

Forensic civism: articulating science, DNA and kinship in contemporary Mexico and Colombia

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Abstract

The article will present the findings of ethnographic research into the Colombian and Mexican forensic systems, introducing the first citizen-led exhumation project made possible through the cooperation of scholars, forensic specialists and interested citizens in Mexico. The coupling, evolution and mutual re-constitution of forensic science will be explored, including new forms of citizenship and nation building projects – all approached as lived experience – in two of Latin America's most complex contexts: organised crime and mass death.

Key words: Mexico, Colombia, forensics, right to truth, biobank

Corpses and human remains have long been matters of concern across diverse cultures.¹ In the seminal study by Robert Hertz, funerary rituals and second burials are theorised as fundamental activities that allow a social group to connect the reign of the otherworldly with the existing social order (a form of rite of passage). According to Hertz's comparative analysis there is often a period between the first burial of a relative – in a place nearby the family home – and a second burial of the skeletal remains that usually coincides with the corpse's decomposition. In this period the families of the dead are considered contagious, and the phenomenon of disappearance indefinitely perpetuates this state of contagion and taboo. Many relatives of the missing in Mexico and Colombia have described the aftermath of the disappearance in ways that resemble this period of contagion in-between burials:

(W)e immediately lost a huge amount of friends, our neighbours did not want to talk to us, and our business partners became frightened we were part of something illegal . . . we had known each other for more than twenty years . . . even our other kids systematically avoid the topic, and sometimes get angry if we speak about it.²

This article will not analyse this perpetuated state of contagion, but rather how the disappearance of a loved person has become a generative space for those relatives who, in the face of political and scientific regimes ruled by impunity and

normalised violence, create new forms of civism around forensic knowledge. We present an ethnographic portrait of how forensic science, social organisations and the ‘right to the truth’³ have been articulated in Mexico and Colombia, resulting in a peculiar blending which we here term ‘forensic civism’. Our approach to forensic civism works to uncover the articulation⁴ between lay citizens determined to realise their ‘right to the truth’ and certain socio-scientific techniques, such as the analysis of case files, the organisation of strategic protest to gain access to human remains (sometimes teaming up with independent forensic teams) and the education of diverse forensic techniques. These are pursued to challenge what many of the relatives of the disappeared view as an oppressive *status quo*, embodied by an illegitimate state monopoly over dead bodies. The main motives behind these civic transformations are to locate and identify their disappeared relatives and, if found dead, provide them a proper burial.

Civil society organisations and the State, represented by its governmental agencies and experts, gather around corpses (or their absence) and clandestine mass graves because they are places and objects for dispute *par excellence* in the context of normalised warfare. As Bruno Latour argues, ‘we are brought [together] by divisive matters of concern into some neutral, isolated place in order to come to some sort of provisional makeshift (dis)agreement’.⁵ In these contexts, forensic DNA identification technologies are seen as a fundamental tool in the identification process of unnamed bodies of victims and as a core site of identity formation for both individuals and affected families.⁶

Different versions of forensic civism can be traced back to Argentina and the collaboration between the recently formed Argentinian Team of Forensic Anthropologists (EAAF) and the Madres de Plaza de Mayo (Grandmothers of the Plaza de Mayo).⁷ Likewise, Spain can be viewed as another example, where relatives of the disappeared started digging and searching for human remains by their own means in order to look for the victims of Franco’s dictatorship.⁸ The case of Srebrenica in Bosnia can also be understood as a form of civic duty with its intense collaboration between forensic specialists and relatives.⁹ Nonetheless we argue that what is happening in Mexico and Colombia differ from these kinds of civism because their situation is characterised by values of a certain liberal self-governance such as prudentialism (managing one’s own actions to avoid getting killed) and self-improvement (learning about law, forensic science and narcopolitics) to navigate uncertainty. These techniques generally emerge in opposition to governmental experts and their official findings.

