

The Politics of Memory

The Human Rights Movement and the Construction of Democracy in Argentina

by
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Si para todo hay término y hay tasa
y última vez y nunca más y olvido
¿quién nos dirá de quién, en esta casa,
sin saberlo, nos hemos despedido?

—Jorge Luis Borges
“Límites” *El Otro, el Mismo*

Under the circumstances of the political violence in Argentina in the mid-1970s that climaxed in the military coup of 1976 and the ensuing massive violations of human rights, a new social movement emerged. At first almost in hiding and unseen, then becoming steadily more visible, gaining step by step in political relevance and centrality, the human rights movement and the issues it raised gradually came to occupy a significant position in the public arena. Under the military dictatorship (1976-1983) the movement unfolded a varied range of activities: supporting victims and their relatives, spreading the information that was to break the imposed silence about the nature and scope of the violations, launching open protests, organizing and promoting international solidarity. As a result, it was the key actor in the development of societal demands for the defense of human rights. After the transition to democracy in 1983, the tasks of the human rights movement changed, although its basic aim of defending human rights and protesting violations remained. Faced by new institutional and political demands and symbolic and cultural challenges, it gradually lost its central political position, entering a phase of internal debate about its role under a democratic regime and revealing its internal cleavages and heterogeneities. At present it is still searching for a new profile.

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Up to the mid-1980s, human rights activists and organizations felt the urgency of learning and publicizing the nature of the massive and systematic violations of human rights during the military dictatorship—the demand for “truth”—and of seeing that the guilty were punished—the demand for “justice.” Since then, the claims have been extended to include the vindication of the historical and collective memory struggling against oblivion. The plea for justice and punishment, the future projection of human rights in education and in new legal provisions, the struggle against discrimination, and the enlargement of the notion of rights to encompass social and collective rights complete the current agenda.

During all this time, the movement has been torn between its political and institutional role, expressed in the demand for justice, and its symbolic role in the construction of a historical memory, actively promoting the need not to forget and developing in different ways and in a variety of settings the symbols and events that would foster the preservation of the vivid memory of the lived traumatic experience. The slogan “Ni olvido ni perdón” (Neither oblivion nor pardon) was, in a sense, taken literally. If the second part of this slogan implied an ultimately lost battle against the state apparatus, which eventually pardoned the guilty and stopped the continuation of trials, the first part implied a social and cultural operation involving a symbolic power struggle of considerable magnitude. The moving idea is that only through remembering can avoidance of such violations be ensured—as if “never again” could only be guaranteed by the constant remembrance of the terror experienced during the dictatorship.

Is memory the key to deterrence? How is the lived traumatic experience transformed into memory? Who are its trustees? In what ways does a society forget and remember? What kind of memory is involved here? In spite of the abundance of documents and papers written on the history of the human rights movement in Argentina, these questions remain unanswered.

DENOUNCING AND COMFORTING: THE HUMAN RIGHTS MOVEMENT DURING THE DICTATORSHIP

Violations of human rights and organizations devoted to defending and protecting their victims are not a new phenomenon in Argentina.¹ The defense and protection against persecution and mistreatment of militants of political movements (basically on the left) has been a long-term aim of operations such as the Liga Argentina por los Derechos del Hombre (Argentine Human Rights League), created in 1937 by the Communist party (Villalba Walsh, 1984). Jewish-community organizations have always denounced demonstrations of

anti-Semitism and tried to protect its potential victims. Also, although less in Argentina than elsewhere in Latin America, organizations that had among their goals the defense of the rights of indigenous peoples and ethnic minorities such as the Servicio de Paz y Justicia (Peace and Justice Service—SERPAJ) also emerged.²

With the onset of massive political violence in the mid-1970s and the terrorist regime inaugurated in 1976, claims of violations of human rights became more pervasive, centered on the defense of life itself and encompassing all kinds of victims, regardless of their differences in the degree or type of political militancy or ethnic identity. Preexisting organizations changed their main target, and new organizations emerged. In late 1975, at a time when political instability and violence, kidnappings, and political assassinations were on the rise,³ the Asamblea Permanente por los Derechos Humanos (Permanent Assembly for Human Rights—APDH) was created. As Susana Pérez Gallart (1987) recalls (my translation),

I was part of the group that promoted our organization. At that time I was working with the representatives of my party [Intransigente] and we were flooded by daily denunciations of lootings of homes, kidnappings, and disappearances of people, all done with total impunity. Such distressing events and highly atypical forms of repression fostered meetings of people of different groups of society, searching to find ways to denounce and mobilize so that such criminal acts could be investigated and brought to trial.

The Asamblea brought together a group of politicians and intellectuals ready to participate in denouncing violations and defending human rights. Later, some direct victims and relatives joined it. Its composition was highly heterogeneous. As Alfredo Bravo (1984) remembers it (my translation),

it combined people with the same idea, although with diverse political, ideological, and religious outlooks. We can say with pride that the gathering included, around the same table, Catholics, Protestants, and Jews; political participation ranged from socialism through Alicia Moreau de Justo to the *radicalismo* of Raúl Alfonsín and the Partido Intransigente through Oscar Allende. We had very valuable people who at that time were not dreaming of the Nobel Peace Prize, such as Adolfo Pérez Esquivel, Raúl Aragón, Eugenio Manzanelli, Eduardo Pimentel, pastor Pablo Etchegoyen, and many more. But let's be clear, we were far from a hundred.

