brought to you by TCORE



Original Article

The things they carry: Victims' documentation of forced disappearance in Colombia and Sri Lanka

European Journal of International Relations I–23 © The Author(s) 2020 © ① ⑤

Article reuse guidelines: sagepub.com/journals-permissions DOI: 10.1177/1354066120946479 journals.sagepub.com/home/ejt





Roxani Krystalli University of St Andrews, UK

Abstract

Survivors of systematic violations of human rights abuses carry with them the evidence of their victimization: photographs of the missing, news clippings, copies of police reports. In some contexts, collecting and preserving these documents is part of an effort to claim benefits, such as official victim status or reparations, from the state. In others, it serves as a record of and rebuke to the state's inaction. In this article, through a comparative case study of victim mobilization in Colombia and Sri Lanka, we explore how these dynamics play out in contexts with high and low (respectively) levels of state action on transitional justice. Drawing on in-depth fieldwork in both contexts, we examine grassroots documentation practices with an eye toward how they reflect the strategic adaptation of international transitional justice norms to specific contexts. We also examine how they organize relationships among individuals, the state, and notions of justice in times of transition from war and dictatorship. We argue that, beyond the strategic engagement with and/or rebuke of the state, these documents are also sites of ritual and memory for those who collect them.

Keywords

Human rights, transitional justice, norms, Colombia, Sri Lanka, conflict

Corresponding author:

Kate Cronin-Furman, University College London, 29-30 Tavistock Square, London WC1H 9QU, UK. Email: k.cronin-furman@ucl.ac.uk

Presence, absence, and claim-making

Kate

Music blares as the buses full of Sinhalese tourists pass by on their way from the navy camp to Koneswaram Temple in Trincomalee. Surrounded by pictures of their missing sons and daughters, the Tamil mothers protesting in the road bristle at the intrusion: "They're enjoying themselves with their kids and look at us."

When I meet them in July of 2017, they have been sitting in the road for over four months. Some of them sleep, curled up on the ground, exhausted from their vigil. The tattered United Nations High Commissioner for Refugees (UNHCR) tarp overhead provides little protection from the heat or rain.

Across northeastern Sri Lanka, family members of the disappeared, mostly mothers, have gathered in similar encampments. They face harassment and intimidation from the security forces and have lost what little faith they had that the government might provide truth and justice for the crimes committed against them. But for over a year they'll remain, channeling their anger and despair into a demand to know the fates of their missing loved ones.

By one estimate, more than 146,000 Tamils went missing in the final phase of the war. But many others disappeared earlier, or later—forced into a white van, detained at a military checkpoint, or called in for questioning at the police station and never seen again. Whole families vanished without a trace, including tiny children whose grandmothers now grimly display their photographs.

Introduced to a visitor, each protestor reaches for a plastic bag. One at a time, they show their documents. Photos of the missing, labeled with names, date of birth, and date of disappearance. Copies of government ID. Xeroxes of forms submitted to government commissions and statements given to the police. Disintegrating newspaper clippings. Tangible proof of an absence.

As I examine each piece of paper, we talk about the new Office of Missing Persons the government has announced. They have "no hope and no expectations," they say.¹ They've filled out so many forms, petitioned so many officials and commissions, what's the point of another? When I ask one woman how many times she's given evidence, she says at least 20, no, 50. Relatives of the disappeared throughout the northeast echo this estimate, noting that in all the years they have been searching, the government "hasn't managed to give a single answer." They're exhausted; worn down from the protest, the years of uncertainty, the endless backtracking and obstruction from the government.

Nearly all of them say they'll go to the Office of Missing Persons anyway.

* * *

Roxani

On a March afternoon in 2018, I am standing under a tapestry of photos at Medellín's *Museo Casa de Memoria*, the Memory House Museum.² This space declares itself to be a site of "living memory" with threefold objectives: to be recognized as a house that can

amplify the voices of victims and their memories; to be a museum that "enhances memory as a political action"; and to serve as an inclusive and representative "point of reference" for understanding the war logics of the past.

I recognize some of the people in the tapestry through their activism on behalf of those who identify as victims of the armed conflict in Colombia. Three of them have been interlocutors in my research on the politics of victimhood during transitions from violence. In this moment, they hover above me, their photos staring at the elevator banks.

When "Jorge" arrives, he apologizes for the delay, as he was coming from a Forum for Victims' Participation in Policy, which ran overtime. I first met Jorge in 2013 at an event for family members of the disappeared. Over the course of the Colombian armed conflict, Jorge's family was internally displaced three times, first by the guerrilla, then by the paramilitaries, then by the Colombian army. Jorge's mother was killed and his brother was disappeared. His activism on victim-related issues pre-dated the 2011 Victims' Law and 2016 peace accord between the Colombian government and the Revolutionary Armed Forces of Colombia (FARC). On this day, we have met to discuss how victims of the armed conflict organize and interface with state entities during the-time-of-not-war-not-peace (Nordstrom, 2004).

Our conversation begins with Jorge bringing out a folder. I am familiar with this ritual, as it recurs in my interactions with those who identify as victims throughout the country. Over the course of the next two hours, Jorge will have pulled out 11 documents for me to see. His folder is simultaneously a personal archive of harms suffered, a trove of bureaucratic forms, and a repository of legal instruments.

On the table, next to each other, Jorge places his mother's death certificate, the charter for his victims' advocacy organization, and a map his organization made of disappearances in the Antioquia region. "Ah yes, the 1448," he says, when he pulls out a copy of the Victims' Law. Like many other victims, he refers to it in shorthand, by number, like an old friend. "And here we have Resolution 01282 of 2016," he says, pointing to a spiral binder.

The last document he shows me is a laminated letter from the mayor of Medellín, congratulating him on his work on victims' participation in policy. I sit a respectful distance from these documents, but Jorge encourages me to hold them in my hands. "Take a photo," he says, placing the laminated letter in front of me.

"Are you proud of this recognition?" I ask him, with reference to the mayor's compliments. "You know what? Really, it was a beautiful moment. But it does not change the fact that we have been completely abandoned by the state."

* * *

This is a paper about the papers of victimhood.³ Specifically, we ask: What do victims' documentation practices tell us about their relationship to the state and to the harms they have suffered? We use the term "documentation practices" to describe both engagement with the official forms produced by state bureaucracies of transitional justice,⁴ and to describe victims' own collection and preservation of documents for memorialization and advocacy purposes that may be independent of their interaction with state entities.

This article grew out of conversations about our respective fieldwork in Colombia and Sri Lanka and out of the realization that victims and their advocates gather and preserve documents in strikingly similar ways across very different political contexts. Indeed, survivors of systematic violations of human rights abuses all over the world carry with them the evidence of their victimization: photographs of the missing, news clippings, copies of police reports.

On its face, this behavior may appear to be motivated by the forms that transitional justice bureaucracies have assumed; submitting certain kinds of documents allows one to claim benefits, such as official victim status or reparations, from the state. But on a closer examination, this straightforward account fails to satisfactorily explain victims' relationships to their papers in either of our cases. And, in fact, something of a puzzle emerges from the comparison between them.

In Colombia, where an established transitional justice process is underway, even though it has yet to fully deliver on its promises, the state is a crucial interlocutor in some victims' search for justice. By contrast, in the Sri Lankan context, where successive governments have dragged their feet and repeatedly reneged on transitional justice promises, it is less clear that the state is a primary audience for the papers of victimhood and claims that accompany them.

Simply put: While in the first case many of those recognized as victims appear to be using papers strategically to influence state behavior, in the second, papers seem to serve more as a rebuke to and record of state inaction. Yet victims collect and preserve the same types of documents and display and present them in virtually identical ways. This article explores and complicates the similarity in documentation practices across the two cases and the apparent dissimilarity in their motivation. We argue that the papers of victimhood serve both as strategic avenues for pursuing or rejecting dialogue with the state during transitions from violence, thus potentially demanding state accountability or demonstrating state inaction, *and* as sites of memory and ritual for those who collect them.