In the coming sections we show how some relatives refuse to let the memories, or even corpses, of their loved ones be forgotten from public and private spheres, something that, in Mexico, both Catholicism and the State appears to accept and even, to some extent, endorse;¹⁰ we could also argue something similar happened in Colombia. To combat this situation relatives enrol their own audiences and allies and learn scientific techniques to face their enemies and locate their loved ones. In short, they construct their own *forums* to break, even if partially, the State’s monopoly over the dead and their bodies.¹¹

Forensics, derived from the Latin *forensis*, has etymological roots in ‘forum’,

the marketplace areas in ancient Rome where many types of business and public affairs, such as governmental debates, were conducted. Although contemporary forensic knowledge seems to be less concerned with citizens engaged in a forum and much more with the product of someone wearing a laboratory coat using cutting-edge DNA technologies, this article shows another trend.

Forensic science in Mexico and Colombia within Latin America's historical context

Mexico and Colombia show important differences from other Latin American cases such as Argentina, Brazil, Uruguay or Guatemala in which dictatorships were followed by either democracy or at least a clear regime change, enabling the latter to deploy forensic teams and establish truth commissions to investigate crimes, identify victims and, to a lesser degree, punish those responsible (with all their shortcomings and historical failures).¹²

Argentina is a paradigmatic example in Latin America, and the civil organisation *Madres de Plaza de Mayo* is a referent in the region. Their cry 'they took them alive, we want them alive' is nowadays heard all over the world to demand justice for those who have disappeared. In Argentina, the use of DNA databases and forensic science made it possible for many of the sons and daughters of social activists who were killed in the dictatorship to recover the memory of their biological parents.¹³ In El Salvador and Guatemala, DNA biobanks were established with a strong base of NGO participation. Furthermore, in countries such as Mexico and Colombia, forensic science and genetic research have flourished and grown during the conflict with drug dealers and armed insurgents.

In the Colombian case the scientific evolution has been described by a leading forensic scientist as 'a sounding box for all the violence and the complex political situation'.¹⁴ More than twenty years ago in the 1990s, at the peak of drug-related violence in Colombia, forensic science was restructured owing to the technical and financial support of the United States through the governmental initiative *Plan Colombia*. This restructuring was pivotal for improving public confidence in the reliability and independence of forensic knowledge in the face of what many informants have described as a governmental system ruled by generalised impunity and corruption.

Mexican forensic science is currently in the middle of a deep crisis of credibility, especially in locations in which drug-related violence is more acute, in a situation very similar to that in Colombia twenty years ago. Mexico also received support from the US Government to deal with the war against drugs through the *Merida Initiative*. The contrasting way in which both countries have dealt with the forensic demands produced by armed conflict makes for an interesting case study to understand the role played by civil society participation in forensic science and victim identification within their political, social and familial reconstitution in countries where conflict, violence and disappearances are still ongoing.

The official numbers in Mexico during the period from 2006–13 ascertain 121,683 violent deaths, 27,000 disappeared persons and more than 15,000 human

remains awaiting identification in forensic science institutions.¹⁵ These numbers do not include all the thousands of deaths, violent or otherwise, of Central American migrants trying to cross the Mexican territory to enter the United States.

In Colombia, with more than fifty years of continuous armed conflict between the State, guerrillas, paramilitaries and organised criminal groups, the official numbers are also in constant revision; however, the Colombian Commission of Historical Memory calculates more than 220,000 deaths, 62,000 disappearances and more than 4.7 million people have been internally displaced due to war.¹⁶ The sheer volume of dead people and the scale of the humanitarian crisis lived in both countries make it simple to grasp why one of the most pressing issues for forensic science and the search for justice and reparation is the identification of the thousands of unnamed bodies resulting from violence and armed conflict.

In contemporary Mexico, and in 1980s and 1990s Colombia, impunity, lack of the rule of law and punishment (or its unequal application), corruption and minimal governmental research efforts have produced such indignation and impotence that many relatives of the disappeared are obliged to start the search by their own means. These searches are conducted against governmental indifference and the constant threat of finding their loved ones dead or getting themselves killed in the process.