Most human rights organizations of “nonvictims” had been created before the military coup of March 1976. The exception was the Centro de Estudios Legales y Sociales (Center for Legal and Social Studies—CELS), created in 1980 as an offshoot of the Asamblea, an organization with a professional staff that geared its action to open judicial demands and offering professional assistance to victims and relatives (Mignone, 1991). Their basic demands

began to take shape as the first violations became known, before massive disappearances became the most common mode of repression during the initial stages of the dictatorship. At that time, concern about violations was also emerging in the groups related to the churches, as Federico Pagura notes (Moncalvillo, 1984: 52):

at a given moment, the representatives of churches linked to the World Council of Churches proposed to the highest authorities of the Catholic church the establishment of a Vicaría de la Solidaridad in the style of the Chilean church. We were ready to renounce our own identity as evangelical churches and fully support such an initiative if the Catholic church so decided. We were informed that the Argentine church was not ready to follow the Chilean experience and that all the work in relation to human rights was going to be handled by Caritas. . . . For us that meant the death of all initiatives. It was precisely in that response that the Movimiento Ecuménico por los Derechos Humanos [Ecumenical Movement for Human Rights—MEDH] originated.

As the severity of the repression became general, from the daily meetings and the grief and distress shared by those directly affected and their relatives, from within the heart of horror and atrocity, the organizations of affected people and their relatives began to emerge: the Madres de Plaza de Mayo, then the Abuelas and the Familiares de Desaparecidos y Presos por Razones Políticas.⁴

During the whole dictatorial period, different strategies and logics of action coexisted within the movement, sometimes peacefully, sometimes with considerable controversy and conflict. The movement was always heterogeneous, with two types of organizations: (1) those of the directly affected by the repressive policies (Madres, Abuelas, Familiares, and, more recently, Ex Detenidos-Desaparecidos) and (2) those of the nonaffected (CELS, APDH, the Liga, SERPAJ, MEDH, and the Movimiento Judío por los Derechos Humanos [Jewish Movement for Human Rights—MJDH]), some of whose most prominent leaders were at the same time public figures (politicians, intellectuals, church activists) and victims or directly affected by violations of human rights. Within this heterogeneity of participants and of organizations, the fundamental lines of action during the dictatorship were, on the one hand, the dissemination of information and public denunciation of violations, including international actions to foster solidarity and support in the struggle against the violations of the military regime, and, on the other hand, solidarity and support for victims and their relatives. This differentiation of organizations and the original motivation of their early militants will become important in understanding the internal cleavages of the movement and the way the human rights organizations aligned themselves in the transition to democracy.

At first sight, the group of organizations of affected people seems more homogeneous: the participants were all relatives of victims, and the main reason for mobilization was the search for disappeared or detained kin. The sense of the initial grievances was rooted in these features. However, there were also roots for divergence and heterogeneity that explain the existence of different organizations and the dynamics of their interrelationship: disparities in political orientations (from those who claimed to be "apolitical" to those linked to the Communist party or to other political groups), in specific tasks and demands, and in personality and styles of leadership. From their origins, the solidarity organizations included members recruited on the basis of their personal involvement with victims (directly affected or relatives), politicians with clear party identifications (generally not from the highest echelons of the party but militants of opposition groups or politicians participating as individuals), clergy from different types of churches (relatively marginal to the church hierarchies, especially in the Catholic church), and intellectuals and independent professionals. Their public activity was at first very minor, repressed by the "politics of silence" of the military regime.⁵

Differences among organizations showed up in the choice of strategies to follow: how far to go in denouncing and in disseminating information, with whom to talk, what kinds of international alliances to establish. Some organizations decided to follow a legalistic and formal path (APDH, CELS). On its tenth anniversary, one of the leaders of the APDH (Giustozzi, 1987, my translation) recalls:

All our action developed following strictly legal procedures, without at any time being tempted by clandestine actions. . . . That was possible because of a very precise but minimal agreed-upon set of topics: the thirty articles of the Universal Declaration of Human Rights, without any other religious, political, ideological, or any other sort of requirement. . . . If we add to that the constant search for consensus (instead of winning an argument or excluding anyone), the picture of the style that converted APDH into an ethical reference in present-day Argentina is complete.

The style of the APDH is also clearly seen in the tone of its public presentations and demands. For instance, the letter sent to President Videla in August 1977 begins as follows: "The Asamblea Permanente por los Derechos Humanos and the citizens who in their individual and independent capacity subscribe to this presentation, address Your Excellency exercising the *right of petition established by the Constitution and the laws*, and due to the situation of the *disappeared people* on whose behalf habeas corpus requests presented in courts of diverse jurisdictions have not received any positive results" (document reproduced in Leis, 1989: 80, my italics).