The article proceeds as follows: In the next section, we synthesize insights from the fields of memory studies and transitional justice, as well as the disciplines of anthropology and sociology, on the ethical, methodological, and political value of focusing on papers as sites of power. We also make an argument for why such a study is significant for understanding the lasting effects of political violence. Then, we discuss the key features of the crime of enforced disappearance and its value as a site for interrogating the role and meaning of documentation practices. Next, we discuss the methods we used in researching and writing this article before presenting the cases of Colombia and Sri Lanka, explaining patterns of forced disappearances in each case and the transitional justice efforts undertaken in response. The final section analyzes the complex ways in which papers structure victims' relationships to their own history and to the state. This discussion highlights the use of papers to (a) demand state action and/or demonstrate inaction on transitional justice; (b) reject or rebuke the state as a key interlocutor on questions of justice; and (c) ritualistically commemorate the harms suffered and their lasting effects. We conclude by analyzing the implications of our findings for performances of victimhood during transitions from violence.

The stories papers tell: scholarly insights and contributions

Scholars across disciplines and contexts of research are increasingly examining victimhood as a site of politics during transitions from violence (Baines, 2017; Berry, 2017; Helms, 2013; Jacoby, 2015; Krystalli, 2019; Madlingozi, 2010; Rodríguez Idárraga, 2018; Rudling, 2019; Schulz, 2015). Concurrently, existing scholarship highlights the value of engaging with papers as a means of understanding relationships to the state and to memory. In this section, we summarize the key insights from this interdisciplinary scholarship and show the ways in which a focus on the papers of victimhood can enhance the study of political violence and its effects.

First, *papers can serve as sites through which to examine the materiality and embodiment of the state, its power, and its violence*. In his study of how the everyday practices of bureaucracies enact and embody structural violence in India, Akhil Gupta (2012) pays close attention to the physical manifestations of state power and the meanings people attach to it. He explores these themes through a focus on "files, orders, memos, statistics, reports, petitions, inspections," which are "remarkably understudied in contrast to the predominant focus on the machinations of state leaders, shift in major policies, regime changes, or the class basis of state officials" (Gupta, 2012: 28). Thus, a focus on bureaucratic documents, their circulation, and the meanings with which different people infuse them can reveal broader insights about the state, its presence, its absence, and its violence (Castillejo-Cuéllar, 2013; Dávila Sáenz, 2017; Edkins, 2019; Franco Gamboa and Franco Cian 2020).

Second, *papers structure relationships between citizens and the state*, thus representing avenues through which to study claim-making, transactional exchanges, and dynamics of domination. In his ethnographic study in Argentina, sociologist Javier Auyero explores acts of waiting for state attention as "temporal processes in and through which political subordination is reproduced" (Auyero, 2012: 2). As Auyero highlights, documents and forms are producers of expectations, hopes, and disappointments, while also serving to hide the human decisions that affect claimants' outcomes. Although Auyero focuses on peacetime bureaucracies and welfare agencies, we argue that this type of analysis is particularly salient during transitions from civil war, when communities and state agencies seek to establish new notions of authority, citizenship, and state–citizen interaction. Ultimately, such an exploration can contribute to a growing discussion about what James Scott calls (1998: 2) "a state's attempt to make a society legible," as both bureaucratic subjects and as subjects of violence.

Crucially, as we show below, the fact that papers structure relationships with the state does not mean that those are *positive* relationships or that victims have faith in the state and its bureaucratic processes. Similarly, we emphasize that engaging with the state at all can be a source of tension *within* and *among* groups of victims, particularly when many of them consider the state to be the perpetrator of the harms they suffered.⁵ We are interested in the state as an interlocutor and as an audience for victim claims—and thus also interested in moments in which victims and their advocates reject or rebuke the state as an actor in their search for justice (Riaño-Alcalá and Baines, 2011; Tate, 2007).

Beyond the insights that arise from a bureaucratic study of forms and documents, *papers are also artifacts of memory*. In his study of the migrant trail between Mexico and the United States, anthropologist Jason De León (2015) pays particular attention to various temporalities of memory by examining what migrants carried with them from their point of origin, what they discard or leave behind on their journeys, and what they acquire along the way. De León laments the ways in which these artifacts are sometimes ignored

by current scholarship—or, worse, referred to as "migrant trash"—not only because "reducing these things to 'garbage' is a value judgment," but also because it "compresses a diverse range of materials into a problematic category that hides what these artifacts can tell us about the [migrant] crossing process" (De León, 2015: 170). We echo de León's assessment and further argue that the papers of victimhood can tell stories not only about experiences of physical violence during armed conflict but also experiences of structural violence after the end of formal hostilities.⁶

Finally, consistent with feminist and postcolonial scholars (Das, 2007; Theidon, 2012), we explore papers and documents as alternative forms of storytelling that do not privilege the verbal or rely entirely on victims of war to re-narrate their suffering. As Alfredo González-Ruibal (2008: 248-249) notes, "oral and written data do not tell us everything about the past" and "there are other things to be learned from artifacts and other things that have to be accounted for." We acknowledge that, by the time we have sat down with them, victims have had to re-narrate their stories to journalists, humanitarian actors, bureaucrats, or other researchers, often at immense personal cost (Cronin-Furman and Lake, 2018; Malejacq and Mukhopadhyay, 2016; Tate, 2007). Storytelling is required to produce the prized bureaucratic forms many victims seek-and the papers they carry are part of this process of bureaucratic contestation. When victims share these papers with us, they often seek to tell a story not about the direct violence they experienced during the conflict but about the violence that lives on in the aftermath of active hostilities, the end of which does not necessarily signify the advent of meaningful peace in the everyday lives of our interlocutors (Berry and Rana, 2019). We recognize the papers of victimhood as sites of potential agency and politics and propose listening to the stories the papers tell and the ways in which victims use them to narrate their experiences of victimization and their navigation of justice bureaucracies.

Understanding forced disappearances and documentation practices in context

Enforced disappearance of persons is "the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law" (ICED, Art. 1). As the definition makes clear, a disappeared person is not passively "missing"; to "be disappeared" involves an active verb.

The secrecy and uncertainty that are defining features of this crime have reverberating effects on the family and community surrounding the disappeared person (De Alwis, 2009; Edkins, 2011; Kovras, 2017), many of whom struggle with navigating ambiguous loss and disenfranchised grief (Gordon, 2008; Robins, 2013; Taylor, 1997). These aspects of enforced disappearance both complicate memory practices and render them all the more necessary (Edkins, 2019: 124). Memory, in this case, does not belong to the past; it encompasses the documentation practices of the present. These acts require us to view family members of the disappeared as agentive actors (Baines, 2017: xvi), engaged actively in searching for the disappeared person and demanding accountability for harms suffered (Edkins, 2019; Kovras, 2017).

In this sense, the documentation practices of family members of the disappeared reflect the fact that papers not only structure the relationship between survivors and the state, but also the relationship between the survivor and the person who has been disappeared.⁷ The papers become, in some sense, a stand-in for a continued connection to a lost loved one, which invests them with a weight that may not be present for other types of victims of human rights violations engaged in grassroots documentation. That said, as the literature reviewed above suggests and our own research experiences corroborate, families of the disappeared are not the only groups of victims that meticulously document the harms they have suffered and their interactions with state bureaucracies. When adapted to the particular circumstances of other harms, this analysis can therefore inform our understanding of the dynamics of interaction between many different types of victim groups and states in transition.

Conversely, as we discuss in the next section, Colombia and Sri Lanka set up rather different bureaucracies of transitional justice, in terms of design, allocated resources, and mandate. As such, while an analysis of documentation practices that includes bureaucratic forms that states produce requires state institutions to exist at a basic level in order to create and circulate such documents, we do not consider a highly sophisticated—or, indeed, functional—transitional justice bureaucracy to be essential for the argument. Victims engaging in the documentation practices we describe are speaking to multiple audiences that extend well beyond domestic transitional justice bureaucracies.