Nowadays in Colombia there is a national and unified forensic institute (Instituto Nacional de Medicina Legal y Ciencias Forenses, hereafter INMLyCF) which collaborates with the forensic laboratories of the Prosecutors Office and the National Police. Yet, in the 1980s to 1990s, the standards of forensic practice were still disputed and the handling of mass fatalities and evidence was tainted by corruption and the mishandling of information.¹⁷ It was not until after many years of mutual adaptation, and the gradual building of networks of trust between the INMLyCF and the relatives of the disappeared's civil society organisations (CSOs) around Colombia, that the forensic system started to yield results. Currently, representatives of CSOs and forensic scientists work together. They meet every month to exchange information, design search strategies and evaluate achievements in order to accelerate the identification of corpses and the search for those missing.

Contrary to Colombia, Mexico's forensic and judiciary system is fragmented; it uses different standards across its operations, and it is very difficult to share information between the various forensic and DNA databases scattered around the country. The forensic specialists working in different municipalities and states, mainly at the Medical Examiner's institutions known as SEMEFOS and the federal Prosecutors Office, have recurrently said that in the current social climate 'people don't trust each other'.¹⁸ Although the national judiciary and forensic system is now under scrutiny and a rapid transformation is taking place, the lack of due process and the links between criminal organisations and different social actors – inside and outside the governmental structure – makes cooperation very difficult; the case of forty three missing students in Ayotzinapa in 26–27 September 2014 is a clear and tragic example.¹⁹

International forensic teams have, however, provided technical assistance to help facilitate specific high profile cases. The Argentinian EAAF, in particular

dealing with femicide in the northern state of Chihuahua and its city Ciudad Juárez, has built the country's first forensic database for these investigations.²⁰ In Mexico, isolated forensic efforts are ongoing, but they seem solely dependent on the intervention of foreign teams to gain credibility, such as the EAAF's team of forensic anthropologists. It is common for forensic efforts to be locally based and non-standardised to the extent that yielding the necessary data to identify the thousands of unnamed corpses is unlikely. Furthermore, in Mexico and Colombia, truth has to be searched for amidst normalised practices of corruption and continuously perilous and vulnerable circumstances. The odds are stacked against those searching for their loved ones.

Forensic civism as a form of liberal self-government and solidarity

The cases we have selected here, of relatives of the disappeared in Mexico and Colombia, illustrate civic responses to extreme violence and the inadequate provision of governmental forensic science services (past or present). They present scenarios where the spheres between experts and non-specialists in forensic research have been blurred. The cases we explore – being nonexhaustive and not intending to represent the whole range of human experiences around forensic identification – aim to bring forth the mechanisms by which corpses (or their absence) have become of central importance for justice and dignity. In Mexico, as previously experienced in Colombia, the role of forensic science is being taken away from the State by the entrepreneurial relatives of the missing. This enterprise is neither solitary, individualistic or competitive, but rather characterised by its sharing and creation of trust among networks of mutual care and support to foster what we could call citizen-forensic scientists.

In Mexico and Colombia the bodies of the disappeared have become part of an emerging and fragile forum; they are corporeal matters of concern that pile in morgues, mass graves and clandestine cemeteries.²¹ The naming of the disappeared *vis à vis* the thousands of unidentified corpses has become a site of tension that can help us understand how contemporary forms of resistance and domination are intertwined with both the *individual body*, through its molecular DNA and its physiological components, and the *body politic* through the hopes of the living for rebuilding what they see as a systematically unjust and corrupted government.

In these contexts relatives of the missing use their economic as well as cultural-symbolic resources to embark upon self-fashioning enterprises in which they pursue new goals and learn new techniques in order to find their disappeared relatives (dead or alive). They mobilise their understanding of evidence as a way to face the indifference, corruption and sometimes even obstructing activities of forensic and judicial institutions.²² The relatives of the disappeared that are willing to engage with truth-making processes are fighting to turn their own forums into matters of concern, in order to disrupt the *status quo* – one mainly characterised by institutionalised oppression, mass death and systematic political amnesia regarding disappearances. Solidarity pushes them to share their knowledge and support each other.