Other organizations and leaders followed the strategies developed within their political parties. This was especially the case of those linked to the Communist party, constrained by the official stand of the U.S.S.R. vis-à-vis the Argentine government. For instance, there were significant controversies within the APDH and between the Liga and other organizations over what stand to take toward the visit of the OAS's Inter-American Commission on Human Rights in 1979 (Mignone, 1991: 111). Yet, even within the realm of political alliances and debate, the presence of parents of disappeared persons in these organizations contributed to more forceful and aggressive positions (Graciela Fernández Meijide, interview, Centro de Estudios de Estado y Sociedad [CEDES], December 12, 1989). Such positions were more consistent with the orientation of the organizations of affected people, who were less bound by fear and strategic considerations. These latter organizations had a more expressive role, insistently denouncing violations in any and every public space possible, often putting themselves much more at personal risk. As Graciela Fernández Meijide explained,

I personally make the distinction between the group related to human rights and the human rights organization. I make that distinction in the sense that there were the mothers, the relatives, later on the grandmothers. It was disgrace and misfortune that brought them together, there was no shared ideology . . . while in the other organizations, most of the militants were there because of their solidarity, taking many risks. . . . The most agitative tasks were performed by the groups of directly affected people; the support tasks, and above all the judiciary presentations, marked more clearly the way of action of the organizations. However, in fact, such juridical actions were carried out not so much out of conviction that the judiciary was going to respond; rather, it was a way to keep the movement united, to obtain a certain degree of publicity and public knowledge of the events.

Such differences in sources of commitment and logics of action underlay the debates and controversies within and between organizations, the cleavages, and the creation of new organizations (such as the CELS, described in Mignone, 1991) in the period of the dictatorship. After the transition to democracy, such divergences continued, leading to the split within the Madres in 1986 (Brocato, 1990) and several resignations within the APDH. It is within this framework that the conflicts over the use of certain words in publications and public statements and the choice of slogans that would unify the movement gain meaning and significance. In particular, there were serious divergences over the characterization of the "detenido-desaparecido" and the slogans "Aparición con vida" (Mignone, 1991; Bonafini, 1987) and "Castigo a todos los culpables" (Azcárate, 1991).

Another sphere of action of the organizations during the dictatorship was more microsocial, related to their role vis-à-vis the relatives of the victims. The Argentine dictatorship based its action on state terrorism: “the indiscriminate use of torture, systematic withholding of information, creation of a climate of fear, marginalization of the judiciary, uncertainty in families, and intentional confusion in public opinion” (CELS, 1982: 3). Under these conditions, being affected by a case of repression (witnessing or being close to a victim) could only bring about initial bewilderment and paralysis: What should be done? Where could one go to complain or to ask for help? Confused by the experience of terror and violence, often not knowing that what had happened was not an isolated case but part of a massive and official campaign of terror, relatives and witnesses did not know how to behave. The reaction of many relatives of victims was to conceal what had happened, to keep silence, sometimes for many years or even forever. Others promptly decided to act openly. Mignone (1991: 93-94, my translation) describes his and his wife’s reaction to the disappearance of their daughter: “Besides initiating frantic—and useless—actions, knocking on every imaginable door and exhausting all possible means, . . . my wife and I adopted three resolutions that we still maintain. First, not to hide what happened. . . . Second, to claim endlessly . . . that it was an official operation. . . . Third, to participate actively in the organization of solidarity endeavors.” In a similar vein, Liwski reports his determination, throughout the various stages of his detention from being disappeared through being court-martialed to final detention under the orders of the executive, “to tell everything, irrespective of who was asking” (Norberto Liwski, interview, CEDES, September 25, 1990).

Relatives and friends of detained and disappeared persons had to learn through informal and word-of-mouth means where they could report their cases: the U.S. Embassy, a few churches, the human rights organizations.⁶ To do so, they had to overcome fear and terror. Systematically, the testimonies of militants and activists who directly experienced kidnapping (Fernández Meijide, Liwski, Mignone, Cortiñas, in interviews; various books about the Madres) coincide in stressing informal networks of information regarding what to do and where to go. After that initial encounter, however, the path toward activism or passivity and the particular type of action were greatly influenced by the previous experiences of the affected people and the circumstances of their encounters with others, including the differences between organizations in the way in which the victims and their relatives were treated. As Fernández Meijide put it,

I think that I did not participate more actively and structurally in Madres and I did in the Asamblea because of the characteristics of my previous work. I

always worked with groups, both in teaching and at the Institute, and probably my personality structure allowed me to insert myself more easily and more rapidly in a place where there were some rules and organization. Besides, there was some structured interaction, different from that of the Madres, which was exclusively agitative (interview, CEDES, December 12, 1989).

At times of uncertainty, unpredictability, and chaos, places where everyday life is marked by *some* degree of order (even bureaucratic order, filling out forms and accumulating data) may offer some people more structured support than places where what is basically shared is grief. It is likely that an in-depth study would show significant interclass variation in this "need for order" (borrowing Lechner's [1986] expression in another context). Emotional support, help, and understanding of the suffering, grief, and despair of relatives were part of the tasks of assistance and advice. It is likely that the very creation of some organizations (especially those of affected people) was a response to the need of bewildered and confused relatives and victims for solace and comfort. This was the case of the formation of the Madres and of the Abuelas de Plaza de Mayo (Herrera and Tenembaum, 1990).

When the violations affected persons who had some previous experience in the public arena and some political relationships (this happened more often among middle-class victims), such connections could be activated in the search for the disappeared relative. Such contacts were, however, seldom successful; despair and disorientation could settle in again. What seems clear is that fear was a strong barrier to approaching the human rights organizations and that affected persons who did not start participating and becoming active during the dictatorship in fact never did so (Fernández Meijide, interview, CEDES, December 12, 1989).

