

Human Rights Movement and Discourse

Its Emergence and
Constitution in
Argentina

Mercedes Barros

Prologue
Ernesto Laclau



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HUMAN RIGHTS MOVEMENT AND DISCOURSE
ITS EMERGENCE AND CONSTITUTION IN ARGENTINA

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PROLOGUE

The work of Mercedes Barros focuses on one of the most important social movements of recent history in Argentina. Originated during the most dramatic years of the last military dictatorship, the human rights movement, alive and vigorous until present, has become a symbol of collective struggle and resistance as well as a bastion of democratic values in the post-dictatorship Argentinean context. In this book Barros presents a highly coherent and original investigation of the process of emergence and constitution of this movement and its discourse contributing to a more comprehensive understanding of this new form of popular mobilization around human rights issues.

In order to do this, Barros provides a rigorous empirical research informed by a sophisticated theoretical account that draws on the discourse theoretic perspective that we have elaborated along with Chantal Mouffe since the first publication of our book in 1985 and further developed during the last thirty years in the Ideology and Discourse Analysis Program at the University of Essex. Barros' work is one of the several research projects that have been perused in the context of this program and that have contributed to the increasing precision of this theoretical apparatus. Using in a highly creative manner some of the categories and logics of discourse theory, in this book Barros is capable to grasp the process of collective identification that took place in the appearance of the human rights movement during the seventies. In this respect, there are two important aspects of Barros socio-political analysis that I would like to stress. A first aspect is related to Barros research strategy to move her analytical focus from an ontically given object of investigation to the ontological conditions of possibility of that object. In the first part of her book the author critically explains how traditional accounts of the human rights movement could not fully capture the process of emergence of the movement precisely because they start from a positive notion of identity which takes them to consider

the constitution of the group identity as naturally given and fully graspable. In her work, Barros stresses the importance of tracing back the conditions that made the constitution of the movement possible beyond the positive characteristics of the people involved. The categories of dislocation and lack are significantly relevant in her analysis. Through them, she is able to show how a dimension of negativity played a decisive role in shaping the emerging identity of the human rights movement. This last point takes me to the second aspect that I consider relevant to highlight from Barros' work, which is the emphasis she places on the discursive construction of political frontiers and on the constitutive role of social antagonism. In a very clear and precise manner, Barros brings to light how the process of coming together of the hundreds of relatives of the victims of repression was governed by an equivalential logic and involved the institution of a political frontier vis-à-vis an antagonizing force that blocked the full constitution of the group but at the same time became part of its conditions of existence.

For all of this, I consider that Barros' book represents an outstanding contribution not only to the understanding of the human rights movement in Argentina but also to the elucidation of central theoretical aspects of processes of popular mobilisation in general.

Ernesto Laclau
London, February 2012.

INTRODUCTION

A movement of resistance and protest around human rights claims emerged under the last military dictatorship in Argentina (1976-1983). Denouncing the terrorist practices of the state at a national and international level, this movement became one of the main oppositional forces to the military regime and a key actor during the transition to democracy. As a result, human rights groups as the *Mothers and Grandmothers of Plaza de Mayo* became very well known within the country and abroad, turning into a symbol of resistance and struggle against authoritarian regimes all over the world.

These resistance groups inaugurated an unprecedented mobilisation around issues of human rights in the country and helped to disseminate a wider concern for human rights all over society. As it has been argued by the literature, during the last military dictatorship and thanks to the mobilisation of the relatives of the disappeared people, human rights claims acquired a central position within the Argentinean political context. Human rights discourse became an available and legitimate language for different social and political forces alike. Before then, human rights issues were disregarded as central political concerns from most political and social forces and the human rights language was reduced to marginal redoubts of society. Thus, if until recently this language was alien to the local political culture and conceptions, how was that a resistance movement around human rights claims could actually emerge and constitute in the country? How was this shift regarding human rights issues brought about? And finally, how and when did this new language of rights could break in the Argentine society?

This work thus seeks to analyse the process of emergence and constitution of the human rights movement and the discourse it articulated during the last military dictatorship in Argentina. Central to this analysis is the contention that the movement's emergence and constitution should not

be understood as a necessary or as a natural reaction to the atrocities carried out by the last military regime, but instead as the result of a contingent process of political articulation and as a response which could have failed in its constitution and success. Thus, the appearance of the human rights movement and discourse in the country can only be understood in its full complexity if special attention is given to this very process of popular mobilisation and political articulation that took place during 1976-1982. This central argument of the thesis is fully addressed and developed in the first chapter of the thesis. There, I look at the ways the human rights movement and discourse in Argentina have been accounted for by the literature and I suggest an alternative theoretical perspective. As I show in the first part of the chapter, there are some common problems within most of the existing accounts that are mainly related to the lack of explanation regarding the historical and political conditions that made possible the appearance of the human rights claims in the country and also regarding the very process of formation of the identity in question. Thus, in the second part of the chapter, I show how drawing on Quentin Skinner's alternative methodology for the study of political thought, on Foucault's genealogical reading, and on the deployment of some of the categories of Laclau and Mouffe's discourse theory, I am able to offer a historically and politically sensitive account of the human rights movement and discourse through which the common limitations found in the literature could be avoided and a more comprehensive and substantive understanding of the movement's emergence and constitution could be achieved.

Thus, once I elucidate the main aim of the research and I make clear the theoretical perspective that guides my study in chapter one, I proceed by putting the human rights movement and its discourse in historical and political perspective. Doing so, allows me to map out the discursive context in which this new movement and discourse emerged. This is then the broad aim of the subsequent three chapters of the thesis.

In chapter two, I present an historical account of the way the concept of rights was articulated by political discourses in Argentina during the twentieth century. As I suggest in the first part of the chapter, the liberal notion of individual rights became a prevailing element within the political formations

that dominated the first fifty years of the country's life. But, since 1930s, this liberal notion was gradually challenged and displaced by nationalist and populist ideologies that articulated a new idea of rights that was closely associated to the good and interest of the community as a whole. Drawing on these available nationalist and populist ideologies, the Peronist discourse gave this new idea of rights a new impetus and a new reality. Thus in the second part of the chapter, I show how the Peronist years (1946-1955) were marked by a strong emphasis on rights, but rights that were always understood within the limits and the interests of the community. During the period of political proscription of Peronism, the growing scepticism regarding liberal democracy, individual rights and liberties that had began to spread within society since 1930s and 1940s was now accentuated and contaminated different and various realms of the social. Thus, as I finally explain, by the time of the 1976 military coup, these liberal notions were disregarded, rejected and devaluated as means for social change by most political and social forces alike.

In chapter three, I turn to investigate the discourse of the military regime inaugurated in 1976. As I argue in the first part of the chapter, the National Reorganisation Process (PRN) emerged as a response to the increasing perception of crisis that preceded the coup. This response -articulated around the demand for order- had as one of its main contents the eradication of subversion. As I explain later in the chapter, the regime organised this content by means of the logic of war: a total war that entailed the use of unconventional methods and the extension of repression to unlimited terrains. This war had, however, certain limits and constraints introduced by the PRN's claim to protect "Western and Christian values". Thus, in the third part of the chapter, I explain that the regime was neither a lawless regime nor was it outside the sphere of influence and criticism of the Pope and of the international community. That is, if the Military Junta did not want to lose its role as a guardian of the Christian and Western values, the military forces needed to fulfil 'its mission' using certain *modus operandi* that did not provoke the direct condemnations of the Pope neither the sense of dispensability of the law. The war then was fought in secrecy and entailed the production of a clandestine and illegal world

of centres of detention, special task forces, torture, kidnappings and disappearances. This world overlapped and intersected with the world of juridical subjects and the rule of law. As I show in the last part of the chapter, the blurring of the frontiers between these two worlds; between war and law, between society and its enemies, worked as the main mechanism for the dissemination of fear and intimidation under the PRN.

In chapter four, I explain that early on, regardless of the *modus operandi* and secrecy of the PRN's war against subversion, the military regime became the target of criticisms and condemnations of the international community regarding its human rights records. As I argue in the first part of the chapter, these criticisms of the international human rights discourse were not only questioning a particular aspect of the PRN's internal security policy, but also the very legitimacy of the regime. That is, these criticisms were showing the PRN's ultimate failure to protect the Western and Christian values that it claimed to incarnate. Thus, in the second part of the chapter, I look at how the PRN deployed different strategies to counterattack the allegations. As I argue, these strategies could not escape the ambiguities and contradictions that prevailed in the reality of the PRN. The *Junta* responses ranged from the total denial of the accusations to the acknowledgment of the alleged crimes and abuses by means of the figure of 'excesses of repression' and by the argument of a 'situation of exception'. Thus, these different strategies coexisted and overlapped from start to finish under the PRN and they formed part of the regime's campaign to show the international community its incessant commitment to the rule of law and Christian morality.

Thus, once I map out the historical and political context, I turn in chapter five to analyse the dislocatory effects that prompted the mobilisation and constitution of the human rights groups and discourse inside the country. For this, I begin by exploring one of the prevailing features of the reality of the PRN: silence. As I argue, this silence resulted crucial for the PRN as it enabled the regime to accomplish its aims, preventing the expression of dissent and the articulation of alternative constructions of reality. As I explain in the second part of the chapter, this silence was assured by the identification of the political and social forces with the aims and values of the

Proceso. That is, the main social and political forces remained silent in front of the dirty war and its terrible effects on vast sectors of society. In the last part of the chapter, I argue that this silence along with the lack of responses from the government resulted in a temporal suspension of meaning within the reality of the PRN. As a result, the families and persons affected by the illegal repression were driven into a situation they were incapable to grasp or understand. This dislocatory experience brought about great frustration and deep desperation into their lives, but it also prompted the relatives to start a new path of collective search and mobilisation. It is to the analysis of this process of coming together that the two following chapters are devoted.

In chapter six, I look at the families' first timid steps of coming together. My aim is to account for the very first encounters and exchanges of the relatives and for the role the existing human rights organisations played in these initial steps together. As I argue in the first part of the chapter, initially the human rights groups played a crucial role in receiving the relatives' reports on the detention and disappearance of their family members and in advising them on where to go and what to do. However, these groups were not capable of assuming a leading role through which they could represent and organise the relatives' claims and eventually provide them with an alternative interpretation of their experience of absence and uncertainty. In the second part of the chapter, I show how it was from outside the existing human rights groups that the first forms of collective organisation of the relatives begun to take form and a new but timid space of resistance, with its own characteristics and strategies, to emerge.

In chapter seven, I account for the constitution of the relatives' first form of collective organisation and for the new mode of political identification that it entailed. Central to this chapter is the contention that this new political identity constituted around the human rights discourse was eventually made possible by the increasing availability of the human rights language inside the country and through the relatives' gradual and prolonged engagement in a new set of political practices and activities. This engagement entailed the construction of political frontiers and the production of an other, and also the

political articulation of the relatives' claims around the signifier human rights. Thus, the first part of the chapter accounts for the increasing availability of the human rights discourse. The second part, explores in detail the political engagement and struggle of the groups and the way they constructed a political frontier and the figure of an 'other', which at the same time rejected and reaffirmed their identity. Finally, the last part of the chapter looks at the process of political articulation of the relatives' claims around the signifier human rights.

Finally, in chapter eight, I begun by analysing the process through which this political identity around the defence of human rights turned into one of the main symbols of resistance to the dictatorship. As I argue, this demand acquired an unprecedented availability and centrality during the months of the transition to democracy. Within a context of increasing protest, most political and social forces appealed to the human rights demand in some way or another to express their opposition to the Proceso and the human rights groups reached unparalleled levels of action and participation in the political scene. Against this background then, the human rights demand was potentially capable of turning into the articulatory force of the transition's new political formation. But, as I show, despite its availability, this demand failed to represent the increasing oppositional movement to the dictatorship and it became instead an articulated element of a new political project constituted around the privileged signifier 'democracy'. In the second part of the chapter then, I look at the way the human rights demand became one of the key moments of the political formation that dominated the first years of the newly established democratic regime. As I argue, this new formation constituted around the notion of democracy entailed the drawing of a political frontier in relation with the past and an important aspect through which it established that frontier was related to the articulation of the human rights demand. Democracy was then identified with human rights, rule of law and juridical security; and defined in contraposition to the signifying chain of dictatorship, illegal repression, impunity, and human rights abuses. In the third part of the chapter, I explain how the articulation of the human rights demand to the new democratic discourse had an important impact on the first years of the new government. I will show

as well how this particular form of articulation determined the sort of prevailing understanding of the human rights cause and struggle inside the country. To conclude, I also briefly discuss some of the broader effects the unprecedented centrality of the human rights discourse has had on the Argentine society.

CHAPTER ONE

Human Rights in Argentina: Putting in Question Existing Accounts and Providing an Alternative Framework of Analysis

We shall then be able to see how the concepts we still invoke were initially defined, what purposes they were intended to serve, what view of public power they were used to underpin.¹

Introduction

This chapter looks at some of the most important accounts of the human rights movement and discourse in Argentina and explains why an alternative analysis seems to be necessary if a comprehensive and substantive understanding of the movement's emergence and constitution is to be achieved. As it will be shown in the first part of the chapter, there are some unavoidable limitations within most of the existing accounts, and these difficulties are mainly related to the *lack of explanation* regarding the conditions that made possible the appearance of the human rights claims in the country and also regarding *the very process of formation of the identity* in question. In general, these approaches have failed to explain *when* and *how* the groups of the relatives of the disappeared people articulated their claims in a human rights' language, and as a result of this, these writings have also fallen short to show *how* the human rights movement was *actually formed and constituted*. Thus, in the second part of the chapter, bearing in mind these difficulties, we will put forward an alternative theoretical framework through which a more adequate reading of the movement and the human rights discourse it articulated can be constructed. Drawing on Quentin Skinner's alternative

¹ QUENTIN Skinner, *Liberty Before Liberalism*, Cambridge, Cambridge University Press, 1998, p. 110.

methodology for the study of political thought and Foucault's genealogical reading, we will show that if we want to achieve a more adequate interpretation of the historical formation of the human rights movement and its political struggle, we need to *go back* and *look at* the political and ideological conjuncture in which this movement was articulated and developed. As Skinner suggests, we need to identify and look at the prevailing and competing political discourses, to map the universe of conventions, assumptions and concepts available to the groups of relatives at the moment of their appearance and to explore how these concepts were used. Now, the understanding of the human rights movement in its full complexity will also entail the analysis of the very process of formation of this movement as well as the functioning and effects of its discourse. Thus, deploying the categories of Laclau and Mouffe's discourse theory -such as articulation, nodal points, social antagonisms, political frontiers, myths and imaginaries- we will be able to develop an account of the human rights movement and discourse which avoids the common limitations found in the existing literature and which addresses the way this new political identity around the defence of human rights was actually formed and constituted.

1. Approaching Human Rights in Argentina

The emergence and evolution of the human rights groups in Argentina have been of significant concern within the academic field in the recent years. Most of the literature that could be found regarding this issue is written from anthropological and socio-political perspectives. In general, these studies then focus on the social and political implications of the human rights movement in the Argentine society, either during the dictatorship or under the new democratic regime initiated in 1983. Nevertheless, within these main approaches there are a variety of writings with divergent aims and objectives. For instance, a number of studies examine the role that the human rights movement played in denouncing at national and international level the human rights' abuses that were taking place inside the country during the dictatorship. They analyse how the international community responded to those claims as

well as how those responses impacted on the military regime's repressive policies. A good example of this kind of approach, even though it is not a study strictly about Argentina but on Latin American countries in general, is the work of Kathryn Sikkink. In her writings, she attempts to address the emergence and evolution of the human rights movements in the region as well as the international network created by them, analysing the effectiveness and the impact of these movement on repressive regimes and on the transformation of sovereignty in the Latin American region.² Other writings, based on detailed empirical research, either in the form of case study or comparative study, focus on the "new social movement" character of the domestic human rights groups in Argentina and on their role regarding new forms of political participation, social change and democratisation of society during transition and under democracy. Following this perspective, articles such as 'La política de la memoria: el Movimiento de Derechos Humanos y la construcción democrática en la Argentina' of Elizabeth Jelin, 'Derechos humanos y democracia' of Inés González Bombal and María Sondereguer, and books such as *The Politics of Human Rights in Argentina* of Alison Brysk and *El Movimiento por los derechos Humanos y la política argentina* of Héctor Leis, in general terms, focus on the achievements and limitations of the human rights movement and on its capacity to create new

² SIKKINK, Kathryn, 'The Emergence, Evolution, and Effectiveness of the Latin American Human Rights Network', in JELIN, Elizabeth and HER-SHBERG, Eric, eds., *Constructing Democracy: Human Rights, Citizenship and Society in Latin America*, Oxford, Westview Pres. Inc., 1996, pp. 59-84 and from the same author see KECK, Margaret and SIKKINK, Kathryn, *Activists Beyond Borders: Advocacy Networks in International Politics*, New York, Cornell University Press, 1998. For others accounts of this kind, see BRYSK, Alison, 'From Above and Below: Social Movements, the International System, and Human Rights in Argentina', *Comparative Political Studies*, California, Sage Publications, 1993, Vol. 26 No. 3, pp. 259-285; Amnesty International Publications, *Argentina, The Military Juntas and Human Rights, Report of the Trial of the Former Junta Members*, London, 1987; GUEST, Ian, *Behind the disappearances: Argentina's Dirty War against human rights and the United Nations*, Philadelphia, University of Pennsylvania Press, 1990; MIGNONE, Emilio, *Derechos Humanos y Sociedad: El Caso Argentino*, Buenos Aires: CELS, 1991.

forms of political participation under democracy in Argentina.³ In addition to those approaches, some literature concerned with feminism, concentrates on the central role that women have played within the human rights movement in Argentina, and how this new engagement in politics affects women's life and identity, as well as the Argentine family and society in general. In this sense, some authors as Nikki Craske in *Women and Politics in Latin America* and María del Carmen Feijoo in 'The Challenge of Constructing Civilian Peace: Women

³ JELIN, Elizabeth, 'La política de la memoria: el Movimiento de Derechos Humanos y la construcción democrática en la Argentina' in ACUÑA, Carlos H., GONZÁLEZ BOMBAL, Inés, JELIN, Elizabeth, LANDI, Oscar, QUEVEDO, Luis Alberto, SMULOVITZ, Catalina, and VACHIERI, Adriana, *Juicio, Castigos y Memorias: Derechos Humanos y Justicia en la política argentina*, Buenos Aires, Nueva Visión, 1995; GONZÁLEZ BOMBAL, Inés and SONDEREGUER, María, 'Derechos humanos y democracia' in JELIN, Elizabeth *Movimientos sociales y democracia emergente*, Buenos Aires, Centro Editor de América Latina, 1987; BRYSK, Alison, *The Politics of Human Rights in Argentina*, Stanford, Stanford University Press, 1994; LEIS, Héctor, *El Movimiento por los derechos Humanos y la política argentina 1 and 2*, Buenos Aires, Centro Editor de América Latina, 1989. See also PANIZZA, Francisco 'Human Rights in the Process of Transition and Consolidation of Democracy in Latin America' in *Political Studies* XLII, Oxford, Blackwell Publishers, 1995; QUIROGA, Hugo, 'Los Derechos Humanos en la Dictadura y en la Democracia' in QUIROGA, Hugo and TCACH, César, eds., *A Veinte Años del Golpe: Con memoria democrática*, Rosario: Homo Sapiens Ediciones, 1996; VEIGA, Raúl, *Las Organizaciones de derechos humanos*, Buenos Aires, Centro Editor de América Latina; JELIN, Elizabeth, 'Otros Silencios, otras voces: el tiempo de la democratización en la Argentina' in CALDERÓN, Fernando, *Los movimientos sociales ante la crisis*, Buenos Aires, Universidad de las Naciones Unidas, 1986; and LANDI, Oscar and GONZÁLEZ BOMBAL, Inés, 'Los Derechos en la cultura política' in ACUÑA, Carlos H., GONZÁLEZ BOMBAL, Inés, JELIN Elizabeth, LANDI Oscar, QUEVEDO, Luis Alberto, SMULOVITZ, Catalina and VACHIERI Adriana, *Juicio, Castigos y Memorias: Derechos Humanos y Justicia en la política argentina*, Buenos Aires, Nueva Vision, 1995; TAYLOR, Lucy, *Citizenship, Participation and Democracy: Changing Dynamics in Chile and Argentina*, London, Macmillan Press Ltd., 1998. Within this broad group, we can include the work of RONIGER, Lius and SZNAJDER Mario, *The Legacy of Human Rights Violations in the Southern Cone, Argentina, Chile and Uruguay*, Oxford, Oxford University Press, 1999. This book, although it is not directly concerned with the development of the human rights movement in Argentina, it studies the incorporation of the human rights discourse in the region and its effects on societies.

and Democracy in Argentina' examine how the participation of women on the human rights movement provoked the transformation of the traditional notion of motherhood and the increasing acceptance of women as political and social actors with distinct needs and interests within society.⁴ Within the feminist approach, there are other sorts of writings that look at the way the Mothers and Grandmothers of Plaza de Mayo used the notion of rights in their struggle and how this use has contributed to reshape the nature of human rights, imprinting in them a women perspective.⁵ Finally, there are some recent writings working on memory's issues that examine how the human rights groups have contributed to the process of construction of the collective memory about the last military dictatorships in the Latin American region.⁶

⁴ CRASKE, Nikki, *Women and Politics in Latin America*, Cambridge, Polity Press, 1999; and FEIJOO, María del Carmen, 'The Challenge of Constructing Civilian Peace: Women and Democracy in Argentina', in JAQUETTE, Jane S. *The Women Movements in Latin America: Feminism and the Transition to Democracy*, Boston, Unwin Hyman, 1989. See also on this issue, FISHER, Jo, *Out of the Shadows: Women, Resistance and Politics in South America*, London, Latin America Bureau, 1993; FISHER, Jo, *Mothers of Disappeared*, Boston, South End Press, 1989; JELIN, Elizabeth, *Women and Social Change in Latin America*, London, Zed Books, 1990; and BONNER, Michelle D., *Sustaining Human Rights: women and Argentine human rights organizations*, University Park, Pa, Pennsylvania State University Press, 2007. For an excellent study on the articulation of an alternative notion of family and family bonds in the discourse of the human rights groups, see FILC, Judith, *Entre el Parentesco y la política. Familia y Dictadura, 1976-1983*, Buenos Aires, Editorial Biblos, 1997.

⁵ See for instance, Robinson, Fiona, 'Human rights and the global politics of resistance: feminist perspectives', in *Review of International Studies*, 2003, pp. 161–180; and also ESCHELE, Catherine, *Global Democracy, Social Movements and Feminism*, Boulder, CO, Westview Press, 2001.

⁶ See various books of the books collection *Memorias de la Represión*, Siglo Veintiuno de España-Argentina Editores S.A, Madrid and Buenos Aires, 2002. See particularly from this collection, JELIN, Elizabeth, *Los trabajos de la memoria*, Madrid, Siglo Veintiuno de España Editores S.A., 2002. See also, CARNVALE, Vera "Memorias, espacio público y Estado: la construcción del Museo de la Memoria", en *Estudios, AHILA de Historia Latinoamericana*, n.2 Verveurt. 2006, LESGART, Cecilia, "Luchas por los sentidos del pasado y del presente", en Hugo Quiroga y César Teach (comps), *Argentina 1976-2006. Entre la sombra de la dictadura y el futuro de la democracia*, Rosario, UN- Homo Sapiens, 2006, LORENZ, Federico

Despite the different aims and objectives of the literature regarding this issue, almost all of the writings under review agree that the unprecedented movement of resistance and protest around human rights claims that emerged under the last military dictatorship, inaugurated a wider concern for human rights in Argentina and helped to disseminate it all over society during the transition and beginning of democracy. Moreover, most of them assert that the human rights movement because of its intense activism and advocacy was the fundamental actor in defining the very meaning of the notion of *human rights* in Argentina.⁷ It was then during the years of the last military dictatorship and thanks to the mobilisation of the relatives of the disappeared people around human rights claims that the human rights issues acquired a central position within the Argentinean political context and the language of human rights became an available and legitimate language for different social and political forces alike. In the following section, I will draw my attention to *how* these writings arrive at such conclusions. That is to say, I will look at how the existing literature has explained the process of emergence and constitution of the movement and discourse, and along with that, the wider concern for human rights in the country.

1. a. A New Movement and a New Discourse of Human Rights

It is frequently argued in the literature that the nature of the repression carried out by the last military dictatorship during the 1970s largely contributed to the emergence of the human rights movement and discourse in Argentina. In this regard, Alison Brysk in *The Politics of Human Rights in Argentina* explains that although repression and violence were continuing

“¿De quién es el 24 de marzo? Las luchas por la memoria del golpe de 1976”, en Jelin, Elizabeth, *La conmemoraciones: las disputas en las fechas in-felices*, Madrid, Siglo XXI, 2002.

⁷ See this point in JELIN, Elizabeth, op.cit., p. 105; CHERESKY, Isidoro, ‘La emergencia de los derechos humanos y el retroceso de lo político’, in *Punto de Vista*, Buenos Aires, August 1992, p. 43; and in RONIGER, Lius and Szajder Mario, op. cit., p. 41, among others.

features of the country's experience, "the sheer scope and scale of repression had no precedent in the Argentine history".⁸ She sustains that before 1976, except for isolated demands, no broadly mobilisation or social protest around human rights had ever occurred in the country. It was precisely with the unprecedented and massive repression inaugurated in 1976 that a permanent social movement for human rights emerged and gained widespread social recognition.

Some of the texts such as Leis' book, *El Movimiento por los Derechos Humanos y la política argentina*, or Jelin's article, 'La política de la memoria: el Movimiento de Derechos Humanos y la construcción democrática en la Argentina', among others, simply accept this idea of the unprecedented intensity of repression and consider that it is a sufficient account for understanding the appearance of the exceptional social protest around the defence of human rights.⁹ That is, they consider that the massive violation of human rights brought about the mobilization of the relatives of the victims and the emergence of a wider concern for those fundamental rights. Other writings, as it is the case of Brysk's study, attempt to identify further reasons for the emergence of this exceptional mobilization. In this regard, Brysk explains that for the first time during the 1970s, members of the Argentine middle class with relatively high political expectations and economic resources were victimised in large numbers by the repression carried out by military dictatorship. This added to the great uncertainty that the method of forced disappearance provoked within the families, prompted the mobilisation of new activists and generated a new form of public protest.¹⁰ As Brysk put it:

In Argentina, ordinary citizens took to the streets and defied a powerful and murderous dictatorship. Political voice was evoked by intolerable uncertainty; hope and anger conquered fear. They turned to protest because their families and communities had been shattered, their

⁸ BRYSK, Alison, op. cit., p. 40.

⁹ LEIS, Héctor, *El Movimiento por los derechos Humanos y la política argentina 1 and 2*; and JELIN, Elizabeth, 'La política de la memoria: el Movimiento de Derechos Humanos y la construcción democrática en la Argentina'.

¹⁰ BRYSK, Alison, op. cit., p. 43.

neighbours were silent, and their own government denied their existence.¹¹

Brysk explains how the failure in offering satisfactory responses to the families from the traditional social and political structures such as the legal system, trade unions, political parties and especially the Church, was also an important element to take into account when explaining the emergence of the human rights movement in Argentina. In this sense, she argues that the lack of answers and solutions from the social institutions led the relatives to a desperate and isolated situation and contributed to generate an autonomous and spontaneous movement of resistance and struggle around the defence of human rights.¹² As most of the writings on this issue, Brysk describes how the groups of the relatives and the other few groups concerned with the political situation of the country started to meet in public places, such as squares, clubs, churches and begun to give shape to the different human rights groups. Brysk divides these groups into three main categories, civil libertarians groups, family based groups, and religious movements.¹³ Some of these groups emerged before, others later. Their function and forms of protest were different, but all of them were united against the violence and repression carried out by the military regime.¹⁴ Brysk also remarks that these groups could mainly survive under dictatorship because of the help received by the international regime of human

¹¹ BRYSK, Alison, op. cit., p. 42.

¹² BRYSK, Alison, op. cit., p. 45.

¹³ Among the first groups, Asamblea Permanente por los Derechos Humanos (APDH), La Liga Argentina por los Derechos del Hombre and Centro de Estudios Legales y Sociales (CELS); the second group was formed by Madres de Plaza de Mayo, Abuelas de Plaza de Mayo, and Familiares de Detenidos y Desaparecidos por Razones Políticas, and the last group was formed by Servicio Paz y Justicia (SERPAJ), Movimiento Ecueménico por los Derechos Humanos and Movimiento Judío por los Derechos Humanos. See BRYSK, Alison, *The Politics of Human Rights in Argentina*, pp. 45-51.

¹⁴ The civil libertarian groups, La Liga Argentina por los Derechos Humanos and APDH were founded before 1976 coup, also the SERPAJ, which was founded in 1971. The rest of the groups emerged after the military coup. Alison Brysk, *The Politics of Human Rights in Argentina*, pp. 45-47

rights, which allowed them to circumvent its own government and appeal directly to the international system.¹⁵

In this same line of argument, Eric Hersberg and Elizabeth Jelin in *Constructing Democracy: Human Rights, Citizenship and Society in Latin America*, agree with Brysk that the development of the human rights movement and the unprecedented activism around issues of human rights in the Southern Cone during the 1970s are best understood when we recall that the impact of the repression was not limited to the popular classes, but that the middle and upper classes were victimised by repression as well.¹⁶ But detaching from Brysk, these authors go a bit further with their argument and explain that traditionally –and in contrast to the popular sectors– the rights of the middle and upper classes were generally assured and acknowledged by the state. Thus, when this situation changed during the 1970s, and individual rights were violated across all sectors of the social structure and these groups became increasingly less immune to the predations of authoritarian rulers, middle and upper classes were compelled to express their grievances and to articulate their demands against the military regime.¹⁷ As they suggest, the fact that human rights were massively violated “implied a widened social basis for concern about rights, for demands that they be respected, and for solidarity among the diverse victims of abuses by the state”.¹⁸

Regarding this last point, Lucy Taylor in her book *Citizenship, Participation and Democracy: Changing Dynamics in Chile and Argentina*, asserts that the rejection of individual rights that the intense repression implied, clearly provoked the emergence of the human rights movement in Argentina. In her words: “The physical abrogation of rights was counter-attacked via the reassertion of rights of citizenship and the identification of the victims, both as people and as citizens”.¹⁹ She argues that Argentineans, regardless their social class, perceived the denial of individual rights –rights that they believed to possess– as a threat and this led them not just to a defensive

¹⁵ BRYSK, Alison, op. cit., p. 31.

¹⁶ JELIN, Elizabeth and HERSHBERG, Eric, eds. op. cit., Introduction.