Techniques, such as fingerprinting, were specifically devised to deal with an unruly population and the lack of reliable procedures to differentiate persons in the colonial territories.²³ However, the very same techniques used to fight criminality or make administrative and judicial distinctions among the population (some of which used since the nineteenth century in Latin America) are the same techniques used by these forensic citizens to make possible the construction of their own forums. Some techniques of recent creation, such as forensic DNA, also serve the purpose of challenging the State and its interest in dismissing the country's problems with violence and disappearances.

The data in this article is a selection of information centred on these specific cases and the struggles experienced by some relatives to make these forums a reality. It is the result of nine months of intense ethnographic research with forensic scientists and relatives of the disappeared in Colombia during 2011–12, and one year (2013–14) of similar engagement in Mexico.

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If his name was taken from him, I will teach them to write it, and they have been writing it for more than fourteen years, so they learn that they cannot rip our basic dignity and identity from us. . .²⁴

In the 1980s, Colombia was undergoing one of its most turbulent periods of violence and political upheaval (a paradigmatic example of this period is the incident of 'La Toma' at the Palace of Justice in 1984).²⁵ The extrajudicial killing of Luis Fernando Lalinde on 4 October 1984, which presumably happened in the town of Jardín, Antioquia while he was giving aid to wounded combatants during a ceasefire, was the beginning of a formidable quest.²⁶ After 4,428 days (approximately twelve years) of Lalinde's disappearance, Fabiola Lalinde (his mother) and a group of forensic experts were able to identify his skeleton found in the roads of Antioquia.²⁷ In the process, the Lalinde family and their allied experts overturned the opinion of Colombia's leading geneticist at that time, and this event arguably had lasting effects on the forensic system.²⁸

The case of Luis Fernando Lalinde was the first extrajudicial execution that had a resolution from the Organisation of American States (OAS) in 1988 and they have been punishing me all my life because of this, they tried to inculcate me, planting illegal drugs in my house . . . I had to stay in 'El Buen Pastor' to pay twenty-five years of incarceration, I came out after twelve days, and then I invented 'Operation Siriri'. An operation that is based in the persistence and insistence of a little bird that chases the Sparrow Hawk, that took its chicks, it is a very persistent bird, but it has never killed a Sparrow Hawk.²⁹

Fabiola's journey sheds light on an experience marked by both the experience of death on the one hand and its suspension on the other. This means that, for those looking for their loved ones, death and life are suspended in a troubled political

and socio-technical regime (taking twelve years of searching for and identifying the mortal remains of Luis Fernando), and, further, the suspension of death means that thousands of bodies remain unnamed and consequently identities are lost or withheld from the public, perpetuating family members' state of uncertainty.

While death is experienced in unforeseen and unpredictable ways – amidst continuous conflict violent events are prone to cause unexpected results, as seen in the number of civilians caught between armed confrontations – this experience can also be more predictable, such as the common practice of targeting human rights activists, journalists and a range of political opponents in both Mexico and Colombia.³⁰ For example, Dr Hector Abad Gomez, who was the first human rights activist to support Mrs Lalinde's quest, was assassinated three years into the search for Luis Fernando. One of the judges who oversaw Mrs Lalinde's case was also assassinated, and many of those aiding her (including herself) had received death threats and been the object of systematic persecution. Thus, the individuals and collectivities searching for family members and the truth are immersed in a complex economy – understood as a constant transaction and mobilisation of values and information – of fear, hopes and expert knowledge in which they thrive, perish or find resignation. Mrs Lalinde emphatically refused acquiescence.

In 1988 the Organisation of American States sanctioned the Colombian Government for serious human rights violations over the case of Luis Fernando Lalinde. A few days later, Mrs Lalinde's house was raided by military forces alleging that she was the head of the Narco-Guerrilla in Antioquia: as part of the raid they allegedly 'found' two kilograms of pure cocaine in her house. Aided by human rights activists from the UN group of enforced disappearances, she was able to leave prison twelve days after incarceration. However, not all women involved in the search for their relatives are as visible and many have had to face similar adverse circumstances, being mostly isolated and at many times stigmatised.