When the violations took place in sectors of the population with strong collective groups and organizations (such as neighborhood groups), these could operate as support organizations, although with their own distinct patterns of expression of solidarity, assistance, and protest. In fact, collective reactions to violations emerged outside the human rights organizations, taking the form of neighborhood or factory protests and mobilizations, petitions signed by hundreds of people, masses in the churches, street demonstrations, and so on. These emerged in social spaces where group activities and organizations had existed beforehand. Such protests have persisted in the memory of the local participants and in a kind of "public silence," not having become part of the "official story" of the resistance to the dictatorial regime. Liwski reports one such experience:

It was very difficult to convey to the formal organizations the true magnitude of what was going on in the actual scene, in the actual district. The dynamics

of the human rights organizations was different. . . . It was a more individualized perception of the violation of the right to life, kidnappings, disappearance. Then, this generated certain difficulties in understanding that we were facing a colossal entity. In any case, much was done, with cables sent to all places of the world (Norberto Liwski, interview, CEDES, September 25, 1990).

The historical task of incorporating these forms of action into the memoirs of the resistance to dictatorship and the more academic task of exploring the convergences and divergences between these informal protests and the human rights organizations are still pending.⁷

Beyond the differences in substance, strategy, and style of the various organizations, there is no doubt that during the dictatorship, both at the height of repression and when it had begun to subside, the human rights movement was the leading voice in support and containment of those directly affected. In a more public and political role, it was a lonely voice, persistent and stubborn, denouncing atrocities and violations, a voice demanding redress and justice. It also contained the seeds of a revalorization of a democratic ethic and a future-oriented project: "Human rights are no longer only something that is in the past and has to be respected but something that is in the future and has to be constructed. They present themselves as a horizon, a utopia" (Sonderegger, 1985: 32, my translation).

MEMORY, TRUTH, AND JUSTICE: HUMAN RIGHTS UNDER DEMOCRACY

The transition to democracy implied a major challenge to the human rights movement. The Radical party's electoral slogan, "Somos la vida," was in fact taken from the basic ideas of the movement. The victory of Raúl Alfonsín, formally vice-president of the APDH,⁸ indicated the acceptance by the new regime of the demands and values expressed by the movement or even their incorporation as the ethical foundation of the new state. Much more than in other cases of transitions in Latin America, human rights were an essential element of the new democracy. Alfonsín did adopt some of the principles and demands of the movement but not all of them and not in their full meanings. His decisions were based on pragmatic political grounds and on the need to negotiate and make compromises with powerful political actors. These did not satisfy the expectations of the human rights movement. Heterogeneity of intent within the movement began to become apparent. For some organizations it became clear that slogans and demands had to change, given the shift in the political situation: "For me, any political slogan and demand appropriate to the time of dictatorship was inappropriate to democracy; the subject to

whom demands had to be made had changed" (Fernández Meijide, interview, CEDES, December 12, 1989).

In fact, the human rights policies of Alfonsín's government were determined by his pledge to bring to trial the key military responsible for the violations at the same time as he attempted a rapprochement with the military. Immediately after the new president took office, the executive took the initiative, announcing several important moves: a bill proposing reforms in the procedures of military justice, a decree calling for summary trial procedures, and the creation of the Comisión Nacional sobre Desaparición de Personas (National Commission for the Disappeared—CONADEP). The various human rights organizations took different positions vis-à-vis these moves, ranging from critical support to open disagreement.⁹ Some organizations very early questioned the lukewarm and timid governmental attitude, viewing it as part of an overall strategy that privileged compromising with the military over uncovering the truth of the human rights violations and the pursuit of justice. The government, for its part, was extremely cautious, in constant fear of the military's disruptive and destabilizing potential. As time went on, the initial concern for elucidating the human rights violations committed during the military dictatorship was gradually transformed into "the military issue"—establishing an equilibrium whereby the military would not be a constant threat to the civilian authorities (see Acuña and Smulovitz, 1991). This shift was not merely a shift in wording; rather, it implied a true inversion of the original priorities stated by the government, from the need to resolve on an ethical level its relationship to civil society to a strategic need to maintain an amicable and harmonious relationship with the armed forces. To a certain extent this shift was the result of the pressure of the military itself, but analysts and actors close to the human rights movement agree that at the time of transition (late 1983 and 1984) the government had enough leeway to act more aggressively toward the military, weakened by its retreat from the political arena and the Malvinas war.¹⁰

A close look at Alfonsín's campaign speeches shows that even at that early stage he was differentiating levels of responsibility, advocating a policy of limited trials and "due obedience." As is confirmed by his main advisors and by members of his government (Jaime Malamud Goti and Horacio Jaunarena, interviews, CEDES), from the very beginning the cornerstone of his policy was that the trials were to be held under military justice and that there would be a clear differentiation of levels of responsibility (among those who gave orders, those who followed orders, and those who committed "excesses") (see also Mignone, 1991: 150-151). Furthermore, at the time of the inauguration of the democratic government, the majority of the forces within the political parties, including the candidate of the Peronist party, had proposals for

dealing with the military that were either much more cautious or even favorable to the military (see Palermo, 1986, for a full account of the political parties' response to the demands of the human rights movement).

A great part of the human rights movement began to distance itself from the positions of the government, demanding a more forceful attitude in terms of "truth" (elucidating what had happened with the disappearances), "justice" (contesting the administration of justice with regard to the military responsible for the violations), and redress (demanding freedom for political prisoners and detainees). The tasks to be approached were manifold, involving different spheres, meanings, and temporal horizons. There were demands linked to the past and demands looking toward the future, demands anchored in the judiciary, in politics, in culture, and in society.

