

THE RISE OF THE *RONDAS CAMPESINAS* IN PERU

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The *rondas campesinas* (literally, 'peasant rounds') in Peru are organs of community justice. Existing primarily in rural communities, they have a history of several centuries, but have undergone recent transformations in their functions and their relationship with the state. The *rondas campesinas* are formed by their own members in the peasant communities. Their primary objective is the fight against *abigeas* (cattle rustlers). To this end they were organized in shifts with compulsory participation by the men. They were found necessary as a result of the widespread corruption of officials, mainly the police and the judiciary who persistently failed to prosecute these criminals and who in many cases were suspected of complicity in their activities.

Their functions have been progressively expanded to include activities other than self-defence and nightwatch patrols. They have come to cover activities of daily life such as development projects, the control and prosecution of some officials, and the settlement of family, land and other disputes in a parallel administration of justice (Bonifaz 1991: 165). They were finally recognized officially in the 1980s. In the early 1990s government set up Self-Defence Committees or Armed *Rondas Campesinas* modelled on the popular *rondas campesinas*

Origins and Evolution

The origins of the *rondas campesinas* cannot be strictly determined. We cannot say that they were born in a given time in the country's history. We can however locate their emergence if we refer to the historical research done on the *Incanato*.

In the social organization of the old Inca empire, we find three large groups, those of royalty, nobility and the common people. This last stratum was formed by three orders: the *hatun runa*, the *mitimaes* and the *yanaconas*. Historians agree that the most prominent sector was that of the *mitimaes*. They had the most important role

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in Inca society, since their duty was to administer peace and order through the implementation of moral values, sometimes acting as a form of police force, and ready if required to serve the Inca as agents of repression and social control (Del Busto 1982: 104). We can speculate that the background of today's *rondas campesinas* lies in the *Mitimae* organization, since its *raison d'être* was the aim of social balance in peasant communities.

It is from the nucleus of the peasant community that the *rondas campesinas* were born. They were created in what were called *reducciones*, an approximate equivalent of modern American Indian reservations, by the Spanish Viceroy Toledo in 1568. These were composed of Andean natives and denominated 'indigenous communities'. Through these communities the Spaniards sought to enlarge their control and domination over the Indians and their customs, both by using the Church's evangelist function and by imposing new officials.

Each such indigenous community had two sets of institutions, one of Andean origin and the other similar to the Spanish, such that each set could carry on an apparently independent life. Thus there would be an area of oversight of a Church and sometimes a convent (a *Cacique*), and a Council of Indians (a *Tambo*), and a land and community chest. The objectives were: (1) to facilitate an intense Hispanic and Catholic effort towards greater assimilation of Catholic values; (2) to organize fixed and well controlled deposits of cheap labor; and (3) to facilitate efficient tax collection. Thus the general aim was to keep the Indians in constant check, so that the *encomenderos*, *hacienda real*, miners, manufacturers and landowners could increase their wealth (Espinoza 1982: 23).

Under this system the indigenous scheme of jurisdictional control and repression was suspended. Nevertheless it was not the main objective of the *reducciones* to replace it fully, and consequently the absence of an official authority for solving internal conflicts within the *reducciones* was evident. The Indians had to resort illegally to their own native resources to solve their problems in order to maintain a peaceful social environment.

According to various scholars, we can tie the genesis of the modern stage of the *rondas campesinas* to the organizations that emerged during the last century in the Andean *haciendas*. The landowners in the region established *rondas de hacienda*, small armies of their own workers, carefully selected and trained to defend the landowner's property against thieves or *abigeos* and also against other landowners. For this purpose the landowners chose their most trustworthy men since they also had to serve as a control force inside the *hacienda* (Jurgen Brandt 1987: 111), in the manner of the *mitimaes* of the Inca empire. The work of these *ronderos* was based solely on a personal service relationship without any form of payment. This system was essentially feudal and remained unchanged until the

government of General Velasco Alvarado implemented the Agrarian Reform in 1968.

The Agrarian Reform process produced a series of changes in the functioning and legitimacy of the *rondas de hacienda*. When the process eliminated all these forms of semifeudal personal relationships, the *rondas* were modified, and adopted a new character and a new perspective.