Methods

The Colombia sections of this article are based upon interviews and field observations from 18 months of fieldwork Roxani has conducted in Colombia on six visits since 2013.⁸ For this article, she draws from a broader project on the politics of victimhood during transitions from violence, investigating how bureaucracies of transitional justice, as well as those who identify as victims, construct and contest hierarchies of victimhood (Krystalli, 2019). The majority of the interviews quoted here are from between July 2016 and September 2018, and 31 of them are specifically with family members of the disappeared. This interval marks the crucial time period between the first official announcement of the Colombian peace accords between the government and the Revolutionary Armed Forces of Colombia (FARC) in August 2016 and the first days of Iván Duque's administration in August 2018, which raised many questions regarding the level of support the peace process and accords will continue to receive. Roxani conducted all interviews herself in Spanish and all translations are her own as well. All interviewees are cited by pseudonyms.

In addition to the interviews, Roxani conducted observations at events linked to the transitional justice agenda in Colombia. Illustratively, these events have included the Congressional Oversight Meeting for the Implementation of the Victims' Law (June 2018), commemorative events associated with Victims' Day (April 2018) and the International Day of the Disappeared (August 2013; August 2018), and a meeting of the commissioners of the Commission for the Clarification of Truth with representatives of victims' associations in Antioquia (March 2018). Finally, Roxani conducted discourse analysis of relevant documents pertaining to bureaucracies of victimhood. Examples of

documents in her archive include a training guide for officials interviewing those who wish to declare themselves as victims of the armed conflict, a code of conduct for victim participation in politics, and a series of documents pertaining to military officials who seek recognition as victims.

The Sri Lanka sections of this article are based upon interviews and field observations from Kate's six visits to the island since 2013. However, most of the interviews she quotes from here are from July–August 2016 and July 2017 and were conducted in cooperation with People for Equality and Relief in Lanka (PEARL), a Tamil human rights organization.⁹ Kate and PEARL's advocacy director, Mario Arulthas, spoke to approximately 50 war-affected individuals in seven of the eight districts of Sri Lanka's Northern and Eastern Provinces.¹⁰ The majority of the interviewees were family members of disappeared persons; however, we also met with former combatants, members of civil society, religious figures, and politicians. Observing the interviewees' preferences of English or Tamil (with Mario acting as an interpreter when necessary), we asked a series of questions about knowledge of the Sri Lankan government's transitional justice commitments and progress toward fulfilling them, expectations regarding the current transitional justice process, engagement with past commissions of inquiry, and attitudes toward participating in any new mechanisms. We also conducted field observations at the protest sites of the families of the disappeared, visiting three of the five continuous protests.¹¹

Consistent with the tenets of interpretive research on political violence (Fujii, 2010; Yanow and Schartz-Schea, 2015), we, as international researchers with long-term engagement in the respective contexts, were ourselves a potential target audience for different types of victim claims. In recognition of this fact, we have consciously preserved the narrative "I" throughout our discussion and have sought to cite our interlocutors dialogically in ways that show our inquiry, rather than erasing the role of the researcher in potentially shaping claim-making.

Histories of human rights abuses and bureaucracies of victimhood

Colombia

In 2016, the Colombian government and Revolutionary Armed Forces of Colombia (FARC) signed peace accords to mark the formal end of one dimension of a civil war that has lasted since the mid-1960s.¹² This conflict has involved clashes among state forces, guerrilla groups, paramilitaries, and criminal actors, all of whom joined the war for reasons that have evolved over time. The data on the scale of the conflict is itself part of the contested political terrain of the transition (Steele, 2017). With that in mind, the National Centre for Historical Memory reports that between 1958 and 2013, there were 220,000 conflict-related deaths, over 5 million cases of displacement, and nearly 17% of the population of Colombia experienced some form of violence in the war (Grupo de Memoria Histórica, 2013).¹³

The Observatory of Memory and Conflict of the National Center for Historical Memory in Colombia (CNMH) reported that there were 82,998 cases of forced disappearance between 1958 and 2017.¹⁴ CNMH further reports that the perpetrator was

known in 52% of the reported cases. Paramilitaries were reportedly responsible for 26,475 disappearances (62.3% of cases with known perpetrators), guerrillas for 10,360 (24,3%), and agents of the state for 2,484 cases (5.8%). The report states that "groupspost demobilization," referring to former combatants, were responsible for 2,764 cases of forced disappearance, while a nexus of state agents and paramilitaries was responsible for 388 cases (0.9%).¹⁵

Once again, it is essential to treat these numbers with an awareness of the politics that permeate them (Eriksson Baaz and Stern, 2013; Merry, 2016). In particular, as research in many contexts corroborates, family members of the disappeared may be less likely to report this crime for fear that the reporting process may harm the missing person (De Alwis, 2009; Robins, 2013; Taylor, 1997). Colombian scholars have underscored the ways in which the involvement of the state in certain types of conflict-related violence (including forced disappearance) may negatively affect the willingness of victims of such crimes to come forward to state bureaucracies (Riaño-Alcalá and Uribe, 2016; Sandoval Rojas, 2015).

The state bureaucracy of victimhood in Colombia is extensive and pre-dates the 2016 peace accords (Sandvik and Lemaitre, 2015). The 2011 "Law 1448: Victims and Land Restitution" (henceforth "Victims Law") created the Victims' Unit, a government department whose resources are exclusively dedicated to those the state recognizes as victims of the armed conflict. The Victims' Law defines as victims "those people who individually or collectively suffered harm due to acts that occurred after 1 January 1985, as a consequence of infractions of International Humanitarian Law or grave violations of international human rights norms that occurred within the context of the internal armed conflict" (Victims' Law, Art. 3, 2011). As of October 2019, over 8.9 million individuals—nearly one in six Colombians—have official "victim" status.

The 2016 peace accords supplanted these provisions by creating additional state entities, notably including a Special Jurisdiction for Peace, a Commission for the Clarification of the Truth, Co-Existence, and Non-Repetition, and a Unit for the Search of Missing Persons. In the first two years of its existence, the Unit for the Search of Missing Persons has faced particular challenges in securing a sufficient state-allocated budget to support its activities.¹⁶

In order to become registered as victims, individuals must file a declaration and supporting evidence at the Public Ministry. The Victims' Unit designed the format of the testimony by decree and attempted to train officials on both the legal and technical aspects of taking victim statements (Rivas, 2016). The collected evidence is assessed at the Victims' Unit, which must operate under the good faith provisions of the Victims' Law (Victims' Law, Art. 5, 2011).¹⁷ Once included in the registry, those recognized as victims are entitled to a number of benefits, depending on assessments of their vulnerability and the harms they suffered. Benefits can range from nutritional support to education credits, and from reparation in the form of financial compensation to professional training for the labor market. A 2015 Harvard-led evaluation of the Victims' Unit praised the Colombian reparations program as ambitious but acknowledged that "this ambitious mandate has contributed to the rising expectations of victims—and their disappointment with the government when its lofty goals remain unmet" (Sikkink et al., 2015).