The members of the Lalinde family trained themselves in forensic disciplines in order to actively engage in the identification of their son and brother. They underwent this training while under temporary exile in Venezuela due to death threats and persecution. In 1992 the Lalinde family helped in the exhumation of a body found in a clandestine grave in the roads of Antioquia (labelled NN Jacinto³¹), which, according to the forensic anthropological report, was highly consistent with Luis Fernando: 'Skull-wound made with fire arm projectile, masculine individual, Caucasoid, 25–30 years old, 1.70 cm approximately, right handed and ante mortem loss of the 11th canine, just as his mother described him'.³²

However, when the genetic test was conducted to provide the identification 'certainty', Emilio Yunis Turbay, at the time the national authority in Colombian forensic genetics, concluded:³³

It is clear that none of the two alleles described in Mrs Lalinde are present in the DNA of the N.N. Under these circumstances, it is unquestionable that the remains studied by DNA techniques do not correspond to offspring of Mrs Lalinde . . . and these results are sufficient, irrefutable and unmodifiable.³⁴

Unsatisfied with the results, and aided by a group of forensic experts who had helped them in the exhumation process, the family decided to send the samples to foreign specialists who were willing to provide assistance. Twelve years after the disappearance of Luis Fernando, the Lalinde family received two international and independent identification reports stating that the examined remains corresponded to an offspring of Mrs Lalinde.³⁵ Nowadays the fight for the disappeared has become a grand organisational and civic movement. In Bogota, Gloria Gomez leads ASFADDES, an organisation founded in 1982 following the first abductions and disappearances of political activists and leftist leaders in Colombia composed of relatives and friends of missing persons. The national meetings of the ASFADDES open with a song that prays, 'We still sing, we still pray, we still search and we still cry'. While these gatherings serve as a pedagogy of activism and a reminder of the organisation's collective goals and the importance of membership, it also helps to bring expert knowledge, such as forensic genetics, to strategic audiences including local leaders of NGOs.

According to Gloria's vision, experts and geneticists should work closely alongside citizens. In her words, 'the scientist has to leave his laboratory and explain in simple words, without much technical jargon what is genetics and what it does, you have to come here with us and talk to the people'.³⁶ While doing the interview it appeared that her expression 'with the little we know' was overtly modest given that she is one of the members of the national search committee, demanding that geneticists talk with them to explain their crafts. She has travelled extensively, notably to Bosnia, to share her experience with similar NGOs and has been actively involved in advising different specialised forums. Genetics, in her view, creates a contradiction that comes to define the relatives of the disappeared: 'I want to know if my child is in there . . . in the pit of bodies, but at the same time I have the hope of finding him alive . . . as I told you before, we link genetics with death and therefore we have a complicated relationship with genetic science'.

As discussed, collectives of relatives have engaged in an active search for bodies and mass graves, often pointed out by perpetrators or local communities willing to speak about these atrocities. However, the search for the missing extends beyond an examination of mass graves itself as relatives have also invested their time in a pedagogical enterprise to teach others (mainly other relatives of the disappeared) about their experiences. For example, one of the pages of the manual on disappearances in Colombia clearly states:

Father: Well, let's imagine I find my daughter, how would I know she is my daughter if she disappeared so long ago, and the dead people don't look the same after so much time of being buried.

Forensic Specialist: To know this, it is important that the relatives have the necessary forensic training. Right now I can only say two things: the first one is that law 1408³⁷ regulates the use of the DNA test for identification purposes, and this is a right of all the family members, of all the disappeared ones. The second is that these tests will be stored in a DNA database and should be known by all the relatives.³⁸

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As a consequence of the hopes vested in genetic profiling and forensic anthropology, it is of great importance for collectives of relatives, such as ASFADDES, to understand international law and basic forms of forensic identification; this is stated in each of their documents and at their national meetings. They are consequently able to shape wider public engagement such that it is potentially transformative and disruptive of the perceived status quo characterised by indifference and invisibilisation.³⁹

In Colombia these forms of forensic civism have become increasingly emphatic of the relatives of the disappeared's role as opinion leaders and forensic pedagogues. The cooperation between forensic experts and relatives of the disappeared has been a long-term achievement of a forensic system that until recently lacked credibility. In contrast, nowadays, and after more than twenty years, all the relatives interviewed in 2012 stated that they wanted the INMLyCF to be involved in all identification practices to make the process reliable. This is mainly due to the creation of strong forensic research institutes, but also of mechanisms of governance such as the 'Comisión Nacional de Búsqueda de los Desaparecidos', a permanent commission established in 2000 to search for the disappeared, which meets each month.