¹⁷ JELIN, Elizabeth and HERSHBERG, Eric, eds., op. cit., pp. 3-4.

¹⁸ JELIN, Elizabeth and HERSHBERG, Eric, eds., op. cit., p. 4.

¹⁹ TAYLOR, Lucy, op. cit., p.52.

and reactive practice, but also to an offensive and proactive strategy against the dictatorship.²⁰ This argument is also found in Bombal and Sondereguer's article 'Derechos Humanos y Democracia'. As these writers put it, "In front of the violation of the most fundamental rights –among them, the right to life– the movement was the answer of a society that found itself shattered".²¹ Thus, Taylor, Bombal and Sondereguer seem to argue that the unprecedented mobilisation around human rights that occurred under the last dictatorship was the natural response of a society that being used to leave with certain liberties and rights, was suddenly shocked by the presence of terror and violence. In this regard, they also make clear that this mobilisation was also possible because the political parties were shattered and their activities severely curtailed by the military rulers. This particular situation allowed the human rights movement to have certain freedom and to have a much greater impact both at home and at the international level.²²

This last point is also emphasised by Isidoro Cheresky in his article 'La emergencia de los derechos humanos y el retroceso de lo político'.²³ There, the author remarks –although for different reasons– the paralysis of the political forces under the military rule as an important condition for the emergence and constitution of the human rights movement. He explains that under this particular situation where the political parties and all political activity were restricted, a spontaneous movement of protest unrelated to the political traditions of the country could emerge. From Cheresky's argument, this movement would be holder of a different view regarding individual rights. Through their symbolic and legal protest, groups such as the *Mothers of Plaza de Mayo* started to interpellate the power of the state appealing to universal principles which were presented as alien to the power itself.²⁴ This interpellation, according to Cheresky, was inaugurating a new relationship between rights and power

²⁰ TAYLOR, Lucy, op. cit., p. 53.

²¹ GONZÁLEZ BOMBAL, Inés and SONDEREGUER, María, op. cit., p. 85.

²² TAYLOR, Lucy, op. cit., p. 54; GONZÁLEZ BOMBAL, Inés and SONDEREGUER, María, op. cit., p. 86.

²³ CHERESKY, Isidoro, op. cit., p. 43.

²⁴ CHERESKY, Isidoro, op. cit., pp. 41-48.

in Argentina. In his words: “Addressing to the power in the name of the law implied the idea that every power, whatever its legitimacy might be, must respect certain humanitarian principles”.²⁵ Thus, the separation between rights and power that was at the heart of the human rights discourse implied a decisive change respecting the conception of rights that dominated the political culture in Argentina since the 1940s. Cheresky suggests that both the populist tradition embodied in the Peronist movement first, and the revolutionary ideology held by the left wing groups after, despite their differences, held a common conception about the primacy of the common good over the individual and his/her interests. Thus, according to this conception, individual rights and needs depended on the will of the political community and its centre. As the author puts it:

With the emergence of peronism, rights became guarantees assured by the state, and their actualisation or even their turning back depended on the decision of the leader, who erected himself as the only judge and guarantor of them.²⁶

In this sense, within this political tradition, the place of the power was presented as plentiful and as the source of the law. The same applied to the revolutionary ideology of the 1960s and 1970s. In Cheresky’s words, “it considered itself as the holder of an idea of the good which was going to overcome the divisions and conflicts of society, and in this way to institute a post-political society”.²⁷ It was according to this idea of the good that what was just or unjust for the individuals and their community was decided, the individual rights and their protection suffered the same fate.

Cheresky argues, then, that the human rights discourse established a different principle regarding power and rights: it established a new space independent of the state and from where the power itself was interrogated.²⁸ In this way, this author concludes that the mobilization around the defence of human rights not only questioned the military regime and its practices but also the practices of the very political traditions

²⁵ CHERESKY, Isidoro, *op. cit.*, trans. by me, p. 44.

²⁶ CHERESKY, Isidoro, *op. cit.*, p. 43.

²⁷ CHERESKY, Isidoro, *op. cit.*, p. 43.

²⁸ CHERESKY, Isidoro, *op. cit.*, p. 43.

that dominated big part of the twentieth century in Argentina. It was precisely because of the repression of these political forces by the dictatorship that this new discourse could emerge during the 1970s. This argument regarding the innovative character of the human rights discourse is also present in Francisco Panizza's article 'Human rights in the Process of Transition and Consolidation of Democracy in Latin America'. In this essay, Panizza explains that the human rights movement and the discourse it articulates helped to bring about a radical shift in the region's political culture. In this form, collectivist and authoritarian notions as the "rule of the people", "people's democracy", and the idea about the "supremacy of economic and social rights", characteristic of the populist and corporatist ideologies, were abandoned in favour of the primacy of individual rights and the rule of law.²⁹ Roniger and Szanjder in *The Legacy of Human Rights Violations in the Southern Cone: Argentina, Chile and Uruguay*, as Cheresky and Panizza, also draw their attention to this change. As they put it regarding the case of Argentina:

In Argentina, for example, the idiom of human rights –as inalienable rights inherent in individuals by the human "nature"– was, and at the same time was not an innovation in its political culture. The countries of the Southern Cone had indeed developed highly sophisticated legal systems and written constitutions with explicit rights protections [...] Nonetheless, until recently, the discourse

²⁹ PANIZZA, Francisco, 'Human Rights in the Process of Transition and Consolidation of Democracy in Latin American' in *Political Studies* 43, pp. 168-188. In a more recent paper, the author suggests that it was during and after the last military dictatorships when the left wing political movements of the region began to articulate the liberal notion of individual rights to their discourse of democracy and he explains how actually this re-articulation prompted the revalorisation of liberal democracy within the left wing discourse. This shift, the author shows, is what partly opened up the possibilities for the left wing movements to actually occupy key government positions in several Latin-American countries nowadays. See PANIZZA, Francisco, 'Los residuos de la historia y el futuro de la izquierda en América Latina', paper presented at II Simposio Internacional, 'Itinerarios políticos de la izquierda revolucionaria en Argentina y Uruguay: de los años de plomo al gobierno. La voz de los protagonistas', Universidad de Salamanca, April 20-22, 2005.

of human rights was alien to the local political culture and conceptions. Indeed, before the PRN, neither the military nor the forces of the extreme left recognised the primacy of human rights as the foundation of public life. For elites and popular strata alike, the language of human rights was devoid of substantial significance.³⁰

Roniger and Szanjder remark then that it was only under the last military dictatorship and during the transition to democracy that the human rights discourse “exploded into the public sphere”.³¹ According to them, this change must be linked to the very fact that the human rights violations were “gross, massive and systematic”.³² It was this collective experience of human rights violations which prompted the incorporation of the human rights discourse in the country. Nonetheless, these authors observe that the process of incorporation has to be also linked to some institutional changes. In this sense, following the framework provided by Maggio and Powell for the analysis of the interaction between the local and the international arena, Roniger and Szanjder identify three major mechanisms of institutional change that could bring local communities to adopt global discourses and practices. These are the coercive, the mimetic and the normative isomorphism.³³ The first one results from political influence and problems of legitimacy; the second, stems from the influence international organizations’ models perform over local ones; and finally, the third mechanism is “associated with profesionalization and involving the growth and elaboration of professional networks that span organizations and polities, and across which new models diffuse rapidly”.³⁴ Thus, applying this approach to the case of the Southern Cone countries, Roniger and Szanjder hold that the expansion of the human rights discourse as a legitimate discourse in the region responded mainly to a “combined coercive and normative isomorphism”. That is to say, it resulted from the political pressure that governmental agencies such as the US agencies

³⁰ RONIGER, Luis and SZNAJDER, Mario, op. cit., p. 40.

³¹ RONIGER, Luis and SZNAJDER, Mario, op. cit., p. 41.

³² RONIGER, Luis and SZNAJDER, Mario, op. cit., p. 46.

³³ RONIGER, Luis and SZNAJDER, Mario, op. cit., p. 47.

³⁴ RONIGER, Luis and SZNAJDER, Mario, op. cit., p. 47.

and some of the EU countries-; international organisms –such as the the Inter-American Commission of Human Rights and the United Nations-; as well as non-governmental organizations –as Amnesty International– put on the dictatorships to stop the human rights violations, and also resulted from the growing activism of the national and international human rights organisations and their many connections and networks in the region. As Roniger and Szanjder explain regarding local organisations:

Though these connections, the local NGOs were able to prompt a wide concern with the issue abroad and at home, and at the same time acquire resources and improve organisational skills [...] All these learning processes transformed the NGOs that worked in the field of human rights into central actors in promoting human rights policies during and after the transition [...] In their work, the connections they establish with international organizations and networks have been fundamental in attaining a proper institutional and social recognition for human rights as a theme that could not be put aside.³⁵

Thus, according to Roniger and Szanjder, the incorporation of the human rights discourse in the Southern Cone countries should be connected not only to the collective experiences that the gross, massive and systematic human rights violations constituted for the whole communities, but also to the institutional changes provoked by the influence and pressure of a plurality of international and national forces.

1. b. Some Questions and Problems

As shown along the above section, the unprecedented concern for human rights and the emergence and constitution of the human rights movement have been primarily explained as a direct response to the nature of the repression carried out by the military regime during the 1970s. But, as also shown, this main assumption has been explained in different manners

³⁵ RONIGER, Luis and SZNAJDER, Mario, *op. cit.*, p. 48-9

and other accounts have been also provided. Let me now then explain which are the limits that the existing approaches seem to present.

From “Continuity” to “Discontinuity”

One of the major difficulties present in many of the writings under review when describing and explaining the emergence of the human rights movement and the discourse it articulated has been to trace the motives of the mobilisation and claims back to a pre-existing concern for human rights ascribed to some specific social classes or to the people in general even before the events of the last military dictatorship actually took place.

Alyson Brysk’s argument can be illustrative in this regard. There is, in her account, an implicit emphasis on *continuity* regarding the notion of rights. Brysk draws her attention to the unprecedented victimisation of the middle and upper classes as a key element to understand the emergence of the human rights movement and discourse in the country. She suggests that because their better position and resources, the middle and upper classes were more prepared to protest and mobilise against the abuses of human rights than other sectors of society. However, supposing that this is accurate, we may still pose some questions to her argument: Why did these groups claim for human rights? Was a conception of human rights available among Argentineans or at least within the middle and upper classes before the last military dictatorship? Were these groups’ claims conceived as human rights claims from the beginning of their struggle? Was the motor of their mobilisation a sense of denial of rights that were perceived as inherent to the human person? Although Brysk does not explicitly consider these questions, it could be deduced from her arguments that the answers to them would be affirmative. This similarly can be applied to Taylor, Hersberg and Jelin as well as Bombal and Sonderegger’s arguments. In these writings, we find the assumption that the violation of individual rights provoked the emergence of an exceptional mobilisation around the defence of human rights. Thus, it follows from that that a conscious of individual rights was very much present before the 1976 military coup, if not in all Argentineans, at least in the middle

and upper classes of the country. That is, if there was a sense of denial or loss of rights that led the groups to publicly protest, it is because there was, as Taylor clearly suggests, a recognition about the primacy of individual rights within part of society previously to the dictatorship. But how can be understood this belief in individual rights and its primacy within the framework of the political traditions that dominated Argentine politics since 1940s that Cheresky, among others, correctly refer to? As we mentioned before, the populist and nationalist tradition and the revolutionary ideologies were very distant from giving primary value to the idea of individual rights. If there were references to rights within these political discourses, these were very much associated to social justice and to social and economic rights that were ultimately dependent on the will of the leader or on the idea of the good of the political community.

Thus, holding this sort of claim these writings are ignoring the *rupture* that the human rights movement and its discourse came to represent in terms of the conception of rights in the country. In contrast, they are providing an account which reduces the discourse of the movement to an antecedent language of rights that seems just to have been expanded when a large scale of repression took place in Argentina during the 1970s. Thus, although there is within the literature a clear understanding of the innovation this movement seems to represent regarding the unprecedented mobilisation around human rights, as well as in terms of the incorporation to politics of sectors that were traditionally out of it, there is also a *lack of appreciation* regarding the new elements this movement was incorporating to the social-political scenario. According to these accounts, the movement's claims seem to be repetitions of old claims already present and considered legitimate within the Argentine society.

In this sense, we may suggest that these writings fail to acknowledge the *specificity* and *novelty* of the human rights discourse. They consider this discourse as if it would have been already present in the life and culture of Argentines. Thus, following Quentin Skinner's critiques of the history of ideas, it could be argued that these accounts fall under an

“anachronism”.³⁶ As Skinner explains, this kind of anachronisms usually take place when the historian understands the classic writer to be saying or doing something which he could not have said or done in the time of writing or doing it.³⁷ Applying this criticism to our case, it could be suggested that, having in mind some preconceptions and deploying an essentialist notion of rights, these authors attribute Argentines an unalterable “human rights language”, which cannot have been possible since that conception of rights was not available to them at that time. Thus, having this in mind, it seems less probable that the relatives of the victims could have actually perceived a denial or loss of rights and then mobilized and claimed for their protection. The motive of their mobilisation could not have been the struggle for the return of those individual rights, which, as we said before, were not perceived as part of their daily life. As Cheresky, and Panizza, as well as Roniger and Szanjder clearly suggest, the human rights movement and the discourse it articulated presented a *new* idea of rights in Argentina of the late twentieth century, an idea that was absent before the emergence of the movement, an idea of rights that presupposed the independence of rights from the sphere of power, and which privilege the freedom of the individual over the will of the leader.

Now, once we have identified this major difficulty within this argument, another problem became visible. That is, in failing to understand the *novelty* of the human rights discourse, we may suggest that these approaches are also failing to appreciate the very process of formation of this new political identity: namely *how* this new idea of human rights could not only become part but also occupy a central position in the life and struggle of many different people in the country. As it will be shown in the course of this research, the identification with the defence of human rights was a long lasting and complex process that took place throughout the course of the movement’ struggle and involved the articulation of new and not so new ideas and understandings. Thus, by taking for granted the existence of

³⁶ SKINNER, Quentin, ‘Meaning and Understanding in the History of Ideas’ in TULLY, James, ed., *Meaning and Context*, Cambridge, Cambridge University Press, 1988.

³⁷ SKINNER, Quentin, *ibid.*, pp. 30-32

the idea of human rights in the middle and upper classes or in society in general, these writings are not capable of showing *when* and *how* this new political position around the defence of rights, from which the groups of relatives could denounce the repressive nature of the regime, was actually constituted. It is, in this sense, that they miss in their explanation an important part of the movement's development. They miss precisely *how* the movement became a *human rights movement*.

Let me now proceed with the evaluation of the arguments present in some of the other writings we have discussed above. As we have seen in Cheresky, Panizza, Roniger and Szanjder's accounts, the emergence of the movement is not explained in terms of a sense of loss of human rights. As they make clear, the human rights ideas entered the Argentine society only under the tragic circumstances of the last military dictatorship. It was actually with the actions and pressure of the groups of the relatives that the human rights language could explode into the public sphere.³⁸ Thus, by emphasising the *discontinuity* the new movement and its discourse brought about in terms of rights, these writings detach notably from the rest of the approaches and gain a better understanding of the phenomenon. Moreover, the central attention given in most of these writings to *how* the meaning of rights changed according to the different discursive formations and languages available at particular moments in the country allow them also to move away from the previous approaches, abandoning essentialist points of view that conceive the notion of rights as *unalterable* and *fixed* over time.

Thus, these writings in contrast to the other approaches seem to be aware of the *specificity* of the human rights movement and discourse and the changes it brought about in terms of rights. However, they still present some difficulties and leave some questions without convincing responses. For instance, it could be asked: What did happen in between the moment of the absence of a human rights conception and the moment of its emergence? How was possible the shift of one meaning of rights to the other? How and when did this new language of rights penetrate within Argentine society? Where does this language come from and when did it become available to the

³⁸ RONIGER, Luis and SZNAJDER, Mario, op. cit., p. 41.

people? We can observe that attempting to account for the *discontinuity* is a difficult task for these writings. In Cheresky's argument for instance, there seems to be no answers to these questions. He correctly remarks the changes regarding the conceptions of rights that took place under the last military dictatorship, but he does not explain *how* the emergence of the new discourse could have been possible. In other words, these writings fail to explain *how* the relatives of the victims could actually articulate their claims in terms of human rights, when, as they have made clear, this language was absent of the political languages available to them at that time.³⁹ Thus, it could be argued that this kind of account fall also under some kind of 'absurdity' and 'anachronism' in the Skinner's sense and present a similar problem regarding the question of identity formation. These writings ascribe to the relatives of the victims a discourse of human rights without showing and explaining *how* this discourse was possible and made available to them. This perspective seems to find a necessary and spontaneous link between the claims of the relatives and the human rights demands, as if the new discourse would have been in 'somewhere' ready to be discovered and articulated by the relatives of the victims of repression. As a result, again, this argument is not able to explain *how* this new identity around the defence of human rights did emerge, how the process of identification with the defence of human rights did take place.

In the case of Roniger and Szajder, as shown above, there is an attempt to provide some kind of explanation about how the *discontinuity* regarding the human rights discourse occurred. Following an institutional approach, this study suggests that the incorporation of the human rights discourse in the region responded mainly to the social and political pressure that national and international organisations and agencies put on Southern Cone countries during the period of military dictatorships in the 1970s. This pressure provoked some important institutional changes and a wider legitimisation of the human rights discourse. Thus, there is in this study certain

³⁹ This could be also applied to Panizza's essay, but it should be considered that this sort of explanation would require a systematic research on the political and social conditions that then would exceed the intention and extension of the author's paper.

acknowledgment about the role played by the international discourse of human rights in the expansion of the human rights concerns in the country, but there is still a lack of explanation about *how* this actually occurred. That is, this account does not provide an interpretation about *how* and *when* the groups of the relatives started to talk about human rights, *how* they begin to incorporate this notion within their struggle. In this argument, there seems to be the belief, as in the case of Cheresky's account, that the repressive practices of the state were *spontaneously* read as human rights violations. The local organisations *naturally* deployed a human rights discourse for expressing their claims, and the international influence and pressure helped to the legitimisation and expansion of those claims within society. Thus, we find in this approach the same kind of absurdities and difficulties that we have pointed out for the rest of the writings. There is then within this account an inadequate understanding of the human rights' movement emergence and constitution.

Thus, now that we have presented the main arguments regarding the emergence of the human rights movement and discourse in Argentina, we are in a position to suggest that there are some unavoidable limitations within the literature. These shortcomings are mainly related to the *lack* of a systematic interpretation regarding the conditions that made possible the emergence of the human rights claims in the country and also regarding the very process of formation of the identity in question. There is a common assertion in the literature under review that the mobilisation against the terrorist practices of the state brought about a new concern for human rights, but there is a *lack* of explanation about *how* this could have happened, *how* this was possible. As we have shown, in most of the existing accounts, that is, in those accounts that explain this new concern as a result of an expansion of a *pre-existent* language of human rights, as well as in those accounts that put emphasis on the *novelty* of the human rights discourse in the region, the link between the demands of the relatives and the human rights claims is presented as immediate and necessary. In this sense, these approaches fail to explain *when* and *how* the groups of the relatives articulated a discourse of human rights becoming then a *human rights movement*. In other words, they

fail to account for the process of formation of the new political position around the defence of human rights. They miss *how* the articulation of a human rights language to the claims of the relatives actually changed their struggle and gave a new shape to the movement itself. In addition, they cannot provide a clear explanation about *how* the language of human rights was accommodated within the particular historical and political circumstances of Argentina, nor *how* precisely this has affected existing languages of rights and political discourses in general.

2. An Alternative Approach

So far then, I have examined some of the most important writings regarding the human rights movement in Argentina, highlighting their difficulties and shortcomings in explaining the emergence and constitution of the movement and the discourse it articulated. Now, in order to provide a more comprehensive and adequate interpretation of this phenomenon, I will present an alternative theoretical framework which can help us to identify and overcome the various problems pointed out before, as well as to make visible certain aspects of the phenomenon that have been ignored by the existing literature. To do this, I will start by explaining why it is necessary to put the human rights discourse *in historical context*. That is, drawing on Quentin Skinner's alternative methodology for the study of political thought, I will demonstrate why an appropriate understanding of this particular discourse, as well as any other kind of discourse, requires first of all to be analysed in the light of the linguistic and political context in which it was produced and developed. This will allow us to avoid falling under the so frequent anachronisms that Skinner correctly points out and to recover the claims that were actually claimed in the past. This historicization of the human rights discourse will be also informed by Michel Foucault's genealogical approach. As will be shown, a genealogical reading will involve tracing back the human rights discourse to the moment of its emergence, bringing to light its singularity and the discontinuity it came to represent as well as the political clashes and the possibilities that were excluded in the process of its constitution. Having explained

the importance of putting the movement and its discourse in historical motion, I will turn to explain *why* and *how* the very process of emergence and constitution of the human rights movement as well as the functioning and effects of its discourse could be more adequately understood from a discourse analyses perspective. This will involve a detailed presentation of some of the underlying assumptions, basic concepts and main logics of Ernesto Laclau and Chantal Mouffe's theory of discourse. Let me then proceed with this theoretical exploration

2. a. Placing the Human Rights Discourse in Historical Context

As we have shown throughout the chapter, most of the writings under review have fallen into some kind of absurdity and anachronism when explaining the formation of the human rights movement and its discourse, and as we have also explained this was mainly the result of attributing to the incipient mobilization of the relatives of the victims a human rights language that was not available to them at the moment of their mobilization. Thus, how can we avoid falling into these anachronisms and essentialisms in our analysis? How can we recover what the relatives were actually claiming? How can we appreciate the innovative character of the movement and the discontinuity it was representing? Quentin Skinner's methodology for the study of political thought and Michael Foucault's genealogical approach can provide us with some helpful guidelines for dealing with these questions.

Skinner and Foucault's alternative methodologies emerged as a result of their dissatisfaction with the prevailing approaches in the study of history. All through their work, both authors have attempted to provide a more comprehensive, sensitive and philosophically informed approach to the historical practice.⁴⁰

⁴⁰ Regarding the case of Foucault, see this point in DREYFUS, Hubert and RABINOW Paul, *Michel Foucault: Beyond Structuralism and Hermeneutics*, Hempstead, Harvester, 1982. Introduction; see also HOWARTH, David, *Discourse*, Buckingham, Open University Press, 2000, p. 50. About Skinner, see this point in JANSEN, Peter L. 'Political Thought as Traditionary Action: The Critical Response to Skinner and Pocock' in *History and*

Particularly concerned with the history of ideas, Skinner's work has been primarily a response to the two major forms that have traditionally dominated the study of political thought, that is, the *textualist* and the *contextualist* procedures.⁴¹ According to him, both procedures have failed to provide the historian with an adequate understanding of the thoughts and ideas that were actually thought and produced in the past and this has mainly responded to the fact that the fundamental assumptions underlying both methodologies could be shown to be mistaken.⁴² That is to say, neither the assumption of the *textualist* procedure that asserts that the key to understand a text must be found in the study of the text itself, nor the one behind the *contextualist* approach, which claims that to understand a given text we need to reconstruct its context, can serve as a source of understanding within the history of political thought. As Skinner explains, in studying just the text it is more probable that the historical study gets contaminated by the unconscious application of preconceptions or paradigms, by changes in the literal meaning of terms, by oblique strategies that the writer in question may adopt as well as by parallel meaning of words.⁴³ All these issues will ultimately inhibit the historian to properly understand the work in question and will tempt him to fall under various kinds of historical absurdity. As a result, he will provide reports about thoughts that were hardly thought in the past.⁴⁴ Similarly, a purely contextual reading of the text, even when it can supply the historian with an explanation of the meaning of the writing and with an account of its causal conditions, also fails to provide an adequate and complete understanding of the thoughts and ideas in question.⁴⁵ Skinner's example about Defoe's writings on toleration could be illustrative in this regard: In one of his statements Defoe said: "the religious dissident should be ranked

Theory, 24, 1985, pp. 115-46.

⁴¹ See a complete criticism of the two main approaches in his article 'Meaning and Understanding in the History of Ideas', op. cit. He also gives a brief account of his critique in the last part of his book *Liberty Before Liberalism*, Cambridge, Cambridge University Press, 1998, part 3.

⁴² SKINNER, Quentin, op. cit., p. 63.

⁴³ SKINNER, Quentin, op. cit., pp. 30-56.

⁴⁴ SKINNER, Quentin, op. cit., p. 32.

⁴⁵ SKINNER, Quentin, op. cit., pp. 56-61.

among capital offences”.⁴⁶ As Skinner explains, the study of the entire social context of the statement may decode what exactly each word meant at the time of the pronouncement, what exactly the whole statement meant, but as he also asserts, it falls short in explaining what Defoe was doing in writing it, that is, if he was *defending* religious intolerance or *ridiculing* it.⁴⁷ In this way, adopting some of the notions and assumptions of the speech act theory to the historical analysis, Skinner claims that since the text is a linguistic action performed by an author at a given time and at a particular place, it cannot be enough to grasp the *meaning* of the text, that is, its sense and reference, but it is also essential for the purpose of *understanding*, to grasp the author’s intention in writing it, that is, the *point* or *force* of the author’s argument.⁴⁸ For doing this, he proposes at least two main steps.⁴⁹ A first step is to place the given text in its intellectual or ideological context. In this manner, through a detailed historical research, the historian should identify and analyse the texts written in the same period on the same subject matter and look at the numerous conventions they share, that is, vocabulary, principles, assumptions, problems and so on.⁵⁰ In this sense, the historian has to map what concepts were available to the writer, and thus what was logical or possible for him to have said within this particular ideological field. As Skinner puts it:

The appropriate methodology for the history of ideas must be concerned, first of all, to delineate the whole range of communications which could have been conventionally performed on the given occasion.⁵¹

⁴⁶ DEFOE, Daniel cited by SKINNER, Quentin, ‘A Reply to my Critics’, in TULLY, James, op. cit., p. 271.

⁴⁷ SKINNER, Quentin, *ibid.*, p. 271.

⁴⁸ SKINNER, Quentin, *ibid.*, pp. 260-62.

⁴⁹ See SKINNER, Quentin, *Machiavelli, A Very Short Introduction*, Oxford, Oxford University Press, 2nd ed. 2000, p. 2. In the introduction of his book, he divides the reconstruction of the social context in intellectual and political context. See also ‘A Reply to my Critics’, pp. 273-81, and in ‘Meaning and Understanding in the History of Ideas’, pp. 63-7.

⁵⁰ See TULLY, James, ‘The pen is a mighty sword: Quentin Skinner’s analysis of politics’ in TULLY, James, op. cit., pp. 7-25, p. 9.

⁵¹ SKINNER, Quentin, op. cit., p. 64.

Afterwards, by reading the given text in the light of the universe of conventions he mapped, the historian will probably understand how far the writer was accepting or questioning or repudiating the prevailing conventions within the political debate. Then, the second step Skinner proposes is to place the given text in its practical or political context.⁵² In this sense, he suggests, the historian must look at the political activity, at the political and social problems of the society the writer writes for and which the text is a response.⁵³ In other words, the historian must look at what the writer may have been doing politically in subverting or accepting the given conventions, and in such a way recover the *political point* of the text. As it would be impossible to understand what a writer was doing in writing a given text –subverting or accepting given conventions–, unless this text was placed into the intellectual or linguistic context, it would be also impossible to understand what the writer was doing politically without placing this acceptance or rejection of conventions within its political and practical context.⁵⁴

Putting events, thoughts, and discourses in historical motion appears to be also a crucial step in Michael Foucault's genealogical approach.⁵⁵ Opposing the traditional historical method, Foucault's genealogical project discards the deployment of "ideal significations and indefinite teleology" in the study of history and rejects, in this way, the so frequent search for origins and essences.⁵⁶ This search, Foucault

⁵² SKINNER, Quentin, op. cit., p. 2.

⁵³ TULLY, James, op. cit., p. 10.

⁵⁴ TULLY, James, op. cit., p. 12

⁵⁵ Foucault's methodology changed over the time and it can be divided into three main categories: his early approach, which Foucault calls *archaeology*, the method that follows his book *The Archaeology of Knowledge*, which he calls *genealogy* and finally *problematization*, which is the approach he developed in his later studies. It will be in his article *The Order of Discourse* in 1971, where Foucault, for the first time, refers to the question of genealogy, and it will be in his essay entitled 'Nietzsche, Genealogy, History' published in the same year, where Foucault will take a further step and present the main ideas on genealogy and the central themes that will appear later in his major works of the 1970s, such as *Discipline and Punishment* and *The History of Sexuality*.

⁵⁶ FOUCAULT, Michel, 'Nietzsche, Genealogy, History' in RABINOW, Paul, ed., *The Foucault Reader*, London, Penguin Books, 1986, p. 78.

claims, always involves the “existence of immobile forms that precede the external world of accident and succession” and is usually directed to describe “that which was already there”.⁵⁷ A genealogical method, in contrast, aims to reveal the secret that things have no essence, or better that their essence “was fabricated in a piecemeal fashion from alien forms”.⁵⁸ Thus, this approach assumes that if there is no hidden meaning of things, no fixed meaning of words and texts or of the world, there must be only interpretations; contingent and imposed interpretations of things, words, texts and of the world. Thus, from a genealogical view, history is the history of humanity going from one interpretation to the other, and the task of the genealogist must be to account for these discontinuities. As Foucault suggests, the changing interpretations emerge as a result of a “play of forces”, from a battle or clashes among political forces. The process of emergence is then, “the entry of forces”; it “designates a place of confrontation”.⁵⁹ Thus, a genealogical reading will consist in going back to that very moment of emergence and in showing the contingent, historical and political formation of those interpretations. This will be possible by revealing the political clashes behind the interpretations and by identifying the possibilities that were excluded in the process of their formation.⁶⁰ In this sense, in contrast to traditional views of history that seek to totalise history and consider the past as a continuous development, a genealogical method allows the analyst to write “effective” history, which seek to introduce singularity, discontinuity and exclusion, which seek to put everything in historical context.⁶¹

Thus, Skinner and Foucault’s observations offer a very historically sensitive and methodologically informed series of procedures that seem to be very pertinent for the study of history and equally valid for the analysis of social and political phenomenon. In this sense, Skinner’s two basic steps and Foucault’s genealogical reading can help the historians and social scientists to avoid falling into different kind of

⁵⁷ FOUCAULT, Michel, *ibid.*, p. 78.

⁵⁸ FOUCAULT, Michel, *ibid.*, p. 78.

⁵⁹ FOUCAULT, Michel, *ibid.*, pp. 84-85.

⁶⁰ See this point in HOWARTH, David, *op. cit.*, p. 73.