A first level had to do with justice and law: on the one hand restoring the rights and healing the wounds of the victims of human rights violations, both those directly affected and their relatives, especially the children, and on the other hand constructing a new institutional apparatus to protect human rights more fully and determining the content of the rights to be guaranteed. At this point the proposals and demands of the various groups within the human rights movement converged with the historical struggle for the expansion of citizenship, with all the conflictual aspects that this process involved.¹¹

A second level was more strictly political. During the transition to democracy, the various actors within the democratic front and the various groups linked to the military government confronted each other to settle the issue of the relationship between civilian governments and military forces within the wider spectrum of political conflicts that include other pressing political, institutional, and economic issues. The political agenda was full, and for some of the actors the issues raised by the human rights movement were only one small item in a long and heterogeneous list. Furthermore, for many, these issues were not pressing or urgent: some postponed action while others advocated letting bygones be bygones or even justified the "dirty war."

At the level of culture, values, and ethical commitments, human rights became a key element in the will to construct a new democratic culture in which tolerance, pluralism, and humanistic values predominate. The tasks were many, without a set agenda. A basic aim was the construction of a new ethic and new cultural forms. The production by the CONADEP of the book and the video *Nunca Más* and the trials of the military were two milestones that fostered social recognition of the identification of democracy with that ethical dimension:

The dissemination of that report . . . had tremendous significance in raising consciousness about this subject. . . . Within the organizations, none of us was

satisfied with the penalties imposed by the judges in the trial of the military, though most of us understood that it was a far-reaching historical fact (Mignone, 1991: 159-161, my translation).

Society at large kept its eyes on the CONADEP and the trial much more closely than the politicians. During the trial, you seldom saw a politician watching. It was the common people who queued to get passes to enter the courtroom (Graciela Fernández Meijide, interview, CEDES, December 12, 1989).

From the various places from which I lived the experience of the trial, as a witness, as a militant, as an actor, . . . I believe that the trial was a decisive instance in the history of the country. I believe that as much as or even more than the recovery of the electoral process, [the trial] was absolutely vital for the consecration of ethical values. In my experience, much more than the CONADEP it allowed most of society to enter something like a time tunnel (Norberto Liwski, interview, CEDES, October 1, 1990).

If at the former levels the tasks involved were necessarily and almost exclusively to be carried out by the state, the cultural tasks more directly involved the society, although it is difficult to imagine their being carried out without some state support and cooperation. The incorporation of human rights concerns in various societal arenas is apparent, for instance, in the creation of human rights committees in numerous organizations, be they trade unions, student unions, or professional organizations (González Bombal and Sonderegger, 1986; Leis, 1989), in the stability of the response to public opinion polls (in spite of what the state has done, more than 70 percent of respondents have systematically maintained that the commanders should remain in jail [Mignone, 1991]), and in the fact that after the presidential pardons of December 1990 the popularity of President Carlos Menem declined significantly.

Rather than describing the internal dynamics and external action of the human rights organizations during the democratic period and their relationship with other societal organizations and the state (a narrative that can be found elsewhere), I will concentrate on their action regarding "truth, justice, and memory"—their role in the struggle for the meanings of recent history.

Beyond specific demands and goals in the realm of politics, one of the most important aspects of the human rights movement's cause is its struggle "against forgetfulness" and for the construction of memory. At the individual level, one can only forget what one has lived through. This is not what the human rights movement is after; rather, it is a *collective* memory and the fear of *collective* forgetting. Undoubtedly, this is a complex matter, difficult to understand from an analytical perspective; furthermore, it has ethical, emotional, ideological, and instrumental reverberations.

When we say that a society “recalls,” actually what we are saying is, first, that a past was actively transmitted to the current generations through . . . “the channels and repositories of memory” . . . and that this transmitted past was received with a definite meaning. Consequently, a society “forgets” when the generation possessing that past does not transmit it to the next, or when the latter rejects what it has received, or when it ceases to transmit it in turn, which is in fact the same thing. . . . A society cannot “forget” what it has not previously received (Yerushalmi, 1989: 17-18, my translation).¹²

How does a society remember? What are “the channels and repositories of memory”? What a collective memory retains is the part of history that can be integrated into a current value system; the rest is ignored, forgotten, although at times it may be reclaimed and remembered. The value system operates as a selecting mechanism that allows certain events and features of the past to be incorporated into “tradition.”¹³ Of the past, only “exemplary” or archetypical events that fit the tradition as it is understood and lived in the present are transmitted and retained.

