.6–6v.
36. Eg., ADC, CSJC, Leg.142, 1908.
37. Even in those cases where the *gamonal* did not resort to overt physical violence, he treated the owners of the animals with disrepect. For one such victim the truly surprising thing about the *pandilla*'s assault on his estancia was that the two *gamonales*, Hector y Don Santiago Zapata "who headed the gang (cuadrilla), didn't even pause to hear our greetings" (ADC, CSJC, Leg. 142, 1908).
38. ADC, CSJC, Leg.85, 1901, ff.6v–7; emphasis mine,
39. Eg, ADC CSJC, Leg.41–4, 1909, fs. 4.

40. Eg, ADC, CSJC, leg.255, 1890, fs.26.
41. Biblioteca Nacional (BN), D6258, 1894, ff.5–6; cf. ADC, CSJC, Leg.41–4, fs.l, re. bandoleros en Huisa, Canas.
42. Eg., BN, E52, 1906.
43. ADC, Admin. del Tesoro Publico, Comunicaciones, Leg.183, 1892.
44. *Pandilla* is defined as a group "que se forma entre varios para engañar o dañar". It is derived from *pando*, meaning curved or twisted, such as cards which are marked by cardsharps. *Cuadrilla*, on the other hand, derives from *cuatro*, or four, and is used to designate "una division de la hueste en cuatro partes para repartir el botín". The shift in usage from "*pandilla*" to "cuadrilla" to refer to the armed bands of rustlers working in Chumbivilcas and its surrounding provinces, occurs in the 1910's, and as such corresponds to the shift from the *pandilla* as a politically intentioned group headed by the *gamonal*, to the cuadrilla as a group working for the *gamonal*, and existing so as to literally "divide up the booty."
45. During this time, the practice of *abigeato* passed through an additional, probably transitional, phase. This was the phase of "social banditry" (Eric Hobsbawm, *Bandits* (New York: Dell, 1969), when campesinos began for the first time to rob animals in significant numbers as a response both to abuses of their landlords (the *gamonales*) and to a precipitous decline in camelid wool prices lasting from 1920 to 1922 (Burga & Reategui, *op. cit.*; Flores-Galindo, *op. cit.*, pp. 150–1; Jacobsen, *op. cit.*, p. 281; Miller, *op. cit.*, p. 308; Jean Piel, "Un Soulevement Rural Péruvien: Tocroyoc (1921)", *Révue d'Histoire Moderne et Contemporaine* 14 (Oct.-Dic. 1967), and Piel, *op. cit.*, pp. 17–21, 50–2, 70–2; F. Valderrama and Carmen G. Escalante, *Levantamiento de los Indígenas de Huaquira (sic) y Quiñota (1922–24/Apurimac, Cuzco)* (Lima: Seminario de Historia Rural Andina, Univ. Nacl. Mayor de San Marcos, 1981), pp. 16–20). The small vengeance Indian rustlers managed to get stealing cattle from *haciendas* was, however, trivialized alongside the tremendous losses of capital suffered by Indian communities such as Waraqo. In other areas of the Andes (Benjamin S. Orlove, "The Position of Rustlers in Regional Society: Social Banditry in the Andes", in B.S. Orlove and G. Custred (eds.) *Land and Power in Latin America: Agrarian Economies and Social Processes in the Andes* (New York: Holmes and Meier Publishers, Inc., 1980), pp. 179–194; Erick D. Langer, "Andean Banditry and Peasant Community Organization, 1882–1930", in Richard W. Slatta (ed.) *Bandidos: The Varieties of Latin American Banditry* (New York: Greenwood Press, (1987) pp. 113–30), the "social banditry" model of cattle-rustling seems to hold to a much greater extent than in Chumbivilcas itself, where *abigeato* was dominated by the *gamonales* and by the cultural values brought to it by *gamonal* culture. Although more research needs to be done on this period of rustling history, it would appear that in Chumbivilcas the primary result of this transitional banditry phase was twofold: (a) it provided a reserve of specialist, skilled rustlers who later came to work for the *gamonales*, and (b) it contributed to the sentiments of positive "rebeldía" associated today with all types of livestock rustling.
46. Ministerio de Agricultura y Alimentacion, Sicuani (MAA), Waraqo, 1924.
47. *Ibid.*, f.3.
48. *Ibid.*, f.2v.
49. *Ibid.*, f.2.