⁶¹ FOUCAULT, Michel, *op. cit.*, p. 88.

anachronisms and absurdities as well as overemphasising continuities in the practice of their historical and socio-political research. Regarding our particular case, these alternative approaches allow us to see that if we want to achieve a more adequate understanding of the historical formation of the human rights movement and its political struggle, we need to *go back* and *look at* the political and ideological conjuncture in which this movement was articulated and developed. As Skinner suggests, we need to identify and look at the prevailing and competing political discourses, to map the universe of conventions, assumptions and concepts available to the groups of the relatives in the moment of their appearance as well as in their later development and to explore how these concepts were used, what purpose they were intended to serve and how the groups of the relatives articulated them all through the process of their mobilisation. In this way, in the light of this information, we may be capable to understand what the groups of the relatives were intending to mean, what they were really claiming in the different moments of their struggle and against who. In addition, we may be able also to recover the originality and subversive character of the movement and its discourse as well as the conservative components of its actions. It is in this sense that these procedures will allow us to account not only for the continuities but also for the discontinuities the emergence of the human rights movement was representing. As Foucault suggests, behind every emergence there is a space of confrontation among political forces. Thus, this more historically sensitive approach will allow us to bring these political struggles to light and to show the possibilities that were excluded as a result of them.

Thus, summarising this section, putting *in context* the human rights movement and its discourse, that is to say, tracing it back to the political and ideological conditions of its emergence seems to be a necessary step in order to avoid falling into different kinds of absurdities in our accounts and to provide an historically informed account of the movement's constitution and struggle. Once we have said that, reaching such understanding will also involve the analysis of the very process of formation of the human rights movement as well as the functioning and effects of its discourse. That is to say, it

will entail looking at *how* this new political identity constructed around the defence of human rights was actually formed and *how* throughout its struggle this identity changed its shape and strategies. As we have shown above, most of the existing approaches fail to do precisely that; they cannot provide a convincing account about *how* the identification of the groups of the relatives with the human rights claims actually happened. Thus, in the next sections I will explain *how* the deployment of certain theoretical tools that could be found in a discourse analysis approach, particularly in Ernesto Laclau and Chantal Mouffe's theory of discourse, could help us to avoid committing the same failures and to achieve a proper understanding of the emergence and constitution of the human rights movement and discourse. Categories such as discourse, articulation, nodal points, social antagonisms, political frontiers and myths will be shown to be central for our analysis. Let me now proceed with my exposition.

2. b. A New Inquiry of the Social: Discourses, Articulatory Practices and Nodal Points

The theory of discourse conceives the social as a discursive space.⁶² This means that every object and action has a meaning and this meaning is given by the establishment of a *system of relations* with other objects and actions. This *systematic set of relations* is socially constructed and is what is called *discourse*.⁶³ That is to say, objects and actions acquire their meaning only within the context of particular discourses. For instance, consider the very simple example that Laclau and Mouffe gave in order to show this,

If I kick a spherical object in the street or if I kick a ball in a football match, the *physical* fact is the same, but its *meaning* is different. The object is a football only to the

⁶² LACLAU, Ernesto and MOUFFE, Chantal, 'Post- Marxism without Apologies', in LACLAU, Ernesto *New Reflections on the Revolution of Our Time*, London, Verso, 1990, p. 100.

⁶³ LACLAU, Ernesto and MOUFFE, Chantal, *ibid.*, p. 100.

extent that it establishes a system of relations with other objects...⁶⁴

It follows from this that there is not an essential meaning to be understood and recovered from the objects or actions. Their meaning will be given by their insertion in precise forms of discursive articulation. For this same reason, it is discourse what constitute subjects. That is, the same system of relations that makes the spherical object a football will make the subject a football player.

Thus, discourses are social and political constructions that make sense of our social reality, fixing the identities of objects and actions in particular ways. Nevertheless, as Laclau and Mouffe suggest, this social fixation of meaning could never be complete.⁶⁵ Against essentialist views which conceive the social as an identifiable and self-defined totality, these authors argue that the social can never be closed or constituted as a full presence: there is an *excess of meaning* that always surrounds the social and which can never be fully mastered.⁶⁶ This *surplus or excess* is what is called the *field of discursivity*; a field comprised by a plurality of discourses that subverts and contest the given meaning. Thus, according to Laclau and Mouffe, it is by assuming the relational character of identities, and renouncing to the fixation of those identities in a closed system, that we will be able to properly understand the logic of the social.

Thus, if total fixity is impossible, social meaning can be only *partially* fixed. This *partial fixation* works through *articulatory practices* and through the institution of *nodal points*. Articulatory practices are those practices that establish relations among elements such as their identity will be modified as a result of those practices. And nodal points are those privileged signifiers or reference points through which the rest of the elements of

⁶⁴ LACLAU, Ernesto and MOUFFE, Chantal, *ibid.*, p. 100.

⁶⁵ LACLAU, Ernesto and MOUFFE, Chantal, *Hegemony and Social Strategy. Towards a radical Democratic Politics*, London Verso, 1985, p. 113, and also LACLAU, Ernesto, 'The Impossibility of Society' in LACLAU, Ernesto and MOUFFE, Chantal, *op. cit.*, p. 90.

⁶⁶ LACLAU, Ernesto, 'The Impossibility of Society' in LACLAU, Ernesto and MOUFFE, Chantal, *op. cit.*, p. 90.

a discourse acquire their meaning.⁶⁷ As it will be shown in the course of our research, these categories will help us to explain how throughout their struggle, the groups of relatives started to articulate their claims for the disappeared people around the signifier human rights, which then began to occupy the place of the nodal point. Thus, we will see how the relatives' claims for truth, security and justice were transformed into internal moments of the discourse of the defence of human rights and their meaning was then partially fixed by reference to that nodal point. In this sense, "justice" became to mean "non-arbitrary arrest" or "equal and impartial law for repressors", and not for example, the "prevalence of the necessity of the people".

Thus, through these practices and the establishment of privileged points, discourses partially control and delimit the meaning of the social. And this partial fixation will always involve a political struggle. That is, discourses will compete for constructing and stabilising meaning by articulating as many elements as possible around certain privileged points. In this way, the resulting meaning will be always a "political" fixation that will involve "winners" and "losers". For instance, as we will see in our research, the military regime made several efforts to articulate the signifier human rights to its own project of order and peace and these efforts entailed a political struggle against the groups of relatives and human rights organisations that were successfully articulating their claims for justice, truth and security around the signifier human rights.

In summary, Laclau and Mouffe's new inquiry of the social presupposes the abandonment of the idea of society as a sutured and self-defined totality. There are not laws of history governing society neither natural and given forms of identities. Instead, we find discourses that through articulatory practices and the construction of nodal points attempt to hegemonise the meaning of the social, and as we have seen, these attempts are always partial as discourses are deformed and contaminated by

⁶⁷ In his later work, Ernesto Laclau has introduced the category of "empty signifier". As he explains, societies produced empty signifiers in order to fulfil the impossible ideal of full closure. Political forces compete in order to present their particular objectives as those which can carry the filling of the empty signifier. See LACLAU, Ernesto, *Emancipation(s)*, London, Verso, 1996, pp. 36-46; and *On Populist Reason*, London: Verso, 2005, chapter 4.

an excess of meaning that surrounds them. Let me now look at *how* those partial fixations actually take place. In other words, *how* the precarious unity of the social, and social and political identities are produced. It is here that the political moment as such acquires a central place within the thought of Laclau and Mouffe.

2. c. The Primacy of the Political Dimension: Antagonisms, Frontiers, Myth and Imaginaries

One of the major concerns of discourse theory has been to provide an account for the manner in which identities are forged and the unity of the social produced.⁶⁸ Once it is abandoned the view of society as a naturalised and given object of analysis, *how* the different discursive formations and the identities produced by them emerge and *how* they become hegemonic become fundamental question to be addressed. In this regard then, Laclau and Mouffe will argue that it is through the constitutions of *antagonisms* and the drawing of *political frontiers* that the production of discursive formations –by extension all social and political identities- may take place.⁶⁹ They explain that, if there are no positive identifiable characteristics that allow the discursive formation to constitute and delimit itself, the establishment of its unity is only possible as far it is opposed to that *which it is not*. In this sense, it is only by dividing itself, that is, by expelling outside itself the *surplus of meaning* –constitutive of the social– and by constructing it as that *which it is not*, that the discursive formation produces its own forms of rationality and intelligibility.⁷⁰ In consequence, offering a non-essentialist account, Laclau and Mouffe will argue that it is in terms of

⁶⁸ NORVAL, Aletta J. 'Frontiers in Question' in *Acta Philosophica*, 2, 1997, p. 54.

⁶⁹ HOWARTH, David and Stravakakis, Yannis, 'Introducing discourse theory and political analysis' in HOWARTH, David, NORVAL, Aletta and Stravakakis, Yannis, eds., *Discourse theory and political analysis. Identities, hegemonies and social change*, Manchester, Manchester University Press, 2000, p. 9.

⁷⁰ LACLAU, Ernesto and MOUFFE, Chantal, op. cit., p.144. See also for an exposition of this issue NORVAL, Aletta J., op. cit., pp. 54-56.

relations of antagonisms, that is, within the relation with “an other”, that identity can actually occur. This means that “the other” or the “outsider” play two crucial and contradictory roles at the same time. As Laclau puts it:

On the one hand, it “blocks” the full constitution of the identity to which it is opposed and thus shows its contingency. But, on the other hand, given that this latter identity, like all identities, is merely relational and would therefore not be what it is outside the relationship with the force antagonising it, the latter is also part of the conditions of existence of that identity.⁷¹

Social antagonisms then introduce an irreconcilable negativity into social relations. They reveal the precariousness and contingency of all social objectivity, that is, they show that there is nothing in the identity of the social that implies its existence. In this sense, the experience of antagonism discloses the existence of forces that stand radically *outside* the particular order and which always contest social meaning and impedes its ultimate stabilisation. And as we have seen, this *radical outside* is *constitutive* as it forms part of the conditions of existence of social and political identities and of social objectivity itself.⁷² The constitutive character of the “other” will be clearly observed in the process of identity formation of the human rights groups. As it will be shown, during this process the groups of relatives of the disappeared people began to draw an antagonistic frontier through which those who denied the truth about their missing husbands, daughters and sons were radically excluded from the domain of the legitimate. The side beyond the frontier was more and more discursively constructed as that which blocked the plenitude of the identity of numerous families/mothers/wives of the country. Thus, as we will see, it was on the basis of this increasing identification and representation of the military regime as the main source of the desperate and shared situation of absence and uncertainty, that the identity and discursive unity of the relatives’ groups was to be achieved.

⁷¹ LACLAU, Ernesto, op. cit., p.21.

⁷² LACLAU, Ernesto, op. cit., pp. 17-18.

The relation of antagonism then, plays a crucial role in the writings of Laclau and Mouffe. Antagonism is the condition for the constitution of identities and shows the limits of any system of signification.⁷³ But, how are the social antagonisms constructed and the institution of frontiers produced? It is here, in this point, where Laclau and Mouffe introduce the *logic of equivalence*.⁷⁴ This logic operates by dissolving the differential character of identities within a system and by creating a purely negative identity which is perceived as a threat to them. As it will be shown in our research, in the course of their search for the disappeared people, the relatives began to come together constructing an equivalential chain between their unsatisfied claims. That is, beyond the particular character of their case and situation or their very private and intimate pain and suffering, at the square, at the churches these relatives established a sense of equality and solidarity among themselves that was very much based on their shared experiences of absence and rejection.⁷⁵ Thus, this sense of equality among the relatives was not a consequence of a positive and a-priori aim or feature uniting them all, but the result of a common perception of negation. It was from this sense of equality vis-à-vis negation that the groups of relatives began to stress the equal nature of their aim beyond their differential character.

Now, while the *logic of equivalence* introduces clear-cut frontiers and antagonisms within the social, the *logic of difference* does exactly the opposite. This logic introduced also by Laclau and Mouffe, functions by dissolving existing chains of equivalences and expanding the system of differences. In this sense, it relegates the antagonism and negation to the margins of society.⁷⁶ Thus, these logics stand in relation of

⁷³ In Laclau's later works, this argument is supplemented by the notion of "dislocation". I explain this notion below in the text.

⁷⁴ LACLAU, Ernesto and MOUFFE, Chantal, op. cit, pp. 127-134.

⁷⁵ The establishment of an equivalential relation between the relatives would not be straight forward or immediate, as we will show, it would be the result of the engagement of the relatives in different activities and collective actions. This relation would neither mean the complete erasure of the differences and particularities of each of the groups. That is, as we will see further on in the thesis, the groups would continue developing its own activities and strategies.

⁷⁶ HOWARTH, David and Stravakakis, Yannis, op. cit., p. 11.

reciprocal delimitation and although one or the other logic may predominate, both play a crucial role in the formation of discourses and identities.⁷⁷ That is to say, neither the logic of equivalence nor the logic of difference will ever completely predominate.⁷⁸ As Laclau and Mouffe show, if the logic of difference were totally dominant, the very concept of discursive formation dissolves. In other words, if we remain in the field of differences it is impossible to think any limit or frontier. As they put it “limits only exist insofar as a systematic ensemble of differences can be cut out as *totality* with regard to something *beyond* them, and it is only through this cutting out that totality constitutes itself as formation”.⁷⁹ This role, as we have seen, is fulfilled by the logic of equivalence. Nevertheless, this logic neither manages to dissolve the system of differences and thus become completely dominant. Again, if this were the case, we would find a situation of extreme antagonism and exclusion with no room for stable meaning or any kind of articulation.

Therefore, for articulatory and hegemonic practices to take place, political frontiers should be changeable and non-fixed; there must be space for transforming that what is *beyond* into a new difference of the system.⁸⁰ It is through the presence of a vast area of floating signifiers and the possibility of their articulation that hegemonic practices are possible.⁸¹ Discourses succeed in becoming hegemonic when manage to articulate as many signifiers as possible and this is the political moment *pour excellence*.

However, we should make clear that not any discourse would be capable of articulating the political space. Much depends on its availability and credibility. The distinction between *myth* and *imaginary* can help us to understand such difference.⁸² As Laclau points out, both myth and imaginary emerge from a

⁷⁷ NORVAL, Aletta J. Norval ‘Trajectories of future research in discourse theory’ in HOWARTH, David, NORVAL, Aletta and Stravakakis, Yannis, eds, *Discourse theory and political analysis. Identities, hegemonies and social change*, Manchester, Manchester University Press, 2000, pp. 220-220.

⁷⁸ LACLAU, Ernesto and MOUFFE, Chantal, op. cit., p. 129.

⁷⁹ LACLAU, Ernesto and MOUFFE, Chantal, op. cit., p. 143.

⁸⁰ LACLAU, Ernesto and MOUFFE, Chantal, op. cit., p. 139.

⁸¹ LACLAU, Ernesto and MOUFFE, Chantal, op. cit., p. 136.

⁸² LACLAU, Ernesto, op. cit., pp. 61-65.

structural *dislocation*.⁸³ That is to say, both formations emerge as a response to the need to interpret or make sense of a situation that has changed; of a situation that finds no answer or possible symbolization within the hegemonic order. Thus, the dislocation of a particular order calls for the need to re-articulate and re-institute the disrupted space. Those responses then, are new principles for re-interpreting and for giving coherence and sense to the people's experience of dislocation. In this sense, it could be argued that the effects of dislocation are ambiguous.⁸⁴ On the one hand, they disrupt and threaten the social space and the current social and political identities. But, on the other, those effects also open the door to new possibilities of action; they compel the subject to be free.⁸⁵ Now, as Laclau points out, the main work of a myth is to suture the dislocated social order through the constitution of a "new principle of reading".⁸⁶ In this sense, the work of the myth is essentially hegemonic: it attempts to re-articulate the elements de-structured by the dislocation and re-create a new stable social meaning. As it will be shown in the course of our research, it is precisely in this mythical sense that the human rights movement will be understood. As it will be explained, the human rights groups emerged in Argentina as a result of a situation experienced as a dislocation. The military discourse and other discourses available under the last military dictatorship failed to symbolise the events prompted by the unprecedented illegal repression carried out by the regime and this failure was showing its de-structuring effects on numerous families and groups of society that were affected by the abduction of one or several of their members. Thrown into an endless search these families were shattered and incapable –despite all their attempts– of making sense of the experience they were living in. It was this absence or suspension of meaning which would actually force these persons to attempt to rearticulate the dislocatory effects of repression such that this re-articulation provided them with a new principle of reading that allowed them to make sense of the

⁸³ LACLAU, Ernesto, op. cit., pp. 61-65.

⁸⁴ LACLAU, Ernesto, op. cit., p. 39.

⁸⁵ HOWARTH, David and Stravakakis, Yannis, op. cit., p. 13.

⁸⁶ LACLAU, Ernesto, op. cit., p. 61.

new situation and to come to terms with their own experience of absence and lack.

Hence, according to Laclau, a myth has a dual function and a split identity, and as he asserts it is this constitutive split what allows the myth to become hegemonic.⁸⁷ That is to say, on the one hand, a myth represents its particular content: the specific critique to the dislocated space, but on the other hand, a myth may potentially represent something more than its particular content, it may function as a surface of inscription for a variety of contents and dislocations. In the course of our research, we will see how during the transition to democracy the new mythical space organised around the human rights claim attempted to articulate other forms of struggles and demands. In this way, the struggle for human rights and for the disappeared people was presented not only as a problem of the relatives of the victims of repression but as the main struggle of the country, as a struggle that concerned all. Now, as Laclau explains, when a mythical space succeeds in incorporating a great number of contents or demands and in neutralising dislocations, it can be said that the myth has become hegemonic. But at this stage, we may also say that the myth has become a “social imaginary”. In Laclau’s words, an “imaginary is a horizon: it is not among other objects but and absolute limit which structures a field of intelligibility and is thus the condition of possibility for the emergence of any object”.⁸⁸ The human rights demand did not succeed in becoming hegemonic, but it did turn into a crucial moment of the democratic discourse that dominated the first years of the new democratic phase inaugurated in 1983.

To conclude, Laclau and Mouffe’s theory of discourse offers a very sensitive and theoretically informed account of the formation of the unity of the social as well as of political and social identities. This theory then can help us to avoid falling into one of the major difficulties present in most of the writings under review. As we have discussed throughout the chapter, there is a common failure in the existing approaches regarding the analysis of the emergence and constitution of the human rights movement and discourse in Argentina. The various

⁸⁷ LACLAU, Ernesto, op. cit., p. 62.

⁸⁸ LACLAU, Ernesto, op. cit., p. 64.

accounts fail to explain *when* and *how* the groups affected by the state's repression could in fact start to frame their claims in a human rights' language and become then to be seen and conceived as a *human rights movement*. In those approaches, the link between the demands of those groups and the human rights claims is presented as immediate and necessary, as if the discourse of human rights was already there, ready for its use and unalterable. Now, by having as one of its central concern the question of identity formation, a discourse analysis perspective will provide the pertinent means for overcoming such common limitation. This theory will call us to look precisely at the very process of political identification, putting special attention to the historical and socio-political context and to the dislocatory events that provoked its appearance. Through the notions of articulation and nodal points, this theory will help us to discard the necessary and spontaneous links between the demands of the relatives and the human rights claims found in most of the writings. And, by emphasising the contingent and political character of those links, it will point us to look *closely* at the relatives' engagement in a set of political practices and at the way they started to provide a new principle of reading centred around the defence of human rights capable of giving sense to their new traumatic experience of absence and lack. Thus, Laclau and Mouffe's theory of discourse provides the theoretical means for producing a more politically sensitive account of the emergence and constitution of the human rights movement and discourse in Argentina. From this perspective, we will be able to see how this new political position was not the outcome of the relatives' spontaneous and massive claims for human rights violations, but the result of a process of political articulation that took place during the late 1970s and early 1980s in Argentina, and as a response which could have failed in its constitution and success. To say this, suppose the abandonment of an idea of resistance to oppression understood as a normal response or as a spontaneous mechanism which can operate regardless the circumstances and possibilities. The ability to resist will require then a set of subjective transformations which are only products of the struggles themselves and which can fail to take place.

Conclusion

In this chapter, I investigated the ways the human rights movement and discourse in Argentina have been accounted by the literature and I put forward an alternative framework of analysis through which a comprehensive and substantive understanding of the movement's emergence and constitution could be achieved. As I explained, the existing approaches have failed to explain when and how the groups of relatives could in fact articulate their claims in a human rights' language, and as a result of this, they also have fallen short to show how the human rights movement was actually constituted. Thus, drawing on Quentin Skinner's alternative methodology for the study of political thought and on Foucault's genealogical reading, I have shown that if we want to achieve a more adequate interpretation of the historical formation of the human rights movement and its political struggle, we need to *go back* and *look at* the political and ideological conjuncture in which this movement was articulated and developed. As Skinner suggests, we need to identify and look at the prevailing and competing political discourses, to map the universe of conventions, assumptions and concepts available to the groups of relatives at the moment of their appearance and to explore how these concepts were used. In this way, we may be able to avoid falling into different kind of anachronisms and absurdities as well as overemphasising continuities in our work. In addition, it will allow us to recover the originality and subversive character of the movement and its discourse as well as the conservative components of its actions. Now, a more satisfactory understanding of the human rights movement will also entail the analysis of the very process of formation of this movement. Thus, in the last part of this chapter, I explained how deploying the categories of Laclau and Mouffe's discourse theory to our particular case –such as articulation, nodal points, social antagonisms, political frontiers, myths and imaginaries– could actually help us to address *how* this new political identity constructed around the defence of human rights was actually formed and constituted. Thus, in the following chapter, we will begin by putting the object of our study in historical motion. In this sense, the chapter will provide an historical account for the way the notion of rights was articulated by the political discourses of the twentieth century's Argentina.

CHAPTER TWO

Putting Rights into Context: the Articulation of the Notion of Rights in the Political Discourses of the Twentieth Century's Argentina.

There could be no liberty, reason, or thought against the nation.¹

Introduction

This chapter provides an historical account of the way the notion of rights was articulated by the political discourses of the twentieth century's Argentina. The main argument put forward here is that the liberal tradition and its emphasis on individual rights that had inspired the political discourses of the beginning of the twentieth century were gradually called into question and eventually left aside by the political formations that dominated the national political scenario since 1930s. Thus, the liberal notion of individual rights was increasingly displaced by a new form of understanding that conceived rights as intrinsically associated to the will of the people and the common good. Thus, by the time of the 1976 military coup, the liberal notions of individual rights, liberties and democracy were disregarded and considered as not valuable avenues for social change by most political and social forces. The language of individual rights occupied gradually a marginal position within the political context and was only available in marginal redoubts of society.

This chapter then is divided in three main parts. The first part accounts for the predominance of the liberal tradition within the political discourses of the nineteenth and beginning of the twentieth century in Argentina. It shows how the liberal

¹ LUGONES, L. L., *La Patria Fuerte*, Buenos Aires, 1930; quoted in BRUCHRUCKER, Cristian, *Nacionalismo y Peronismo. La Argentina en la crisis ideológica mundial (1927-1955)*, Buenos Aires, Editorial Sudamericana, 1987, p. 61.

notion of individual rights became a prevailing element within the political formations that dominated the first fifty years of the country's life. The second part explains; however, how this predominance of the liberal tradition was challenged by nationalist and populist ideologies throughout 1930s. The liberal idea of individual rights and its priority were displaced within these discursive formations and a new notion of rights based on the good and interest of the community was articulated. This second part also looks at Peronism and analyses how the Peronist discourse articulated the new available idea of rights and gave it a new impetus and a new reality. The Peronist years (1946-1955) then were marked by a strong emphasis on rights but always these rights were conceived within the limits of the community. This prevailing conception of rights however, did not impede the liberal tradition of rights to survive within society and to inform the political discourse of Perón's oppositional forces. The claim for the respect of individual rights represented one of the main symbols of the anti-Peronist camp. Now, the third and final part of the chapter attempts to show how the Peronist experience and its conception of rights became constitutive of the popular political culture in Argentina and how it contributed to inform the struggles and claims of the post-Perón's era. It also explains how the post-Perón experience contributed to disseminate a growing scepticism regarding liberal democracy, individual rights and liberties within large groups of society. In this way, democratic institutions and values came to be regarded by increasing sectors of society as ineffective mechanisms to solve the problems of society, and as formal slogans, empty of real content and strategically used by the official discourse to repress and control the will of the people.

1. The Prominence of Individual Rights: the Mark of the Liberal Tradition

Following the independence from Spain at the beginning of the nineteenth century, the dominant groups that assumed the direction of the ex-colonies in Argentina confronted the difficult

task of building a new legitimate form of government.² The new regime had to conciliate the equalitarian and libertarian political principles of the eighteenth and nineteenth centuries that were informing and inspiring the independence movement, with some of the elements and structures of the old colonial regime.³ Juan Bautista Alberdi's writings of the early 1850s very much reflected the prevailing interests, values and aims of the dominant groups of that time.⁴ These writings promoted the assurance of a whole range of civil liberties to all the population of the country and the creation of a central power controlled by a privileged minority.⁵ Translating faithfully the ideas of the dominant groups of that time, in Alberdi's work coexisted a strong belief in classical liberalism and in its concern for the establishment of constitutional provisions to protect individual civil liberties, with a conservative conviction that restricted the use of political liberties to just a few selected men. According to Alberdi and his liberal project, the exercise of these individual rights was crucial for the future development of the nation. Encouraging their use would bring immigration, industries, wealth, culture and eventually the "improvement of society", which at such stage would be capable of exercising the political rights without restrictions.⁶

This sort of ideas and values informed the writing of the first National Constitution of the country in 1853. The strong liberal influence was reflected on the constitutional text that dedicated seven articles –14, 15, 16, 17, 18, 19,

² These groups were the regional elites composed by landowners, bankers, and an increasing number of professionals, academics and bureaucrats. See this point in Zimmerman, Eduardo A., *Los Liberales Reformistas: La cuestión social en la Argentina 1890-1916*, Buenos Aires, Editorial Sudamericana, 1995, pp. 29-41.

³ These groups assumed that a total destruction of the colonial order could lead to a persisting situation of social chaos and anarchy, and eventually to the lost of their social position and to the decreasing of their power and prestige. See Botana, Natalio B., *El Orden Conservador, La Política Argentina entre 1880 y 1916*, Buenos Aires, Editorial Sudamericana, Fifth Edition, 1998, p. 43.

⁴ ROMERO, José Luis, *Breve Historia de la Argentina*, Buenos Aires, Huelmul, Second Edition, 1979, p. 111.

⁵ BOTANA, Natalio B., op. cit., p. 46.

⁶ BOTANA, Natalio B., op. cit., p. 53.

and 20– to describe the civil rights of the inhabitants of the republic. In contrast, apart from the promulgation of the republican form of government and some brief mention to the selection of national executive and legislative officials, the Constitution said little about the citizens' political rights.⁷

Now, this strong liberal trend and the conservative elements that came with it, very much continued during the period of internal disputes and political instability that followed the independence's process and became the inspiring ideas of the political regime that emerged in 1880 with the figure of General Julio Roca. The *Régimen del Ochenta*, as it has been called by the literature, dominated the political life of the country until 1916 and marked the definitive consolidation of the national state and the formation of a stable political order. During this thirty six years period, the regime put in practice the political project found in Alberdi's writings. In this way, it expanded the use of a whole range of individual civil liberties to vast sectors of society, and at the same time, it restricted the access to political rights to just a privileged minority through a series of mechanisms of control, such as electoral fraud, manipulation of suffrage, manipulation of the presidential succession and general corruption.⁸ This situation gave place to two coexisting forms of societies: a restrictive political society dominated by conservative elements –authority, tradition and order–; and a more equalitarian and open society in which the ideas of liberty, rights and progress prevailed. These overlapping realities created a propitious terrain for the appearance of criticism and dissent under the *Régimen del Ochenta*. It was then from within the very lines of the governmental elite that an oppositional movement questioned the restricted idea of political rights and the political society that derived from it.⁹ Attempting to

⁷ See this point in WALTER, Richard J., *The Socialist Party of Argentina 1890-1930*, Austin, The University of Texas Press, 1977, p. 6.

⁸ BOTANA, Natalio B., op. cit., pp. 65-79.

⁹ These oppositional groups included young professional people temporarily excluded from the political system, university students concerned with political reforms, federalists who opposed centralization, clerical groups which opposed the government because of some recent anti-clerical legis-

expand the equalitarian logic that prevailed within the realm of civil liberties, the oppositional forces claimed for open and free national elections.¹⁰ Eventually, this increasing and persistent opposition prompted the government's democratic reform with the actual enactment of the obligatory, secret and universal suffrage's law in 1912. The democratic reform marked the end of the regime that controlled the political life of the country for three decades. In 1916, one of the main oppositional forces, the Radical Party, won the Presidential elections and under the presidency of Hipólito Yrigoyen inaugurated a new democratic regime in Argentina. The new political formation articulated around the demand for political liberties, did not entail a total abandonment of the values and ideas of the old regime. The liberal tradition and the emphasis on the priority of individual rights that had been steadily upheld by the dominant groups since the beginning of the nineteenth century continued

lation and finally some military men who had ties with the civilian opposition. These different groups got together and formed the *Unión Cívica de la Juventud* (Civic Union of Youth) later known just as the *Unión Cívica* (Civic Union). The Union did not last for long and in 1891 the organisation split in two groups. Those who followed Mitre and accepted some sort of accommodation with the government formed the *Unión Cívica Nacional* (National Civil Union). Those who followed Alem and rejected any kind of agreement with Pellegrini's government and committed to radical democracy formed the *Unión Cívica Radical* (Radical Civic Union), commonly known as the Radical Party. The other important opposition party which also pressed for the extension of political rights was the *Partido Socialista Obrero Internacional* (International Socialist Workers' Party). See ROCK, David, *Politics in Argentina 1890-1930. The rise and fall of Radicalism*, London, Cambridge University Press, 1975, pp. 42-3.