In practice, accessing benefits requires continued navigation across dispersed national and local entities. As a state official at the High Commissioner for Victims said in an interview, just within Bogotá, there were 18 different entities with a mandate to tend to victims at the time of this research.¹⁸ A different state official suggested that there were 42 different ministries and national agencies responsible for victims of the armed conflict.¹⁹ As we will review in the empirical sections that follow, this institutional fragmentation—and the bureaucratic requirements that vary within and across institutions—have implications for the (often invisible and unacknowledged) labor that recognized victims have to perform to secure the benefits to which they are legally entitled. This dynamic also creates tension between victims and state agencies. In the words of a leader of a victims' association in Medellín, "Being a victim means meetings, meetings, meetings. I don't have electricity in my house because I have to pay all my money to go from the *comuna* where I live to the Victims' Unit. The state officials get paid because we exist. They live from our suffering. What do they have to show for it?"²⁰

Sri Lanka

Sri Lanka gained independence in 1948. Politicians from the Sinhalese ethnic majority quickly realized that activating and exploiting their community's Sinhala-Buddhist supremacist sentiments was a viable path to electoral victory (DeVotta, 2005; Rasaratnam, 2016). The Tamils were demographically powerless to disrupt these ethnic outbidding tactics. They suffered systematic marginalization and repression, as well as regular flare-ups of shocking ethnic violence. Tamil resistance had already turned militant by 1983, when Sinhalese mobs slaughtered thousands of Tamils in the capital city of Colombo and elsewhere on the island. The pogrom, which became known as "Black July," provide the spark for war. It would last for over a quarter-century.

Human rights groups documented serious violations of international law by both sides of the conflict. The Liberation Tigers of Tamil Eelam (LTTE) attacked civilian populations and forcibly recruited Tamils, including children, into its ranks. The state systematically deployed torture, sexual violence, and extrajudicial killing against any-one perceived as being LTTE or associated with them. But international attention has focused on the mass slaughter of Tamil civilians in the devastating final months of the war. The Sri Lankan military illegally shelled civilian targets, including hospitals. The UN estimates that as many as 40,000 people were killed in these attacks. There's also photographic and video evidence that state forces tortured, raped, and murdered surrendered combatants.

Since the war's end, Sri Lanka has faced pressure to provide accountability for war crimes. While Mahinda Rajapaksa, who claimed credit for the victory, remained in power, Sri Lanka's position was one of absolute intransigence.²¹ The Rajapaksa regime insisted that the defeat of the LTTE had been accomplished with no civilian casualties and referred to the brutal final phase of the war as "the Humanitarian Operation." But in January 2015, Rajapaksa was ousted in a shock electoral defeat. The big-tent coalition government that took over had campaigned on a platform of good governance and restoring Sri Lanka's international reputation. As part of the effort to signal a break with the previous regime's belligerent diplomacy, the new government promised to undertake a

transitional justice process. Its elements were laid out in an October 2015 United Nations Human Rights Council (UNHRC) resolution: an office of missing persons, an office of reparations, a truth commission, and prosecutions of those responsible for war crimes.

Sri Lanka pledged to begin implementing these commitments immediately and to report back to the UNHRC in March 2017. But it quickly became clear the government was in no hurry to perform. It took until August 2016 to finally pass an Act authorizing the creation of the first institution, the Office of Missing Persons (OMP). It took another 18 months to finalize the setup and appoint commissioners. And although the government had launched a Consultation Task Force (CTF) to collect and collate public opinion on truth, justice, and reconciliation, officials undermined its work at every opportunity. First, by announcing the setup of the OMP before the CTF could weigh in with recommendations, and then by rejecting the findings of its 700-page report when they were released in early 2017. All the while, the President, Prime Minister, and other leaders continued to assure the Sinhalese electorate that there would be no war crimes prosecutions.²²

Many members of the victim community had been cautiously optimistic about the CTF. The failure to incorporate victim-survivor perspectives into the creation of the OMP was a slap in the face. A civil society leader who had been involved in the process told us wryly that now people in her community yell at her for having made them come to the consultations.²³

"We expected good things from the consultations" one woman explained. "We were able to share our view, but nothing has happened."²⁴ For the victim community, the experience confirmed that although Sri Lanka was saying the right things abroad, it was business as usual at home.²⁵ "There is no will on the part of the government," said one activist, referring to the government's promises in Geneva.²⁶ Asked about the Office of National Unity and Reconciliation (ONUR) that the government had set up in late 2015, several victims reported that they had never heard of it, or had heard the name but nothing further. One activist dismissed it as "just another office,"²⁷ while another mentioned that she had visited its headquarters, but lost faith in its credibility when she discovered the washroom signs were only in Sinhala. "What's the point," she said, "if you can't talk to them in Tamil?"²⁸

Participating in-or rejecting-a dialogue with the state

Colombia

On a Sunday afternoon in June 2018, I was sitting at Liliana's kitchen table in one of Bogotá's sprawling peri-urban peripheries. I had first met Liliana in 2013 through her advocacy for family members of the disappeared. Her husband has been missing since 2010, and she believes him to have been disappeared by paramilitary groups. Over the years, I had followed Liliana's efforts both to locate information about her specific case and to raise awareness about the broader difficulties that families of the disappeared face in Colombia. On this day, we had met to discuss the bureaucratic interactions Liliana had had with agencies of the Colombian state.

After setting a cup of hot chocolate down by my side, Liliana brought out a folder. On the front, I could spot stickers of Catwoman and Superman. "The folder was my daughter's," Liliana laughed. "We recycle everything." She placed six documents on the table: a copy of the initial *denuncia* (declaration) that she had filed with the authorities to indicate that her husband was missing; a form indicating her eligibility for temporary humanitarian assistance from the mayoralty of Bogotá; a letter acknowledging her inclusion in the official Victims' Registry; a letter of *dignificación* (dignification) as part of her inclusion in the reparations program; a *derecho de petición* (right to petition), through which she asked authorities for follow-up on her case, and a *tutela*, a legal instrument akin to a lawsuit through which citizens could involve the judiciary in the resolution of their pending cases before state agencies.

We sat side by side, inspecting the documents for nearly half an hour. I was struck by the ways in which those vying for recognition as victims imbued bureaucratic forms with symbolic meaning and inferred the presence of the state through them. "Look at this one," Liliana would say, lifting one form or another, always pointing out the state letterhead and the signature of a particular official. She was particularly interested in sharing the letter of her inclusion in the Victims' Registry with me. I asked if she recalled her reaction when she received it:

Liliana: Well, it was a relief. There was so much coming and going, taking the buses to town, knocking on doors. I didn't know much about the Registry then. It didn't exist for the first few years [until 2011] and then it was so new and we didn't have enough information. I just knew it was important to be part of it.

Roxani: Why was it important to be part of it, do you think?

Liliana: We knew we had to be part of the *listas del estado* (lists of the state) if we were going to get reparation.

Sri Lanka

When I arrived in Sri Lanka in July 2016, the government had just approved draft legislation allowing for the issuance of Certificates of Absence to families of the missing. Members of civil society had lobbied for this measure, to mitigate the problems stemming from a legal framework that required surviving family members to apply for a Death Certificate "in order to address practical issues including the facilitation of property transfer and ownership, the ability to formalize new partnerships (remarriage), apply for compensation under the Rehabilitation of Property, Persons and Industries Authority (REPPIA), qualify for social welfare payments and pensions, and access frozen bank accounts."²⁹

These applications had required the surviving family member to swear out an affidavit that they believe the missing person to have died. Many family members of the disappeared were unwilling to do this, fearing that it would amount to abandoning the struggle to find their missing relatives. These fears were exacerbated by incidents in which security sector personnel exerted pressure on Tamil relatives of the disappeared, calling them into police stations or visiting their homes to tell them to apply for death certificates.³⁰ The logic of the certificates of absence was that they would enable surviving family members to address the practical effects of their absence (critically important in an environment where so many of the missing are men, leaving female-headed households in dire circumstances) without subjecting them to a difficult choice between worsening economic precarity or a perceived betrayal of their missing loved one.