50. ADC, CSJC, Leg.197, 1927, f.33.
51. *Ibid.*, f.36.
52. The *gamonales* cited in this particular case – Francisco Boza Gutierrez and David Castro Cuba – were patrons for several different cuadrillas based on their different *haciendas* [cf., ADC, CSJC, Leg.196, fs.2, which cites Castro Cuba as patron of another cuadrilla].
53. *Ibid.*, f.63v.
54. Cf., John V. Murra, *Economic Organization of the Inca State* (Greenwich, CT: JAI Press, 1980).
55. These punas also work to the advantage of cattle rustlers who live in them (Poole, *op. cit.*, pp. 287–8), and to independent bandolero figures, like Gamaliel Leiva, who terrorized both the Indians of Waraqo and the *haciendas* of the Murillo and Ugarte families. Leiva took advantage of the boundary between Cusco and Arequipa to effectively escape capture and prosecution (ADC, Prefectura 1927, fs.14). The bandoleros Eulogio Cáceres and Felix Andia were other contemporary figures who worked with great success the boundaries between Abancay and Apurimac (ADC, CSJC, Leg.197, 1927, fs. 76; Archivo del Ministerio del Interio, Lima (AMI), 1932, Huancaráy).
56. ADC, CSJC, Leg.196, 1926, f.1.
57. Eg., ADC, CSJC, Leg.197, 1927, fs.76: ff.82–5; AMI, 1919, Cotabambas; AMI, 1926, Grau; ADC, Leg.196, 1925, fs.2.
58. ADC. CSCJ, Leg. 197, 1927:f.3; The Montesinos family figures prominently in many of the *pandilla* and rustling cases from Apurimac. Thus, for example, in 1919 the Montesinos are accused of mounting a *pandilla* to work for the political candidate Gutierrez. This *pandilla* fought against other *pandillas* sponsored by the subprefect of Apurimac and the opposing candidate he sponsored (AMI, 1919, Cotabambas]. The Montesinos are also

implicated in the activities of the "conocido bandolero" Eulogio Cáceres of Abancay [ADC, Leg.197, 1927, fs.76).

59. ADC CSJC, Leg.196, 1929.
60. *Ibid.*, ff.2v–3.
61. *Ibid.*, f.7; Alvarez Duran was not alone in sponsoring *pandillas* of rustlers in Apurimac. Other contemporaneous documents cite *pandillas* patronized by the Mendoza family of Hacienda Asirhui in Haquira (ADC, CSJC, Leg.196, 1925, fs.2), and by the subprefect Luis Granadino (AMI, 1926, Grau).
62. "I've slaughtered cows in the gully; I've killed people on the mountain. Now there are four crimes, but the subprefect is my friend, but the governor is my friend. Now there are four crimes. How then will they shoot me?" ; Chumbivilcano song.
63. Takanakuy is also the name of a ritualized fight that takes place in Santo Tomás, Qolquemarca, and Llusco on Christmas Day. In this fight, men take vengeance on those who have done them wrong or insulted them over the last year. Since the participants are all masked – and therefore presumably unrecognizable – each man's vengeance is spent on an anonymous victim symbolizing the real or desired object of vengeance.
64. Women participate in cattle rustling bands and there is some evidence that their role in them is quite important. One reason for this may be the fact that, in the eyes of Peruvian law, a woman was constitutionally incapable of "producing" a violent act. Thus, for example, in the court case brought against the Cuzco, Salazar, and Jauja families in 1927 [ADC, CSJC, Leg. 197, 1927, fs.75; see above pp. 24–25], the Cusco judges eventually acquitted the female members of the families reasoning that "su condición misma de mujeres hace inverosimil su participación en una aventura de por si peligrosa".
65. The Chumbivilcano belief in self-made justice does not necessarily exclude recourse to those institutions, and especially persons, charged with dispensing the State's idea of "justice." As a real network of courts, judges and documents, however, the concept of impartial or institutional "justicia" as a relation between statutory equals before law has become compromised by the alternative space of personal or "made" justice through which effective or visible (theatrical) power has been historically constructed in Chumbivilcas. Thus it is universally recognized that it is the *person* who holds judicial authority who must be reckoned with, and not his office, or "the law" *per se*. In any case, while people will still pursue a case through the courts, there is widespread recognition that such activity is better combined with an active pursuit of those alternative, and usually violent, means through which one can make their "own justice."