¹⁰ As the Declaration of Principles of the Civic-Union asserted, 'The fundamental question that the Civic Union has to resolve is related to the liberty of suffrage, which outrageous suppression has originated the evils that threaten the Republic nowadays. In this particular point, the government's abuse reaches its maximum; citizens are fined, they are persecuted, they are put in jail and even they are hunted as wild beasts, in order to not allow them to vote and exercise their citizenship as Argentineans. . [...] It is necessary that this infamy finishes forever; it is necessary penetrate within the consciousness of all people and to show that whoever commits an outrage against the political rights in whichever form, is committing an abominable crime'. See the complete text of the Declaration in Natalio R. Botana and Exequiel Gallo, *De la República posible a la República verdadera (1880-1910)* pp. 279-263

informing the political discourses of the new democratic context. The language of individual rights then was very much present in the exchanges between the government and the opposition and there was a common and shared understanding during most part of this period on the importance and priority of those individual rights for the life of the republic and on the need to guarantee and protect them.¹¹

Thus, during the first decades of the nation's life, the liberal notion of individual rights left its distinctive mark on the country's incipient political culture. This idea of rights, conceived as frontiers that protect the realm of individual liberties, became a prevailing element within the political formations that dominated the political scene since the beginning of the nineteenth century. By the late 1920s, however, this situation of predominance of the liberal tradition and its emphasis on individual rights began to shift. During the second presidency of Yrigoyen (1928-1930), the viability and convenience of liberal democracy and liberal values for the Latin American region was disputed by nationalist and extremist groups that proposed alternative social and political arrangements based on corporatist ideas.¹² This sort of ideas and criticisms to liberal discourses lay behind the country's first military coup in 1930. This military intervention put an end to fifty years of relative political stability and to the first experience of democracy in

¹¹ In several occasions, for instance the Socialist Party denounced the government's repressive measures against the labour movement appealing to the protection of the 'fundamental rights' established in the National Constitution. Particularly important was the Socialist's condemnation of the government's response to the general strike that took place in January 1919. The *Semana Trágica* (Tragic Week), as this event was commonly known, was one of the worst outbreaks of social violence during the period; it was estimated that between 300-800 people were killed and wounded during the strike in the city of Buenos Aires. See the information on these events in WALTER, Richard J., op. cit., pp.153-157.

¹² New anti-democratic political groups such as *La Liga Republicana* (The Republican League), and the *Liga Patriótica Argentina* (Argentine Patriotic League) emerged from within the lines of the armed forces and from the university student's movement. See FALCÓN, Ricardo, 'Militantes, intelectuales e ideas políticas', in FALCÓN, Ricardo, *Democracia, Conflicto Social y Renovación de Ideas (1916-1930)*, Nueva Historia Argentina, Tomo IV, Buenos Aires, Editorial Sudamericana, 2000, pp.323-356.

the country. In contrast, it inaugurated a period of increasing political instability and violence, and also of mounting disbelief in liberal democracy, liberties and rights. It is then to the analysis of this process that the rest of the chapter is devoted.

2. Individual Rights into Question: the Emergence of Nationalist and Populist Discourses

2. a. Argentina's Década Infame (1930-1943)

On September 6th, 1930, General José F. Uriburu and a small number of nationalist officers forced the democratically elected president Hipólito Yrigoyen from office and assumed the leadership of the country. The *September Revolution*, as it has been commonly known, found little resistance on the government's side and enjoyed the support of wide sectors of society.¹³

Drawing on the nationalistic and fascist ideas that had started to spread within the country in the last years of Yrigoyen's government, Uriburu and his followers pretended to alter through constitutional reforms the electoral and representative system of the country and establish a system based on corporative representation in which the qualified elites could control the national administration. According to this nationalist discourse, liberal democratic institutions were "alien arrangements" that opposed the essence and culture of the Latin American nations. As Lugones, one of the most important ideologists of the movement suggested,

[...] We need to dispose of the foreign elements [...] that is, of the alien institutions [...] and of the liberal ideology that we have taken, with excessive faith, as the freedom in itself.¹⁴

This critique of liberal democracy also involved a strong criticism of the liberal conception of individual rights supported by the Argentinean dominant elites since the nineteenth

¹³ These sectors were the armed forces, nationalist groups, conservative parties, anti-personalist radicals and some of the socialist groups.

¹⁴ LUGONES, L. L., *La Grande Argentina*, Buenos Aires, 1962; quoted in Cristian Bruchrucker, op. cit. p. 54.

century. According to this criticism, some individual rights were considered pointless and damaging, and ultimately, incompatible with the national identity. They were conceived as against “the catholic and Hispanic roots of the country”. This was the case, for instance, of the right to freedom of speech and the right to freedom of belief and thought. These rights, it was argued, “make impossible the regulation of political order”; with them, “subversive practices and theories of the fundamental social order remain legally protected”, and “new divisions among Argentineans” may emerge. From this view then, it was necessary to revise the 1853 Constitution and its emphasis on individual rights and to redefine those rights and liberties in terms of the nation’s interests and traditions. As Lugones put it, [...]. The nation exercises a hierarchical domination over all the individuals that inhabit it [...]. There could be no liberty, reason, or thought against the nation [...]. Everything that the nation can do in its own benefit is well done.¹⁵

Thus, the liberal conception of rights was rejected on the base of their “anti-catholic”, “anti-Hispanic” and ultimately “alien character”. These rights, along with the democratic institutions, were expelled from the nationalist discourse and conceived as a threat to the constitution of the national identity.¹⁶ This exclusion became very clear in the regime’s concrete practices. Since the very beginning, Uriburu’s provisional government operated under both state-of-sage rules and martial law. Throughout the seventeen-month of his government, individual guarantees were suspended, several executions were committed, numerous trade unionists and workers were deported and persecutions and tortures against civilian and military persons were carried out without discretion.¹⁷

Now, Uriburu’s ultimate goals for the revolution, added to the repressive methods deployed during his presidency, prompted the withdrawal of the support of the military forces’ conservative and moderate sectors, resulting eventually in the collapse of the provisional government. Thus, facing decreasing

¹⁵ LUGONES, L. L., op. cit., p 61.

¹⁶ POTASH, Robert, *The Army & Politics in Argentina. 1928-1945*, p. 66.

¹⁷ See for a good description of these repressive measures Potash, Robert, *ibid.*, Chapter 3.

support, Uriburu called for national elections, and thanks to the proscription of the Radical Party and the arrest and exile of its leaders, as well as the use of electoral fraud, the candidate of the moderate sectors, General Agustín P. Justo became the president of the country in November 1931. Since then, and throughout the 1930s and beginning of the 1940s, the moderate forces using similar illegal procedures handled to retain the political control over the national administration.¹⁸

The 1930 revolution and its outcomes opened a period of electoral manipulation and political exclusion in the country that has been commonly known as *Década Infame* (Infamous Decade). During this decade, despite the failure of the nationalist project and the re-articulation of the revolutionary movement behind the moderate sectors, the liberal view of politics, democratic institutions and rights that had prevailed within the Argentine society for the last fifty years began to be threatened and called into question by alternative political positions. By the end of the decade, this threat became more evident. As a result of the European war and of the expansion of the fascist ideologies, nationalist ideas started to acquire new strengths and to take new shapes in the country. The anti-democratic, anti-liberal and anti-imperialist attitude that had characterised the nationalism of the early 1930s re-appeared with a new impetus. The nationalist groups then began to gain new supporters, among them, important sectors of the military forces. That is, despite the efforts of the conservative government to isolate the military from politics and to restore the discipline and neutrality within them, an intensification of the patriotic sentiments and an increasing belief that the military should play a larger role in society steadily spread among the young and middle grade officers.¹⁹ These officers conceived increasingly the armed forces as the only sector that could unite and organise the country and turn Argentina into a strong nation capable of pursuing an independent foreign policy.²⁰

¹⁸ See for a good description of the collapse of Uriburu's regime and the emergence of the conservative-moderate coalition, Potash, Robert, *ibid.*, Chapters 3 and 4.

¹⁹ See this point in Potash, Robert, *ibid.*, p. 101.

²⁰ The Justo government's economic policies helped to spread this outlook. It was argued that these measures involved excessive concessions to for-

This outlook became a popular vision within the military and was the cause of political intrigues and military plots during the last years of the decade. By that time, the influence of the moderate sectors in the armed forces was clearly on decline.

Along with the growth of the nationalism of the early 1930s, a different sort of nationalism, which can be called *populist nationalism*, spread in the country.²¹ Away from the communist and fascist ideologies, and being suspicious of the liberal ideas and their formality, this political movement²² advocated for the participation and inclusion of the “people” in the direction of the economic and social affairs of the country. It was only through this participation that the progress and liberation of the nation from foreign manipulation could happen. In this way, the establishment of “true democracy”, defined vis-à-vis the formal liberal idea of democracy, and the exercise of “popular sovereignty” appeared as necessary steps to achieve social justice and economic welfare. It was then this emphasis on the people and on true democracy which marked the big distance of this position with the nationalism of the early 1930s. Although there were between the two types of nationalisms some common points as their criticism of economic dependency and their anti-imperialist attitude, the nationalism that inspired Uriburu and that gained new strengths by the end of the decade, strongly disbelieved in democracy and in its benefits, and was extremely afraid of popular participation. This opposite view on democracy and the ideological distance it generated between them, however, did not prevent these discourses of having a similar view on the idea of rights. The central place that the collective notions such as “nation”, and in the case of

eign, especially British, interests. Major targets of such criticism were the Roca Runciman trade agreement of 1933, the banking legislation of 1935, and the coordination of municipal transportation. See this point in Potash, Robert, *ibid.*, pp. 83-85.

²¹ Populist nationalism is a distinction made by Cristián Bruchrucker in his study on nationalism and peronism in Argentina. See, Bruchrucker, Cristian, *op. cit.*, Chapter 3, especially pp. 112-113.

²² The main group that helped to give shape to this set of ideas was a group of young activists of the Radical Party that unhappy with the party's main leaders decided to leave the organization and joined under *FORJA Fuerza de Orientación Radical de la Joven Argentina* (force of radical orientation of the young Argentina).

the populist nationalism, the “people”, occupied within these discourses entailed a challenge and abandonment of the liberal idea of individual rights and their absolute primacy in social life. The idea of rights that both discourses articulated was closer to a communitarian idea of rights, through which rights were understood not as *a priori* conditions but as depending on the interest and collective goods of the community as a whole. The “will of the people” and the “interest of the nation” set ultimately the criterion for judging when and which rights were acceptable. This was made explicit by the early nationalism of the 1930s, and could be also inferred from the lack of interest and elaboration of the populist nationalism regarding the limits of popular sovereignty, that is, the institutional constraints over the will of the majority.²³

Thus, these two forms of nationalisms that expanded during the late 1930s appeared as viable national options that attempted to re-create the nation on certain grounds that were different to the liberal ideology. Both options, as we have suggested, subverted the idea of rights that had prevailed in Argentina of the nineteenth and twentieth centuries. The liberal idea of individual rights and its priority were displaced and a new notion of rights based on the good and interest of the community was articulated. Both sets of ideas were the source of inspiration of one of the most important political movements in the history of Argentina: the Peronist movement.²⁴

2. b. The Peronist Years (1943-1955)

In June 1943, the period opened by the September 1930 revolution ended unexpectedly. A new military intervention forced the President Ramon Castillo from office and established a revolutionary government, putting an end to the more than ten years domination of the conservative-moderate coalition.²⁵

²³ See this point in Bruchrucker, Cristian, *op. cit.*, pp. 269-273.

²⁴ ALTAMIRANO, Carlos, *Bajo el Signo de las Masas (1943-1973)*, Biblioteca del Pensamiento Argentino VI, Buenos Aires: Ariel, 2001, p. 22.

²⁵ The elected president after Justo's administration was the *Concordancia's* candidate Roberto M. Ortiz, who due to his illness had to pass the presidency to his Vice President, Ramon Castillo.

After four months of disputes within the military front between the nationalist and democratic sectors, the direction of the revolution stayed on the hands of a group of young officers that had a very clear nationalist and authoritarian inclination.²⁶ From within this group emerged the figure of Coronel Juan Domingo Perón, who gave a new turn to the revolutionary government, providing the revolution the two conditions for its success: a plan for a democratic way out and the support of a wide sector of society, the support of the working class.²⁷ From his position as Secretary of Labour and Welfare, and later on as Vice-President of the country, the political leader developed a series of social and labour policies that granted the labour forces concrete social rights and benefits that brought about important changes in the workers' standard of living and in their social and political position within society.²⁸ Through these social and labour reforms, the regime gained popular support and he generated a solid and long-lasting link between him and the popular sectors –especially the working class. In this way, Perón gave a new impetus to the military government, but he also changed radically the direction of the June 1943 revolution. The authoritarian and unpopular revolutionary forces ended up generating a popular movement without precedent in the history of the country and opening up a process of social and political inclusion of the popular sectors.²⁹ Thus, as a result of

²⁶ The group of young officers belonged to the so-called *GOU – Grupo de Oficiales Unidos* (United Officials Group), a secret military loggia that was created just before the military coup took. The GOU reached the control over the government after the replacement of the President General Rawson, the first president of the revolutionary government, by the General Ramirez, who assigned the major bureaucratic positions to members of this secret organisation. See Potash, Robert, op. cit., Chapter 8.

²⁷ See this point in TORRE, Juan Carlos, 'Introducción a los Años Peronistas' in TORRE, Juan Carlos, *Los Años Peronistas (1943-1955)*, Nueva Historia Argentina, Buenos Aires, Editorial Sudamericana, 2002, p. 24.

²⁸ See for a good account on the social and economic gains obtained by the popular sectors during the last years of the military regime and later during the Peronist governments, TORRE, Juan Carlos and Pastoriza, Elisa, 'La Democratización del Bienestar' in TORRE, Juan Carlos, op. cit.

²⁹ See this point in JAMES, Daniel, *Resistance and Integration, Peronism and The Argentine Working Class, 1946-1976*, Cambridge, Cambridge University Press, 1988, pp. 14-21. As James suggests, this inclusion of the popular sectors within the social and political order involved a radical re-

this unexpected process, the leader became the big protagonist of the transition to democracy, and on February 24th, 1946, he was elected the President of the country.

Now, behind Perón's social reforms lay an alternative view of politics, democracy and rights that found its roots in populist and nationalist discourses that had expanded and acquired increasing credibility within the political and military forces since 1930s. Thus, drawing on these available discourses, Perón questioned the liberal tradition and the role the liberal state had played in society and claimed for an alternative view of politics, based on an active state role that finally could assume its social responsibility of defending the common good and begun its tutelage over the conflicting forces in society. This view of politics and the state was also accompanied by a conception of democracy that was defined in contraposition to the formal liberal democracy and that entailed a strong social content and a broad idea of popular participation. As he puts it,

[...] I am a democrat in the double sense of the word, in both its political and economic sense, because I want the people, all the people (in this I am totalitarian) and not a small part of it, to govern itself, and because I wish that all the people have the economic liberty that is the condition for the exercise of the self-determination faculties. I am then, much more democratic than my opponents, because I look for a real democracy, while they defend an apparent democracy, the exterior form of democracy.³⁰

Thus, re-enacting the critique of liberal democracy and articulating the available notion of “true democracy” found in the nationalist and populist discourses of the late 1930s, Perón advocated for a democracy which was “real”, “authentic”, “popular”, “social”, and opposed to the one defended by the “false democrats”, which was “apparent”, “empty of content”,

definition of the idea of citizenship. As he explains, “citizenship was not to be defined any longer simply in terms of individual rights and relations within the political society but was now redefined in terms of the economic and social realm of civil society”.

³⁰ PERÓN, Juan Domingo, *El pueblo ya sabe de que se trata. Discursos*, trans. by me, pp. 188-201.

and as he suggested further on in the same speech, “static and relying on the actual benefits of a minority class”.³¹

This view of politics and democracy also challenged the liberal emphasis on individual rights. As we have suggested above in the text, the nationalist and populist ideologies of the 1930s very much questioned the primacy of individual rights and articulated a notion of rights that was understood not as a *priori* condition but as depending on the interest and collective goods of the community as a whole. The central position occupied by the “nation” and the “people” in these ideologies very much shaped the understanding of rights that was possible within these discursive formations. Thus, if for Perón “democracy is the government that does what the people wants and defends only one interest: the interest of the people”³², the judgement on *when* and *which* rights had to be accepted depended on the interest and will of the people. This becomes clearer when we look at Perón’s political articulation of social rights. Social rights were the concrete representation of social justice in society, and as such, these were explicitly recognised and declared by Perón in 1947 and later introduced in the constitutional text through the Constitutional Reform of 1949.³³ In his declaration of 1947, Perón made clear the need for the recognition of social rights,

[...] (The President) considers necessary and convenient to enunciate them (the social rights) through an explicit declaration aiming that, in the present and in the future, it can be used as a norm to guide individuals and political powers, to elevate the social culture, to dignify labour and humanise the capital, and as the best form to establish the equilibrium between the forces of economy.³⁴

³¹ PERÓN, Juan Domingo, op. cit., trans. by me, pp. 188-201.

³² PERÓN, Juan Domingo, 17-10-1950. This statement was part of the twenty truths of the Peronist Doctrine. Quoted from TORRE, Juan Carlos, op. cit., trans. by me, pp. 56-57.

³³ See for a good exposition of the Constitutional Reform of 1949, SAMPAY, Arturo E., *La Constitución Argentina de 1949*, Buenos Aires, Ediciones Revelo, 1963. Sampay was the ideologist of the reform and played an important role in the writing of the new Constitutional text.

³⁴ PERÓN, Juan Domingo Perón, ‘Proclamación de los Derechos del Trabajador’, 24-02-1947. The whole Declaration can be found in ALTAMIRANO, Carlos, op. cit., trans. by me, pp. 193-195.

Thus, social rights were acknowledged and granted by the state in its search for the common good making use of its regulatory capacity. These rights were then considered “necessary elements” for achieving that “equilibrium” in society. It was only through the granting of these rights that the “elevation of culture” and the “dignification of labour” were to be achieved.³⁵ This idea of rights was also made clear in the Constitutional Reform of 1949. One of the main aims of the reform was to change the dogmatic part of rights and guarantees of the 1853 Constitutional text.³⁶ As Sampay, the ideologist of the reform explained, this part was informed by the liberal conception of the nineteenth century which was based on an “absolute concept of private property and on the belief that the private action, moved just by a personal interest, was capable of creating automatically a fair order”.³⁷ The revised Constitution abandoned this conception and replaced it by an alternative view according to which, in Sampay’s words, “all human interaction can be the object of politics that is, the object of the state regulation [...] because all men are subordinated to the state in order to be guided to the same end: the common good”.³⁸ Thus, following this aim, the reformed text incorporated in the part of rights and guarantees the article 37, in which the rights of the worker, of the family, of the elderly people, of education and culture were included.³⁹ Again, this inclusion responded mainly to Perón’s articulation of rights around the “common good” of the community.

Thus, Perón’s notion of social rights was then shaped by its political articulation around the “will of the people” and the “good of the nation”. Although these rights were at some points presented in Perón’s discourse as “natural, inalienable and imprescriptible attributes of human beings”⁴⁰, most of the

³⁵ PERÓN, Juan Domingo, *op. cit.*, trans. by me, pp. 188-201.

³⁶ The other important aim of the reform was to change the norm that prohibited the presidential re-election. This norm was finally changed and Perón was re-elected president in November 1951.

³⁷ SAMPAY, Arturo E., *op. cit.*, p.26.

³⁸ SAMPAY, Arturo E., *op. cit.*, p.36.

³⁹ See this point in ALTAMIRANO, Carlos, *op. cit.*, trans. by me, pp. 36-37.

⁴⁰ PERÓN, Juan Domingo, *op. cit.*, trans. by me, pp. 188-201.

times their ultimate justification was based on the appeal to those collective entities that occupied a crucial position within Perón's discursive formation. Thus, it follows from that that it was the state and ultimately the figure of Perón who was the final arbiter of those social rights. In other words, it was Perón who interpreted which was the "good of the community" or the "will of the people".⁴¹

Now, this conception of rights became also clear when we look at Perón's articulation of individual rights and liberties. As he asserted many times, these rights and liberties required to be considered always within the limits of the community. As Perón explained, his doctrine was aiming to "harmonise" these rights with the common good and interest of the society as a whole. In his words, "As a political doctrine the *Justicialismo* (Perón's doctrine) accomplishes the equilibrium between the right of the individual with the right of the community".⁴² Thus, individual rights appeared again to be depending on the results of that balance and ultimately –having into account the centrality occupied by the "nation" and "people" within Perón's discourse– on the right of the community. In this sense, as we have suggested before, it was Perón again who finally embodied the voice of the community and decided then the fate of those rights. This was made clear throughout Perón's first and second government. From the very beginning of his administration, aiming to consolidate its social, economic and political order, Perón put in effect a series of repressive and control mechanisms that were directed to impede "the enemies of the nation" to put obstacles in the "accomplishment of the common good".⁴³ Although the intensity and scale of those mechanisms changed according to the regime's fortune, a whole range of individual liberties was progressively suppressed throughout the period. There was a constant persecution of political and trade union opponents, illegal detentions and tortures became routine in

⁴¹ See this point in JAMES, Daniel, op. cit., p. 18.

⁴² PERÓN, Juan Domingo, 17-10-1950. This statement was part of the twenty truths of the Peronist Doctrine. Quoted from TORRE, Juan Carlos, op. cit., trans. by me, pp. 56-57.

⁴³ The references to the need to eradicate the extremists or traitors from the social body were constant. See PERÓN, Juan Domingo, op. cit., trans. by me, pp. 47-53.

police procedures, strong restriction were applied to the press and as a result opposition's newspapers were closed down and conferred to the supporters of the regime, a "state of internal war" was declared in 1951 and prolonged for an indefinite time, and the same year, before the November presidential elections took place, an electoral reform was carried out, assuring the government's party an overwhelming majority and impeding the adequate representation of the minorities within the parliament.⁴⁴ Thus, Perón was the only judge and guarantor of individual rights and liberties; the suppression or the protection of those rights depended on the equilibrium between the individual and the community, which meant that eventually it depended on Perón's decision about which equilibrium was appropriated.

Now, this suppression of individual liberties and rights and the serious limitation of the political pluralism that this involved prompted the reaction of Perón's political opponents. The traditional political parties that had opposed the authoritarian and nationalistic trend followed by the 1943 revolutionary government and that had seen in Perón a continuation of this trend, strongly responded to Perón and his populist and authoritarian measures. Appealing to the liberal tradition of the country, these forces called for the protection of individual rights and liberties and for the return of a "legitimate and democratic order".⁴⁵ The liberal values and ideas facing an increasing challenge by the nationalist and populist discourses were now re-articulated by the oppositional forces and in this way reinvigorated. The struggle against the regime was then inscribed in a set of exclusions such as civilization against barbarism, democracy against dictatorship, as well as rights and liberties against authoritarianism and demagoguery. Gradually, the political field was going to be dominated by the division between Peronist and non-Peronist political sectors. The central problem of the Argentine politics turned to be then whether to be in favour or against Perón.⁴⁶ For the Peronist

⁴⁴ See for an account of this repressive trend in the two Peronist governments, Halperin Dongui, Tulio, *La Democracia de Masas*, Nueva Historia Argentina, Vol. 7, Buenos Aires, Paidós, 2000, pp. 65-85.

⁴⁵ See this point in TORRE, Juan Carlos Torres, op. cit., p.59.

⁴⁶ See this point in BARROS, Sebastián and CASTAGNOLA, Gustavo,

groups, Peronism was the recuperation of the national identity and social justice against the oligarchy, the non-national groups, and the non-people. For the non-Peronist groups, Peronism was the suppression of liberties, rights and political pluralism. In the future then, the antagonistic relationship between these groups and their opposite vision of the Peronist experience persisted and even increased under the second Peronist government. The 1955 *Liberating Revolution* that overthrew and sent Perón into exile was an attempt to put an end to this conflict and to Peronism itself. As the time showed, this attempt ended in a failure and the fundamental antagonism between Peronist and non-Peronist political groups continued for more than twenty years and brought about an unprecedented violence within the Argentine political life.⁴⁷

To conclude this section, Perón's political discourse put forward a conception of rights that called into question the liberal idea of individual rights steadily supported by the traditional political forces in Argentina. Rights within this discursive formation were understood not any longer as *a priori* conditions but as depending on the collective goods and interests of the community. This new articulation of rights, as we have seen, was not completely new. It found its origins in the nationalistic discourses that had spread in the country during the 1930s. But, it was Perón who gave this conception a new impetus and a new reality, turning it into a dominant meaning within the social. This new conception of rights however, did not impede the liberal tradition of rights to survive within society and to inform the political discourse of Perón's oppositional forces. As it will be shown in the following section, it was on the name of these rights that the Peronist government was overthrown.

⁴⁷ "The political frontiers of the social: Argentine politics after Peronist populism (1955-1973), in HOWARTH, David, NORVAL, Aletta and Stravakakis, Yannis, eds., p. 30. As they suggest, the strict split of the political field into two antagonistic poles responded mainly to the characteristic of the Peronist populist discourse –which conceived the political arena as dominated by dividing social disputes and antagonistic political forces– and its assimilation by the non-Peronist groups.

⁴⁷ See BARROS, Sebastián and CASTAGNOLA, Gustavo, *ibid.*, p. 31.

3. Violence and Politics: the Increasing Scepticism towards Individual Rights

3. a. The Liberating Revolution and the Eradication of Peronism

On September 16th, 1955, a military conspiracy erupted in Córdoba quickly spreading to the rest of the country. After three days of conflict, the loyalist forces were defeated and Perón resigned taking refuge in the Paraguayan embassy. Two months after the coup and after internal disputes within the revolutionary coalition, the liberal groups were finally able to gain the control of the revolutionary movement and constitute a provisional government with General Pedro Eugenio Aramburu as its president. After nine years of democratic rule, a new military regime was established in the country. The military-civilian coalition that was behind the 1955 *Revolución Libertadora* (Liberating Revolution) had only one clear aim in common: to remove Perón from power. Under the call for the reestablishment of the liberal values of liberties, rights and democracy, the revolutionaries intended to put an end to what had been pictured as a “dictatorial and totalitarian regime” and to prepare the political scenario for a future regime without Perón.⁴⁸ To do this, Aramburu and his followers decided to dissolve the Peronist party; to intervene the central union organisation *CGT* (Confederación General del Trabajo) and its union members and to appoint military overseers; to apply a policy of constant intimidation and repression towards union and political activists; to proscribe all kind of activism of those persons who had been related with the previous regime and to deny them access to any position in public office. Peronist insignia and slogans were also forbidden, as was even the mere fact of having a picture or of pronouncing Perón’s name. The 1949 Constitution with its social rights provisions was abolished, and the original Constitutional text of 1853 was once again put into effect. Social and labour policies were hold back and wages frozen, resulting in the rapid impoverishment of the popular sectors and in the weakening of the negotiation

⁴⁸ See this point in CAVAROZZI, Marcelo, *Autoritarismo y Democracia (1955-1983)*, Buenos Aires, Centro Editor de América Latina, 1987, pp. 13-25.

power of the labour movement. The plan to erase at any costs the Peronist experience from the Argentina society was then underway.⁴⁹

Despite all these measures, Aramburu's policy instead of removing Peronism from society, it reinforced the identification of the popular sectors with Perón and Peronism.⁵⁰ As a result, a spontaneous popular movement of resistance emerged and turned into an inexorable threat to the stability of the regime.⁵¹ There was behind this movement a clear rejection of the new political regime and what it involved in social and political terms. As a Peronist worker explained, "straight away we defended something we felt we were losing".⁵² That what they were losing were those social and economic benefits that had been granted during the Peronist years and which, as we have seen before, had been articulated in terms of social rights. Behind the sometimes vague Peronist rhetoric, there were these tangible rights that allowed the incorporation of the popular sectors into the social and political arena. Since this experience, workers regarded social rights as essential components of a true democratic society. Peronism then did represent more than higher wages, it also embodied a political discourse which emphasised the injustice of social and economic inequalities and which entailed a wider notion of the state's role in society, and as a result a broad idea of democracy as well as a new meaning of rights.⁵³

Now, if, on the one hand, the post-Perón experience could not override nor weaken the identification of the popular sectors with Peronism and with what it meant in term of social rights,

⁴⁹ For a complete description of Aramburu's policies see LUNA, Félix, *Argentina, de Perón a Lanusse, 1943-1973*, Buenos Aires, Editorial Planeta, 1984, pp. 101-104; also see JAMES, Daniel, op. cit., pp.54-55.

⁵⁰ See this point in JAMES, Daniel, op. cit., pp.65-66. As James correctly suggests, this increase identification was underlined too by the attitude of the other potential rivals for working class allegiance.

⁵¹ The movement carried out a wide variety of actions, ranging from individual protests, through sabotage actions to clandestine activities. See for an excellent account of the Peronist resistance movement, JAMES, Daniel, op. cit., Part II.

⁵² Pamphlet issued by rank and file metal workers. Quoted by JAMES, Daniel, op. cit., p. 61.

⁵³ JAMES, Daniel, op. cit., p. 263.

on the other hand, it did strengthen the increasing popular reluctance regarding the liberal discourse of democracy, liberty and individual rights. That is, these notions were increasingly regarded as formal slogans, empty of real content and strategically used by the official discourses to dismantle the Peronist regime and its social conquests and in benefit of the non-Peronist sectors within society. The daily experience of repression and intimidation suffered by large sectors of society and the rejection of the political expression of the majority –in a regime that pretended to be defending democracy and rights– very much contributed to this mounting disbelief in the liberal values and in its emphasis on individual rights.⁵⁴ In the words of a worker:

It is not necessary to be intelligent, it is enough to be a little sensitive to understand that this “Liberty” is too stained with blood of the people; it is a repudiated liberty which needs the forces of fear, vigilance and death to sustain it [...] we are democrats but not of a democracy in which liberty, justice and law are instruments which oppressors use to maintain their privileges. We recognise that only one true and authentic democracy exists: social democracy.⁵⁵

This political perception persisted in the years to come. As it will be shown in the following section, the two (semi) democratic regimes that followed Aramburu’s provisional government did not contribute to change this view. Both, Frondizi and Illia’s democratic experiences and their tragic ends helped to disseminate this political scepticism through larger sectors of society.

3. b. The (semi)Democratic Interlude

In May, 1958, the election of Arturo Frondizi, the candidate of the *Union Cívica Radical Intransigente* (Intransigent Radical

⁵⁴ See this point in both, JAMES, Daniel, op. cit., pp 91-92, and in LUNA, Félix, op. cit., p. 105.

⁵⁵ Quoted by JAMES, Daniel, op. cit., p. 92, extract from REAL, Juan José, *30 años de historia argentina*, Buenos Aires, 1962, p. 172.

Party, UCRI)⁵⁶ as the president of the country brought to an end the Liberating Revolution.⁵⁷ Excluded the Peronist party and all Peronist leaders from participating in all national elections, the UCRI's candidate won the elections with the support of the Peronists votes. This support was achieved by Perón's secret endorsement and it entailed the UCRI candidate's compromise to eliminate the political bans on the Peronist union and political front in the future political elections. This mutual compromise led Frondizi to the presidency but also marked the rapid end of his government. The participation of the Peronist party in the national and provincial elections and the eventual victory of its candidates were not tolerated by the more extremists and reactionary elements within the non-Peronist sectors. After the elections, a new military coup deposed the president from office and concluded the first (semi)democratic experience after Perón's fall. The message of the Navy Forces' Secretary after the elections showed the political position that lay behind the coup,

There is no doubt that Peronism as such, and until it does not follow the democratic path, forgetting the past and looking at the future, it is definitively proscribed as a political formula from the Argentine life, which cannot forget the subjugation of liberty, the empire of hate, fear and denunciation, the absolute subordination of the state to one man, the total lack of individual liberties, the political and religious persecutions, the renounce of our history, our heroes and traditions, the burning of our flag, the destruction of our churches, the imprisonment and tortures of free men [...]⁵⁸

⁵⁶ The UCR had split in two main groups as a result of the differences among the members of the party regarding the incorporation or not of Peronism into the political life. The two parties that came out from this division were: The *Unión Cívica Radical Intransigente* (Intransigent Radical Party, UCRI) and the *Unión Cívica Radical del Pueblo* (Radical Party of the People, UCRP). See LUNA, Félix, op. cit., pp. 112- 114.