Having been in Sri Lanka several times in the 2013–2015 period during which rights groups were advocating for the certificates of absence, I expected that families of the missing would be pleased with this development. Some undoubtedly were. But when Mario and I raised it with a group of Tamil women meeting at a community center in Kilinochchi, I was surprised at the negative response. Each of them had lost one or more family members. They quietly handed us the photos: a young man sitting on a motorcycle, a family of five posed at a child's birthday party, a toddler with her slightly older brother playing in their yard. One woman cried bitterly as she explained that she had told the story of her loss so many times and nothing ever changed.³¹

They were adamantly opposed to the certificates of absence, they said. What civil society members in Colombo saw as progress, a step toward meeting the needs of families of the disappeared, these women saw instead as further proof that the Sri Lankan government would never give them what they actually needed: the truth about the fate of their missing loved ones. As a woman in Batticaloa explained a few days later, certificates of absence with no additional information would be unacceptable to the families of the disappeared. "We won't take them," she said.³² Relatives of the disappeared in Trincomalee echoed these sentiments, making clear that they saw little difference between the certificates of absence and death certificates. Both were efforts by the government to avoid providing truth and justice.³³

Seven months later, many of these same women would take to the streets in protest. Back in Trincomalee in July 2017, eating lunch with the protestors beside the road, I again brought up the certificates of absence. They still wouldn't take them, the group's leader confirmed. They were simply too worried that engaging with the process would amount to a concession to the government, an abandonment of their missing loved one.

It would be an understatement to describe conflict-affected Tamils' attitude towards state transitional justice institutions as one of mistrust. Asked about the disconnect between Sri Lanka's conciliatory rhetoric abroad and its failure to actually implement transitional justice at home, one activist said flatly: "I don't know Kate, I think it is all a game."³⁴

Conversations with families of the disappeared didn't just reveal doubts about the sincerity of the Sri Lankan government's promises but deep-seated fears about their underlying intent. When, in 2017, President Maithripala Sirisena met with the protesting mothers, promising that the government would soon release a list of those held in state custody,³⁵ some of the women interpreted it as an effort to "break their resolve."³⁶ A Tamil aid worker explained this attitude, saying simply: "We are under military rule here."³⁷ Many expressed fears that participation in state transitional justice institutions would be unsafe for them, that "witness will become targets."³⁸

Again and again, victims reiterated that they had no hope that the Sri Lankan government would provide truth or justice. Instead, they saw their protest as playing to a different audience: Western policymakers and international organizations who might put pressure on Sri Lanka. "My concern is the international community," said one religious leader working with the families.³⁹ "It has to have an effect," said a long-time human rights worker. "At least let the international community know what's happening."⁴⁰

The limits of hope and the uses of disappointment

Colombia

My interviews with those vying for recognition as victims of the conflict emphasize that one does not only become a victim through acts of physical violence during the war, but also through acts of bureaucratic affirmation. The bureaucratic documents, complete with the official stamps, signatures, decrees, and tables of the state, are a necessary step on the long road for official recognition—and, potentially, a form of hope for reparation.

Yet, there are limits to this hope. As Julián, a human rights defender in Medellín, told me in an interview in March 2018: "Colombia is the land of beautiful papers." Julián explained:

It's all a trick. Do you know how many *derechos de petición* (rights to petition) I have filed? How many *tutelas*? I could practically be a lawyer. They [the state] don't care. They just want the victims running around filling out forms until we die.

For Julián, and for many others awaiting reparation from the state, the forms create a hope that state agencies proceed to leave unfulfilled. Angela, another human rights defender in Medellín, echoed the chorus I heard frequently in the aftermath of the signing of the peace accords: "The government is not complying" (*El gobierno no se cumple*). The documents create the illusion of a functioning bureaucracy and signal the presence of a state apparatus that aims to tend to the needs of those registered as victims of the armed conflict. But the lag between the printing of the form and the experience of reparation—in the symbolic or material sense—means that the bureaucratic documents become an artifact of disappointment. As Marina, a woman whose son had been disappeared in the early 2000s in Antioquia, told me, "I do not want another letter from the government. I just want to know what happened to my son."

Disappointment, in this context, is simultaneously a feeling, a political stance, and an act of claim-making. By laying out forms on tables, those who identify as victims render their labor visible. This is the work of ensuring that the harms they suffered become legible to the state that has the power and responsibility to offer recognition and reparation for them. The forms also render visible the absence of a satisfying, timely state response. This, in turn, fuels the ways in which those recognized as victims use documents—the same ones that could tell stories about state presence and authority—to signal state neglect or abandonment.

Importantly, not all of those recognized as victims choose to engage with the state in this way, despite the possible benefits (Sandoval Rojas, 2015; Tate, 2007). In fact, the decision of whether, how, and to what extent to engage with state entities on transitional

justice has been contentious within and among the organizations of those who identify as victims, not just in the domain of enforced disappearance but across a broader array of harms. As a state official involved in implementing memory initiatives in Colombia told me, "the state has created divisions by dominating some of the spaces of transitional justice." He continued: "These are spaces that some victims will not accept. I have heard them say they won't even talk to victims who participate in them." When I asked him to explain that decision, he said, "some people think the spaces created by the state are co-opted, and won't engage with anyone who participates in them."⁴¹

Those who identify as victims and their allies echoed this perspective. "The state depoliticizes victims by making them part of the establishment," a Colombian scholar and victims' advocate argued. "Best to domesticate them, so they can drop their opposition to the state."⁴² A leader of a victims' association echoed: "The state absorbs victims. For this reason, many refuse to participate." Refusal, in this context, has various manifestations, ranging from not filing the papers at all (and thus not appearing in the official registry of victims or being eligible for many of the pillars of reparation) to filing the paperwork to receive official recognition as victims, but not pursuing ongoing engagement with state institutions through public events or other interlocution with state entities on transitional justice. The implications vary, depending on the choice different interlocutors made and their interpretations of politics. For those who consider engagement with the state to be depoliticizing and potentially compromising of advocacy agendas and claim-making, refusal to engage is an agentive moment and act of rebuke (Riaño-Alcalá and Baines, 2011). For others, refusal to engage may mean exclusion from the potential benefits the transitional justice system promises to those officially recognized as victims (outlined above).

* * *

Sri Lanka

While some family members of the disappeared responded to questions about whether they would attend the OMP, or a future truth commission, with a rhetorical "why?", others expressed concerns about the optics of a boycott. Some felt that they "should" participate, that not to do so would somehow undermine their credibility as victims.⁴³ The international audience loomed large in these conversations, with some victims explicitly worrying about how it would look to the international community if they failed to show up. One woman, who sighed that "this is all meaningless anyway," suggested that the government might use their nonparticipation as an excuse in Geneva for inaction.⁴⁴

But others revealed more complex motivations for engaging with state transitional justice institutions. Human rights workers suggested that the sense of community among the families of the disappeared might drive participation. If some survivors chose to go to the OMP, others would likely join them, for fear of "missing out." One woman explained that she felt she needed to go as an act of protest, to "question and challenge" the institution.⁴⁵ Boycotting would not be enough for her.⁴⁶

Others grappled with what it would mean to fail to pursue a possible avenue to truth and justice, however remote the possibility of success. As one activist working with the families of the disappeared explained, the collection and preservation of evidence, the ongoing search for the truth, can be a last living link to a missing loved one. As long as uncertainty remains, "that's a way you connect with the life of that person."⁴⁷ A decision not to engage with a purportedly truth-seeking institution might feel like an unconscionable abandonment.

Papers as ritual

While understanding the strategic use of the papers of victimhood is important, it would be a misreading of victims' experiences and direct testimony to interpret their documentation practices as *only* (or entirely) strategic. As the evidence from the Sri Lanka case in the previous section highlights, and the Colombian case echoes too, even when the state is not a meaningful interlocutor or audience for victim claims, many of those recognized as victims and their advocates continue to gather papers and documents. This might be interpreted as a strategic hedge against the possibility of a future in which meaningful redress is available, but in our view, it reads more comfortably as ritual.

Ritual, in this case, has many meanings. At its most basic, a ritual is a "conventionalized act through which an individual portrays his respect and regard for some object of ultimate value" (Goffman, 1971: 88).⁴⁸ Notably, scholars of ritual across the humanities and social sciences have found that "a ritual's meaning is almost always ambiguous" (Blake, 2019: 7). Likewise, understanding an act as ritual does not preclude it having instrumental value to the participants; it simply permits an acknowledgment of the "process-oriented benefits" that exist independent of the act's effects on others (Elster, 1985: 145).