The historical present is constructed by subjects in dispute about the meaning of history and the contents of tradition and values. In Argentina during the transition to democracy, the human rights movement is an “entrepreneur” attempting to promote a certain kind of memory. Its adversaries belong to two political streams with alternative ideological projects: there are those who want to glorify the behavior of the military as heroes of a war that had some inevitable “excesses,” and there are those who seek to heal society’s wounds and conflicts through forgetfulness and “reconciliation,” concentrating their efforts on the (economic and political) urgencies of the present and trying to “look toward the future.”¹⁴ Confronting these contradictory interpretations, the human rights movement actively and militantly devotes its efforts to activating memory, promoting recall, pointing out which events have to be retained and transmitted. The goal goes beyond setting up historical archives; it is a political and ideological task that stems from identifying remembrance with the construction of a political culture and identity.¹⁵

At times of transition, public and official acknowledgment of the information about violations and violators (the construction of a historical “truth”)¹⁶ constitutes a crucial element in the apportionment of responsibility. In that vein, the distinction that Méndez makes between the phase of “truth” and the phase of “justice” is highly significant: Truth implies governmental recognition of the responsibility that governmental agents had in the crimes and abuses committed. This phase is attained through the official dissemination of the “truth” of what happened. The phase of justice implies the formal accusation and punishment of the recognized guilty, a move that is not always

politically viable (Americas Watch, 1987). This distinction can be seen very clearly in the Argentine case. From the perspective of society as a whole, the public presentation of the inquiries of the CONADEP epitomized the phase of truth. In its report, the atrocities committed by the military were made public: after that, no one could claim ignorance. The book *Nunca Más* was sold in the hundreds of thousands, and it is still being reprinted time and again. In turn, the trial of the military commanders was the institutional authentication of that “truth” (through the authority of the judiciary) and the foundational moment of “justice.” In time, the political difficulties involved in fully achieving the phase of justice increased, leading to major reversals in official policy.¹⁷

In political terms, fragile new democracies face difficulties in implementing truth and justice: there is fear of the reaction of the guilty (mostly military men and their supporters, who retain considerable power and some social base), including the threat of a new coup d'état and other manifestations of force and resistance; there is the factual impossibility of bringing to trial *all* those responsible for violations and compensating *all* the victims. Under these conditions, so widespread in the world nowadays (Neier, 1990), official acknowledgment and wide dissemination of information become an important part of the task even though they never satisfy everyone. “By knowing what happened, a nation is able to debate honestly why and how dreadful crimes came to be committed. To identify those responsible, and to show what they did, is to mark them with a public stigma that is a punishment in itself, and to identify the victims, and recall how they were tortured and killed, is a way of acknowledging their worth and dignity” (Neier, 1990: 34).¹⁸

In societal terms, there are multiple demands and many memories. The process is necessarily very complex and never univocal. Undoubtedly, acknowledgment of the “truth,” humanization of the victims, and stigmatization of the violators are significant processes both for the victims themselves and for society at large.¹⁹ Moral and social condemnation, however, cannot replace the centrality of justice, especially when seen in the light of the challenges of the construction of new democratic institutions; “to the extent that a society or government dismisses the principle of accountability as unnecessary, it undermines its possibilities of becoming a true democracy, in which citizens can feel confident that their rights are firmly protected” (Neier, 1990: 35). Political leaders may consider trials not a necessary part of the transition; they may judge them too risky; they may have barred them from the realm of political alternatives by pacts and negotiations. In such cases, settling of accounts will remain an unfinished task, and the wounds will be slow to heal and will reemerge time and again in different ways, ranging from

artistic symbolizations to personal vengeance. Memory can then partially take the place of justice.²⁰ Because this phase of justice is unfinished, at the societal level there are signs of collective frustration, and at the personal level of the victims and their relatives, there is a sense of irretrievable loss that can never be articulated at the political level and for which no justice is possible.

IN LIEU OF CONCLUSIONS

The tensions and pressures that criss-cross the human rights movement, torn between the urgencies of pragmatic politics and the demands for permanent recall and memory, can never be resolved. Is it that, by their very nature, the tasks of “not forgetting” are incompatible with political rationality? The incongruities between political logic and the logic of mourning are presented by Loraux (1989) in a paper analyzing the conjunction of political amnesty and the recurrent and repetitive reappearance of pain and remembrance in Greek tragedy and mythology. Looking into that contrast allows us to bring new light to the understanding of the contradictions that seem to be inherent to the human rights movement in Argentina at present. “Politics is pretending that nothing happened. As if nothing had occurred. Not the conflict, not the killings, not the resentment (or rancor). Politics would begin where revenge ends” (Loraux, 1989: 35, my translation). The demands of politics (in Greece and everywhere else?) imply the prohibition of recalling misfortunes and the promise (or the vow) not to remember them—a pledge to “forget not only the malice of others but also one’s own rage, so that the life-sustaining bonds of the city can be reestablished.” The command to forget, however, is not easy to obey. Passion and the mourning that invades the victim, clamoring for revenge, forbid forgetting. From tragedy come rage and grief.

The introduction of symbolism in the dynamics of recall through art, images (scarfs, silhouettes, masks, posters), or fiction comes out of the need for traumatic experiences to be somehow elaborated, brought to a close. Fictional tragedy in Greece resulted from “the Athenians’ letting it be known that they could not endure to see on stage scenes that affected them painfully” (Loraux, 1989: 29, my translation). We could venture here the hypothesis that the Argentine society is still immersed in the traumatic experience of disappearances, not fully elucidated, still not sufficiently symbolized, too close to deep suffering and pain. It has not yet been possible to eradicate terror and fear and move beyond the reality of the lived experiences. For victims of “social catastrophes” the process of recovery (both individual and collective, both direct and symbolic) requires the support of a social process that

acknowledges and names their voids and “holes”: “Trauma experienced in social catastrophes destroys trust and, even worse, transforms its victims into strangers, aliens to a story that they cannot recognize as their own. . . . External memory, collective memorials, history constantly searching for meaning can protect against the resurgence of the horror of repetition and . . . offer some backing to borrow words that would allow the expression of some of its truth” (Kaes, 1991: 162-163, my translation).