This development was especially marked in the province of Cajamarca, and to almost the same degree in Piura. There is a consensus among scholars in pointing to the province of Cajamarca as the place of origin of the *rondas campesinas*. The clearest instance took place in 1977. In the town of Cuyumalca in the province of Chota the only school in the community was looted. This was reported to the police authorities and after the ensuing investigation the matter was turned over to the Lieutenant-Governor. He decided to form picket lines around the school, formed of professors and parents. This event led the town's inhabitants to hold a General Assembly on 27 January 1977, in which they decided to organize *rondas campesinas* in the whole area in order to protect themselves against the *abigeos* who had increased their criminal activities. They succeeded in bringing under control and then eliminating cattle rustling and violence in the countryside (Revilla and Price 1992: 90).

The success of this experiment impressed the inhabitants of the neighboring areas of Chota, Cutervo, Santa Cruz and Hualgayoc, and they adopted similar organizations. Progressively other towns in nearby provinces in the departments of Piura, Lambayeque, Amazonas, La Libertad, Ancash and Huanuco determined to do the same. Afterwards these organizations spread to the whole Andean region and also to some areas on the coast and in the Amazon jungle. The acceptance of these practices was determined by the agrarian structure, and by the similarity of the problems faced by the inhabitants of these regions.

It was thus in the 1970s that the *rondas* established themselves as primary organizations which, unlike those that went before, were not aimed at protecting the *hacendado's* particular interests. Their objects rather were to defend the community's goods and give the peasants security in their pursuit of the ancestral principles of communal work and collective solidarity. Thus they regained their character of authentic peasant organizations.

The breach between official authority and the Indians was the main pattern during Colonial times. But the coming of Independence and then the Republic did not bring closer together what Basadre has called "official Peru" and the "real or unofficial Peru" (Basadre 1947: 156). The coexistence of these was not addressed by Peruvian leaders. However, the unofficial sectors, called 'marginal sectors',

started to overflow, increasing their presence and significance within the national order, and gaining virtual legitimacy in the last few decades.

Thus the *rondas campesinas* today maintain their ancestral roots and reflect their historical background in the *mitimaes* of the Inca empire. The category includes for practical purposes other pre-Columbian institutions such as the *minka* (a collective state-work system) and the *ayni* (a communal work system based on reciprocity) which managed to survive the colonial *corregidores* (judges) and the *latifundio* (the large landed estate with quasi-feudal social relations), by basing themselves on the idea of communal work and collective solidarity.

Organization and Functions of the *Rondas Campesinas* Today

Organization

We should distinguish two types of organization in the *rondas campesinas*. On one hand there are those that are self-generated within the peasant communities, which we may properly call '*rondas campesinas*'. On the other hand are the so-called Self-Defence Committees or anti-subversion Armed *Rondas Campesinas* created exclusively by the government of President Fujimori to fight subversion in the early 1990s.

The popularly generated *rondas campesinas* are usually formed by previous agreement among the inhabitants of a town in a public assembly or by a leaders' agreement. After this, the communal leaders, and in some cases the Lieutenant-Governor request the advice of the *rondero* leaders from the nearest community whom they adopt as their instructors.

The *rondas* consist of male peasants between the ages of 18 and 60, in groups of three to 15. A search group has a chief, an army officer being usually chosen because of his experience. This chief is responsible for his *ronda* and reports to a supervisor on the activities that have been carried out during his shift. The shifts are established according to the number of *rondero* groups in the community, the territory being divided into defined areas. Each area elects a supervisor whose functions are to control the activities of the *rondero* groups and settle any problems that may occur. Above all the supervisors is the Central Committee that represents the whole community and which is elected at the General Assembly by all the members of the community. The Central Committee consists of five to seven members representing all the community's territorial areas.

The response to issues reported or known to the *rondas* occurs at two levels. The

individual *rondas* are expected to solve problems at the level of each sector. However, when internal problems are not solved by the sector and whenever a serious crime is committed, the Central Committee becomes involved, debating the matter in Assembly, and reaching a decision on the case. The same procedure occurs with respect to decisions to perform work for the community, the election of officials, the supervision of prices, the sanctioning of corrupt authorities, the settlement of land disputes, the response to dangers faced by the *rondas*, and suchlike.