⁵⁷ LUNA, Félix, op. cit., pp. 119- 137.

⁵⁸ Contralmirante Gastón Clement, *Clarín*, 23-4-1962. See the complete message in ALTAMIRANO, Carlos, op. cit., trans. by me, pp. 339-342.

As this quotation illustrates, the liberal language of individual rights, liberties and democracy continued playing a central role in the anti-Peronist political discourse. The non-Peronist camp was decisively shaped and defined by the articulation of these liberal values. The notion of individual rights occupied a privileged position within this discursive formation, becoming one of the main symbols of the opposition to Peronism. Now, this quotation also shows how the strong antagonism between Peronist and non-Peronist sectors was still very much alive. Aramburu's provisional governments and the four years of Frondizi's civil government did not contribute to diminish or weakened the clear cut division prevailing in the national political scenario.

After the coup and the establishment of the provisional government, elections were held in July, 1963. Despite the military emphasis on "democracy" and on "constitutional rights and liberties", bans were put on the Peronist candidates and also on Frondizi and his followers. The only remaining choice was the candidate of the *Unión Cívica Radical del Pueblo* (Radical Party of the People, UCRP), Arturo Illia, who, as a result, became the president of the new civil government with just the 25 percent of the votes. This second (semi)democratic experience had the same fatal fate as the former civil administration. His administration was, from the very beginning, marked by the lack of legitimacy, and most importantly; it was immersed in a context of increasing political scepticism regarding the existing democratic political system and its most fundamental values. Since 1955, the political system and the political parties had not canalised the opinions of large sectors of society and had been incapable to deliver political solutions and provide political stability. As a result, the politically excluded sectors had started to use channels of expression that were outside the political party system, and the sectors that were effectively represented began increasingly to see their interests frustrated in front of the constraints and incapability of political parties to take decisions and govern the country. Thus, from this situation emerged a general perception that the political changes and important decisions were taken elsewhere, outside

the political party system and by other actors.⁵⁹ The political parties were then increasingly regarded as hardly representative and the democratic institutions and values were, in general, put in question and discredited. Thus, the political vacillation regarding those values that, as we have suggested above, had grown in great deal during the first years of the post-Peronist experience was now even more pronounced after the failure of the two (semi) democratic experiences.⁶⁰

Alongside this scepticism in society, a growing “sense of duty” appeared in the armed forces. The military men started to conceive themselves as the actor which should take charge over the political situation of the country and bring about the unity and development that Argentina was requiring.⁶¹ Thus, in June, 1966, the armed forces took control over the government and proclaimed the beginning of the Argentine Revolution. The revolutionaries found no resistance, nor even much protest; actually, in many sectors the military coup was welcomed as a “new beginning” for the country.⁶²

3. c. The Argentine Revolution and the Return of Perón

In 1966, a revolutionary Military Junta constituted by the three commanders-in-chief of the military forces assumed the

⁵⁹ These actors were mainly the armed forces, trade unions and business groups. See this point in DE RIZ, Liliana, *La Política en Suspenso, 1966/1976*, Historia Argentina 8, Buenos Aires, Paidós, 2000, pp. 22-26. See also ALTAMIRANO, Carlos, op. cit., pp. 78-79.

⁶⁰ DE RIZ, Liliana, op. cit., pp. 22-26. See also ALTAMIRANO, Carlos, op. cit., pp.78-79.

⁶¹ This vision was very much endorsed by the “national security doctrine” that since the late 1950s and specially after the Cuban revolution was being disseminated within the Latin-American’s armed forces by the USA’s government in its fight against Communism in the continent, and which assumed that the new threat of the national security was now coming not any longer from the external front but from the “internal subversion” and “indirect attack”. This new conception of enemies and war then helped to legitimate a wider role of the military forces in the internal affairs of the countries, and would become then an important factor in determining the decision of the Argentine military forces to intervene once again in the civil government.

⁶² ALTAMIRANO, Carlos, op. cit, pp.79-80.

leadership of the country. As soon as the Junta took power, it decided to dissolve the parliament, to ban the political parties, to replace the members of the Supreme Court of Justice and to choose General Juan Carlos Onganía as the President of the nation. As the Military Junta declared in the message delivered the very same day of the coup, “our country has been turned into an anarchic scenario characterised by the confrontation of sectors with antagonistic interests, situation that became worst in front of the absence of an elemental social order”.⁶³ Thus, it sustained, “the armed forces representing the common good, assumed the responsibility of ensuring the national unity” and “the transformation and modernization of the country”. This task required, as the message continued, the elimination of the “fallacy of the formal legality” and the cancellation of all political activity “for an indefinite period”.⁶⁴ The *Argentine Revolution*, characterised by the revolutionaries as “irreversible” and as inaugurating “a new era in the country”, was planned then to last until it fulfils its political and economic aims.⁶⁵

Now, Onganía’s economic and social policies to re-establish order and stability in Argentina provoked exactly the opposite expected results.⁶⁶ The labour discontent and the increasing

⁶³ Junta Revolucionaria, *Mensaje al Pueblo Argentino*. See the statement in ALTAMIRANO, Carlos, op. cit., pp. 389-391.

⁶⁴ Junta Revolucionaria, *Mensaje al Pueblo Argentino*. See the statement in ALTAMIRANO, Carlos, op. cit., pp. 389-391.

⁶⁵ Thus, differing from the previous military interventions, the military forces that removed Illia’s from office, decided to no longer delegate in the civilian forces the task of controlling Peronism and bringing order and stability to the post-Peron era, but to take this task upon themselves. This was made once again under the call for the promotion of “an spirit of accordance, solidarity and tolerance among Argentineans”, and for the restoration of “the respect of the law and the empire of a true justice, in a republican regime in which the individual duties, rights and liberties are fully acknowledged”. Junta Revolucionaria, *Objetivos políticos. Fines de la Revolución*. See this document in ALTAMIRANO, Carlos, op. cit., pp. 392-393.

⁶⁶ Onganía’s government attempted to control and suppress large areas of social and political life. It started by controlling the labour movement through the imposition of strict limits on wage increases and suspension of normal collective bargaining, it raised the controls on universities and educational issues in general, it increased the police powers in order to facilitate the struggle against repression and it created a number of state bodies which were in charge of security and economic affairs. See JAMES,

tensions within civil society provoked a widespread social disobedience in several parts of the country. Broad parts of society started to respond to the government's policies with massive riots and acts of political violence. By 1969 then, the major cities of the interior became the scenario of spontaneous political revolts and massive social protests. Particularly important were the events in Córdoba, where workers and student's demonstrations occupied the streets and paralysed the city for almost two days, and where, after violent clashes with the police and the army, hundreds of persons were killed and wounded. The *Cordobazo*, as this riot was later known, revealed the fragility of Onganía's social support and his failure to bring order and unity to the country's political life.⁶⁷ It also showed the strength of the Peronist experience and legacy in the identity of the popular sectors. As a message of the CGT put it: "wounded in our dignity, wounded in our rights, dispossessed of our conquests, we come here to raise, at the point where others have left them, the banners of our struggle".⁶⁸

Thus, the increasing opposition to the government led eventually to Onganía's removal from office and to bring about some moderation on the government's side. Under General Alejandro Lanusse's government and with the aim to pacify and calm down the deep social and political unrest, the political parties and political activities were resumed, a general agreement among the different political forces that included the Peronist party was made, and national elections were scheduled for March, 1973. While the prospect of elections helped to moderate the opposition to the regime of the traditional political parties, the political violence and popular mobilisation of important sectors of society continued. During Onganía's insensitive authoritarianism, a radical anti-imperialist ideology had increasingly spread among Peronist groups –especially the middle class youths– and within left wings labour and political activists, turning many of them towards violent forms

Daniel, op. cit., pp 220-221.

⁶⁷ Riots would erupt in the major cities of the country showing the general discontent of the people and the fragility of Onganía's social support. See LUNA, Félix, op. cit., pp 200-204.

⁶⁸ CGT de los Argentinos, *Mensaje a los Trabajadores y al Pueblo Argentino*, 1968. See this document in ALTAMIRANO, Carlos, op. cit, pp. 436- 443.

of action.⁶⁹ Between the years 1970-1973, guerrillas and radical groups started to develop and operate in different regions of the country.⁷⁰ These more extremists groups embarked on a wave of violent actions, which included direct attacks on military installations, the kidnapping and killings of important political and military figures, robberies, and hijackings. Behind these actions rested the assumption that it was only through the use of violence that the current system of domination could be uncovered and finally dismantled.⁷¹ As a public message of *Montoneros*, one of the most important Peronist armed groups, expressed:

We have decided to choose the path of armed resistance in order to open the access to the workers to the power [...] We are not who invented the violence, but the violence is part of our daily life, is part of the system. Violence is the famine, the poverty, the illiteracy [...] Violence is fraud, punches and proscription. That is why our decision is not free, but deeply responsible, honest and coherent with us and with the people.⁷²

Although the number of people directly involved in extreme actions and guerrilla movements was not very extensive, the process of radicalisation that was underlying these events was affecting wider sectors of society, such as catholic religious groups, intellectuals and people from the cultural spheres.⁷³ These different and various groups increasingly conceived the revolution as the way out to the country's political and social

⁶⁹ See this point in JAMES, Daniel, op. cit., p. 223.

⁷⁰ By 1970, there were four major guerrilla groups operating in Argentina: *Fuerzas Armadas Peronistas*, *Fuerzas Armadas Revolucionarias*, *Ejército Revolucionario del Pueblo* and *Montoneros*.

⁷¹ See this point in ALTAMIRANO, Carlos, op. cit, p. 90.

⁷² *Montoneros, Hablan los Montoneros*, 1970. See the complete text in ALTAMIRANO, Carlos, op. cit., trans. by me., pp. 445-452.

⁷³ As Liliana de Riz explains, the tolerance and implicit support for these groups was growing within the public opinion and also among the political forces. The ex-president Arturo Frondizi was one of the first politicians explicitly supporting the popular violence “the popular violence is the response of the violence that comes from the violence from above”. See this point in DE RIZ, Liliana, op. cit., pp. 77 and 102.

stalemate, and very often regarded Peronism and Perón as the national popular expression of such possibility.

Now, this ever-increasing revolutionary trend within the imaginary of important political and social sectors was very much influenced by the international events, particularly the Cuban revolution and the new impetus it gave to the possibility of radical breaks in the continent. The Cuban example, in this sense, became an object of exaltation and an important condition for the revival of the political activism within the Latin American context. However, this influence could not have been possible without the increasing political scepticism regarding liberal institution and values that had been growing within the Argentine political context during the late 1950s and throughout the 1960s. Although the challenge to the liberal notions of democracy, liberties, and rights found its very roots in the nationalist and populist critique of the 1930s and 1940s; it was in the post-Perón era in which the scepticism concerning these values gained a real impetus within society. During these years, the failure of the two (semi)democratic experiences and the general perception that the political changes and decisions were taken outside the political party system and by other actors, and also the coexistence of an official democratic and liberal rhetoric with a continued experience of repression and intimidation clearly contributed to reinforce and expand the political scepticism regarding liberal values and institutions within large sectors of society. Within this context; then, it is easy to see how these values were abandoned by important groups of society and alternative forms of politics were experimented.

Against this background of increasing radicalisation, the armed forces started to regard the return of Peronism and Perón as the only way to re-establish social and political order.⁷⁴ The figure of Perón in exile had gained a new centrality and increasingly had begun to represent a broad set of demands. To the support of the traditional popular sectors, Perón had added the support of left-wing radical groups, which increasingly considered him the incarnation of the national liberation process. It was this support which led the armed forces and the traditional political parties to see the old leader as the only

⁷⁴ See this point in JAMES, Daniel, *op. cit.*, p. 238.

man who could be capable of controlling the violent social and political unrest that was taking place in Argentina.⁷⁵

Thus, the Argentine Revolution, in contrast to its aims and objectives, gave place to the rebirth of Peronism on an extent and scale even greater than thirty years before.⁷⁶ In September, 1973, Perón won the presidential elections with the 62 per cent of the votes, becoming again, for the third time, the president of Argentina. During the first months of the Peronist government, the old leader made clear his inclination towards the “restoration of social order” and his aim to put an end to the political violence that was shaking the country. His conciliatory role was made explicit in his first statement as president: “My main task is to make peace among Argentineans”.⁷⁷ Perón’s intentions; however, found very soon serious limits and challenges. After a short period of euphoria and democratic optimism, he was not able to stop the process of political radicalisation within his movement, neither to control the labour unrest spread throughout the country. His prompt death in July, 1974, did not make things easier for the future of the Peronist government. After the disappearing of the leader’s figure, the heterogeneous Peronist forces embarked on a violent political confrontation to control the direction of the regime. As a result of this, guerrillas and terrorist groups multiplied and increased their actions leaving a balance of hundreds of people dead in a matter of months. By 1975, facing a deep economic crisis, a new wave of labour unrest and armed rebellions in the north of country, the government, presided since Perón’s death by his wife and vice-president María Estela Martínez de Perón, authorised the intervention of the armed forces in the struggle and repression against radical groups, which were increasingly put under the name: “subversion”. The armed forces were once again the guardians of the social order; order that the civilian forces were incapable of controlling. Finally, since that concession,

⁷⁵ Thus, after eighteen years of political exclusion, the armed forces cleared the way for the return of Peronism to political power. This return was representing for some the possibility for a revolutionary transformation, and for others, the solution to the country’s deep social and political crisis. See BARROS, Sebastián and CASTAGNOLA, Gustavo, op. cit., p. 34.

⁷⁶ See this point in ROCK, David, *Argentina 1516-198*, p. 359.

⁷⁷ PERÓN, Juan Domingo, quoted by DE RIZ, Liliana, op. cit., p. 144.

the military intervention could not be avoided. On March 24th, 1976, the Peronist government was dissolved and the Argentine society entered into the most dramatic period of its history.

Thus, during the last years of the Argentine Revolution and throughout the three years of the Peronist government, the radicalisation of the political forces was on the increase. The military interventions that began in 1930 and the repressive campaigns that came with them started to find a violent response within society. Different political and social groups began to use violent methods to express their discontent and accomplish their political goals. The use of violence then was turned into a common and valid political instrument, and as a result, a general climate of political violence spread inside the country.⁷⁸ By then, the scepticism and disbelief in liberal democracy, liberties and individual rights was general and reached unprecedented political sectors and terrains. As we suggested, the liberal tradition and values were challenged and displaced by nationalist, populist and revolutionary political discourses that had disseminated within the country since 1930s. In this way, the liberal language of individual rights was gradually marginalised and confined to few political groups. Even those political discourses that had reinvigorated the primacy of individual rights in their opposition to Peronism were, by the mid 1970s, regarding these rights as no longer the central concerns of the country's political life. The increasing perception of an unprecedented political and social crisis made of the demand for "order" the main condition for the country's unity and plenitude. The urgent realization of order was above all other interest and value, even above the respect for individual rights and liberties.

Conclusion

⁷⁸ CALVEIRO, Pilar, *Política y/o violencia: una aproximación a la guerrilla de los años 70*, Madrid, Editorial Norma, 2005, pp. 27-46.

In this chapter, we presented an historical account of the way the concept of rights was articulated by the political discourses of the twentieth century's Argentina. As we suggested, the liberal notion of individual rights became a prevailing element within the political formations that dominated the first fifty years of the country's life. Since 1930s; however, this liberal notion was gradually challenged and displaced by nationalist and populist ideologies that articulated a new idea of rights that was closely associated to the good and interest of the community as a whole. Drawing on these available nationalist and populist ideologies, the Peronist discourse gave this new idea of rights a new impetus and a new reality. The Peronist years (1946-1955) then were marked by a strong emphasis on rights, but rights that were always understood within the limits and the interests of the community. As we shown, this Peronist experience and its conception of rights became constitutive of the popular political culture in Argentina and it contributed to inform the popular struggles and claims of the post- Perón's era. During the period of political proscription of Peronism, a growing scepticism regarding liberal democracy, individual rights and liberties spread within large groups of society. It was then this scepticism that contributed to the development of a process of violence and political radicalisation, and at the same time, to the initiation of an unprecedented repressive campaign that opened up one of the most tragic periods in the history of the country. As it will be shown in the following chapter, the military regime that began with the 1976 military coup was articulated around the demand for "order"; order that had as one of its main contents the eradication of subversion. As we will argue, the regime organised this content by means of the logic of war: the nature of subversion justified the regime to carry out a total war that entailed the use of drastic and unconventional methods and the extension of repression to unlimited terrains.

CHAPTER THREE

The Experience of Terror: Proceso de Reorganización Nacional

[...] it should be sufficiently clear that the events which took place on March 24, 1976, represent more than the mere overthrow of the government. On the contrary, they signify the final closing of a historic cycle and the opening of a new one.¹

Introduction

This chapter and the following one explore the political discursive context in which the human rights movement and discourse emerged and constituted in Argentina during 1976-1981. To do this, both chapters provide an account of the discourse of the Proceso de Reorganización Nacional² (PRN) and a detailed analysis of the increasing criticism and challenge posed by the international human rights discourse to the military regime and its war against subversion.

Thus, in this chapter I will analyse the discursive operations, strategies and effects of the PRN. In the first part, I will look at the increasing perception of crises within society that preceded the 1976 military coup and the emergence and constitution of the PRN as the embodiment of “order”. In the second part, I will focus on one of the main aims of the PRN and its call for order: the eradication of subversion. As I will argue, this aim was organised and ordered by means of the logic of “war”: an “unconventional war” that entailed the use of “unconventional methods” and that was fought against an “unconventional

¹ VIDELA, Jorge Rafael, *La Nación*, 5-04-1976. A whole version of the speech was translated and published by LOVEMAN, Brian and DAVIES, Thomas M., eds., *The Politics of Antipolitics: The Military in Latin America*, Lincoln, University of Nebraska, 1978, pp. 179-180.

² National Reorganisation Process.

enemy” that justified the extension of repression to unlimited terrains. This war nonetheless, despite its unconventionality and unprecedented scope had to be fought in secrecy and had to follow certain procedures. In the third part of the chapter then, I will examine the limits and constraints of the war against subversion and I will show how the PRN neither was a lawless regime nor was it outside the sphere of influence and criticism of the Catholic Church and of the international community. As I will finally suggest in the last part of the chapter, the interplay between the logic of war and the emphasis on the rule of law in the discourse of the regime produced a very uncertain reality and an unprecedented perception of threat, mistrust and vulnerability within society.

1. The Constitution of a New Order: the Emergence of the PRN.

*As many people will die in Argentina as it is
necessary to restore order.³*

As we have seen in the previous chapter, the last years of the Peronist government, elected in 1973, were marked by an increasing violence and political radicalisation. After the death of Perón in July, 1974, the heterogeneous Peronist forces embarked on a violent political confrontation to control the direction of the regime. As a result of this, guerrilla movements and right wing terrorist groups⁴ multiplied and increased their

³ VIDELA, Jorge Rafael, *Clarín*, 24-10-1975. Cited in several sources, among them Amnesty International, *Disappearances: A Workbook*, 9; Comisión Argentina por los Derechos Humanos, Madrid, *Argentina: Proceso al Genocidio*, Elias Querejeta Ediciones, 1977, p. 22; FRONTALINI, Daniel and CAIATI, María Cristina, *El mito de la guerra sucia*, Buenos Aires, Centro de estudios Legales y Sociales, 1984, p. 23; GRACIANO, Frank, *Divine Violence: Spectacle, Psychosexuality & Radical Christianity in the Argentine 'Dirty War'*, Boulder, Westview Press, 1992, p. 26.

⁴ These groups were protected and supported by important sectors of the government. The most important group, the Argentinean, Anti-Communist Alliance –known as the Triple A– was actually founded by the minister of Social Welfare, José Lopez Rega. Most of the members of these groups were police officers and retired military officers. Soon after the 1976 military coup took place then, these terrorist groups disappeared and its mem-

actions, leaving a balance of hundreds of people dead in a matter of months.⁵ By 1975, facing a deep economic crisis and a new wave of labour unrest and armed rebellions in the north of the country, the government⁶ authorised the intervention of the armed forces in the repression of the “subversive threat”.⁷ This concession, firstly limited to a specific region but later extended to the whole country, marked the beginning of the end of the constitutional government.⁸ The advance of the military forces was then inexorable. By the end of 1975, the armed forces took the direction and deployment of the repressive policy against the guerrilla movements. That was also the moment they started the systematic plan of repression that they were going to fully implement in the years to come. In the months previous to the coup, thousand of detentions were then carried out and the first abductions and disappearances started to take place in the county.⁹ While daily reports about military operations

bers were incorporated to the repressive apparatus of the PRN. See NOVARO, Marcos and PALERMO, Vicente, *La Dictadura Militar 1976-1983: del golpe de Estado a la restauración democrática*, Buenos Aires, Paidós, 2003, Historia Argentina, p. 81.

⁵ During 1975, 850 murders were reported in the national press. In the month previous to the coup, the newspaper *La Opinión* estimated that there was a political killing every five hours and bomb attacks every three. See SIMPSON, John and BENNET, Janna, *The Disappeared: Voices from a Secret War*, London, Robson Books LTD, 1985, p. 65.

⁶ Since Perón’s death, the government was presided by his wife and vice-president M. E. Martínez de Perón.

⁷ By that time, the country was under the state of sage and there was an extensive repressive legislation back in place that allowed prolonged detentions and very hard sentences for political motivated crimes. See Comisión Argentina por los Derechos Humanos, *Argentina Proceso al Genocidio*, pp. 18-19.

⁸ Decree No. 261 signed by M. E. Martínez de Perón on February 5, 1975, charged the commander in chief of the army with the “repression of subversives elements”. The decree gave the army operational control of the Federal Police and the Provincial Police of Tucumán. Decrees 2770, 2771 and 2772 signed on October 6, 1975, extended the army control over all Provincial and Federal Police in the entire territory of Argentina. See Daniel FRONTALINI and María Cristina CAIATI, op. cit., p. 74.

⁹ The various repressive campaigns carried out before the coup, specially the “Operativo Independencia”, as it was called the campaign against the guerrilla movement “Ejército Revolucionario del Pueblo” (ERP) in Tucumán, gave the troops the experience and the certainty that these oper-

and confrontations with “subversive elements” transmitted a sense of “efficiency” on behalf of the military forces, these reports also seemed to confirm the idea of a growing “subversive threat” that could not be easily controlled by the political party in power.¹⁰ This idea along with other important economic problems helped to expand a perception of “disorder” and “crises” in the Argentine society, a general view of chaos that was shared by the majority of the social and political forces. This perception of crisis was accompanied by a call for “order”, and as it had generally happened in Argentina, the available and ready elements to fulfil such demand were once again the Armed Forces.¹¹ The military discourse presented itself as the embodiment of a “new order” capable of protecting the community and guarantying its unity and survival. As it has been explained by several authors, in a context of chaos and disorder, the discourse of “order” was accepted and received as a credible alternative to the crisis, entailing as a result the inevitability of the military coup.¹² By the morning of March 24th, 1976, with no surprise or resistance, the government buildings and the National Congress were under the control of the Armed Forces.¹³ A military Junta, composed by the Commanders in

ations could be extended to the urban sectors of the country. As one Argentine Army Colonel said: “We know that this rural guerrilla can be contained, but to eradicate subversion we would have to apply the same methods we use here to the sources of the guerrilla movements, which are in the big cities”; published in the New York Times, November 11, 1975. Quoted by ANDERSEN, Martin Edwin, *Dossier Secreto: Argentina's Desaparecidos and the myth of the 'Dirty War'*, Boulder, Westview Press, 1993 p. 349.

¹⁰ See this point in NOVARO, Marcos and PALERMO, Vicente, op. cit., p. 80.

¹¹ See this argument in BARROS, Sebastián, *Orden, Democracia y Estabilidad. Discurso y Política en la Argentina entre 1978 y 1991*, Córdoba, Alción Editora, 2002, pp. 53-54.

¹² This point has been emphasised by several authors, among them Juan Corradi, ‘The culture of fear in civil society’, in RAMOS, Mónica Peralta and WAISMAN, Carlos, eds., *From Military Rule to Liberal Democracy in Argentina*, Boulder, Westview Press, 1987, p. 115; BARROS, Sebastián, op. cit. p. 53; and ZAC, Lillian, *The Narratives of Order, the discourse of the Argentinean military regime (1976-1983)*, University of Essex, PhD thesis, 1995, pp.128-130.

¹³ As Liliana De Riz explains, the intervention was received by the majority of Argentines with resignation and conceiving the coup as an unavoid-

Chief of the three Armed Forces, had decided to put an end to the constitutional government and to assume political control in the name of what they called the “National Reorganisation Process” (PRN).

As Barros explained in his work, the discourse of the PRN emerged as a criticism of the generalised crisis that spread during the last years of the Peronist government.¹⁴ This criticism can be clearly observed in the first communiqués and documents of the PRN, in which the situation previous to the coup was described as the “absence of order”, as “power vacuum, disorganised economic system and uncontrollable inflation, generalised climate of social and political indiscipline, subversive terrorism that threatened the country”.¹⁵ From this critique then, the discourse of the PRN started to provide a response to the crisis, attempting in this way to give sense to the new political situation and to suture the dislocated space. The PRN proclaimed then the re-establishment of “order” as an urgent solution to be taken. It was necessary, in General Videla’s words,

[...] to put order in a tremendous disorder, discipline in what was undisciplined, to control inflation and to create a new faith in the Argentinean Man, and in the destiny of the country.¹⁶

Now, this response to the crises was organised around certain literal contents that were made clear in the main Acts and Status of the PRN in which the Junta set up the aims and objectives of the military government. As one of the Acts stated, the PRN’s response was structured around two main aims “to eradicate subversion” and “to promote the economic development” in order to guarantee, in the future, “the establishment of a federal, representative and republican democracy”, which in

able outcome and as the only possible alternative. See DE RIZ, Liliana, op. cit., p. 180. As Lilian Zac also explains, the very discourse of the crises was accompanied by a logic of inevitability of the coup and it is from there that the calmness and resignation of the population could be understood. See ZAC, Lilian, op. cit., p. 127.

¹⁴ See this argument in BARROS, Sebastián, op. cit. pp. 53-54.

¹⁵ VIDELA, Jorge Rafael, *La Nación*, 22-05-1976.

¹⁶ VIDELA, Jorge Rafael, *La Nación*, 22-05-1976.

the Junta's ultimate project involved the abandonment of the populist form of politics and the modification of the political life in Argentina.¹⁷ For the purpose of this research and the nature of the object of study, I will just concentrate on one of the elements that made up the PRN's response, which was the "eradication of subversion".¹⁸ This has been perhaps the most widely studied element in the discourse of the PRN, probably because of the unprecedented systematic plan of extermination it put in practice as well as because of the traumatic and long lasting consequences it had on the Argentine society. Here, it will be studied not so much for all the possibilities this experience destroyed and foreclosed, that is the numerous lives, hopes, links, political and social spaces and collective identities it shattered, but for the alternatives it opened up, for the new forms of identification and struggle it prompted in the middle of the horror. Now, to the analysis of this "dirty war" against subversion is that the rest of the chapter will be devoted.

2. A Non-Conventional War: A Dirty War.

*The entire problem of subversion and contra-subversion constituted a war.*¹⁹

¹⁷ Military Junta, 'Acta fijando el propósito y los objetivos básicos para el proceso de reorganización nacional', in Troncoso, Oscar, *El Proceso de Reorganización Nacional/1. Cronología y Documentos (De marzo de 1976 a marzo de 1977)*, Buenos Aires, Centro Editor de América Latina, 1984, p. 109. Regarding the military structural Project to "extirpate" the populist era, see Barros, Sebastián, op. cit. p. 55; and Zac, Lilian, op. cit., p. 150.

¹⁸ The economic reforms carried out by the regime and its effects were not directly related to the mobilisation of the groups of the relatives and the formation of the human rights demand, this is why are not relevant for this research. For an account of the economic measures taken by the military regime and their effects, see among others Sourrouille, Juan Vital, *Política Económica y Desarrollo. La experiencia Argentina entre 1976 y 1981*, Santiago de Chile, ONU, CEPAL, 1983; VillaReal, José 'Changes in Argentine society: The heritage of the dictatorship', in Peralta Ramos, Mónica and Waisman, Carlos H., *From military rule to liberal democracy in Argentina*, Boulder, Westview Press, 1987.

¹⁹ MENÉNDEZ, Luciano Benjamín, *Clarín*, 29-12-1983. Cited in FRONTALINI, Daniel and CAIATI, María Cristina, op. cit., p. 11.

*The political objective of the Armed forces
in this third world war [...] is to annihilate
Marxism in our country and to close off all
possibility of its future resurgence.*²⁰

*We will continue fighting, without quarter, all
forms of subversion, both open and clandestine
[...].*²¹

The plan of the PRN to “eradicate subversion” from the country was organised and ordered by means of the logic of “war”.²² According to the military junta’s description and diagnosis, Argentina was being the “theatre of operation” of a global conflict in which “all areas and all countries were involved”.²³ Articulating some of the elements of the national security doctrine, which –as we have seen in the previous chapter– was being disseminated within the Latin-American’s Armed Forces since the late 1950s, the Junta adopted the view that the world was divided into two antagonistic blocks (West and East) organised around two hegemonic centres (the United States and the Soviet Union) and Latin America was incorporated to the Western and Christian block. According to this view, an international revolution and conspiracy against the West was being launched by the Eastern block which attempted to subvert the western civilisation by restructuring society in accordance with the “atheist doctrine of communism”.²⁴ The attacks were then not any longer expected from the external fronts or from other states, but from within the countries, and they were carried out by clandestine operators; by highly trained “insurgents” or “subversives” who would use any means to try to destroy the western and Christian societies. Thus, it was in these terms that the guerrilla conflict was understood, one of

²⁰ MENÉNDEZ, Luciano Benjamín, in TRONCOSO, Oscar, op. cit., p. 58.