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My heart bleeds as my country does with the death of thousands of innocent people, in the face of so many indifferent people. When will we start to see the real responsible ones that were not only delinquents but government authorities [who] allowed this to happen in our country? Not only did they provide cover for crime but obstructed the paths to justice, and they still obstruct, day after day, the very opportunity for thousands of parents to recover their offspring dead or alive. My *niña* [little girl] now rests in peace, and I don't know if I will thank God for it, because I expected her to be alive . . . Where was God when [He] allowed her to be so brutally killed and tortured? Where is God that does not want to turn his eyes to the pain of thousands of Mexicans.

Rest in Peace Yahaira Bahena Lopez (my little girl).⁴⁰

The quote from Mrs Bahena Lopez clearly and emotionally illustrates the thoughts of many relatives interviewed: 'The same way the bodies of our loved ones are torn apart, our nation is being dismembered and plundered'.⁴¹ The links between the personal and the social body – understood as the Mexican nation and the State – and its disaggregation is not a poetic license but an assertion based on a recurrent confrontation with governmental officials, politicians and even criminals/officers who inhabit a grey space between the licit and the illicit. One of the most symbolic and important events related to violence and mass death in Mexico occurred on 22 August 2010 in San Fernando, Tamaulipas, when authorities found the bodies of seventy-two migrants in a clandestine mass grave, and more recently the disappearance of the forty-three students in Ayotzinapa,

Guerrero gained much attention.⁴² This event helped to make visible the efforts of parents and families who were looking for their loved ones. Since the finding of the former mass grave was publicly announced, many relatives of the disappeared went to their local SEMEFOS to look for information about the bodies and the forensic practices involved in their identification. Until 2011, more than 156 mass graves had been found throughout the Mexican territory, containing approximately 600 corpses that required identification by the authorities.

When bodies are discovered in mass graves and relatives have been notified of their loved ones' potential location, the commonly followed position is to ask for further DNA examinations or identification processes to be made by a third party; through forensic science families are trying to bypass state corruption. This sometimes includes the participation of international forensic experts whose results they can trust. For instance, Margarita Bahena Lopez waited for almost two years before accepting that the bones shown to her in a shoe box were those of her beloved daughter, and these results were only accepted after the EAAF made a second DNA test.⁴³

In Mexico, during 2010, 92 per cent of victims of a crime did not report the event due to the lack of trust in governmental institutions and for considering it a waste of time. In the same year, the national impunity rate for homicides was 80.6 per cent, with the worst rate of 96.4 per cent in Chihuahua; that is, for every ten homicides in Mexico, eight go unpunished.⁴⁴ The increasing number of reports citing extrajudicial disappearances and executions has damaged civil society's trust in authorities. The control over certain territories and the use of military-grade weapons by cartels is now questioning the State's monopoly over violence, and to face such adverse circumstances vigilante groups have been formed in some regions.⁴⁵ Harassment from authorities, loss and mishandling of evidence – as well as an inadequate protection of crime scenes – are consequently part of the daily struggle that the relatives of the missing face when dealing with the Mexican forensic science system, and the National Commission for Human Rights states that serious deficiencies and inappropriate procedures for criminal and forensic investigations were found in several missing persons reports.⁴⁶ Nonetheless, civil society in Mexico continues to participate in the social construction of forensic knowledge. As defined by the historian of science Lorraine Daston, science is, first and foremost, a 'community of practice' held together through practice itself.⁴⁷