In contrast to this, the constitution of the other category of organization, the Self-Defence Committees or Armed *Rondas Campesinas* is not drawn up at the communal level. Usually these are organized by the Army, and in a few cases by autonomous decision of the peasants themselves. The establishment of a Self-Defence Committee is decided upon by the Army after it has been informed that a community or town has been 'visited' by the Shining Path or the MRTA. On being given this information, the army command of the area directs some of its units to the communities concerned. They select a command of 10 to 15 peasants, who are provided with military training, uniforms and an alias. This command is responsible for coordinating the Army and *ronda* activities against subversion.

Once the command is set up and prepared, the population is registered. The whole population is encouraged to cooperate with the *ronda* and men between the ages of 14 and 60 are encouraged to join. Groups of 40 to 60 men are organized and each group, together with the *ronderos* from nearby towns, is assigned to patrol a determined area, for a maximum of 15 days at a time, sometimes also visiting other towns harassed by subversives. The *ronderos* that do not go out on patrol are organized into small groups to do *rondas* during the night in shifts that are agreed upon by territorial sectors.

Functions

As already noted, the *rondas campesinas* were initially born to confront the increasing criminal activity of the *abigeos* and the theft of community goods. However, the effectiveness of the *rondas* in contrast to the insufficiency of State action caused the expansion of their functions to handle other types of problems, such as family and land disputes, and even crimes of seduction and rape. (Revilla and Price 1992: 192).

The statistical information obtained by the *rondas campesinas* federations of Cajamarca and Piura have shown that they have received all types of criminal and civil claims. The most numerous cases have been those of land inheritance, land

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demarcation, money debts, cattle stealing, family conflicts, child neglect, divorce, and abuse of authority. Although this data should be viewed with some scepticism, it allows us to appreciate that the *rondas campesinas* deal with virtually all classes of cases within the jurisdictional competence of the official authorities, and range even to matters that are not recognized by the juridical order of the state such as cases of witchcraft.

There is, indeed, no parallel to the jurisdictional activity of the *rondas*. They not only resolve conflicts but also sanction those who commit criminal acts. The sanctions can range from the repossessing of stolen cattle or goods to physical sanctions (such as whipping and cold night-time baths). The objective is not only to punish the individual physically or economically but also morally. To do this, the castigated are usually forced to walk naked through town with signs hanging from their necks stating the acts they have committed.

The function of the *rondas* also reaches the field of communal development. Its contribution is extremely important to the realization of public works for the community and as an effective agent in the countryside's development.

The State and the *Rondas Campesinas*

Government policies towards the rondas

The *rondas de hacienda* of the early 20th century elicited an exceptional state reaction because some of them managed to prevent the *hacendados'* control from turning them into groups of armed criminals spreading violence and chaos in the Cajamarca region. Confronted by this, the Leguia and Sanchez Cerro governments from 1929 to 1932 devoted special attention to the fight against the hoodlums, prosecuting them vigorously for common crimes. Sanchez Cerro's action was so radical as to include the enactment of an emergency law permitting the execution of individuals charged with these crimes.

But for the following governments the *rondas* lacked importance. They did not form part of the Andean rural life which was controlled by the *hacendados*, neither did they form part of official Peru.

In the 1970s the *rondas* initiated a new stage of predominantly peasant action. Consequently during Morales Bermudez' government, they encountered direct governmental hostility. The authorities, who were completely unaware of the true nature of their activities, encouraged their own *abigeos* to confront the *ronderos*.

The Belaunde Terry administration openly opposed the activities of the *rondas campesinas*. This regime considered that to acknowledge and legalize their existence would mean the establishment of parallel institutions, depriving the police and their own jurisdictional authorities of some of their functions. This view was taken notwithstanding that the *rondas* had emerged as a result of the absence of any official authority in the peasant communities, neither the police nor the courts having offered the peasants protection from criminal harassment nor solved any of their land disputes or family quarrels. The Belaunde government failed to recognize the *rondas* and increased the police presence in towns in the areas where the *rondas* were active. Thus in Chota, where in 1977 there had been only around ten policemen, three command districts were established in 1980 (Estela Diaz 1988: 581).