As long as remembrance is inspired by rage, it contradicts the political premises on which institutional memory is grounded: “Here we have the feminine figure of memory,²¹ which cities strive to confine to the sphere of anti- (or ante-) politics” (Loraux, 1989: 41, my translation), in opposition to the political instance functioning as a censor of memory, a vow not to remember, banning “all recall of a controversial past, untimely because of its conflictual nature.” There is more to this than the closeness of the experience and the openness of the wounds. Insofar as the process of ethical reconstruction of the country is grounded in the traumatic experience of state terrorism and official governmental policy is not fully cognizant of that experience, veneration of the victims and their memory can turn, paradoxically, into a frightening and paralyzing mechanism for the young, who have not personally lived through that experience. Those who have suffered directly or through their immediate relatives define themselves as the bearers of pain and memory. By this very fact, they unwillingly claim a type of symbolic authority and power based on their “monopoly” of meanings of truth and memory. Such power may, in turn, obliterate the mechanism of intergenerational transmission of memory, preventing the new generations from reinterpreting the transmitted experiences in terms of their own historical circumstances. And this is dangerous, since only when the incorporation of historical events becomes an active and dynamic process can it feed into the construction of a democratic culture and collective identity. In this sense, there is a double historical danger: oblivion and void fostered by politics and its complement, ritualized repetition of the traumatic and sinister story, of tragedy reappearing constantly without the chance for new subjectivities to emerge. The challenge is ahead.

NOTES

1. There is a growing literature on the history of the human rights movement, including the descriptive narrative of the horrors of human rights violations and of the politics of the dictatorship and the manifestations of international solidarity. Some basic texts that focus on the actions of the human rights movement are Leis (1989), Veiga (1985), Brysk (1990), Mignone

(1991), García Delgado and Palermo (1983), Sonderegger (1985), González Bombal and Sonderegger (1986), Azcárate (1991).

2. Aldolfo Pérez Esquivel tells the story of the early stages of the SERPAJ: "The Service of Peace and Justice, whose headquarters are in Buenos Aires, began as a service, not as a bureaucracy. It has been working in the region for about thirty years. It did not have that name. Before it was a loose set of groups, movements of workers, of peasants, of Indians, working in Latin America in the same direction, through nonviolent popular struggles searching for solutions to social conflicts. But we realized that these very important initiatives were isolated from each other, and we attempted to create a small secretariat for information and intercommunication. From there, step by step, the organization started to grow, according to needs. In 1974, the tasks were reorganized, and the Servicio de Paz y Justicia, with its current structure, came into being" (interview in *Humor*, July 1982, reprinted in Moncalvillo, 1983: 440, my translation).

3. According to Graham-Yooll (1989), there were between 850 and 1,000 violent political deaths in 1975.

4. There are several histories of the Madres de Plaza de Mayo: See Bousquet (1983), Bonafini (1985). An account of the early stages of the Abuelas is found in Herrera and Tenembaum (1990).

5. Only in relation to the visit of the Inter-American Commission on Human Rights of the Organization of American States (OAS) in September 1979 was there some open information about the actions of the military regime. This visit was a turning point in the history of opposition to the military regime. After it, political leaders and parties of differing stands began to express their views more openly: the range of official statements went from the document of the Partido Justicialista condemning the "national security doctrine" to Balbín's (head of the Partido Radical) declaration that "No hay desaparecidos sino muertos" (*Clarín*, April 24, 1980). In 1980, the government initiated the call for a "political dialogue" (Acuña and Smulovitz, 1991; González Bombal, 1991).

6. The APDH centralized the roster of reported cases, although other organizations also accepted denunciations. The Asamblea sponsored collective presentations rather than individual claims (after 1980 CELS undertook this task). In 1977, the Asamblea prepared a petition to the Supreme Court protesting the detention of 425 persons. Faced with the acknowledgment of impotence on the part of the Court, the APDH approached the president with a similar petition. Later on, its archives and records were used to draft the list of cases to be prepared for the visit of the Inter-American Commission on Human Rights of the OAS in 1979 and to edit a list of 5,566 cases of disappeared-detained persons (Mignone, 1991).

7. In that direction, Norberto Liwski explains the reasons his own case was not among the first to be reported to the CONADEP: "I had the intention to arrive at the CONADEP with as many of my male and female peers of the experience of repression—with whom we shared disappearance, torture, jail, freedom—as possible. . . . *It was a social testimony.* If we were a group that represented a certain movement . . . I thought that this had to become clear again in our charges" (Norberto Liwski, interview, CEDES, October 1, 1990).

8. Alfonsín was not a very active member of the APDH, never attending meetings or taking direct charge of any activity. It is significant, however, that his name was prominent among the leaders of the organization and that the media (especially the international ones) conveyed an image of his total commitment to human rights issues. This image was in fact quite at odds with the politics of human rights he proposed and then implemented. Somehow, what was conveyed by the media was not so much the specific policies he promoted and enacted as his more general rhetoric of human rights and the need for accountability. A few years later, retrospectively,

progressive public opinion was that Alfonsín "betrayed" the cause of human rights, but this view is not confirmed by scrutiny of his initial promises and policies.