In the context of our analysis, participation in the bureaucracies of victimhood might simultaneously serve to pursue compensation *and* to honor the way in which the disappeared mark a "present absence" in the universe of ambiguous loss their family members inhabit (Edkins, 2019; Robins, 2013). As one Colombian mother said at the beginning of a public event of commemoration on the International Day of the Disappeared, "I want you to know my son." She then pointed to her T-shirt, on which there was a printed photo of him smiling. "I am wearing him so I can remember him, so that *you* can remember him, and so we can demand justice."⁴⁹

But in other political contexts, similar rituals of memorialization may be strikingly at odds with the strategic pursuit of redress. In northeastern Sri Lanka each November, crowds gather in destroyed cemeteries to remember deceased LTTE combatants. The graveyards were the site of the LTTE's annual commemoration of those who had fallen in battle, called *Maaveerar Naal ("Heroes' Day")*. They were bulldozed whenever the Sri Lankan state reclaimed rebel-held territory. Since the end of the war, observing *Maaveerar Naal*, even on private property, has been banned. And yet each year, survivors bring photographs of their dead loved ones to desecrated cemeteries, gather up shattered pieces of headstones to construct makeshift memorials, and light candles in remembrance.

Some of these survivors are the same women who are sitting in the road demanding to know the fates of disappeared children, siblings, or spouses. They know that participating in *Maaveerar Naal* observances—even more than their public protest in the

streets—risks harassment, abuses, or worse from state forces. What's more, they know that it muddies their status as "good victims" in the eyes of the international community.⁵⁰ [For international audiences, seeking information about the fate of a missing civilian (or even surrendered combatant) is one thing; glorifying a rebel soldier's death fighting for a listed terrorist organization is something else entirely.] But for these women, the actions are not separable. They light the candles for their fallen combatant children, and they incessantly demand the truth about the fates of the missing ones. It's how they honor the memories of those they have lost.

Victims' documentation practices can be understood therefore as serving as sites of strategic claim-making, memorialization, or both. Reducing the significance of these personal archives to their strategic value would ignore the complex emotional and political meanings with which victims and their advocates imbue them, and the ways in which these meanings evolve over time, even in the absence of state action.

Conclusion: papers and performances of victimhood

The papers of victimhood are a form of speech, a site of claim-making, and a type of contested terrain for relationships with the state during transitions from violence. In the Colombian case, many of those recognized as victims view the state as a key audience for their claims. The relationship between the state and different groups of victims is marked by varying degrees of hope for redress, faith (or lack thereof) in the state's bureaucratic process, and fear of continued violence. These victims' engagement with the state is neither an endorsement of its bureaucratic practices nor a vote of confidence in its promise of justice. Rather, it is an acknowledgment that the routes, protocols, and, indeed, documents of the state represent one avenue through which to make strategic claims in search of justice. By contrast, the victims we spoke with in Sri Lanka were adamant that engagement with the state was not a path to redress of the harms they had suffered. Rather, they collected and displayed the proofs of their victimization as evidence of the state's failure. When asked who their audience was, most identified members of the international community: the UN, the US government, the global public.

What is striking but should not, perhaps, be surprising, is that Colombian victims seeking to wrest benefits from domestic bureaucracies take the same steps to establish their claims as Tamil victims seeking to show the world that the Sri Lankan government will not give them truth or justice. These similarities are no coincidence. Drawing on scripts derived from international transitional justice practice, victims all over the world carefully gather and preserve the proofs of their status. The use of "script" here, or the reference to performances of victimhood, should not be misinterpreted to mean these claims are anything less than real (Helms, 2013). We echo Judith Butler's notion of performativity (2011: 2) "not as a singular or deliberate 'act'," but rather, as the "reiterative and citational practice by which discourse produces the effects that it names." The victim actions we have analyzed here are the result of a learned and studied understanding of what conflict-affected individuals must do in order for their experiences to become legible as worthy of the attention of the assistance, protection, and justice schemes that various bureaucracies, both domestic and international, promise during transitions from violence (Krystalli, 2019; Loken et al., 2018).

These two cases in conversation show that similar expectations of how victimhood is "properly" performed animates efforts to engage with state bureaucracies and to censure them. And critically, they also show that these strategies are not mutually exclusive. Victims of violence move back and forth between using their papers to induce behavioral change from a state they consider their interlocutor and using the papers as a form of rebuke of the state and its failures and absences. Our Colombian interlocutors' narratives demonstrate that when interactions with the state through bureaucratic documents prove disappointing, they fuel a new round of claims, this time about state absence and abandonment during the-time-of-not-war-not-peace. And our interviews in Sri Lanka suggest that even those victims most cynical about the prospects of transitional justice are still often unwilling to write off entirely the possibility that some day, the state will respond to their claims. Finally, evidence from both cases suggests that, regardless of whether interlocutors choose to engage with the state, assembling and displaying the papers of victimhood is part of rituals of memory, which form an essential component in the search for justice.

Acknowledgements

The authors are thankful for the constructive comments of three anonymous peer reviewers and the editorial team at EJIR. They are also grateful to discussants and participants at the International Studies Association 2019 annual meeting and the Departmental Research Seminar of University College London's Department of Political Science for helpful feedback on earlier versions of this article. Kate thanks People for Equality and Relief in Lanka (PEARL) for their collaboration on her field research and the Harvard Kennedy School's Belfer Center for Science and International Affairs for its support during her postdoctoral fellowship. Roxani is grateful to Kimberly Theidon, Alex de Waal, and Dyan Mazurana for their guidance and support throughout this research project. Conversations with the Laboratory for the Anthropology of the State in Colombia (LASC) have enriched her understanding of the complexities of victimhood and violence. Our deepest gratitude lies with our interlocutors in Colombia and Sri Lanka, who generously shared their insights with us.

Funding

The author(s) received financial support for the research, authorship, and/or publication of this article: Roxani Krystalli's research was supported by fellowships and grants from the National Science Foundation (DDRIG), the United States Institute of Peace (Peace Scholarship), the Social Science Research Council (IDRF and DPDF), the Henry J. Leir Institute (Human Security Fellowship), the World Peace Foundation and The Fletcher School PhD Fund. This article does not necessarily represent the views of the funding institutions.

ORCID iD

Kate Cronin-Furman (D) https://orcid.org/0000-0001-6746-2945

Notes

- 1. Trincomalee, July 2017.
- 2. All excerpts in this section are from Field Diary, Medellín, March 2018.
- 3. Consistent with other scholars and practitioners who work in both contexts and with our own past work (Gowrinathan and Cronin-Furman, 2015; Jimeno in Burnyeat, 2018; Krystalli,

2019), we use "victim" as an emic term, reflecting the language that our interlocutors use and the meanings they assign to it.