The results were deplorable. The *ronderos* were maltreated by the official authorities, many being charged with common crimes, and the peasants' distrust of the authorities was made evident, creating a tense and unstable environment. The *rondas campesinas* did not disappear nor did they cease their activities. They rather multiplied and developed greater 'legitimacy' in the minds of the peasants. Paradoxically, rapprochement started through members of the Army in the Ayacucho region, who in 1983 started to encourage the population to form and organize *rondas campesinas*. This encouragement was well received in the Apurimac river valley in the border provinces of Ayacucho and Cusco, notwithstanding the increase in guerrilla activity in the area.

The coming of the APRA administration in 1985, headed by Alan Garcia, brought a dramatic shift in the State's conception of the *rondas campesinas*. This government provided all the measures necessary for their legitimization, which was achieved when, after a prolonged debate, Congress passed Law 24571, the *Rondas Campesinas* Act, proclaimed in November 1986. As a result of this initiative by President Garcia the *rondas campesinas* organizations were soon extended to the provinces of Huancavelica and Apurimac. The government recognized the *rondas* as autonomous organizations and even officially gave them weapons. But at the same time the state declared them to be under the administration of the State's structure and subject to political authority, thereby diminishing their autonomy and restricting the peasant conception of their functions and justification, based on communal work and collective solidarity.

The government of Alberto Fujimori recognized the autonomy of *rondas campesinas* and in its own policies rated them as a milestone in national development and as fundamental elements in its anti-subversion strategy. The government strove to strengthen relations between the local authorities and the *rondas campesinas*. In pursuance of this policy a series of talks took place, the most important of which were the *Rondas Campesinas* Workshop on Justice and

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Human Rights in 1992 in Cutervo, Cajamarca. At that meeting the close relations between the *ronderos* and the authorities were demonstrated in debate, and the problems specific to each locality studied with a view to their solution. (El Peruano, June 14, 1993).

The position assumed by President Alberto Fujimori regarding the *rondas campesinas* is set out in two legal provisions. Law No. 740 authorizes the activity of *rondas campesinas* in certain locations under an 'emergency statement' and allows them to use weapons under certain conditions. Law No. 741 on the other hand authorizes and describes the constitution and organization of *rondas campesinas*. The aim is to establish effective self-defence committees which would be capable of preventing terrorist infiltration, defending themselves against attack, and supporting the National Army and the Police. We can see that the Government's objective is to exploit the organizational capabilities of the *rondas campesinas* and to improve the relationship between the peasants and the law enforcement officials. These are sought in order to achieve one of the primary objectives, which is to fight and eliminate the subversive element. It is important to note that, while the militarization of the *rondas* and the submission of these self-defence committees to the Army's authority have produced some success, the methods of the present government tend to negate the freedom of the *rondas* and their members, since the great majority of the peasants are forced to join these organizations and to obey the provisions of the Army's authority. Nevertheless, the government has recognized, if only partially, the basic functions of the *rondas campesinas*. It recognises that they provide for the administration of justice through the solution of conflicts, thereby avoiding the corruption of the authorities, and that in their daily work they contribute to the development of their communities by taking part in the construction of buildings for the common benefit and supporting their area's organizational initiatives in providing health care and food. (El Peruano, June 14, 1993).

Relationship between the rondas campesinas and the official authorities

The *rondas campesinas* have formed their most important relationships with three sectors of the state machinery. These are the political authorities, the police, and the judicial authorities.

(a) The political authorities

In the political field the peasant authority at the local level is the Lieutenant-Governor, who is appointed by Prefectural Resolution upon the proposal of the Provincial Governor. The Provincial Governor is appointed upon

the proposal of the Sub-Prefect, who in turn is appointed by the Minister of the Interior (Bonifaz 1991: 180).