It is also common practice for relatives to approach suspected criminals, generally members of an organised gang, to ask the whereabouts of their missing (a process through which many relatives have come to realise that organised crime members and government officials often not only coexist but are one and the same). Fernando Ocegueda – the father of a disappeared youngster⁴⁸ who sought security for himself and his community, security unprovided by the government – has been able to organise searches in different locations where clandestine mass graves have been signalled by members of the public or ex-members of organised crime gangs. He visits these places, sometimes accompanied by other male members of the association, and taps the ground with his foot. He looks for ground disturbances or softness, which is a typical feature of mass graves, and kneels down

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to smell the soil; for him, human bodies have a very particular odour that can be easily recognised during decomposition.⁴⁹

Another example of the social construction of forensic knowledge is found in the testimony of Lupita, a retired nurse who gained access to the car that her son was driving when he was abducted. In order to analyse evidence in pursuit of finding her son, she gathered her family, bought some sterilised gloves and a couple of small carry-on lamps and started to reconstruct her son's final steps:

It was late at night; we put our gloves on, and with a flashlight we started checking the car cautiously. We were looking for fingerprints . . . my daughter took photos of all what we found inside . . . When we opened the back seat and trunk there was a lot of blood. My granddaughters' toys were also there. I can't stop thinking about all the blood spatters I saw in the seats. It could have been my son's blood.⁵⁰

The recurrent narrative of the authorities in Mexico – reported to us via the relatives of the disappeared – criminalises the disappeared: 'if something happened to him/her, they must have been involved in something' or 'who knows who they were working with?'⁵¹ Our interviews repeatedly reveal cases in which the abuse of authority – commonly in the form of relatives being asked for bribes in order to be told basic things about the their loved one's case file (something that is already part of their legal rights) or to examine evidence – is the norm. For example, Juany (mother) and the Solis family had been looking for Brenda Damaris Solis (daughter) for more than two years after his and a friend's disappearance following a car accident. The car was left on the side of the road and, although it presented various bullet holes, no blood or other biological samples were visible, and the only trace that human bodies were once riding the car was a bump on the front window. The lack of both evidence and information led the family to believe there was something suspicious about the case. Desperate and looking for answers, Juany threw herself into a hunt for information regarding her daughter, and when visiting the mass grave the federal police almost put her and the Solis family in jail; after keeping them captive for some hours she was warned not to snoop in mass graves, but a week later she was handed the human remains of her daughter. However, Brenda had disappeared just three months ago, and the skeletal remains that appeared in the file had no soft tissue and, according to the pathologist, instead corresponded to the traits of someone nine to twelve months dead. Consequently, they decided not to bury the remains in the family grave because, once they were handed over, 'they were lacking a feeling of care and kinship towards these bones'.⁵²

On 10 September 2014, Juany and a group of activists, journalists and fellow relatives of disappeared persons were witnesses to the exhumation of what the Mexican State and the Nuevo Leon Government claimed were the human remains of Brenda Damaris Solis. In light of such events, a communication campaign was produced by FUNDENL, one of the most important CSOs comprising relatives of the disappeared.⁵³ The Solis family – with the help of other mothers and Letty 'Roy Rivera' Hidalgo, the leader of FUNDENL – devised a plan to break the Mexican State's monopoly over forensic knowledge and the governance of human remains.



Figure 1 TV crews and journalists in Santa Catarina, Nuevo Leon, gather around a mixed team of relatives of disappeared persons, NGO representatives and forensic anthropologists to witness the exhumation of the human remains presumed belonging to Brenda Damaris Solis
(copyright © Ernesto Schwartz-Marin)

Using a legal figure contained in the new law that each family would be allowed access to independent *peritos* (forensic experts) if they pay the costs themselves. FUNDENL organised a high profile event with media personnel, forensic experts (independent teams from Peru and Mexico) and professionals coming from the Mexican NGO Gobernanza Forense Ciudadana and the ESRC funded project ‘Citizen-Led Forensics’, to create a new type of forum: the country’s first structure for citizen led exhumations, as well as the first case of an independent forensic DNA database in Mexico – governed, created and managed by relatives of the disappeared.