66. Chuchu is a derogatory term used by other Cusqueños to refer to Chumbivilcanos, and by Chumbivilcanos to refer to people in Cotabambas and Antabamba (i.e., in the next provinces over). In pre-hispanic and early colonial Peru, the same term was used to refer to twins and to the associations between twins – as sons of the lightening and thunder – and the high puna grasslands (Pierre Duviols, "Huari y Llacuaz: Agricultores y Pastores, un Dualismo Prehispánico de Oposición y Complementaridad", *Revista del Museo Nacional, Lima* 39 (1973), p. 172.
67. While Chumbivilcano men, called *qorilazos* (golden lassos) are portrayed as products of their harsh and overpowering puna environment, the chumbivilcana woman is depicted as being subject to a derived form of nature in the guise of man: "Soy la mujer bella de los ensueños del qorilazo que ... llega hasta mi corazón con sus actos de valor y coraje al torear 'matreros' que en sus astas está la muerte que le ronda ... Entonces le sigo fiel y resignada por caminos interminables, en un corcel fogoso e incansable hacia la conquista de su fama taurina y ecuestre de la comarca legendaria." (LIWI, *op. cit.*, p. 26).
68. This concern with place is also reflected in the defining characteristic of the *gamonal*: he resides permanently on the land he owns.
69. Catherine Allen, "To Be Quechua: The Symbolism of Coca Chewing in Highland Peru", *American Ethnologist*, (1981) 8(1):157–71; Gary Urton, "Chuta: El Espacio de la Práctica Social en Paquariqtambo", *Revista Andina* (1984), 2(1):7–44; cf., for the northern Andes, Joanne Rappaport, "Myth, History and Territorial Maintenance in Tierradentro, Colombia", *American Ethnologist* (1984) 12(1):27–45.
70. *El Comercio del Cusco*, 4.II (1954).
71. Castro P. Fuentes (ed.), *Nueva Legislación Peruana, Leyes y Resoluciones del Congreso Ordinario de 1900* (Lima: Imprenta de El Diario Judicial, 1901), pp. 10-11; cf., *Código penal del Perú* (1862), art.326–336. The word *abigeato* is an archaic Spanish term which today is used only in the southern Andes. In its early 20th century usage it contained two basic meanings: to "frighten animales so as to make them flee away" and to "provoke an abortion." It is derived from the Latin *ab-* "away" plus *igere* "to drive." Prior to the special law of 1900, *abigeato* as a criminal act was subsumed under the more general category of "hurto" and subject to the same penalties (Francisco García Calderón, *Diccionario de la Legislación Peruana, 2a edición* (Paris: Lib. de Laroque) vol. 1 (1879), p. 4. 1879,

T.I:4). Acording to at least one legal reference volume of the time, robbery of livestock was only considered "*abigeato*" proper if it involved "diez o mas ovejas, cinco puercos, o cuatro yeguas u otras tantas bestias o ganados. El que robaba una sola res o caballeria mas que *abigeo* era ladrón" (Atanasio M. Fuentes, *Diccionario de Jurisprudencia y de Legislación Peruana T.III: Parte Criminal* (Lima: Imprenta del Estado, 1877), p. 3). The "Special Law for the Repression of Abigeato" remained in effect until June 22, 1945, when the new "Ley No.10202, Represión del *abigeato*," was passed. This law extended the crime of *abigeato* to include thefts of even one animal if the value of the animal was at least 50 *soles*, and established stricter standards of evidence or proof for indictment (Peru, *op. cit.*, 1974). Ley No.10202 was repealed in April 1974 for a yet more encompassing statute (*Ibid.*).

72. Peru, *Código Penal*, Edit. por Gustavo Corego y Placido Jimenez (Lima: Imp. Minerva, 1927).
73. José Arias Viterbo, *Exposición Comentada y Comparada del Códgio Penal del Perú de 1863*, T.III (Lima: Imp. Torres Aguirre, 1902), pp. 351–2, 355;. Viterbo gives this interpretation with respect to the penal code of 1862 (Peru, *Código Penal y Enjuiciamientos en materia Criminal*, edit. por Juan José Calle (Lima: Lib. e Imp. Gil, 1914). This code remained in effect, with revisions, until a new penal code drafted by Victor Maurtua, and heavily influenced by the Swiss and Italian codes, was approved in 1924 (Peru, *op. cit.*, 1927; David M. Valderrama, *Law and Legal Literature of Peru* (Washington, D.C.: Library of Congress, 1976), pp. 152–3).