Obviously the relationship between the *rondas* and the authorities is likely to be strained in most cases because the latter have the mission of guaranteeing public and internal order, enforcing judicial mandates, and solving minor problems in the localities. The *ronderos* have assumed some of these duties, since some Lieutenant-Governors have tended to follow the mandates of corrupt policemen and judges regarding the needs of the community. There have been several cases in which the peasants have accused their Lieutenant-Governors of cooperating with the *abigeos* and criminals by authorizing the sale of stolen animals. This situation was to some extent corrected by General Velasco's government, which saw to the appointment of new political authorities who identified with the rural areas' needs. In many instances these new Lieutenant-Governors headed the first *rondero* organizations, such as in San Antonio de Lacama (Hualqayoc), Cuyumalca (Chota), Chala (Hualqayoc), and El Frutillo (Hualqayoc) (Bonifaz 1991: 182). In such cases, the new sub-prefects legitimized the organizational initiatives of the *rondero* Lieutenant-Governors by granting licences for their nightwatch functions.

The friendship between the *ronderos* and the Lieutenant-Governors and sub-prefects ended when the *rondas* reached the point of forcing an unbearable situation on the political authorities. There were many instances where, backed by the peasants, they opposed the Lieutenant-Governors' administration. Counting on their popular legitimacy they also opposed the rulings of the sub-prefects. The governors and prefects reacted with a campaign to induce the Ministry of the Interior to declare the *rondas* unlawful. The official decision came in the form of a dispatch from the Cajamarca Prefecture addressed to the Chota Sub-Prefecture, stating:

1. This document considers that the existence of the so-called 'nightwatch *rondas*' in the provinces of Chota, Hualqayoc, Cutervo and Jaen, particularly the first, has generated an alarming situation on account of the consequences that may in future ensue.
2. Bearing in mind that the action of these *rondas* amounts to the assumption of responsibilities that our administration delegates to the police force, the Ministry of the Interior will not allow the continuance of their function.
3. Consequently the following measures shall be put into effect:
 - a) the authorization provided by the sub-prefects, governors and

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Lieutenant Governors for the functioning of the so-called 'nightwatch *rondas*' in the area of the province of Cajamarca shall be ineffective... (Bonifaz 1991: 183)

This decision reopened the breach between 'official Peru' and the 'real Peru' that the Velasco government had tried to close, and revived the struggle by the *ronderos* for official recognition. This continued until 1986 when the *Rondas Campesinas* Act was put into effect. The Act delegated to the political authorities the power to authorize the functioning of these organizations. This faculty generated new problems because the authorities not only enforced the provisions of the Act but also denounced political favoritism to the *rondas campesinas*, and even demanded political affiliation to support the government. However, the relationship did not undergo the degree of tension of earlier times. The peasants continued their activities, even though it might have been questioned how far they had succeeded in their struggle, since they were now subject to control by the political authorities.

(b) The Police

Relationships between the police and the *ronderos* have varied. On one hand there have been police personnel who have shown great willingness to work out ways in which they could coordinate their functions with those of the *rondas* so that each complemented the other. These police officers have mainly been natives of the areas where they worked, or have had other ties committing them to the areas. On the other hand there have been police personnel who have been adamantly opposed to the *ronderos* on the ground that the police force alone had the function of enforcing the law and the *rondas campesinas* were usurping their duties. This view has frequently been taken despite the fact that it has been the absence of police in many areas of the country and the general ineffectiveness of the police force that has caused the failure of the official system and allowed the consolidation of grassroots organizations such as the *rondas*.

The conflict between the police authorities and the *ronderos*, according to the peasants themselves, arises from the distrust felt towards authorities which are corrupt and abuse their powers (Bonifaz 1991: 168, 169). When they complain of corruption they refer to the ties between the police and both criminals and local authorities. Abuse of authority is manifested when peasants go to the urban areas seeking police help and are met with series of monetary demands and moral and prejudicial maltreatment, mainly from policemen of coastal origin (Bonifaz 1991: 184).