²¹ Junta Militar, ‘Proclama del Proceso de Reorganización Nacional’ in Troncoso, Oscar, op. cit., p 108.

²² See this point in ZAC, Lilian, op. cit., ch. 5 and Barros, Sebastián, op. cit., pp. 55-61.

²³ CAMPS, Ramón J., *Clarín*, 26-06-1976.

²⁴ GRACIANO, Frank, op. cit., pp. 26-27.

the battles of that international war was being fought in the country. As General Ramón Camps explained,

Subversion in Argentina belongs to the international terrorism developed during the end of the Second War World; opportunity in which Russia perceived the necessity of a new and different way of operation to expand its imperialism, deploying the Marxist ideology. It is a different form of action [...] strategically organised and globally synchronised in time and space.²⁵

Thus, the war against subversion was not a conventional war. This war did not have “great concentration of men, materials, weaponry nor clearly established lines where the battlefield lied”.²⁶ The enemy had changed its strategy and had infiltrated all the dimensions of the Argentine society to destroy it. The war then must characterise “all and every one of the measures taken by the government at all levels”²⁷ and it must be total, that is, not just limited to the military terrain but it must be extended to every single aspect of human affairs and must be fought wherever there was a threat. As the General Suárez Mason put it:

Facing the advance of a total action of Marxism, it is necessary to have an integral response from the State. It would be absurd to suppose that we have won the war against subversion just because we have eliminated its military threat.²⁸

It was necessary then to control a multiplicity of contexts, such as “the educational, the industrial, the neighbourhood environment”, as it was there where “the subversive delinquency was hidden”.²⁹ This control must be extended to the family, element that received an obsessive attention in the military discourse and which was repeatedly mentioned in the speeches and declarations as being: “the truly cell of society in which man

²⁵ *La Prensa*, 28-12-1980.

²⁶ VIOLA, Roberto E., *La Razón*, 29-05-1979.

²⁷ HARGUINDAGUY, Albano, 29-06-1976, cited by Zac, Lilian, op. cit., p. 142.

²⁸ SUÁREZ MASON, Guillermo, *Clarín* and *La Prensa*, 6-07-1979.

²⁹ VAQUERO, José Antonio, *La Prensa*, 24-05-1978.

receives the life and the fundamental human formation and upon which the whole society is built”.³⁰ This important element of society, ultimately responsible of the future of the nation, had become one of the main targets of subversion. That is, in order to achieve their aims, subversives “attack this initial cell, the relationship parents and children, and even they question the relationship between man and woman, those elements that made its essential dignity”.³¹ The Argentinean families then must be warned, as General Albano Harguindeguy, the Interior Minister put it, “Fathers, mothers and sons: the destructive left Marxist ideas put at risk our families, our flag, our mother country and our freedom. We need to know how to defend them”.³² This war was then being fought for the preservation of “the great Argentinean family” and it required the sacrifice and responsibility of all. As two important Generals of the PRN explained,

The subversive action affects all the fields of the nation, being then the responsibility to neutralise it or eliminate it not just exclusively of the Armed Forces but rather of the country and of all society.³³

Because what was at risk in this war, according to this view, was the Argentinean way of life, the national being, the Western and Christian values, the family. As General Videla put it, “it is, above all, a struggle for positive and essential values” and “in

³⁰ Proyecto Nacional, document issued by the Ministry of Planning, published in *La Nación*, 17-09-1976. See also, VIDELA, Jorge Rafael, *La Nación*, 26-12-1977.

³¹ LAMBRUSHINI, Armando, *La Nación*, 04-12-1976. Cited in LAU-DAZO, Claudia Nora, *Las mujeres en los discursos militares (1976-1983)*, Papeles de investigación, Buenos Aires, La Página S. A, 1998, p.25.

³² HARGUINDAGUY, Albano, *La Nación*, 19-06-1976. Cited in LAU-DAZO, Claudia Nora, *ibid.* p.25.

³³ VIOLA, Roberto E. and JAUREGUI, Luciano A., *La Nación*, 20-04-1977. Cited in NOVARO, Marcos and PALERMO, Vicente, *op. cit.*, p. 90. Another example of this collective sacrifice could be seen in the flyers distributed in the neighbourhoods and published in newspapers: “Citizen: The fight against subversion requires from all of us a quote of sacrifice. Peace, security and liberty for you and your family need to be won day by day. Your collaboration is necessary. Facilitate the action of the legal forces”. *La Nación*, 30-10-1976.

which the republic as a whole is definitely committed to the defence of its best traditions”.³⁴

Now, facing a non-conventional war, the tactics and methods to fight this war must be neither traditional nor conventional. The military forces in order to win this war must “assimilate some procedures used by subversives”.³⁵ As the Minister of Economy explains;

The military institution had to affront unusual forms of struggle. It was not about –applying traditional methods of combat [...] there were not open military operations, there was not a visible or identifiable enemy, there was not respect for the most elementary rules of war [...] We have used with terrorism the same drastic methods that they had used.³⁶

This war then was not a “clean” war, with a defined battlefield, a clear enemy and standard methods and tactics; but as the military junta explained many times, it was a “dirty war”, which justified the use of “drastic” procedures to win and to eliminate the enemy of Western and Christian civilisation.³⁷ This is how, to fight this war, the Junta organised a series of “tasks forces” inside the security forces, which operated and acted with total impunity and which were given the broadest discretion regarding the selection and kidnap of their victims. Three hundred and forty clandestine centres of detention were established throughout the country in which the abducted persons were taken and in the majority of the cases brutally tortured and later executed.³⁸ Thus, from the non-conventionality of the war, no-

³⁴ VIDELA, Jorge Rafael, 07-07-1976 in TRONCOSO, Oscar, op. cit., p 46.

³⁵ HARGUINDAGUY, Albano, cited by ZAC, Lilian, op. cit., p. 140.

³⁶ MARTÍNEZ DE HOZ, José Alfredo, *La Prensa*, 21-09-1978.

³⁷ This expression, “dirty war”, was repeatedly mentioned in military speeches and declaration. See for example, VIDELA, Jorge Rafael, 8-9-1977 in TRONCOSO, Oscar, op. cit., p. 62; Director of the Militar School, BILBAO, Juan Carlos, *Clarín* 11-09-1977; SAINT JEAN, Alfredo O., *La Opinión*, 29-05-1978.

³⁸ See CONADEP, *Nunca más: (never again): a Report by Argentina's National Commission on Disappeared People*, London, Faber in association with Index on Censorship, 1986. In this report, the number of people registered as disappeared is 8961, but the Commission alerted that the number could be higher. Human Rights organisation estimate that around 30 000 people disappeared.

conventional methods were inferred. Thus, abduction followed by torture and disappearance, were regarded by the military forces as consequences of such “unconventionality”. As a result of this dirty war, during the period 1976-1979, around 30,000 persons were killed or disappeared in the country. Among these victims were thousands who never had any connection with the guerrilla or terrorist activities. Thus, the repression reached not only the armed groups, but also the non violent opposition as well as the potential opponents to the regime. Besides the members of the guerrilla movements then, trade unions activists, university and secondary students, politicians, well known intellectuals, members of professional associations, relatives or friends of the victims were also affected by the repression. Again then, the “non-conventional” character of the war defined the constitution of the “enemy”. The war entailed an enemy that had changed and that had adopted different forms and various faces. The proliferation of enemies would be the result of an extended and ambiguous definition of war and as consequence of a vague and lax meaning of “subversion”.

3. A Non-Conventional Enemy: Subversion.

Repression is taken against a minority that we do not consider as Argentineans.³⁹

We do not confront an opponent who fights to defend a flag, a nation or its borders. He, who attacks us, doesn't do any of that [...] He lacks a national identity. He is the product of a counterculture with a well defined objective: to destroy the foundations of the Western civilisation of which we Argentineans naturally form part.⁴⁰

The individual who is connected with subversion, who has fought, it is a delinquent, for me irrecoverable.⁴¹

³⁹ VIDELA, Jorge Rafael, *La Nación*, 18-12-1977.

⁴⁰ VILAS, Acdel, quoted by ANDERSEN, Martin Edwin, op. cit., p. 195.

⁴¹ NICOLAIDES, Cristiano, 12-06-1976 in TRONCOSO, Oscar, op. cit., p. 36.

As already seen in the above section, the military forces were fighting a war in the name of the Argentinean way of life, the national traditions, the Western and Christian values, the Argentinean family and so on. Now, the enemies of that war, unified under the notion of “subversion”, represented exactly the opposite version of these national characteristics.⁴² In the discourse of the PRN then, subversives were the “Antipatria”⁴³, “non-Argentineans” who attempted to replace the Argentinean way of life by a system of rules totally alien to the Argentinean culture; they were atheist or Jews, or as one military put it, they represented the “antichrist”⁴⁴; subversives were Marxists and communists who wanted to destroy the basic premises of the western civilisation; they were irresponsible parents who abandoned their children and undermined the family structure and values⁴⁵; they had no respect for the human life and they were extremely aggressive, as Admiral Massera made it clear, “they had no respect nor affection for people. Their only interest is killing”⁴⁶.

Subversives were then irrecoverable.⁴⁷ They were not ordinary criminals that could be re-adapted into society. They were regarded as a “social disease” that put at risk every aspect of the national body.⁴⁸ Thus, being a subversive meant losing the rights of a member of the national community, and even individual and human attributes. In this sense, the permanent references made by the regime to subversives, which were also

⁴² See this point ZAC, Lilian, op. cit., p. 144.

⁴³ BIGNONE, Reynaldo, 23-05-1976 in TRONCOSO, Oscar, op. cit., p. 29.

⁴⁴ BIGNONE, Reynaldo, 23-05-1976 in TRONCOSO, Oscar, op. cit. p. 29.

⁴⁵ Constant references were made in the military reports and echoed by the media about subversives committing suicide in front of their children or abandoning them in the streets. See, ‘Los Hijos del Terror’, Revista *Somos*, No 67, Year 2, September, 1977, p. 15.

⁴⁶ MASSERA, Emilio, *La Opinión*, 24-4-1977, quoted in ZAC, Lilian, op. cit., p.145.

⁴⁷ NICOLAIDES, Cristiano in TRONCOSO, Oscar, op. cit., p. 36.

⁴⁸ “The social body of the country is contaminated by a disease that corrodes its insides and forms antibodies”. See this point in FRONTALINI, Daniel and CAIATI, María Cristina, op. cit., p. 21; and GRACIANO, Frank, op. cit., p. 132.

echoed by the media, tended to avoid the use of proper names and attempted to divest them from any subject positions they could have held in society, for instance at work, at school, as citizens, as members of the family, organisations, etc. Instead, they were always named as “insurgents”, “delinquents”, “subversives”, “forces of evil”, “plague”, “epidemic”, etc.⁴⁹ They were then reduced to a certain “pathology” that was infecting the country and which therefore must be excluded and eradicated once and for all from the Argentine society. This is how, as General Videla put it, “there is a quota of prisoners that could not be taken to justice, nor set them free”.⁵⁰ Subversives were then abducted, tortured and most of the times disappeared and/or killed and their bodies were rarely recovered.

Now, subversives were not only the persons who were connected with the guerrilla activates or other kind of violent opposition to the regime. As we have explained before, the non conventional war that was being fought in the country had no clear areas of action or time limits. This war extended to every single aspect of human affairs and was fought wherever there was a threat. As a consequence of this, the definition of subversion also extended beyond the purely violent and armed confrontation. As General Videla explained, “A terrorist is not just someone with a gun or bomb but also someone that spreads ideas which are contrary to the Western and Christian civilisation”.⁵¹

Although the Marxist ideology and leftist ideas were regarded as important indicators of the “subversive condition”, these were not in any way exclusive. The blurring of the limits of the war resulted then in a proliferation of enemies and in an increasingly vague and lax definition of subversion. Thus, there was a wide range of attitudes, actions and even omissions which were included under the suspicion of subversion. As General Videla made clear,

⁴⁹ As Lilian Zac explains, in fact there were some clear guideless regarding the naming of the enemy among the militaries; guidelines that were explicitly or implicitly imposed over the media. See ZAC, Lilian, op. cit., p. 145.

⁵⁰ VIDELA, Jorge R. in FRONTALINI, Daniel and CAIATI, María Cristina, op. cit. p. 23.

⁵¹ VIDELA, Jorge R, *La Nación*, 18-12-1977.

Subversion is also the fight between children and parents, between parents and grandparents. It is not only to kill militaries. It is all kind of social confrontation.⁵²

Or as Vilas also explained, “this aggression seeks to conquer the minds. Ingenuity and indifference only imply subversive complicity”.⁵³ Thus, nobody knew exactly what being a “subversive” was, or when somebody was going to turn himself/herself into a “subversive”. As General Hurguindeguy made clear; “subversives camouflage themselves among the population”⁵⁴, so it was very difficult to identify which “faces” or “roles” they could adopt. As a result of this ambiguity, this condition could apply to everyone in everywhere. There was not a single dimension of society that could escape from the threat of subversives. It was ultimately the role of the militaries to identify them and to get rid of such a threat.

The increasing ambiguity that was in the centre of the war against subversion and of the definition of the enemy, plus a coexisting and overlapping world of denial would generate a constant feeling of uncertainty within the population that will end up in a general socio-political paralysis. We will turn now to analyse some of the implications and limits of the war against subversion, as well as some of the effects it produced on society.

4. War, Law and Morality under the PRN

*This war is like every war, and has consequences; tremendous wounds which only time can heal. These are given by the casualties, the dead, the wounded, the detained and the absent for ever.*⁵⁵

As we have suggested above, the Armed Forces as guardians of the nation were fighting a war against an enemy that attempted

⁵² VIDELA, Jorge Rafael, *Gente No 560*, 15-14-1976, cited in Novaro, Marcos and PALERMO, Vicente, op. cit., p. 90.

⁵³ VILAS, Anel, *La Opinión*, 25-11-1976.

⁵⁴ HARGUINDEGUY, Albano, *El Diario del juicio*, Buenos Aires, Editorial Perfil, 1985-1986.

⁵⁵ VIOLA, Roberto E, *La Nación*, 29- 05-1979.

to destroy by all means the foundations of the Western and Christian civilisation of which “Argentineans naturally formed part”. As we have also explained, this war was a “dirty war” which entailed the use of non-conventional methods and strategies and which presupposed a non clearly defined enemy or adversary which ultimately justified the extension of repression to unlimited terrains. Having said this, however, does not mean that the regime did not have any limit or restriction on its war against subversion. As Zac clearly explained in her work, there were some clear limitation that were given by the main claim of the regime, which was to protect the “Western and Christian Argentinean way of life”.⁵⁶ That is, this very claim introduced in the regime’s discourse both the authority of the Church, and with that ultimately the authority of the Pope, and the world of the rule of law. As Zac suggested, these two dimensions imposed certain restrictions to what was possible under the PRN. The regime was then neither a lawless regime nor was it outside the sphere of influence and criticism of the Catholic Church. Therefore, there were some methods that could not be proposed nor applied in the regime’s war against subversion, as for instance public and open executions of subversive delinquents. If the Military Junta did not want to lose its role as a defender and guardian of the Christian and western values, the military forces had to fulfil “its mission” using certain procedures that did not provoke the direct condemnations of the Pope neither the sense of dispensability of the law.⁵⁷ The intention of the Junta to keep the regime within the parameters of the legal order and of the Christian morality was made clear in the very first speech of General Videla the next day of the coup,

During the period which begins today, the Armed Forces will develop a program governed by clearly defined standards, by internal order and hard work, by the total

⁵⁶ See for a very good exposition of the limits of the regime, Zac, Lilian, op. cit., chapters 4 and 5.

⁵⁷ In this sense, public and open executions were completely out of the question. As General Diaz Bessone acknowledged recently in an interview with the French journalist Marie-Monique Rubin, “the military regime made 7000 people disappeared and it did not execute them publicly because of fear to a Papal condemnation”. *Página 12*, 1-09-2003.

observance of ethical and moral, by justice, and by the integral organisation of man and by the respect of his rights and dignity.⁵⁸

There was in the Armed Forces, according to General Videla, an “authentic spirit” of commitment to the nation which led them to re-establish authority “to ensure the protection of the rights of man”. They assumed then direction of the country “not to infringe upon liberty but to reaffirm it”, “not to twist justice but to impose it”; because as he explained, “for us, respect for human rights is not only born out of the rule of law and international declarations, but also it is the result of our profound and Christian belief in the pre-eminent dignity of man as a fundamental value”.⁵⁹

Hence, from the very beginning, the Junta established a legal framework with explicit laws to fight against the subversive threat and all activities outside this framework, such as abductions, disappearances and the existence of clandestine centres of detentions were publicly denied.⁶⁰ All activities in the war against subversion were claimed to be carried out according to the legal procedures. As Videla explained,

I categorically deny that there exist in Argentina any concentration camps or prisoners being held in military establishment beyond the time absolutely necessary for the investigation of a person captured in an operation before they are transferred to a penal establishment.⁶¹

⁵⁸ Military Junta, ‘Acta fijando el propósito y los objetivos básicos para el proceso de reorganización nacional’, in TRONCOSO, Oscar, op. cit., p. 109.

⁵⁹ VIDELA, Jorge Rafael, *La Nación*, 5-04-1976. A whole version of the speech was translated and published by Loveman, Brian and DAVIES, Thomas M., eds., op. cit., pp. 180. As Lilian Zac explains, the fact that during the PRN the authorities sanctioned more laws than any other previous regime concerning all areas of social life, points at the fact that the legal rules were not merely epiphenomenal but were at the core of the PRN itself, See ZAC, Lilian, op. cit., p. 187.

⁶⁰ These laws gave the Armed Forces the power to investigate crimes related to subversion, to interrogate and arrest persons suspected of subversion, and to try them by military courts and according to the Military Justice Code. They also established the death penalty.

⁶¹ VIDELA, Jorge Rafael, 22-12-1977. Cited by ZAC, Lilian, op. cit., p. 190.

Thus, the numerous presentations of writs of Habeas Corpus in favour of abducted or disappeared persons were usually unsuccessful and all of them had a similar negative response, “the person has not been detained by any of the security forces” or in other cases, “person concerning whom there is no record of arrest and who is the object of a police search by the Ministry of the Interior”.⁶²

Thus, parallel to the discourse of the “dirty war” against subversion, in which drastic methods needed to be used in order to exterminate the subversive enemies coexisted a language of law and morality which rejected the use of illegal methods and attributed them to the camp of the enemy. In this sense, it was the subversion itself which was ultimately responsible of abductions and disappearances. As Videla explained when asked about the disappeared people, he assured they have disappeared: “because they had moved into clandestinely and joined subversion”, “they had been killed by the subversive themselves as they were considered traitors...”⁶³

Thus, as Zac very well explained, the two principles of reading of the situation –the argument of war and the emphasis on law and morality– subsisted, contradicted and overlapped each other all along the length of the regime. That is, while the military forces categorically denied any involvement in operations outside the legal framework, at the same time they implicitly and partially admitted either by keeping a solemn silence or confirming it, that these operations were carried out. These activities were articulated either as necessary means to fight this “dirty war” as we have shown in the previous section, or as “excesses of repression”.⁶⁴ As General Tomás Sánchez de Bustamante put it,

⁶² See CONADEP, op. cit, pp. 395-400; also *Report on the situation of human rights in Argentina. Organisation of American States, IACHR, Washington, D.C., General Secretariat, OAS, 1980, pp. 69,70,71.*

⁶³ VIDELA, Jorge Rafael, in TRONCOSO, Oscar, op. cit., p. 29.63. As we will see further on in the thesis, this mechanism of denial, re-enforced the association between the disappeared and subversion.

⁶⁴ In a press conference, when asked about the disappeared people, Videla recognised a certain admission and responsibility, if only due to excesses of repression, *Herald*, 09-09-77.

Terrorism is an exceptional event of such seriousness that requires proportional rights. There are judicial norms and standards that are not applicable in this case, for example the case of Habeas Corpus. In this type of struggle the operations must be surrounded by secrecy; it must not become known who has been captured or who is to be captured. There must be a cloud of silence surrounding everything, and this is not compatible, for example, with the freedom of the press. Neither is ordinary justice compatible with the speed and seriousness in which these cases must be judged...⁶⁵

Now, this multiplicity of statements of simultaneous denial and admission produced a divided world under the PRN: an official world of juridical legality and morality, and a clandestine world that remained outside the legal order and which was ruled by the logic of war. These two contradicting spheres, the sphere of the juridical subjects and the rule of law and the realm of clandestine centres of detentions, of special task forces, of torture, abductions and disappearances far from being two discrete and non-related universes, intersected and overlapped each other generating a general sense of fear and uncertainty in the population. That is, the interplay between the logic of war and the rule of law brought about a world of shadows and fragments into the reality of the juridical subjects. The interruption of the legal order by the logic of war and its clandestine world, that is, the necessity of breaking the juridical rules or of secretly changing them for the sake of winning the war⁶⁶, produced that the division between the legal and illegal became blurred, inscribing a generalised legal insecurity and creating a zone of ambiguity in which information, images and rumours of a clandestine world came to light. Namely, the law in this ambiguous context did protect and did not at the same time, and nobody knew beforehand which of the two roles it was going to play nor at what moment. The war could erupt anywhere and related to anyone. Abductions were carried with a great show of force and weaponry in front usually of

⁶⁵ SÁNCHEZ DE BUSTAMANTE, Tomás, cited in CONADEP, op. cit., p. 397.

⁶⁶ See ZAC, Lilian, op. cit., p.192.

neighbours and relatives either in the home of the person, or at their place of work or study, or in the streets.⁶⁷ It was this ubiquitous dimension of the war, the blurring of the clear and distinct frontiers between law and war, society and its enemy, which produced fear and anxiety. Fear of being denounced or associated with subversion and anxiety about what was going on in the other world.⁶⁸ Thus, the logic of war introduced into the official world of juridical subjects a series of unresolved enigmas: Where was the war being fought? Where were the subversive delinquents taken? Who were the executors of the war operations? Why these people were arrested? Who were “the subversives”? Uncertainty and insecurity belonged then to the reality of the PRN bringing about a constant threat and a sense of defenceless into the population. As Corradi explained, all what the population knew was that their safety, their goods, their lives were at stake.⁶⁹ As a consequence of this background of fear, a generalised paralysis emerged and spread throughout society. This ambiguous and uncertain situation produced an increasing depoliticisation of the citizens, a significant reduction of the associational activities and the adoption of selfish strategies of survival.⁷⁰ The PRN then brought about a fragmented society that would find very difficult to interrupt the discourse of order, from where struggle and resistance against the regime could take place. Against this background, silence and obedience most likely were assured.⁷¹

⁶⁷ CONADEP, *op. cit.*

⁶⁸ As Garretón also mentioned “fear of the unknown”, that is, fear of the “other world” was also combined with “fear of the known” which was fear instilled through the actual physical repression, threats, control, propaganda and the omnipresent military power. See GARRETÓN, Manuel Antonio, ‘Fear in the Military Regimes. An Overview’, in CORRADI, Juan E., WEISS FAGEN, Patricia, and GARRETÓN, Manuel Antonio, eds., *Fear at the Edge. State Terror and Resistance in Latin America*, Oxford, University of California Press, 1992, p. 23.

⁶⁹ CORRADI, Juan E., ‘The mode of destruction: Terror in Argentina’, in *Telos*, No 54, winter 1982-1983, p. 68.

⁷⁰ CORRADI, Juan E., ‘The culture of fear’ in PERALTA RAMOS, Mónica and Waisman, Carlos H., *op. cit.*, p. 119.

⁷¹ See Zac, Lilian, *op. cit.*, p 185.

Conclusion

In this chapter, I began to explore the discursive context in which the human rights groups and discourse emerged and constituted in Argentina during 1976-1981. For this, I analysed the PRN's discursive operations, strategies and effects. As I argued, the PRN emerged as a response to the increasing perception of crisis that preceded the 1976 military coup. This response, articulated around the demand for order, had as one of its main contents the eradication of subversion. As we argued, the regime organised this content by means of the logic of war: the nature of subversion justified the regime to carry out a total war that entailed the use of drastic and unconventional methods and the extension of repression to unlimited terrains. This war had, nonetheless, certain limits and constraints that were established by the PRN's initial claim to defend and protect the Western and Christian values. This claim introduced in the discourse of the regime the authority of the Church and the world of the rule of law. The regime was then neither a lawless regime nor was it outside the sphere of influence and criticism of the Pope and of the international community. If the Military Junta did not want to lose its role as a defender and guardian of the Christian and western values, the military forces needed to fulfil "its mission" to eradicate subversion using certain *modus operandi* that did not provoke the direct condemnations of the Pope neither the sense of dispensability of the law. As a result of this interplay between the logic of war and the rule of law and morality, a clandestine and illegal world of centres of detention, of special task forces, of torture, abductions and disappearances was produced inside the country. This world overlapped and intersected with the "official world" of the juridical subjects and the rule of law. As it was argued, the blurring of the frontiers between these two worlds, between war and law, between society and its enemies, worked as the main mechanism for the dissemination of fear and intimidation under the PRN. Now, in the following chapter, I will look at how despite the *modus operandi* and secrecy of the war on terror, the PRN was early on the target of international criticisms and condemnation. These criticisms prompted the reaction of the military regime, which deployed different discursive operations and strategies to counterattack the accusations and move the PRN away from the

place of fearful and repressive Latin-American dictatorships. The analysis of these criticism and responses will be crucial for our enquiry on the discursive context in which the human rights groups and discourse emerged.

CHAPTER FOUR

The PRN under Threat: the Challenge of the International Human Rights Discourse.

This campaign, unleashed for the purpose of totally annihilating the subversive movement, had its most sensitive, cruel and inhuman expression in the thousands of disappeared persons, today presumed dead, whom it left in its wake.¹

Introduction

As we explained in the previous chapter, one of the elements of the PRN's response to the political and social crisis that preceded the 1976 military coup was the war against subversion. This war was not a clean nor a traditional war, but a dirty and unconventional one that required the use of unconventional methods and the extension of repression to unlimited terrains. As we argued, despite its unprecedented scope and unconventionality, this war had certain limits that were established by the PRN's initial claim to respect and protect the Western and Christian values. The war then was fought in secrecy and entailed the production of a clandestine and illegal world of centres of detention, special task forces, torture, kidnappings and disappearances. Now, as we will see in the first part of this chapter, the clandestine and secret character of the war on subversion did not impede the early criticisms of the international community to the military regime. From the beginning, the international human rights discourse condemned the PRN accusing it of carrying out a systematic plan of human rights violations inside the country. These allegations were eventually putting in question the very

¹ Organisation of American States, *Report on the Situation of Human Rights in Argentina*, Inter-American Commission on Human Rights, Washington, D.C., General Secretariat, OAS, 1980, p. 134.

legitimacy of the regime, that is, they were showing the PRN's ultimate failure to fulfil one of its main reasons of existence: the reestablishment of the Western and Christian morality within the Argentine society. The regime then could not be indifferent to the international criticisms, and as we will show in the second part of the chapter, it used different discursive strategies to counterattack the allegations. Thus, as part of the wider aim to account for the discursive context in which the human rights groups and discourse emerged in the country, this chapter examines the way the international discourse of human rights challenged the PRN and its war against subversion, and also the sort of responses the regime provided in order to dispute these accusations.

1. The International Condemnation of the PRN's War against Subversion

The language of human rights entered the world scenario after the end of the Second World War. The atrocities caused by the war and by the Holocaust prompted the reaction of the international community and led to the invention of the first international human rights norms. The Nuremberg and Tokyo Trials, the signing of the United Nations Charter in 1945 and the adoption of the Universal Declaration of Human Rights in 1948 were meant to be the initial steps towards an effective international regime for the protection of human rights. The post-war enthusiasm however, soon proved to be largely symbolic and prompting little action. The hostility between East and West that followed to the Second World War slowed down drastically the campaign of international standard-setting for human rights. Throughout the 1950s and most part of the 1960s, the human rights issues almost disappeared from the world politics and the promising trajectory of the human rights norms was for the time being pulled back. Nevertheless, by the late 1960s, advocates for a larger role of human rights such as non-governmental organisations (NGOs) as Amnesty International (AI) and the International Red Cross (IRC), as well as domestic political forces and various groups inside the international organisations started slowly to change the situation

created by the Cold War interlude.² By the early 1970s, the language of human rights commenced clearly its resurgence. The election of Jimmy Carter as President of the United States in 1977 gave this re-emergence a decisive impulsion. By the end of the decade, the human rights language had finally gained a substantial recognition and assumed an unparalleled prominence in world politics.³

Now, at the time of this renewed international commitment for human rights, authoritarian regimes were established in many of the major nations of Latin America.⁴ With the aim to restore order and transform society, these military governments engaged gradually in a systematic repressive campaign to eliminate dissent and internal insurgency that resulted in human rights violations of unprecedented character and proportions in the region.⁵ This large scale of violations soon attracted the attention of the international community and put the region under the target of the incipient international campaigning for

² On the role played by Amnesty International in the process of re-emergence of the human rights concerns in world politics, see CLARK, Ann Marie, *Diplomacy of Conscience, Amnesty International and Changing Human Rights Norms*, Oxford, Princeton University Press, 2001.

³ The Carter administration gave human rights a central place in the U. S. foreign policy during its time in office, a fact that undeniably helped to expand the human rights language within American politics and around the world. For an analysis on how human rights considerations became to play an important role in the U. S. foreign policy during the Carter's government see SCHOULTZ, Lars, *Human Rights and United States Policy toward Latin America*, New Jersey, Princeton University Press, 1981.

⁴ Particularly, new military regimes were established in the Southern Cone countries: Brazil in 1964, Uruguay in 1972-1973, Chile in 1973 and later Argentina in 1976.