Closing remarks

Human disappearance is a limbo between life and death, a constant state of contagion and taboo. This liminal space between the dead and the living is constantly bridged by kinship, either in the form of the active search for relatives or friends, or in DNA tests, believed to bring the ultimate proof of identity and dignity to the unnamed victims.

We have argued that in Mexico and Colombia the encounter between victims and indifferent or complicit authorities that perpetuate this ‘state of contagion’ is exactly what has made it possible for different people – whether previously

employed in office jobs, working the fields or selling goods – to become a new type of citizen. It is a citizen ready to halt their personal activities to confront governmental officials and fight impunity and corruption and even, as shown here, become a producer of forensic knowledge, promoters of forums that dispute governmental truths.

The cases of Luis Fernando and Brenda Damaris Solis have shown us that the forum is not a given space but is rather produced around disputed matters of concern: in this case unnamed corpses or the lack of certainty in their identification. Forums emerge around evidence in all its guises: ‘they flex, transform, sometimes combine with other forums, while at other times they contract or simply . . . unravel before us’.⁵⁴ In this article we have argued that in order to situate human remains within the necessary forums to reclaim the identity of a lost loved one, in contexts riddled by impunity and violence, a civic engagement with scientific production is needed.

Following on from Latour, it is necessary to discuss how ‘objects’ have been portrayed as matters-of-fact and start creating public spaces to engage with ‘matters of concern’. As Claire Moon has shown, forensic practices have a politics and a history, despite the claims of neutrality and objectivity.⁵⁵ We argue that in places where public scrutiny is under attack and lack of rule of law is the norm, the passions and situated objectivity of the relatives of the disappeared (rather than ‘detached’ objective knowledge) are the forces behind the transformation of the bodies, or their absence, into the very substance that makes forums possible. The experiences of the relatives of the disappeared in Mexico and Colombia remind us that even the most humble and situated modes of ‘objectivity’ and ‘neutrality’ work on top of a complex institutional arrangement that should not be taken for granted.

In our view, forensic civism is a form of articulation⁵⁶, a contingent assemblage of things, discourses and heterogeneous elements connected to each other without a necessary sense of belongingness. In this regard, articulation is a way to talk about how a diverse set of social practices centred on forensic science have been mobilised to disrupt the *status quo*. Using forensic identification tools such as archaeology, anthropology or genetics, relatives and citizens have been able to again make death a public matter, thus effectively challenging the State as the legitimate governor of dead bodies or the disappeared.

Our interviews and ethnography in Mexico and Colombia have shown that engagement with DNA is especially valuable since it is publicly considered the final arbiter of truth about human identification; yet as the pedagogic publication made by the Colombian collective of victims says: ‘genetics does not identify victims by itself’.⁵⁷ DNA and forensic genetics are always embedded in the institutional networks that provide them with credibility. Put simply, genetic profiling does not stand by itself as ‘a silent witness’⁵⁸, and in Mexico and Colombia (as in many other parts of the world) it needs – apart from other forensic disciplines and witness accounts – engaged citizens willing to put their lives in danger to search for the truth.

The contextual articulation of forensic knowledge and civism has increasingly taken a participatory and citizen led pathway in complex institutional scenarios, in which the State and organised crime have been intimately intertwined. However,

the dominant discourse and practice still works under the assumption that the State should be the one in charge of realising the 'right to the truth'.⁵⁹

The articulations by experts and non-specialists on forensic knowledge, civism and hopes for truth finding have now become a major vector of social change. Nonetheless, only experimentation will answer whether it is possible to create responses to grave humanitarian crises by eroding the sometimes thin and at other times tremendously resistant frontier between experts and citizens in context of extreme violence and the lack of rule of law. We think that the practices of forensic civism taking place in Latin America – but most surely in other places of the world as well – could become the basis for a different politics to deal with mass atrocities. If we take seriously the experiences of those searching for truth in Mexico and Colombia, a state-centric approach to truth finding would be something similar to asking the perpetrators of crimes to both incriminate and judge themselves. Perhaps it is time for us to reconsider such assumptions and policies.

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