9. To take only one example: the human rights movement demanded the creation of a (joint House and Senate) parliamentary commission to collect and investigate citizen's denunciations of violations. The government replied by creating the CONADEP, a commission of "notables" under the direct responsibility of the executive branch. Several leaders of the human rights movement (Jaime de Nevares, Carlos Gattinoni, Marshall Meyer) agreed to participate in it, while others refused or conditioned their participation. Adolfo Pérez Esquivel conditioned his occupying the commission's chair to acceptance on the part of the government of the civil courts' demand for trials of the military and the endorsement of his participation by the human rights movement itself (Pérez Esquivel, interview, CEDES, June 1992). He did not participate in the CONADEP. Fernández Meijide soon joined the staff of the CONADEP, taking charge of organizing the denunciations.

10. In that vein, Fernández Meijide relates how the CONADEP handled the military: "as we were going into the barracks the guys would shrivel; they would let us see up to the last cell and the last ditch. . . . We would scrutinize every detention center and take photographs, and the witnesses would come and point to 'that one' and 'that other one'. Today, it seems as if it were a dream—military who would send someone asking whether they were 'on the list', whether they were accused of something, with their friends, all of them feeling harassed, annoyed, scared. And not to have taken advantage of that moment is like . . . !" (interview, CEDES, December 12, 1989).

11. Pérez Esquivel defined this theme in the following way: "When we talk about *human rights*, we are not talking only about the person, because that is the most sacred. . . . We are referring to the rights of the people to education, to health, to housing, to political and trade union liberties, to the mass media. . . . to the right of everybody to freedom. That is what has to be rescued, struggling for justice" (in *Humor*, July 1982, reprinted in Moncalvillo, 1983, my translation).

12. In the Jewish tradition, the author indicates, the possibility of forgetting causes panic. However, what matters is the double movement of reception and transmission: "Jews were not virtuosos of memory; they were attentive recipients and skillful transmitters" (Yerushalmi, 1989: 19, my translation).

13. "Each group, each society, has its *halakhah* . . . , the road through which it travels, the Road, the Way, the Tao, that body of rites and beliefs that gives a people a sense of identity and destiny" (Yerushalmi, 1989: 22, my translation).

14. The presidential pardons of 1989 and 1990 of the members of the military (including the commanders of the military juntas that had been convicted in the 1985 trials) and several guerrilla leaders were justified by the goal of "national reconciliation." It is hard, however, to understand a reconciliation that is not based on repentance.

15. Following Yerushalmi's line of thought, when the task that a group undertakes is of that nature, the commitment of social scientists and historians is to offer the data and information to enable "those who need it to document that this or that character actually existed, that these or those events actually took place, that this or that interpretation was not the only one" (Yerushalmi, 1989: 26, my translation). "Against the militants of oblivion, the dealers of documents, the assassins of memory; against the menders of encyclopedias and the conspirators of silence; against those who, borrowing Kundera's superb image, can erase a man from a photograph so that nothing remains of him except his hat—the historian, and only the historian, led by the strict passion for facts evidence, and testimonies (the nourishment of his trade), can watch and guard" (1989: 25, my translation).

16. Neier (1990) employs Nagel's distinction between *acknowledgment* and *knowledge*. Within the context of political responsibility, the first implies the state's admission of its action.

17. The main events in that line of reversals were the Instrucciones al Fiscal militar and Ley de Punta Final in 1986, the Ley de Obediencia Debida in 1987, and the two presidential pardons in 1989 and 1990. As suggested above, however, what has been done (the *Nunca Más* and the trials) has had irreversible effects on Argentine society and on the institutional stability of the country.

18. When asked his views on the trial, Norberto Liwski indicated that it "eliminated the spectral nature of the testimonies that were moving around in society; it presented the victims as *human beings*, giving them equal standing with the rest of humanity. In that, it destroyed the heart of the argument used to justify or legitimate acts of state terrorism. . . . For the great majority of those who gave evidence as witnesses, it was the beginning of a partial restoration. . . . In all cases it served to initiate larger healing processes, open and dynamic ones, that were then carried through other, nonjuridical paths, more social, more community-oriented, more cultural, participatory, and integrative ones" (interview, CEDES, October 1, 1990).

19. In Argentina, the identification of the torturers led to instances of social isolation and of street or neighborhood repudiation. It also led to public protests when someone identified as a repressor was found occupying a public position.

20. In a survey conducted in France at the time of the Klaus Barbie case, one of the questions was "Which of the two following words, *forgetting* or *justice*, better characterizes your attitude toward the events of that period of the war and the occupation?" Yerushalmi then asks, is it possible that the opposite of forgetting is not memory, but justice (1989: 26)? Memory and justice are also equated in Costa-Gavras's movie *The Music Box*, centered on a Nazi criminal. At one point in the movie, the defense lawyer asks the prosecutor why is he pressing the case so hard—what he has against her and her father. The prosecutor's answer is that it is nothing personal—that it is impossible to remake the past, but *what can be done is to remember it*.

21. Gender differences are a significant theme in the analysis of the human rights movement. The symbols of pain—the Madres de Plaza de Mayo, the Abuelas—are women, the more political organizations more male-like. Beyond the descriptive evidence, cleavages among the organizations do not suffice to interpret the masculine and the feminine traits within the human rights movement. Rather, our ongoing research points toward a complex gendered dynamics of the interplay between moral conceptions anchored in notions of rights and notions of responsibility and care, which parallel the analytical distinction made by Gilligan (1982).

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