- 4. This term, originally coined to describe mechanisms instituted to address past regime abuses during transitions to democracy (see, e.g. Teitel, 2000), is now also commonly used to refer to the range of measures states put in place to address large scale human rights violations after war (Hinton, 2010).
- In the Colombian context, a salient case is MOVICE, the National Movement of Victims of Crimes of the State (*Movimiento Nacional de Víctimas de Crímenes de Estado*). For more on their work, advocacy, and publications, see https://movimientodevictimas.org.
- 6. We follow Galtung's understanding of structural violence as violence that can have material, physical effects, but cannot be traced back to individual concrete actors and is, therefore, "violence built into the structure" and "shows up as unequal power and consequently as unequal life chances" (Galtung, 1969: 169–171). We acknowledge, of course, that in both contexts, many forms of physical violence continue after the formal end of the hostilities, so we are not arguing here that 'structural violence' is the only observable violence in either context (or that it is altogether separate from physical violence).
- 7. This dual focus—on both relationships with the state through bureaucratic forms *and* the aspects of ritual and memory that structures relationships to the missing person—also allows us to engage with a diversity of actors, acknowledging that not all those who suffered harm will feel comfortable interacting with the state or will have access to the bureaucratic forms. Similarly to other studies on victimhood, commemoration, and advocacy (Baines, 2017; Edkins, 2011, 2019), ours focuses on individuals who have chosen to participate in these relationships and rituals in some ways. We recognize that the narratives of individuals who lack bureaucratic forms altogether or who do not wish to be involved in public advocacy and commemoration are correspondingly less visible in our account. In this instance, we follow Veena Das (2007) in respecting chosen silences as a form of agency and echo Parpart and Parashar's (2019) call to investigate silences as potentially being both chosen and structurally enforced.
- 8. This research has been approved by the International Review Board for Social and Behavioral Sciences at Tufts University, under Protocol #1605037.
- 9. The 2016 research was conducted for PEARL's advocacy report, "Erasing the Past: Repression of Memorialization in North-East Sri Lanka." Although the 2017 research was also conducted in connection with an advocacy report (PEARL's "Delayed or Denied? Sri Lanka's Failing Transitional Justice Process") the data was approved for research use by the Committee on the Use of Human Subjects at Harvard University under Protocol #: IRB17-0967.
- 10. Jaffna, Kilinochchi, Mullaitivu, Vavuniya, Trincomalee, Batticaloa, and Amparai.
- 11. These field observations took place at Trincomalee, Mullaitivu, and Kilinochchi.
- 12. We emphasize here the formal dimension of what ends in a peace accord without suggesting that the peace accord itself marks the end of the conflict in people's lives. Indeed, violence continues in many areas of the country, targeting human rights defenders, former combatants in the process of leaving armed groups, and others. Meanwhile, both dissident factions of the FARC and other nonstate armed groups remain active. As a result, we acknowledge that "peace on paper" is not automatically or immediately synonymous to embodied peace and that many forms of violence continue into the proverbial "post-conflict."
- 13. This violence did not unfold in compartments; rather, it is common for the same individual to appear in victim registries as having experienced multiple harms—ranging from displacement to land dispossession, and from sexual violence to forced disappearance—at the same time (Meertens and Zambrano, 2010).

- 14. Note that the time period for this number does not entirely overlap with the time period for legal recognition as victims. As we review later in the article, the starting date for recognition as victims is 1 January 1985. Similarly, the closing date of the National Center for Historical Memory investigation into the disappeared is after the Colombian peace accords of 2016. For more, see http://www.centrodememoriahistorica.gov.co/noticias/noticias-cmh/en-colombia-82-998-personas-fueron-desaparecidas-forzadamente (accessed July 2019).
- 15. For more, see: http://www.centrodememoriahistorica.gov.co/noticias/noticias-cmh/encolombia-82-998-personas-fueron-desaparecidas-forzadamente (accessed July 2019).
- 16. See: https://www.semana.com/nacion/articulo/unidad-de-busqueda-de-desaparecidos-encolombia-aun-no-empieza-a-funcionar/553856 (accessed July 2019).
- 17. As Jairo Rivas (2016: 123) notes, in the years after the registry was rolled out, the average inclusion rate for those seeking to register as victims of displacement was 92.9%.
- 18. Bogotá, May 2018.
- 19. Bogotá, March 2018.
- 20. Medellín, March 2018.
- Although Rajapaksa created a handful of ostensible human rights institutions under threat of an international inquiry, none them had the power to investigate allegations of war crimes (Cronin-Furman, 2020).
- 22. PEARL 2018.
- 23. Kilinochchi, July 2017.
- 24. Batticaloa, July 2017.
- 25. Sri Lankans' experience with the remarkable number of supposed human rights institutions created by successive administrations is aptly summed up in the title of Amnesty International's, 2009 report on the subject: "Twenty Years of Make-Believe." AI 2009.
- 26. Kilinochchi, July 2017.
- 27. Vavuniya, July 2017.
- 28. Batticaloa, July 2017.
- 29. See: https://www.cpalanka.org/wp-content/uploads/2015/09/Certificates-of-Absence-FINAL. pdf
- 30. E.g. https://www.tamilguardian.com/content/families-persons-handed-over-sla-are-forced-accept-death-certificates
- 31. Fieldnotes, Kilinochchi, July 2016.
- 32. Batticaloa, July 2016.
- 33. Fieldnotes, Trincomalee, July 2016.
- 34. Vavuniya, July 2017.
- 35. Nearly two years later, no list has been released.
- 36. Mullaithivu, July 2017.
- 37. Vavuniya, July 2017.
- 38. Mullaithivu, July 2017.
- 39. Kilinochchi, July 2017.
- 40. Vavuniya, July 2017.
- 41. Bogotá, January 2018.
- 42. Bogotá, January 2018.
- 43. Amparai, July 2017.
- 44. Batticaloa, July 2017.
- 45. Trincomalee, July 2017.
- 46. Batticaloa, July 2017.
- 47. Batticaloa, July 2017.

- 48. Goffman offered many varied definitions of ritual across his research. We selected the above as most relevant to the present analysis. For an overview of other conceptualizations of ritual, including Goffman's views on "interaction rituals," see Manning, 1989.
- 49. Field diary, Bogotá, August 2013.
- 50. For more on the status of "good victims" across various contexts, see; Jacoby, 2015; Krystalli, 2019; Madlingozi, 2010; Meyers, 2011; Rudling, 2019.

References

- Amnesty International (2009) Sri Lanka: twenty years of make-believe. Sri Lanka's Commissions of Inquiry. Available at: https://www.amnesty.org/en/documents/document/?indexNumber= ASA37%2f005%2f2009&language=ta (accessed 30 July 2020).
- Auyero J (2012) *Patients of the State: The Politics of Waiting in Argentina*. Durham, NC: Duke University Press.
- Baines E (2017) Buried in the Heart: Women, Complex Victimhood and the War in Northern Uganda. Cambridge, UK: Cambridge University Press.
- Berry ME (2017) Barriers to women's progress after atrocity: evidence from Rwanda and Bosnia-Herzegovina. *Gender & Society* 31(6): 830–853.
- Berry ME and Rana TR (2019) What prevents peace? Women and peacebuilding in Bosnia and Nepal. *Peace & Change* 44(3): 321–349.
- Blake JS (2019) *Contentious Rituals: Parading the Nation in Northern Ireland.* Oxford, UK: Oxford University Press.
- Burnyeat G (2018) Chocolate, Politics and Peace-Building: An Ethnography of the Peace Community of San José de Apartadó, Colombia. London, UK: Palgrave Macmillan.
- Butler J (2011) Bodies That Matter : On the Discursive Limits of Sex. London, UK: Routledge.
- Castillejo-Cuéllar A (2013) On the question of historical injuries: transitional justice, anthropology and the vicissitudes of listening. *Anthropology Today* 29(1): 17–20.
- Cronin-Furman K (2020) Human rights half measures: avoiding accountability in postwar Sri Lanka. *World Politics* 72(1): 121–163.
- Cronin-Furman K and Lake M (2018) Ethics abroad: fieldwork in fragile and violent contexts. *PS: Political Science & Politics* 51(3): 607–614.
- Das V (2007) *Life and Words: Violence and the Descent into the Ordinary*. Berkeley, CA: University of California Press.
- Dávila Sáenz J (2017) A land of lawyers, experts, and 'men without land:' the politics of land restitution and the techno-legal production of 'dispossessed people' in Colombia. PhD dissertation, Harvard University.
- De Alwis M (2009) 'Disappearance' and 'displacement' in Sri Lanka. *Journal of Refugee Studies* 22(3): 378–391.
- De León J (2015) *The Land of Open Graves: Living and Dying on the Migrant Trail.* Berkeley, CA: University of California Press.
- Devotta N (2005) From ethnic outbidding to ethnic conflict: the institutional bases for Sri Lanka's separatist war. *Nations and Nationalism* 11(1): 141–159.
- Edkins J (2011) Missing: Persons and Politics. Ithaca, NY: Cornell University Press.
- Edkins J (2019) Change and the politics of certainty. Manchester, UK: Manchester University Press.
- Elster J (1985) Rationality, morality, and collective action. Ethics 96(1): 136–155.
- Eriksson Baaz M and Stern PM (2013) Sexual Violence as a Weapon of War?: Perceptions, Prescriptions, Problems in the Congo and Beyond. London, UK: Zed Books Ltd.