⁵ The scale of repression varied according to the countries. It mainly depended on the nature of the crises that preceded the military coup, on the level of organisation and activity of the popular sectors, on the degree of polarisation of society as well as on the grade of homogenisation of the repressive apparatus. See GARRETÓN, Manuel Antonio, 'Fear in the Military Regime' in CORRADI, Juan E. WEISS FAGEN, Patricia and GARRETÓN, Manuel Antonio, *Fear at the Edge, State Terror and Resistance in Latin America*, Oxford, University of California Press, 1992, p. 15. For a good discussion on the nature of these regimes, see COLLIER, David, ed., *The New Authoritarianism in Latin America*, Princeton, NJ., Princeton University Press, 1979.

human rights. Particularly shocking was the brutality of the 1973 military coup in Chile. The overthrow of Allende and his later death, along with the imprisonment and murder of many political dissidents, provoked a general condemnation and prompted immediate reaction.⁶ Delegations from the IRC, from the UN High Commissioner for Refugees (UNHCR), from the Inter-American Commission on Human Rights (IACHR), from AI, and from the International Commission of Jurists (ICJ) visited Chile almost immediately after the coup and a number of devastating reports were produced accusing Pinochet's government of committing gross human rights violations. These accusations would continue over the years and Chile would not stop being in the world spotlight for quite a long time.⁷

Thus, at the moment of the 1976 military coup in Argentina, the region had been the object of international concern and the language of human rights was very much present in the various exchanges between the Southern Cone military governments and international organisations and foreign governments. Moreover, before the 1976 military coup, Argentina had been already the focus of attention of some international

⁶ As Sikkink and Ropp clearly explain, because Chile was one of the oldest democracies in the region and it was being watched by the international community because of its efforts to pursue an electoral path to socialism and because of the proved US contribution to the overthrow of Allende, the Chilean case became highly symbolic and contributed largely to the emergence of the global human rights network and human rights policies. As they show, before the military coup in Chile in 1973, there was not a single country in the world that had a bilateral human rights policy neither legislation nor government directives to take into consideration human rights issues in the foreign policy making. These measures were taken after the coup, in part as a response to it, as well as to the human rights abuses that were taken place during the same period in South Africa and in Eastern Europe. See Ropp, Stephen C. and SIKKINK, Kathryn, 'International norms and domestic politics in Chile and Guatemala' in Thomas RISSE, Stephen C. Ropp, and Kathryn SIKKINK, *The Power of Human Rights. International Norms and Domestic Change*, Cambridge, Cambridge University Press, 1999, pp. 180-181.

⁷ In 1975, considering the vast number of accusations, the *UN Human Rights Commission* decided to establish an Ad Hoc Working Group on Human Rights in Chile which would become an invaluable source of information about human rights violations and disappearances in the country and which would subsist until 1979. See CLARK, Ann Marie, op. cit., p. 74.

organisations. During the last Peronist government, AI launched a first call for attention to the authorities of the country regarding the escalating violence between left and right wing terrorist groups, the increased number of political prisoners, the number of executions and the growing involvement of the armed forces in the repression of subversion.⁸ In 1975, the ICJ prepared its first report on Argentina, in which it denounced the dramatic situation of defence lawyers in the country and the maltreatment of political prisoners.⁹ Immediately after the coup, the concern over the human rights violations in Argentina notoriously increased. Information from inside the country about torture, abductions of political opponents and disappearances apparently committed by military and police forces soon reached the offices of international organisations and foreign governments.¹⁰ The Military Junta started then from

⁸ See *Amnesty International, Argentina: The Military Juntas and Human Rights. Report on the trial of the former Junta Members 1985*, London, Amnesty Publications, 1985.

⁹ FRAGOSO, Heleno, *The Situation of Defence Lawyers in Argentina, Report prepared for the International Commission of Jurists*, Geneva, March 1975, quoted in GUEST, Ian, *Behind the Disappearances Argentina's Dirty War against Human Rights and the United Nations*, Philadelphia, University of Pennsylvania, 1990, p. 68. The detentions of defence lawyers provoked as well the condemnation of important political and intellectual figures from Europe; see for instance the petition issued by a group of French intellectuals regarding the case of Roberto Quieto, *La Opinión*, 13-01-1976.

¹⁰ Much of this information was provided by groups of political refugees that since a few months after the coup denounced and reported abroad the unprecedented repressive campaign carried out by the military regime. Labour and civil rights lawyers forced into exile very efficiently and rapidly started to circulate within governmental and non-governmental international organisations spreading the information about the tragic events that were taking place in Argentina. Their main aim was to bring the attention of the international community to the Argentinean case, putting the Argentine military junta at the same level of Pinochet's government –which by that time was already a focus of world concern– and accusing it of committing gross human rights violations against political and labour activists as well as against the Argentinean people in general. Some of these lawyers and other refugees organised the Argentine Commission of Human Rights, which had delegations in Spain, France and Mexico, and from where they would establish connection with the relatives of the victims inside the country and from where they would not stop putting pressure on the military dictatorship throughout the years that it lasted. See *Comisión Argentina por los*

the very first months in office to receive several international enquiries about the fate of disappeared people and numerous expressions of concern for the situation of political prisoners in the country.¹¹ In November, 1976, the first mission of AI arrived in Argentina with the aim to evaluate the human rights conditions inside the country.¹² The delegation's enquiry lasted two weeks and it was very much covered by the national media. Under a severe and fearful vigilance, the mission managed to obtain testimonies from political prisoners and relatives of disappeared people, interview political and social leaders as

Derechos Humanos, Argentina, proceso al genocidio / Comisión Argentina por los Derechos Humanos, Madrid, E. Querejeta, 1977.

¹¹ In August, 1976, Amnesty International launched a document with testimonies of tortures and detentions in Argentina and urged its members to write to the Argentine Government asking for the ending of the human rights violations. Later that month, the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities adopted a resolution in which it showed a great concern over violations of basic human rights in Argentina and expressed a particular fear about the situation of refugees in the country. See Sub-Comm. Res. 2C at 44, U.N. Doc. E/CN.4/sub. 2/378 (1976), quoted by WEISSBRODT, David and BARTOLOMI, María Luisa, 'The Effectiveness of International Human Rights Pressures: The Case of Argentina, 1976-1983', in *Minnesota Law Review*, February 1991, pp. 1009-1035. In addition to these expressions of concern, in September of the same year and in view of the levels of violence existing in Argentina, the Subcommittee on International Organisations and Movement of the US Congress held a series of hearings on the status of human rights in the country. See the report of these hearings in *Human Rights in Argentina. Hearings before the Subcommittee on International Relations*, 94th Congress, Second Session. September 28, 29, 1976. Also in September, the Pope issued a public petition regarding the death of some Argentinean priests and urged the government to investigate and to prevent the repetition of those events. See 'Pope Calls for Explanation of Priests Deaths in Argentina' in *Washington Post*, September 28, 1976, p.10. By the same time, the International Labour Organisation published a list of detained and disappeared trade unionists and in November it took up the case of Argentina; see *International Labour Organisation, 106th report of the ILO Governing Body*, pars. 394-444, quoted in GUEST, Ian, op. cit., p. 101.

¹² Also that month, a Canadian mission composed by three parliament members was sent to Argentina to investigate the human rights situation in the country. Although this mission had much less repercussion at the international and national level, anyhow it represented a new accusation for the military regime to deal with. See WEISSBRODT, David and BARTOLOMI, María Luisa, op. cit., p. 1026.

well as to collect a wide extent of material. The report of the AI mission came out in March, 1977, and despite the lack of precise information and the early stage of the visit, it described very accurately the repressive tactics used by the security forces, the general circumstances around disappearances, the number and location of unofficial detention centres and the true fate of many of the abducted people.¹³ As expected then, the report accused the military government of “gross violations of basic human rights”.¹⁴ It concluded that,

[...] there is overwhelming evidence that many innocent citizens have been imprisoned without trial, have been tortured and have been killed. The actions taken against subversives have therefore been self-defeating: in order to restore security, an atmosphere of terror has been established; in order to counter illegal violence, legal safeguards have been removed and violent illegalities condoned.¹⁵

In view of the alleged violations, Amnesty International urged the Military Junta to take action to stop the maltreatment of political prisoners, abductions and disappearances of innocent people and to investigate the disappearances and bring to trial those who were responsible for such actions.¹⁶ Now, since the Amnesty International report came out in early 1977, the international pressure on the military regime began to mount. Particularly important was the pressure put by the Carter administration, which differing from the previous US governments, turned human rights into a significant component of the US foreign policy decision making.¹⁷ “Human rights” had

¹³ *Amnesty International, Report of an Amnesty International Mission to Argentina, 6-15 November 1976*, London, Amnesty Publications, 1977, pp. 27-35.

¹⁴ *Amnesty International*, *ibid.*, p. 49.

¹⁵ *Amnesty International*, *ibid.*, p. 50.

¹⁶ *Amnesty International*, *ibid.*, p. 51.

¹⁷ As Shoultz explains, before the Carter’s administrations, the human rights considerations were mostly marginalised from foreign policy decision making. Foreign policy instruments, as for instance, reduction in economic or military aid, were not accepted as appropriate tools to discourage political repression and human rights violations. As Nixon declared referring to repressive regimes in Latin American countries, “the United States has a

become, as Carter said in one of his famous speeches, “the soul of the US foreign policy”.¹⁸ Thus, as soon as the new elected president took office in January, 1977, economic sanctions involving bilateral aid and multilateral lending because of alleged human rights violations were imposed on several Latin American nations. This meant, particularly in the Argentinean case, an initial reduction on the US military aid to the country, followed by a total withdrawal in 1978, and in a recurrent US opposition to the Argentine requests for multilateral loans and aid in international banks and institutions.¹⁹ In addition to these economic sanctions, the US Assistant Secretary of State for Human Rights, Patricia Derian, visited the country on several occasions during 1977 to investigate and discuss with the government the human rights situation. These visits ended up in hostile public reports to the military regime and in explicit petitions for the investigation of the disappearances.²⁰ By the end of 1977, the US pressure on the subject of human rights gained a new impetus when the US State Secretary, Cyrus Vance, during his visit to Argentina, submitted to the Military Junta a list with 7,500 names of disappeared people and urged the government to take action on the issue. The State Secretary, accompanied deliberately by Patricia Derian, who was by then the symbol of the US human rights pressure on the country, made clear to the Argentine government that the US concern for the extent

strong interest in maintaining cooperation with our neighbours regardless of their domestic viewpoint. [...] We hope that governments will evolve towards constitutional procedures but it is not our mission to try to provide except by example the answers to such questions to other sovereign nations”. See SHOULTZ, Lars, *Human Rights and United States Policy toward Latin America*, New Jersey, Princeton University Press, 1981, pp. 190-191.

¹⁸ Quoted by SHOULTZ, Lars, *ibid.*, p. 4. As Shoultz explained, with this new human rights policy, Carter was attempting to reassert the US leadership in international relations and in world politics.

¹⁹ SHOULTZ, Lars, *ibid.*, pp. 258-266 and 295.

²⁰ These reports were based on Derian’s investigations and on the information collected by the US Embassy in Buenos Aires. Particularly important was the role played by Tex Harris, the secretary of the political section, who since his arrival and opposing the position of the US ambassador, Raúl Castro, started to receive testimonies of the relatives of the disappeared people and to build up an extensive record of detentions and disappearances. See GUEST, Ian, *op. cit.*, pp. 166-170.

of the political repression was real and serious.²¹ In 1978, using various channels, the US demands continued, and by the end of the year, in exchange of the approval of an Argentine loan request, Carter's government managed to press the Military Junta to admit the visit of the Inter-American Commission of Human Rights (IACHR) dependant of the Organisation of the American States to evaluate the human rights situation in the country.²² The OAS delegation arrived in the country in September, 1979. During the two weeks that the visit lasted, the mission interviewed several government officials, political figures, representatives of various political parties, lawyers, trade unionists, people from the media and others. It visited prisons and interrogated numerous political prisoners who gave testimony of their daily maltreatment, it visited cemeteries in which it registered hundreds of non- identified graves and, fundamentally, it collected thousands of testimonies of the relatives of the disappeared people; testimonies that were made in person in the offices of the delegation situated in several cities of the country.²³ Thus, by mid-December, 1979, after the on-site observation, the Commission finished a massive 374-page report that was devastating in its frankness and detail. The report contained an exhaustive analysis of the clandestine operations of repression carried out by the security forces and an assessment of the consequences in terms of tortures, abductions, executions and disappearances. In the conclusion, the Commission considered that it was proven that, "persons belonging to or connected with government security agencies have killed numerous men and women subsequent to their being placed in detention" and stated:

The Commission is particularly concerned about the circumstances relating to the thousands of detainees who

²¹ See this point in NOVARO, Marcos and PALERMO, Vicente, op. cit. p. 282.

²² NOVARO, Marcos and PALERMO, Vicente, op. cit., p. 290. The official invitation from the Argentine government to the IACHR had been issued early in the year; however, the restrictions and limits imposed by the Argentine government on the activities and enquiries of the mission in the country delayed more than one year the actual visit.

²³ *Organisation of American States*, op. cit., pp. 1-12.

have disappeared and who, for the reasons set forth in the report, based on the evidence, may be presumed dead.²⁴

The report confirmed in this way that what had been denounced several times by the international human rights organisations, and once more, accused the Argentine government of committing “numerous and serious violations of fundamental human rights”.²⁵ The Commission made clear that under no circumstances these violations could be tolerated or justified;

Each government that confronts a subversive threat must choose, on the one hand, the path for the respect for the rule of law, or, on the other hand, the descent into state terrorism.²⁶

The Commission was accusing then the Argentine government of choosing the second path and hence it was embracing a reading of the events that was at odds with the Military Junta’s account of the fight against subversion. That is, the Commission’s reading was not only bringing to light a world of illegality and clandestinely that openly contested the apparent legality that framed the anti-subversive campaign in the discourse of the regime, but also it was condemning and questioning the very logic of war that, as we have seen in the previous chapter, was actually organising the fight against subversion. Thus, the non-conventional methods and strategies implicitly accepted and justified in the military discourse as necessary means to win the “dirty war” were now problematised and re-articulated by the Commission’s reading as unjustifiable violations of fundamental human rights. Those who were fighting the war and were the guardians of the Nation were now presented in the Commission’s report as the perpetrators of human rights violations and the instigators of state terrorism.

Thus, the Commission’s reading along with the rest of the international accusations, gradually interrupted and undermined the apparent coherence and unity of the discourse of the regime. The ambiguous and inconsistent elements that

²⁴ *Organisation of American States*, op. cit., p. 263.

²⁵ *Organisation of American States*, op. cit., p. 263.

²⁶ *Organisation of American States*, op. cit., p. 27.

were operating in the PRN discursive construction of the war against subversion were becoming visible and being more and more seriously contested by an international language of human rights. The widely dissemination of the Commission's report outside Argentina helped greatly for this to happen. The detailed description of the brutality of the repression carried out by the military regime and the thousands of disappearances denounced in the report shocked the international community and turned the Argentinean case into a paradigmatic humanitarian cause that called for a prompt condemnation and action from the rest of the states.²⁷ Contributing also to this, by the time the IACHR report was published; the Pope²⁸ issued a public petition to the Argentine government for the investigation of the disappearances; petition that had a great international repercussion and that represented a severe blow for the Military Junta, which by that time was any longer

²⁷ Amnesty International played as well a very important part in the raising of international awareness about the Argentine case and the thousands of disappearances. Before the actual visit of the IACHR, Amnesty launched an intensive campaign on behalf of the disappeared in Argentina and published a first report on disappearances and a list with 2,665 fully documented cases; list which was later submitted to the IACHR and to the Argentine government. See AI, 'The problem of Disappearances in Argentina', mimeo, AI Index, AMR, 13-25-79, April 10th, 1979; and also see AI, 'The Disappeared of Argentina: List of Cases Reported to Amnesty International, March 1976 - February 1979', mimeo, AI Index AMR 13-3795-79, May, 1979. Both documents quoted by CLARK, Ann Marie, op. cit. p. 80.

²⁸ This was not the first time the Pope referred to the problem of the disappeared people in Argentina. As we have seen before, by the end of 1976, the Pope had already issued a petition to the Argentine government for the investigation of the disappeared priests in the country. Again, in October, 1979, the Pope announced a new appeal, this time directed to the Argentinean Bishops, in which he asked them and the Argentinean Church in general to uphold the problem of the disappearances. These declarations should not prevent us from seeing the ambivalent role played by the Vatican towards the military regime. As Novaro and Palermo explained, the Vatican welcomed the "Christian and western" call made by the Military Junta after the 1976 military coup, and although its position gradually changed and hardened, it never openly condemned the military regime nor the military Junta. See for example the declarations of support to the military junta a delegate of the Vatican made in Argentina the same month the IACHR arrived to the country, *La Nación*, 3-09-1979. See this point as well in NOVARO, Marcos and PALERMO, Vicente, op. cit., pp. 314-318.

capable of diluting or diminishing the petition's effects.²⁹ Soon after that and considering the substantial and persuasive evidence collected by the IACHR and by other reports, the UN Commission on Human Rights established a Working Group on Forced or Involuntary Disappearances³⁰, which by the end of 1980 launched its first report and accused the Argentinean military regime, among other fifteen governments, of committing disappearances.³¹ To bring to an end the year and to complicate the situation further for the Argentine government, Adolfo Pérez Esquivel, an Argentinean citizen and an ex-political prisoner advocator for human rights, was chosen as the winner of the Nobel Peace Prize of 1980.³²

These expression of concern and direct condemnation on behalf of the major Western nations along with the criticisms and enquires coming from the Vatican were showing the ambiguities within the discourse of the Military Junta and putting at risk the very legitimacy of the regime. These accusations were subverting the very leitmotiv of the PRN, which was, as we have seen before, to defend and protect the Western and Catholic values from the threat of subversion. That is, these allegations meant that they were now the maximum representatives of these values who were asking the Military Junta for explanations regarding its role in the fight against subversion, and more importantly, who were accusing it of not

²⁹ One month after the Pope's declarations, the US State Department launched a new report on the situation of human rights in Argentina with an open criticism to the military government. The report had a wide international and national press coverage, and as a result, a significant international repercussion. See this point in NOVARO, Marcos and PALERMO, Vicente, *op. cit.*, p. 319.

³⁰ Although created not just to focus on Argentina but worldwide, this was the first time the UN was dealing with the Argentine situation and directly considering the problem of disappearances. See for a good account on the United Nations human rights machine operating on the issue of disappearances in Argentina, Guest, Ian, *op. cit.*

³¹ See *UN Human Rights Commission on Human Rights, Report of the UN Working Group on Enforced or Involuntary Disappearances*, UN Doc. E/CN.4/1435, January 26th, 1981.

³² This decision was, as Guest suggested, "an ultimate rebuke" for the Military Junta. It showed on the one hand, the intensity of the international condemnation, and on the other, the success of the international human rights campaign. Guest, Ian, *op. cit.*, pp. 238-239.

respecting neither promoting the Christian and Western morality that the Junta intended to incarnate.³³ These allegations were then embodying the ultimate failure of the regime. Thus, in the following section, I will analyse some of the main discursive strategies deployed by the Military Junta to respond to the challenge posed by the international discourse of human rights.

2. The PRN's counterattack

*[...] we need to worry less about what those who are today converted defenders of human rights and until recently delinquents of the terrorist bands actually say. They are the same who now in their defeat don't find another way to express the hate and the feeling of revenge they have.*³⁴

As we discussed above, the Junta started to be the focus of international criticism and concern early in 1976.³⁵ The political

³³ Since 1980 onwards, although the number of disappearances notoriously decreased, the criticism to the Argentine government and the international pressure over its human rights records continued. The UN Human Rights Commission kept the Argentinean case under considerations and the accusations of the different NGOs against the military Junta did not decline. However, it is important to mention here that one of the most important sources of public pressure did notoriously reduce its intensity and enthusiasm. The US position regarding human rights considerably changed once the new elected republican administration took office in January, 1981. As a return to the past, during the Reagan administration, the human rights considerations were mostly marginalised from the US foreign policy decision making towards Latin America and the symbolic and material sanctions imposed on several military regimes of the region, including on the Argentine military Junta, were mostly reversed. Thus, by February, 1981, as a result of this shift, the recurrent US opposition to the Argentine requests for loans in the international financial institutions stopped and the US military sales and security aid to Argentina were finally renewed. See this point in GUEST, Ian, op. cit., pp 247-249.

³⁴ HURGUINDEGUY, General Albano, *La Nación*, 7-7-1979.

³⁵ Despite these first criticisms, it could be said that during the very first couple of months in power the military junta was quite successful in avoiding direct international condemnation and in differentiating itself from the dictatorial and repressive regimes of the region. As the declaration of the US Ambassador in April, 1976 shows, "human rights could become a prob-

violence of the months previous to the coup and the early involvement of the armed forces in the repressive campaign under the Peronist government had alerted the international community about the human rights situation in the country and the possible deterioration that a new military regime could entail.³⁶ Thus, the information about illegal detentions, tortures and disappearances of political dissidents that followed the 1976 military coup increasingly turned the international attention to the Military Junta's performance. After a few months in power then, the junta was compelled to generate mechanisms and strategies to respond and counterattack the international criticisms as well as to avoid the propagations of those criticisms inside the country. The different discursive operations deployed by the regime could not escape however the ambiguities and contradictions that belonged to the reality of the PRN. That is to say, the PRN's responses to the international criticism would range from a total denial of the accusations to the acknowledgment of the alleged crimes and abuses.

2. a. The Anti-Argentinean Campaign

One of the early responses given by the PRN to the international accusations of human rights abuses and which responded mainly to the regime's initial claim to protect the Western and Christian values was a categorical denial. This denial was accompanied by a counteraccusation: those who were behind these investigations had a partial and political motivated view and were ultimately related to or used by international terrorism.³⁷ This was very much the government's

lem when militaries attempt to abolish terrorism. But until now, the Junta follows a prudent and reasonable line, in an attempt to avoid being labelled with a 'Made in Chile'". See NOVARO, Marcos and PALERMO, Vicente, *op. cit.*, pp. 109-110.

³⁶ As we have explained before, the political situation in the rest of the region, particularly the Chilean case, certainly contributed to this international awareness.

³⁷ As Guest explained, this denial could be seen as an attempt to gain time in order to conclude the struggle against subversion. This strategy was com-

response, largely echoed by the local media, when the first AI mission visited the country in November, 1976.³⁸ In most of the newspapers and magazines' reports about the AI mission there was an emphasis on the suspicious ends and doubtful financial support of the organisation and on its tendentious policy of ignoring the human rights abuses committed in other countries such as Cuba and the Soviet Union as well as the numerous and cruel abuses committed by the extremist groups inside the country.³⁹ ⁴⁰ As the newspaper *La Prensa* put it,

Whose rights are they defending? Only those who are in prison? Apparently, the rest of society has none. Amnesty remains indifferent to the brutal killings of innocent people. It cannot hope to inspire confidence and sympathy in our country.⁴¹

Thus, transmitting quite faithfully the position of the government, the media was gradually linking international criticisms and enquiries about human rights abuses with an international conspiracy of terrorist and communist groups which ultimate aim was to isolate Argentina from the rest of the world and to destroy and interfere in the future development of the country.⁴² In this way, international human rights claims were

municated to all the Argentineans Ambassadors in early 1977. See Guest, Ian op. cit., p. 106.

³⁸ The media based their information on the government press agency Telam, which grotesquely altered the facts and activities of the mission and which attempted clearly to satirise and discredit the members of the mission. See this point in Guest, Ian, op. cit., pp 76-86.

³⁹ See for example, *La Opinión*, 4-11-1976, p. 19; *La Opinión*, 9-11-1976, p. 2; *La Opinión* 11-11-1976, p. 7; *La Nación*, 10-11-1976, p.13; *La Nación*, 13-11-1976, p. 4.

⁴⁰ The general attitude could be seen also in the response the director of the newspaper *La Opinion*, Jacobo Timerman, sent to the democratic US Congress member Donald Fraser, regarding the hearings on the status of human rights in Argentina held by the US Congress. In the letter, Timerman referred to the partiality of the testimonies received and ask for an invitation to give his won testimony about the extremist violence that took place in the country before the Junta took power in March, 1976. See *La Opinión*, 10-10-1976.

⁴¹ *La Prensa*, 10-11-1976, quoted by GUEST, Ian, op. cit., p. 85.

⁴² In similar terms, these kinds of assertions were countless repeated by the government authorities in the years to come. See for instance the ex-

equivalentially linked to subversion, terrorism, non-Western, non-Christian, Anti-Argentinean, that is, all what threaten the “Argentinean way of life”. Thus, soon all international critique to the government were subsumed under what the regime started to call the “Anti-Argentinean Campaign”; campaign that according to the Junta’s reading was disseminating half-truths of what was really happening in the country.⁴³ The fallacy about the Argentine reality was deceiving or confusing many “naive people” in the rest of the world, especially in Europe and in the United States, as Colonel Bilbao put it, “extremists exploited the ingenuity of idiots claiming for human rights when they don’t respect the rights of the rest”.⁴⁴ All these deformations of the Argentine reality were generating a false public image of the country, in General Videla’s words,

[...] there is a distortion of the reality that is not casual, rather, it is perfectly planned in order to create these images that seem to be fine for those who are misinformed but which do not respond to the Argentine reality [...] this has brought us inconveniences with other countries, that having distorted information, have pretended to criticise internal aspects of our country.⁴⁵

The criticisms and interferences Videla was referring to were mainly related to those criticisms coming from the United States. As we have seen in the previous section, since early 1977, the Carter’s administration was putting a considerable

pressions of concern of the Argentinean Ambassador in the UN, Gabriel Martínez, regarding Amnesty International and other two human rights organisations: “these organisations with presumably humanitarian ends are harassing Argentina attempting to internationally isolate it”, *La Nación*, 10-08-1977; in another occasion, the same Ambassador referred to the members of the Argentinean Commission for Human Rights based in Washington as “active members of Argentinean terrorists and subversive organisations”, *Clarín*, 26-08-10-1977; he also asserted one month later “the anti-Argentinean elements are very persistent and have a lot of many to develop their sinister plan to discredit our country”, *La Nación*, 22-11-1977.

⁴³ Amnesty International’s report was described as “hearsay” by the Military Junta. Amnesty did not “understand the Argentinean situation”. See this point in GUEST, Ian, op. cit., p. 85.

⁴⁴ *Clarín*, 11-09-1977.

⁴⁵ *La Nación*, 24-01-1979, p. 3.

pressure on the Argentine government to stop the systematic repression of political opponents and to investigate the human rights violations. This pressure took the form of concrete economic sanctions and resulted, as we have seen above, in several visits of delegates of the US government to the country throughout 1977. Now, these measures were from the Junta's point of view not other thing than the ultimate consequences of the false and manipulated information disseminated by the terrorist conspiracy against Argentina.⁴⁶ The task of the regime was then to dismantle the real causes of that misinformation and show the "true reality" of the Argentine society.⁴⁷ The visits to the country of the US delegations were then apparently a good opportunity to show to the world the "real Argentina", in which things were not like they seemed to be.⁴⁸ Newspapers and magazines made numerous references to that "genuine image" that the delegations were going to obtain from their visits, as a newspaper put it, "our visitors could see, listen and later infer their own conclusions. They will be the hosts of an honest people that love democracy...".⁴⁹ Now, this strategy of denial was also accompanied by a re-affirmation of respect for human dignity, freedom and rights. The language of the rule of law was always present in the discourse of the regime. As General Videla re-asserted in late 1977,

The articulation of a realm of personal liberty in which man could be the owner of his own destiny and not an object of public or private arbitrariness or injustices, is a primary task of the National Reorganisation Process.⁵⁰

⁴⁶ As Videla explained, "We don't have any doubt that this campaign is constituted and responds to the interests of subversive terrorism", *La Nación*, 18-12-1977.

⁴⁷ The task of showing the real Argentina to the world was very much emphasised during the 1978 Football World cup. We will go back to this below in the text.

⁴⁸ As General Jorge Rafael Videla put it in his visit to the USA in September, 1977, "the image is different to the reality". *La Opinión*, 15-09-1977. As part of this campaign of changing the image of Argentina in the world, the Junta created in June 1977 a Pilot Centre in Paris to counterattack the actions and information disseminated by the Argentinean exiles in France. See NOVARO, Marcos and PALERMO, Vicente, op. cit. p. 284.

⁴⁹ *Crónica*, 09-08-1977.

⁵⁰ *La Nación*, 21-12-1977, p. 1.

He also put it very clear in his visit to the United States in September, 1977 when questioned by journalists about the human rights abuses in the country, in his words, “the war against subversion was carried out in defence of the same kind of rights that the United States value so much”.⁵¹ Thus, in order to preserve its legitimacy, that is to continue embodying the Western and Christian values of the Argentine society, the regime had to reinforce its commitment to the rule of law, reinforcement that would be the condition of possibility for future criticisms and challenges.⁵²

Now, the PRN’s early strategy of denial soon showed to be insufficient to move Argentina away from the international spotlight. Even though this campaign was successful enough to neutralise the impact of the international criticism inside the country, it did not manage to stop the international complaints and petitions for the investigation of disappearances and for the release of thousands of political prisoners.⁵³ New reports were coming out with detailed information about the extent of the repressive campaign. Thus, by the mid 1977, the Junta turned to the acceptance of the international accusations. That is, without abandoning the strategy of denial, the PRN appealed to a parallel reading of the events that was already available in the discursive reality of the PRN: the war against subversion.

2. b. A Situation of Exception

The other main discursive strategy at play was articulated around a “situation of exception” and the figure of “excesses”. As we suggested in the previous chapter, the eradication of

⁵¹ *La Nación*, 15-09-1977. See for almost identical declarations of General Videla two years later, *La Nacion*, 24-01-79.

⁵² This point will be discussed in chapters 6 and 7.

⁵³ The Argentine foreign affairs office did not stop receiving petitions from different countries regarding the disappearance or kidnapping of their own citizens. These countries involved Italy, Spain, Germany, France, Brazil, Peru, Sweden and the US. This led in some cases to intense diplomatic tensions and to the actual withdrawal or attempts of withdrawal of the ambassadors from the country. See NOVARO, Marcos and PALERMO, Vicente, op. cit. p. 280.

subversion was organised by means of the logic of war, but as we also explained there, this war neither was a conventional nor a clean war; rather it was a “dirty war” which was fought against a dirty enemy who did not follow any conventional rule of war and who had immersed the country in a situation of total chaos and anarchy threatening the integrity of the entire nation. The subversive threat then put the country under a “situation of exception”, in which the armed forces took the responsibility through the means of war –an exceptional war– to eliminate those forces of chaos and to re-establish order and peace within the Argentine society. Thus, under exceptional circumstances, the war against subversion required the use of “exceptional measures” which presupposed, at some points, the temporarily suspension of the rule of law. That is, in order to preserve the political unity of the nation, the “sovereign” had to situate himself in the limits of the law, becoming actually the condition of existence of that law.⁵⁴ As General Harguindeguy suggested, “certain restrictions to the constitutional guarantees and rights are legitimate”, and he continued, “under a state of necessity, nobody could reject the Nation the right to defend its integrity, its basic values and its political organisation by the use of extraordinary means”.⁵⁵ Thus, as General Videla suggested, like in all wars, in the dirty war “there are survivals, there are injured people, there are dead people, and some times there are disappeared people”⁵⁶, and as he explained many times, the causes of those disappearance were very diverse, persons disappeared because “they went into clandestinely”, because “they were killed by subversives as they were considered traitors”, because “they decided to leave the country”, because “as a result of explosions, their bodies were mutilated and unrecognisable” and finally, as he put it, “I accept that there could be disappearances because of the excesses committed in

⁵⁴ SHMITT, Carl, *Political theology: four chapters on the concept of sovereignty*, Cambridge, MIT Press, 1985, p. 5.