74. Luís Jimenez de Asúa, *El Derecho Penal en la República del Perú*, serie 2, numero 3 (Valladolid: Universidad de Valladolid Publicaciones de la Seccion de Estudios Americanistas, 1926), pp. 17–18; Enrico Ferri, *Criminal Sociology* (1896), and *The Positive School of Criminology* (1910); Baron Raffaele Garofalo, *Criminology* (1885), (New York: Little, Brown and Company, 1914); Cesare Lombroso, *Criminal Man* (1885). Gina Lombroso-Ferrero (ed.), (New York: G.P. Putnam Sons, 1911).
75. Jimenez de Asúa, *op. cit.*, 1946, T.I:191–199; The Italian criminology texts were widely read in Peruvian sociology and law schools in the 1920's and 1930's. It most vocal proponents in Peru were Carlos Bambarén and Susana Solano of the Faculty of Criminology at the University of San Marcos (Carlos Bambarén, *El Estado Peligroso* (Lima, 1930); and Suana Solano, *El Indígena y la Ley Penal* (Lima, 1950), and Solano, *El Estado Peligroso* (Lima: Universidad de San Marcos, Facultad de Derecho y Ciencias Políticas, 1937); cf., Jimenez de Asúa, *op. cit.*, 1926).
76. Peru, *op. cit.*, 1927:art.100, emphasis mine; cf. *Ibid.*, arts 243,331–3.
77. Ferri, *op. cit.*, 1910; Garofalo, *op. cit.*, 1885; Luís Jimenez de Asúa, *Ley de Vagos Maleantes* (Madrid, 1934), and Jimenez de Asúa, *Códigos Penales Iberoamericanos, Estudio de Legislación Comparada* (Caracas: Edit. Andres Bello, 2 tomos, 1946) pp. 191–99; Solano, *op. cit*, 1937.
78. Contributing to this image of the Andean highlands was a large body of both romantic and criminological literature on the phenomenon of banditry (*bandolerismo*). As in other parts of the world, these bandits were simultaneously mythologized and feared by residents of coastal, and particularly urban, areas (Alberto Carrillo Ramírez, *Luís Pardo, el Gran Bandido* (Lima: Imp. Edit. Asencios, 1967); Enrique Lopez Albujar, *Los Caballeros del Delito*, (Lima: editorial Juan Mejia Baca, 1936); José Varallanos, *Bandoleros en el Perú* (Lima, 1937); V. Modesto Villavicencia, "El Bandolerismo", (n.d.); Taylor, *op. cit.*; cf. Silvio R. Duncan Baretta and John Markoff, "Civilization and Barbarism: Cattle Frontiers in Latin America", *Comparative Studies in Society and History*, (1978), 20(4):587–620; Hobsbawm, *op. cit.*; Linda Lewin, "The Oligarchical Limitations of Social Banditry in Brazil: The Case of the 'Good' Thief Antonio Silvino, in Richard W. Slatta (ed.), *Bandidos: The Varieties of Latin American Banditry* (New York: Greenwood Press, 1987), pp. 67–96; Paul Vanderwood, "El Bandidaje en el siglo XIX: una Forma de Subsistir", *Historia Mexicana* (1984), 34(1):41–75.
79. *Código penal del Peru*, (revised) 1946, art.45.
80. Ferri, *op. cit*, 1910; Garofalo, *op. cit.*
81. During his tenure as chief of the Prison Administration (Direccion de Prisiones), the Peruvian lawyer Bernardino Leon y Leon established an administrative decree that all prisoners must receive a certificate of dangerousness ("certificado de peligrosidad") prior to their release on parole (Solano, *op. cit.*, 1937:9).