- Franco Gamboa A and Franco Cian L (2020) Managing suffering in war-affected pluricultural contexts: reflections on the assistance to victims in Colombia. *Revista de Estudios Sociales* (73): 109–121.
- Fujii LA (2010) Shades of truth and lies: interpreting testimonies of war and violence. Journal of Peace Research 47(2): 231–241.

Galtung J (1969) Violence, peace, and peace research. Journal of Peace Research 6(3): 167–191.

- Goffman E (1971) *Relations in Public: Microstudies of the Public Order*. New York, NY: Basic Books.
- González-Ruibal A (2008) Time to destroy: an archaeology of supermodernity. *Current Anthropology* 49(2): 247–279.
- Gordon AF (2008) Ghostly Matters: Haunting and the Sociological Imagination. Minneapolis, MN: University of Minnesota Press.
- Gowrinathan N and Cronin-Furman K (2015) The forever victims? Tamil women in post-war Sri Lanka. New York, NY: Colin Powell School for Civic and Global Leadership. Available at: https://www.deviarchy.com/wp/wp-content/uploads/2015/09/The-Forever-Victims-Tamil-Women-in-Post-War-Sri-Lanka.pdf (accessed 30 July 2020).

Grupo de Memoria Histórica (2013) Basta Ya! Colombia: Memorias de Guerra y Dignidad.

- Gupta A (2012) *Red Tape: Bureaucracy, Structural Violence, and Poverty in India.* Durham, NC: Duke University Press.
- Helms E (2013) Innocence and Victimhood: Gender, Nation, and Women's Activism in Postwar Bosnia-Herzegovina. Madison, WI: University of Wisconsin Press.
- Hinton AL (ed.) (2010) Transitional Justice: Global Mechanisms and Local Realities After Genocide and Mass Violence. Rutgers, NJ: Rutgers University Press.
- Jacoby TA (2015) A theory of victimhood: politics, conflict and the construction of victim-based identity. *Millennium* 43(2): 511–530.
- Kovras I (2017) Grassroots Activism and the Evolution of Transitional Justice: The Families of the Disappeared. Cambridge, UK: Cambridge University Press.
- Krystalli R (2019) 'We are not good victims': Hierarchies of suffering and the politics of victimhood in Colombia. PhD dissertation, The Fletcher School of Law and Diplomacy, Tufts University.
- Loken M, Lake M and Cronin-Furman K (2018) Deploying justice: strategic accountability for wartime sexual violence. *International Studies Quarterly* 62(4): 751–764.
- Madlingozi T (2010) On transitional justice entrepreneurs and the production of victims. *Journal* of Human Rights Practice 2(2): 208–228.

Malejacq R and Mukhopadhyay D (2016) The 'Tribal Politics' of field research: a reflection on power and partiality in 21st-century warzones. *Perspectives on Politics* 14(4): 1011–1028.

- Manning P (1989) Ritual talk. Sociology 23(3): 365-385.
- Meertens D and Zambrano M (2010) Citizenship deferred: the politics of victimhood, land restitution and gender justice in the Colombian (post?) conflict. *International Journal of Transitional Justice* 4(2): 189–206.
- Merry SE (2016) The Seductions of Quantification: Measuring Human Rights, Gender Violence, and Sex Trafficking. Chicago, IL: University of Chicago Press.
- Meyers DT (2011) Two victim paradigms and the problem of' Impure' victims. *Humanity: An* International Journal of Human Rights, Humanitarianism, and Development 2(2): 255–275.
- Nordstrom C (2004) Shadows of War: Violence, Power, and International Profiteering in the Twenty-First Century. Berkeley, CA: University of California Press.
- Parpart JL and Parashar S (eds) (2019) *Rethinking Silence, Voice and Agency in Contested Gendered Terrains: Beyond the Binary.* London, UK: Routledge.

- Rasaratnam M (2016) *Tamils and the Nation: India and Sri Lanka Compared*. London, UK: C Hurst & Co.
- Riaño-Alcalá P and Baines E (2011) The archive in the witness: documentation in settings of chronic insecurity. *International Journal of Transitional Justice* 5(3): 412–433.
- Riaño-Alcalá P and Uribe MV (2016) Constructing memory amidst war: the historical memory group of Colombia. *International Journal of Transitional Justice* 10(1): 6–24. DOI: 10.1093/ ijtj/ijv036.
- Rivas J (2016) Official victims' registries: a tool for the recognition of human rights violations. *Journal of Human Rights Practice* 8(1): 116–127.
- Robins S (2013) Families of the Missing : A Test for Contemporary Approaches to Transitional Justice. London, UK: Routledge. DOI: 10.4324/9780203517079.
- Rodríguez Idárraga N (2018) La naturalización de la violencia: damnificados, víctimas y desarrollo en la segunda mitad del siglo XX colombiano. PhD dissertation, University of Montreal.
- Rudling A (2019) "I'm Not that Chained-Up Little Person": four paragons of victimhood in transitional justice discourse. *Human Rights Quarterly* 41(2): 421–440.
- Sandoval Rojas NC (2015) Movilizarse ante la corte: Trayectoria y efectos de tres episodios de movilización legal constitucional de feministas, indígenas y víctimas de crímenes de estado en Colombia. Bogotá, Colombia: Ediciones Uniandes-Universidad de los Andes.
- Sandvik K and Lemaitre J (2015) From IDPs to victims in Colombia: a bottom-up reading of law in post-conflict transitions. In: Saul M and Sweeney J (eds) *International Law and Post Conflict Reconstruction Policy*. London, UK: Routledge.
- Schulz P (2015) Transitional justice for male victims of conflict-related sexual and gender-based violence? *International Journal on Rule of Law, Transitional Justice and Human Rights* 6(6): 39–50.
- Scott JC (1998) Seeing Like a State: How Certain Schemes to Improve the Human Condition have Failed. New Haven, CT, USA: Yale University Press.
- Sikkink K, Pham PN, Johnson D, et al. (2015) Evaluation of Integral Reparations Measures in Colombia. Cambridge, MA: Carr Center for Human Rights Policy and Harvard Humanitarian Initiative.
- Steele A (2017) *Democracy and Displacement in Colombia's Civil War*. Ithaca, NY: Cornell University Press.
- Tate W (2007) *Counting the Dead: The Culture and Politics of Human Rights Activism in Colombia* (Vol. 18). Berkeley, CA: University of California Press.
- Taylor D (1997) *Disappearing Acts: Spectacles of Gender and Nationalism in Argentina's*" *Dirty War*". Durham, NC: Duke University Press.
- Teitel RG (2000) Transitional Justice. Oxford, UK: Oxford University Press on Demand.
- Theidon K (2012) *Intimate Enemies: Violence and Reconciliation in Peru*. Philadelphia, PA: University of Pennsylvania Press.
- Yanow D and Schwartz-Shea P (2015) Interpretation and Method: Empirical Research Methods and the Interpretive Turn. London, UK: Routledge.

Author biographies

Kate Cronin-Furman is an Assistant Professor of Human Rights in the Department of Political Science at University College London.

Roxani Krystalli is a Lecturer (Assistant Professor) at the University of St Andrews, where her research and teaching focus on feminist peace and conflict studies.