The *ronderos* capture *abigeos* and criminals and usually take them to the nearest

police station. The police response is almost always demoralizing. The suspects are set free on the ground of lack of proof, and in some cases the *ronderos* have been prosecuted by the family of a criminal or by the police themselves for taking the law into their own hands, and for other common crimes.

The police attitude has not changed, and the breach between the peasants and the State has grown.

(c) The judicial authorities

These authorities also are divided in their appreciation of the *rondas*. Those most closely in contact with the *rondas* are the local justices of the peace, who live in the countryside. With them there is a healthy relationship. The judicial authorities at higher levels live in a different reality, administering justice from their offices located in urban areas, and completely ignorant of the daily life of the peasants.

The *rondas* perform jurisdictional functions, and this work is highly appreciated by the peasants. The local justices of the peace perform their duties in cooperation with the *rondas*. However, there have been other, contrasting instances, such as that of the local Bambamarca judges who were openly against the *rondas*. They considered that the *rondas* deprived them of their official functions, reducing the number of cases under their jurisdiction, and thereby their incomes.

Peasants have put more trust in the *rondas* than the courts and they prefer to solve their problems through the *rondas*. They consider that judges do not administer justice, since they release accused persons without good cause, delay cases, and demand favors as a condition of adjudicating on them (Revilla and Price 1992: 113).

On the other hand, many *ronderos* have been convicted by the courts of committing crimes in the exercise of their functions. One such is the case of the President of Cajamarca's Provincial Federation of *Rondas Campesinas*, Eriberto Ventura Castrejon. In 1989 he was sentenced by the Cajamarca High Court to twelve months' imprisonment for kidnapping, usurpation of functions and crimes against the right to freedom of some cattle thieves who had been captured by the *rondas campesinas* (Revilla and Price 1992: 114).

Legal recognition of the Rondas Campesinas

The coming of the APRA administration in 1985 brought a new focus on the *rondas campesinas*. On 30 July 1985 the APRA presented to Congress a draft law

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recognizing the organizations' existence. But this draft declared them to be entities that supported the police force, and were without autonomy, being dependant on the Ministry of the Interior. On the other hand the United Left legislators presented a parallel draft establishing the criteria for recognizing the *rondas* as:

independent organizations of the peasantry that would participate in agrarian policy through different levels and types of organizations within the Ministry of Agriculture and other public dependencies within their jurisdiction, and the statutes and laws of which would be approved by their own *ronderos* according to the provisions of the Constitution and the Civil Code.

Congress finally approved a mixed version of both drafts when it passed Law 24571 published on 7 November 1986. In its sole article the law provides:

The State shall recognize the *rondas campesinas* as peaceful, democratic and autonomous, whose members shall be authorized by the respective political jurisdictions as organizations bound to serve the community and to contribute to development and social peace without any partisan or political ends.

They also have as objectives the defence of lands, the care of cattle and other goods, and cooperation with the authorities for the elimination of any crime. The laws and bylaws are governed by the norms of peasant communities that are established by the Constitution and the Civil Code.

This official legitimization of the *rondas* involves the acknowledgement of a generalized system throughout the most isolated areas of the country. Although it is true that this constitutes a great advance, we must point out the insufficiency of its content. Given the absence of state apparatus in the *rondero* areas, it was not only necessary to recognize the legitimacy of such grass roots organizations, but it was also important to clarify the validity and scope of their various activities in order to avoid doubt and abuses, and also to establish adequate control over them.

The statute tried to fill this loophole, but in doing so it created even more contradictions. For instance, Article 6d permits the *ronderos* to arrest criminals, but this violates Article 20c of the 1979 Constitution providing that "nobody may be arrested without written and motivated judicial mandate or by police authorities when apprehended in the course of committing a crime." This power of arrest is also referred to in Article 11 of the statute, which adds that the responsible parties, once the *ronda* has ended, are required to inform the police authorities of

what has occurred during the *ronda*. This seems to assume that the *ronderos'* activity is limited to helping the police, and ignores their assistance to communal development and also their contribution to the solution of conflicts and crime prevention. This contradiction generates conflicts between state organs and the *rondero* organizations, since state authorities do not generally accept that the *ronderos* may lawfully carry out any arrests whatsoever.

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