82. According to the Italian criminologists Baron Raffaele Garofalo and Cesare Lombroso, criminal tendencies could be measured on and in the human body (Lombroso, *op. cit.*, 1911; Garofalo, *op. cit.*, pp. 65–79). Principal indices of "the criminal type" included asymmetry of cranium or face, anomaly in shape of ears, absence of a beard, prognatism, flat or misshaped noses, retreating foreheads, and other characteristics of a clearly racist orientation. These physiological theories of criminology formed part of a broader shift in an empirical medicine which sought to shape its identity as a "science" through, among other things, quantitative studies of racial and

physiological "degeneration" using specially designed instruments of measurement (Lombroso, *op. cit.*, (1911), pp. 231–57; Garofalo, *op. cit.*, pp. 66–111; cf., Stuart C. Gilman, "Degeneracy and race in the Nineteenth Century: The Impact of Clinical Medecine", *Journal of Ehtnic Studies*, 10 (Winter 1983), pp. 27–50. The connection between these theories and Peru seems pre-destined, since Lombroso developed his theories about the "born criminal" as an "anthropologic type," from his studies of the "median occipital fossa" in a collection of Peruvian pre-Columbian skulls. Lombroso posited that this intracranial structure was a primary determinant in criminal behavior, calling it an "intermediate cerebellum like that found in the lower types of apes, rodents, and birds (and) an anomaly very rare among inferior races, with the exception of the South American Indian tribe of the Aymaras of Bolivia and Peru (Lombroso, *op. cit.*, pp. 6–7).

83. ADC, CSJC, Leg.197, 1929, ff.6–6v
84. ADC, CSCJ, Leg.175: f.5v
85. *Ibid.*, ff.5v, 15
86. Villavicencio, *op. cit.*; Varallanos, *op. cit.*; Vizcarra, *op. cit.*
87. Vizcarra, *op. cit.*, p. 21
88. Villavicencio, *op. cit.*; Varallanos, *op. cit.*
89. Varallanos, *op. cit.*, p. 21.
90. *Ibid.*, p. 87.
91. *Ibid*; cf. Villavicencio, *op. cit.*
92. *Ibid.*, p. 77.
93. López Albujar, . *cit.*; Piel, *op. cit.*, 1982, pp. 7–8; Varallanos, *op. cit.*, pp. 61–73, *passim.*
94. Ferri, *op. cit.*, 1910, pp. 63–76.
95. Solano, *op. cit.*, pp. 26–8.
96. Varallanos, *op. cit.*, pp.69–70. Other Peruvian criminologists affiliated with the indigenista movement were more sympathetic towards the Indians. Nevertheless, their studies reproduce many of the same theories of geographic or ecological causality for crime, even while attempting at the same time to exonerate the Indian for criminal responsibility on the grounds of his *social, political, and economic* exploitation as an essentially colonized population (eg., Jose Antonio Encinas, *Contribución a una Legislación Tutelar Indígena* (Lima: C.F. Southwell, 1918), and *Causas de la Criminalidad Indígena en el Peru* (Lima: Universidad Mayor de San Morcos, 1919).
97. While it is of course impossible to generalize about an entire province of people, those Chumbvilcanos with whom I have worked outside of Chumbivilcas frequently comment on the different standards of violence and personal conduct they subscribe to inside and outside of the province. This is particularly true of the men, who feel they must behave under different "moral" codes restricting their drinking, gambling, and fighting outside of Chumbivilcas.
98. Emilio de la Barrerra, *Los Equinos, Auquénidos y Estadistica Ganadera de la Provincia de Chumbivilcas* (Lima, 1930).
99. *Ibid.*
100. A similar dynamic between a local class of gamekeepers and landed gentry, the State, and a system of game pouching (rustling) organized to defend non-capitalist forms of property holding, is described by Thompson in his analysis of the Black Acts passed in 18th century England (E.P. Thompson, *Whigs and Hunters, The Porigins of the Balck Act* (New York: Panthron, 1975). Although Thompson writes about a very different situation in a very different country, the discrepancies he describes between law as an intended system of "equality" and as an imposed system of class legitimation are strikingly similar to those occurring in the Peruvian case.
101. *El Comercio del Cusco*, 12.III.54.
102. *Ibid.*, 4.III.54
103. *Ibid.*
104. *El Comercio del Cusco*, 23.II.54.
105. The male Chumbivilcano peasant's ability to act on his perception of the class nature of *gamonal* power is caught in the contradictions of a system of male power, honor, and self-made justice which implicitly reinforces the *gamonal*'s hold on local "culture." The ability to break loose would seem to depend on those few women peasant leaders who, against immense odds, are struggling to find a voice inside the male dominated assemblies and peasant federations of Chumbivilcas.
106. Nelson Manrique, "Democracia y Campesinado Indígena", in *Violencia y Campesinado* (Lima: Instituto de Apoyo Agraria, 1986), and "Politica y Violencia en el Perú, *Márgenes* (1987), 1(2):125–58.
107. Mario Vargas Llosa, *"Inquest in the Andes"*, *New York Times Magazine* (July 31, 1983).