⁵⁵ *La Nación*, 23-11-1979. General Viola also expressed this point very clearly: “The rule of law was transitorily suspended in order to assure its later survival”, *La Nación*, 26-10-1979. p. 6.

⁵⁶ *La Nación*, 18-12-1977.

the repression. This is our responsibility, the other alternatives we don't control them".⁵⁷

Thus, as Videla's explanation shows, the response of total denial was now overlapped and intersected by some kind of acknowledgment of the accusations. The situation of exception had resulted in some excesses, excesses that involved thousands of disappearances and that meant the failure of the Junta's effective repressive campaign. However, as Videla's account also shows, this acknowledgment did not involve the abandonment of the operation of denial. Immediately after accepting the excesses of repression and disappearances in the same speech, Videla expressed,

However, in more than one opportunity some persons that were apparently disappeared, appeared later on, in front of a microphone and talking on television in some European country against our country.⁵⁸

Thus, eventually, the responsibility and recognition of the excesses of repression were just reduced to a very few cases or presumably to none. But in any case, these excesses were accepted and were now part of the PRN's reality.

2. c. Leaving War behind: the PRN's Turn to the Future

The acknowledgment of excesses of repression was very much linked to a tactical move of the regime towards the "future". Facing an increasing international criticism, the regime was aiming to show the rest of the world that things were changing in Argentina; that although excesses did happen in the past, these were not going to be repeated in the future.⁵⁹ By the end of 1977 then, the Junta claimed the war against subversion

⁵⁷ Press Conference in the United States largely covered by the Argentinean media. *La Nación*, 15-09-1977. This account on the possible causes of disappearance and on the acknowledgement of the excesses of repression was first made public in May, 1977, when the Junta replied a petition from the Argentinean Episcopal Conference; see *La Razón*, 13-05-1977.

⁵⁸ *La Nación*, 15-09-1977.

⁵⁹ As General Videla put it, "the government has put all its efforts to avoid these cases to be repeated". *La Nación*, 15-09-1977.

was reaching its end, and a time for “dialogue”, “peace” and “democracy” was coming up.⁶⁰ Thus, the non-desired effects of repression had to be left behind, and the country was now prepared for a “truly representative and republican democracy”, which as General Videla put it, “would be strong and solid to prevent the oscillation between successive military and civilian regimes”.⁶¹ The Junta was then launching a campaign to show the international community the regime’s fidelity to the rule of law. With this aim then, during 1978 the regime made considerable efforts to make public the measures it was taking to normalise and improve the juridical security inside the country. Newspapers and magazines were covered by supposed legal sentences imposed on “subversives and extremists”, as it appeared in *La Nación*, “Subversives that appeared in court spontaneously are being judged”, later explaining, “once they have been convicted, they will accomplish their sentence in prisons of extreme security but they will have the same rights than ordinary prisoners...”.⁶² Although those sentences were presumably legal, they were exceptionally severe, as again *La Nación* reported, “two subversive criminals were convicted to one hundred years in prison”.⁶³ Now, the Junta used all available opportunity to clean its image. The hosting of the 1978 Football World cup represented one crucial chance. As Admiral Massera put it,

The World cup represents a magnificent window for the world to see that Argentina is a country that only aims to leave in peace and liberty.⁶⁴

⁶⁰ In the months to come, innumerable government’s speeches and declarations would emphasise the end of the dirty war and the initiation of a time for peace. This peace was the propitious terrain for opening a dialogue with all the political and social voices of the nation, except, of course, with those subversives and corrupted elements of society. This dialogue entailed eventually the possibility of a “true democracy”, which different from the previous experiences, would allow the truly development and union of the nation. *La Opinión*, 15-09-1977, *La Nación*, 18-12-1977, *La Nación*, 26-12-1977, *La Nación*, 2-06-1978,

⁶¹ General Jorge Rafael Videla, *La Nación*, 26-12-1977.

⁶² *La Nación*, 18-1-1979, p. 11. See for other examples, *La Nación*, 4-12-1978, p. 19, *La Nación*, 8-12-1978, p. 4.

⁶³ *La Nación*, 21-12-1978, p.24, *La Nación*, 10-04-1977, p. 10.

⁶⁴ *La Nación*, 05-06-1978, p. 1

During the world championship then, the Junta launched one of its most forceful counter-offensive campaigns, in which it deployed all its discursive mechanisms to discourage the international criticisms about human rights abuses in the country and to put forward an image of national union, peace and harmony to the thousand of foreign journalists that were covering the event.⁶⁵ A famous slogan of that time showed well the regime's counterattack, "Argentineans, we are right and humans".⁶⁶

By means of the "anti-Argentinean campaign"⁶⁷ and with the devoted help of the local media, the regime succeeded in generating a collective and powerful image of "national unity" that was reflected in newspapers and magazines. As an editorial of *La Nación* after the victory of Argentina suggested,

The evidence of union among Argentineans in this World Cup drastically contrasts with the political motivated and defamatory campaign with which some people from inside the country but mostly from outside want to humiliate us without actually achieving it...⁶⁸

Important figures of the cultural scene and political and social figures were also interplated by this spirit of national union and peace that emerged during the World Cup.⁶⁹ A

⁶⁵ By the time of the world cup, the Junta had paid half a million dollars for the services of a US company in charge of generating a plan to improve the public image of the country and its government. See this point in NOVARO, Marcos and PALERMO, Vicente, op. cit., p.160.

⁶⁶ This slogan was print out in stickers, pamphlets, and appeared in the major newspapers and magazines.

⁶⁷ The Anti-Argentinean campaign played a constitutive condition in the discourse of the PRN. If, on the one hand, it was the condition of impossibility of the fulfilment of the Argentinean nation; on the other hand, it became its condition of possibility, over which the "unity" of the nation could be achieved.

⁶⁸ *La Nación*, 01-07-1978, p. 7. At the time of the Football World Cup, the female magazine *Para Ti*, included in its publications postcards venerating the regime for being sent to international organisations that criticise the country; another magazine, *Siete Días*, published a report on 'How it is attempted to destroy the Argentinean image outside the country'.

⁶⁹ As Alfredo Alcon, a well known actor put it, "the activities that are developed around the world championship show the world what we do and what we are". *Clarín*, 1-06-1978, quoted by NOVARO, Marcos and PALERMO,

group of local entrepreneurs joined under the slogan “The true Argentina is also part of the news”, and dismissed the international criticism as part of a “corrupted external campaign carried out by extremists”.⁷⁰

Continuing with its campaign to show the international community the regime’s commitment to the rule of law, human rights, peace and security, the Military Junta accepted the visit of the OAS Commission of human rights in September, 1979.⁷¹ As General Videla insisted, the commission “will see what our reality is” and he continued, “which is very different to the caricature of Argentina that people pretend to sell in some foreign media”.⁷² During the months preceding the visit of the Commission, the regime persisted deploying a series of measures to “normalise” the legal situation of the country, and somehow, “address” the effects of the repressive campaign against subversion. For the first time then, laws that had been enacted straight after the 1976 coup to fight against subversion, were now put into practice,⁷³ and military tribunals that were originally in charge of judging terrorists, were actually passing sentences.⁷⁴ Also, hundreds of prisoners under the control of the Executive power were released,⁷⁵ the first lists of names of prisoners were made public,⁷⁶ and people that were presumably disappeared were magically located.⁷⁷ Various attempts were made to show the independence of the judicial power and the lack of interference on behalf of the Junta⁷⁸ and special

Vicente, op. cit., p. 163.

⁷⁰ *La Nación*, 23-06-1978, p. 10.

⁷¹ The first negotiations regarding the visit took place in June, 1978, see *La Nación*, 21-06-1978, but it would not be until December, 1978 that Argentina extended an official invitation to the Commission. See *Organisation of American States*, op. cit., p. 1.

⁷² *La Nación*, 31-08-1979.

⁷³ As for example the death penalty law, see *La Nación*, 4-03-1979.

⁷⁴ *La Nación*, 17-08-1979.

⁷⁵ *La Nación*, 20-12-78, p. 1, *La Nación*, 23-12-78, p.1.

⁷⁶ During August, the Interior Minister started gradually to publish the thousands of names of the political prisoners. *La Nación*, 9-08-1979, *La Nación*, 23-08-1979.

⁷⁷ As it was the case of 167 disappeared people, see *La Nación*, 15-12-1978, also *La Nación*, 7-09-1979.

⁷⁸ *La Nación*, 30-03-1979.

laws on the figure of the “disappeared” were enacted,⁷⁹ solving –or attempting to solve– “the gap”, “the undetermined legal status” that the act of disappearance itself had generated within the juridical system, and providing, in Ambassador Martínez’s words, “humanitarian solutions for the families of the disappeared people”.⁸⁰

As we have already seen in the previous section, the outcome of the visit of the OAS Commission to the country was very different to what the regime was expecting. Despite all its efforts to alter its reputation, the Argentine government could not avoid being again accused of committing numerous and serious human rights abuses. Although the report acknowledged that the situation within the country had improved in the last year and that the number of disappearances denounced had actually dropped, the conclusions of the commission were still devastating for the regime in their frankness and details.⁸¹ The Junta realized at once that the report was one of more serious diplomatic reverses it had faced since taking power, but still trapped in its own limits and ambiguity, the Junta responded to those accusations deploying the same discursive operations of denial and acceptance that it had used for the last three years, operations that by now had shown their failure in moving the regime away from the place of fearful and repressive dictatorships.⁸²

⁷⁹ These were the 14.394 and 22.062 laws. These two laws presumed dead all those who had been disappeared from November 6th, 1974 until the day the laws were enacted and provide mechanisms for the relatives of the disappeared persons to claim inheritance benefits. *La Nación*, 23-08-1979, *La Nación*, 31-08-1979.

⁸⁰ Statement of Ambassador Gabriel Martínez in front of the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities. See *La Nación*, 29-08-1979.

⁸¹ *Organisation of American States*, op. cit., p. 264.

⁸² The first reaction of the regime to the report was to try to show that Commission concluded what the regime wanted it to conclude, that is, that the non-desired effects of repression were a problem of the past, and that now there was peace and security within the Argentine society, *La Nación*, 19-09-1979. Later on, the regime rejected the report accusing the Commission of echoing the anti-Argentinean campaign. See *La Nación*, 08-05-1979.

As we have seen also before, after the report of the Commission came out in March, 1980, the international expressions of concern and criticism towards the regime and its human rights records increased. The failure of the regime to control and decontest that criticism was now having a greater impact inside the country and was actually putting in evidence its ultimate failure, that is, its incapacity to re-establish and promote the Christian and Western morality that it intended to incarnate and on which it based its possibility of existence. By then, the Junta's ability to neutralize the voices of protest was showing its limits; its account of the fight against subversion was confirming its constitutive ambiguity. Upon those limits and ambiguity, the reading of the events held by the international discourse of human rights was gaining its force within the Argentine society and a local human rights movement was taking form.

Conclusion

As we discussed in this chapter, regardless of the modus operandi and secrecy of the PRN's war against subversion, early on the military regime received the criticism and condemnation of the international community regarding its human rights records. Numerous international reports accused the regime of committing massive human rights violations inside the country and presented a vast amount of evidence to prove the accuracy of the accusations. As we explained, the criticism of the international human rights discourse was not only questioning a particular aspect of the PRN's internal security policy, but also the very legitimacy of the regime. That is, these criticisms were showing the PRN's ultimate failure to protect the Western and Christian values that it claimed to incarnate. The regime then was not outside the sphere of influence of the international community and as such could not remain indifferent to its criticisms. Against this background, the PRN made several efforts to change its international reputation and it deployed different discursive strategies to counterattack the allegations. As we argued, these efforts and strategies could not escape the ambiguities and contradictions that prevailed in the reality of

the PRN. Those responses ranged then from the total denial of the accusations, to the acknowledgment of the alleged crimes and abuses by means of the figure of “excesses of repression” and by the argument of a “situation of exception”. Thus, these different strategies coexisted and overlapped from start to finish under the PRN and they formed part of the regime’s campaign to show the international community its incessant commitment to the rule of law and Christian morality. Now, in the following chapter we will look at the initial effects of the PRN on the Argentine society. As we will show, the regime’s discourse produced a general silence within society that was very much secured by the clear identification of the existing political and social forces with the aims and values of the Proceso. This general silence would result in a traumatic absence of meaning within the universe of the PRN that would eventually open up the possibilities for struggle and change.

CHAPTER FIVE

Silence and Absence: The Effects of State Terrorism on The Argentine Society

It didn't matter what proof you had, they denied everything. They always said they knew nothing.¹

Introduction

In the last two chapters, we studied the functioning and organisation of the PRN's discourse and some of the first international challenges and criticisms. We showed how the discourse of the military regime was articulated around the demand for order and how one of its main aims was the eradication of subversion; aim that was organised by means of a total and dirty war. We explained also how the discursive reality of the PRN was characterised by the interplay between the logic of war and the rule of law and we began to look at how this interplay produced a general sense of fear and uncertainty within the population. In this chapter, we continue exploring the initial effects of the PRN and its war against subversion on society. This is done in order to understand and account for the dislocatory experience that prompted the mobilisation and constitution of the human rights groups and discourse during 1976-1981.

The chapter is divided in three parts. In the first part, I look at the regime's diffusion of fear, giving special attention to one of its main outcomes: silence. This silence was crucial for the PRN. That is, even though silence stood for different reactions and attitudes and did not ensure complete adherence to the military regime, neither a complete identification with its subject positions, it did enable the Military Junta to prevent

¹ DE DOMÍNGUEZ, María in FISHER, Jo, *Mother of the Disappeared*, Boston, South End Press, 1989, p. 94.

the expression and articulation of alternative constructions of reality. In the second part, I show through a detailed historical account how this silence was actually assured not only by the action of the military government, but also by the clear identification of the political and social forces with the aims and values of the Proceso. Finally, in the last part of the chapter, I examine how the prevailing silence and the resulting failure of the existing discourses to articulate the effects of the dirty war resulted in a temporal suspension of meaning within the reality of the PRN, a situation that could be characterised as a dislocation, which immersed the families of the victims and all those affected by the illegal repression into a state of deep desperation and frustration.

1. Fear and Silence under the PRN

As we suggested in chapter three, fear became a prevailing aspect in the reality of the PRN. The ubiquitous dimension of war, the blurring of the clear and distinct frontiers between law and war, between society and its enemies, were the basis for the regime's construction and diffusion of fear and insecurity. That is, the circulation of unofficial information and rumours about war, the omissions and silence of the authorities, the day-to-day reports of shoot-outs, the actual abductions and violent attacks carried out many times during daytime in public places, as well as the omnipresence of the military and police forces in the streets were some of the mechanisms through which the regime produced and induced an unprecedented perception of threat, mistrust and vulnerability within the population.²

² Security operations were frequently conducted by large numbers of military and police staff. As it is shown in a newspaper's article at that time: "A security operation to control the population, similar to others done before, has been carried out this morning by the armed forces in the Villa Comunicaciones, Retiro. Operations of identification of person, regularisation of documentation and an intense sanitary control of the population were carried out [...]. The operations [...] were carried out by 1,500 members of the joint forces with the collaboration of other 500 persons [...]. *La Razón* 19-12-1976, quoted by FRONTALINI, Daniel and CAIATI, María Cristina, op. cit., p. 37.

As the relevant literature explains, fear under authoritarian rules was fuelled and diffused to foster obedience and to deter any possible expression of dissent or discontent.³ It was deployed to produce consensus and to accomplish successfully the aims and objectives of the PRN which entailed a redefinition of the prevailing political and social identities and the production and surveillance of a new set of subjectivities inscribed in the discourse of the regime. For instance, this inducted “cooperative and well behaved” citizen: the citizen who was expected to witness, obey and even actively assist the forces of order in their fight against subversion. One of the many daily reports about the war illustrates very well the role of the citizen-subject in the military discourse:

The Zone 1 Command informs the public that another victory has been gained over the Marxist subversion, thanks to the spontaneous and valuable collaboration of the neighbours of the house, who advised the forces of law about suspect happening in a dwelling situated [...]⁴

This “collaborative and approving” citizen was the only citizen whose existence was recognised under the discursive universe of the PRN. All behaviour that differed from this “valuable collaboration” was suspicious and radically excluded as “subversive”. As General Viola put it, “the exclusion is only

³ There is a considerable amount of work done on the diffusion of fear in Argentina, see for instance CORRADI, Juan E., WEISS FAGEN, Patricia, and GARRETÓN, Manuel Antonio, eds., op. cit.; Carolyn NORDSTROM and Jo ANN MARTIN, eds., *The Paths to Domination, Resistance and Terror*, Berkeley, Los Angeles and Oxford, University of California Press, 1992; KORDON, Diana R. et al, *Psychological effects of political repression*, Buenos Aires, Sudamericana/Planeta Publishing, 1988; CORRADI, Juan E., ‘The culture of fear in civil society’ in PERALTA RAMOS, Mónica and WAISMAN, Carlos, ed., op. cit.; CORRADI, Juan E., ‘The mode of destruction: Terror in Argentina’, in *Telos*, No. 54, (winter 1982-1983).

⁴ *La Opinión*, 22-04-1977.

⁵ See this point in IETSWAART, Heleen F. P., ‘The Discourse of Summery Justice and the Discourse of Popular Justice: An Analysis of Legal Rhetoric in Argentina’, in ABEL, Richard L., ed., *The Politics of Informal Justice*, New York, Academic Press, 1982, vol. 2, p. 169.

valid for the subversive delinquents, their accomplices and their instigators”.⁶

The diffusion of fear was then necessary to police the obedience to the commands of the regime; to control the identification of the “neighbour”, of the “ordinary Argentinean”, of the “public” with the “cooperative and well behaved citizen” of the military discourse.⁷ In the same way, the diffusion of fear functioned with the “Argentinean family”: “the fundamental and basic cell of the Argentine society”. As we have seen in chapter three, there were innumerable threatening references in the military discourse to the “mothers and fathers” of the country about the risks that subversion posed to their families and the need to control and adjust their family life to the necessities and values of the PRN. The famous official campaign announced in radios, TV, newspapers, posters asking the audience whether they knew where their children were and what they were doing at that particular time of the day, reminding them their duties and responsibilities as parents, was one of the many ways through which the regime induced fear and insecurity within the families and ensured their “appropriate” behaviour.⁸ As a result of this, fear defined many of the actions and attitudes of the people in the workplace, family, public places and schools.⁹ A testimony of a young man is illustrative in this regard,

We were listening to “La Marcha de la Bronca”¹⁰, and my father turned off automatically the tape recorder and he told me that we shouldn’t listen to this music there, we should do it upstairs, in my room, but very low, as this song could not be listen now.¹¹

The diffusion of fear then fosters obedience but very importantly for the regime’s success, also silence. The citizenry,

⁶ VIOLA, General Roberto, 16-11-1976, quoted by TRONCOSO, Oscar, *op. cit.*, p. 83.

⁷ See ZAC, Lilian, *op. cit.*, pp.161-162.

⁸ See FILC, Judith, *op. cit.*, p. 38.

⁹ ZAC, Lilian, *op. cit.*, p.161.

¹⁰ A Rock song that was censored at that time.

¹¹ Testimony quoted by NOVARO, Marcos and PALERMO, Vicente, *op. cit.*, p. 143. See some other interesting testimonies about the perception of fear and insecurity in the same book pp. 138-144.

the family, and the public of the Proceso were called to obey the new rules, denounce any deviation and maintain a clear silence. A “time for silence”¹² was necessary to achieve the fulfilment of order. As Admiral Massera put it, there were times where “some must speak and some must be still, so we can listen to the voices of the just and to the silence of the sinners”.¹³ Under a context where nobody knew exactly what a sinner was, the silence should be total.¹⁴

In this sense, during the first year of the PRN, the diffusion of fear produced along with isolation, depoliticisation and a sense of hopelessness, a general silence that rapidly extended all through the social body.¹⁵ Silence became the general and legitimate attitude to assume, particularly regarding all that was related to the war on subversion.¹⁶ In this sense, all indications of deviation from the mandate of silence were systematically condemned and censored not only by the official authorities but also by the fellow citizens, family members

¹² General VIDELA, Jorge Rafael, *Clarín*, 7-03-1977. This is how he described the first year of the PRN.

¹³ Admiral MASERA, Emilio, quoted by FEITLOWITZ, Marguerite, *A lexicon of terror: Argentina and the legacies of torture*, New York, Oxford University Press, 1998, p. 34.

¹⁴ The blurring of the limits of the war resulted in a proliferation of enemies and in an increasingly vague and lax definition of subversion. Thus, there was a wide range of attitudes, actions and even omissions which were included under the suspicion of subversion. As a result of this ambiguity, this condition could apply to everyone in everywhere. There was not a single dimension of society that could escape from the threat of subversives. It was ultimately the role of the militaries to identify them and to get rid of such a threat.

¹⁵ See this point in MIGNONE, Emilio, ‘Beyond Fear: Forms of Justice and Compensation’ in CORRADI, J., WEISS FAGEN, P., and GARRETÓN, M., eds., op. cit., p. 252. See also in the same book, Rial, Juan, ‘Makers and Guardians of Fear. Controlled terror in Uruguay’, p. 100. See also ‘A Grammar of Terror: Psycho-Cultural Responses to State Terrorism in ‘Dirty War’ and Post ‘Dirty War’ Argentina’, in NORDSTROM, Carolyn and MARTIN, Jo Ann, eds., op. cit., p. 254; and KORDON, Diana R. et al, op. cit. p. 28.

¹⁶ As Kordon and Edelman explain, silence also strengthened fear and generated various defensive configurations at the individual level. See KORDON, Diana and EDELMAN, Lucila, ‘Psychological effects of political repression I’, in KORDON, Diana R. et al, op. cit., p.34.

and friends. Strategies for self-protection reflected in forms of self-censorship or in expressions of distrust such as “don’t get involve” or “what do I care” were brought to the fore.¹⁷ Also, other mechanisms of negation and ignorance were put into effect. That is, despite the daily reports and evidences of violence, large groups of society preferred to negate or ignore the atrocities and crimes committed by the regime putting on the same level the PRN and the previous military experiences in the country. The clandestine side of the repression and the regime’s concealment of the crimes clearly favoured this attitude and drove many people to accept the official reading of the events, finding no reasons to break with the prevailing silence.¹⁸ Claiming ignorance or negating the events prevented them from taking action and eventually from being exposed to future enquiries. As one testimony shows, “us? We knew nothing, nothing!”¹⁹ For many others, obeying the mandate of silence also involved the adoption of a cynical and complicit position through which they seemed to accept and adhere to the regime’s association between the victims of repression and subversion. Statements such as “it must be for something”; “they must have done something”, or “it is not with us” expressed very well this correlation and acceptance. This cynical and detached attitude helped these people to move away from the danger of subversion and to find reasons for their silence about the unacceptable “whoever is still will be safe”.²⁰ As testimony shows,

¹⁷ As Emilio Mignone explained, as part of these strategies of protection, some people hid or burned their books or magazines, lawyers were reluctant to take up cases of disappearance and normal legal actions against arbitrary arrest and persecution, some doctors denied treatment to those they suspected of being linked to the dissident organisations and many people avoided meeting with members of the families of the victims of repression. See MIGNONE, Emilio ‘Beyond Fear: Forms of Justice and Compensation’ in CORRADI, J., WEISS FAGEN, Patricia, and GARRETÓN, Manuel Antonio, ed., op. cit., pp. 252-253. See also in the same book RIAL, Juan, ‘Makers and Guardians of Fear. Controlled terror in Uruguay’, pp. 100-102.

¹⁸ See several testimonies of this in NOVARO, Marcos and PALERMO, Vicente, op. cit., p. 135.

¹⁹ Quoted by FEITLOWITZ, Marguerite, op. cit., p. 150.

²⁰ Numerous testimonies of the relatives of the victims tell about this cynic

At that time, all people thought that the ones who were taken [...] were related to or were actual members of the ERP²¹ or that they were *Montoneros*²² [...] I continued my life as normal.²³

Often, to assume as valid the association between victims and subversives also involved the implicit or explicit acceptance of the illegal methods of repression deployed by the regime. A short testimony shows very well this, “I was very shocked when I saw how the house was destroyed, but logically, subversives were living there”.²⁴ That is, the shock and uncertainty that the illegal methods produced and the eventual actions that could have followed were immediately censored by the repetition of the regime’s reading of the events. Against this, silence and inaction were once again assured.

As we have said above, the prevailing silence within the population would be crucial for the PRN. That is, even though—as the different mechanisms of self protection, denial and cynical distance show—silence stood for different reactions and attitudes and did not ensure complete adherence to the military regime, neither a complete identification with its subject positions, it did enable the Military Junta to prevent the expression and articulation of alternative constructions of reality.²⁵ It did foreclose temporally the avenues for challenging

and detached attitude in many of their neighbours and in those who witnessed the military operations and abductions. As the testimony of Elsa de Becerra shows, “when they broke into my house and took my daughter, in spite of the violence of the attack and in spite of the cars and the noise, my neighbours acted like they saw and heard nothing”. See this testimony in FISHER, Jo, op. cit., p. 26.

²¹ Ejército Revolucionario del Pueblo (people’s revolutionary army).

²² A guerrilla movement.

²³ Quoted by NOVARO, Marcos and PALERMO, Vicente, op. cit., p. 134.

²⁴ Quoted by NOVARO, Marcos and PALERMO, Vicente, op. cit., p. 134.

²⁵ Thus, as Zac pointed out, silence was an ambiguous terrain under the PRN, “it could be both, preventing a different utterance from being articulated, and at the same time, it could be the silence of assent”. But, as it was also suggested, whatever the attitudes that lied behind this silence, they all equally adapted to the mandate of silence of the military regime. ZAC, Lilian, op. cit..

the regime's short-term plans and aims –eliminate subversion– and eventually assured its continuance in power.

Now, the general silence that through the diffusion of fear the Military Junta efficiently produced under the PRN was also very much possible thanks to the toleration and acceptance by most political and social forces of the military regime's plans. As will be discussed in the following section, the most important figures and leaders of the church, political parties, trade unions and the local media identified rapidly with the new conditions imposed by the regime and did not find enough reasons to break with the mandate of silence of the military government. In most of the cases, their will to collaborate would prevent them from challenging and denouncing the unprecedented regime's repressive campaign and would let them turn their back on the brutal repression and on the thousands of its victims. It would be especially this prevailing attitude which would help the regime to successfully maintain the silence of the majority of the people and to avoid any interrogation of its dirty war against subversion.

2. Securing the Silence

Under the PRN, the activity of the political parties was drastically reduced. As soon as the Military Junta assumed the political control of the government, all political activity and political parties were suspended, several political and social organisations were dissolved, and strict laws were enacted containing severe punishment for those cases in which the new measures were not respected.²⁶ Along with these official measures, a systematic campaign of intimidation and repression of political and social activists was put into practice. As a result, almost all political parties and organisations suffered, to a different degree, the effects of repression in their lower and middle ranks. Political and social militants became one of the major targets of imprisonment, abductions, tortures and disappearances.

²⁶ *Comisión Argentina por los Derechos Humanos, Argentina, proceso al genocidio*, Madrid, E. Querejeta, 1977, p. 23.

Thus, in this new extreme repressive context, it would seem that the political forces were totally trapped, with little space for manoeuvre and condemned to an enforced silence. However, since the very beginning of the regime and with the intention to consolidate its initial legitimacy and to secure its continuation, the Military Junta kept open a channel of conversation and negotiation with the main political figures of the moment in order to establish a “dialogue” on the reorganisation of the future political life of the country.²⁷ Thus, despite the official suspension and several constraints imposed on political parties and organisations, the leaders of all the political forces – excluding the ones declared illegal – were allowed to keep their party positions and to continue with their regular meetings and some of their public activities. Party leaders then, did not lose all their prominence under the PRN; they continued being legitimate interlocutors of the regime and valid references for the media and public opinion.²⁸

The diffused but still remaining space for political activity and the various exchanges between the political leaders and the government did not persuade the political forces to show any sign of discontent or dissent regarding the military war against subversion.²⁹ A veil of silence continued to cover the illegality and brutality of the war. Beyond the general fear of being identified as a subversive or as a defender of subversion that existed within the broad population and also within political groups, the obedience to the mandate of silence that prevailed among most political forces was a symptom of some well-established and shared political convictions. In other words, there was among most forces a general identification with the regime’s discourse of order and with its aim to put an end to

²⁷ See NOVARO, Marcos and PALERMO, Vicente, op. cit., pp. 182-183.

²⁸ With these contradictory actions though, the political activity was displaced to a very ambiguous terrain in which the limit between what was tolerated and what was forbidden was diffused. The drawing of that limit only belonged to the domain of the authority, which could always expand either its prohibitions or its toleration.

²⁹ The expressions of discontent and criticisms raised by the political sector were mainly related to the economic policies of the Minister José Alfredo Martínez de Hoz, and to his incapacity to reduce inflation and promote economic development. See, for instance, the declarations of FRIGERIO, Rogelio from the Radical party in *La Nación* 5-05-1978.

the guerrilla movements as well as to the process of political radicalisation that had started during the post-Perón era. There was even among most of them a general agreement on the legitimacy of the PRN and on the necessity of the interruption of constitutional rule. As the leader of the Radical party declared one month after the coup:

We accept in principle, as a contribution to the peace and union of Argentineans, a prudential suspension of the political activity.³⁰

Beyond suspicion and some knowledge of the atrocities committed by the regime, the political forces then did not intend to “interfere” or to put “obstacles” of any sort to the regime’s plans to fight subversion.³¹ The elimination of subversion was actually a prerequisite to the reestablishment of any order. As it is clear in the words of the Radical party’s leader,

[...] if subversion has been exterminated, it is necessary that the government starts to go along the pathway to peace and to the recuperation of the country.³²

Thus, there was among the political leaders a great disposition to collaborate with the military government and to participate in the official call for “dialogue”.³³ They all perceived that this was the only way to find a possible way out to the military interlude and to gradually move towards a new democratic government.³⁴

³⁰ BALBÍN, Ricardo, *La Voz del Interior*, 11-11-1976, quoted by TCACH, César, ‘Radicalismo y dictadura (1976-1983)’ in QUIROGA, Hugo and TCACH, César, eds., op. cit., trans. by me, p. 31.

³¹ There were some exceptions to this general attitude. See, for instance, the collective declaration of several political leaders of the UCR party on August, 1977, requesting the government the urgent investigation of the “violent episodes” taking place in the country, particularly the Pilar massacre, in which more than fifty mutilated bodies were found, and the abduction of Hipólito Solary Yrigoyen and Mario Abel Amaya, two well known Radical leaders. See TRONCOSO, Oscar, op. cit., p. 61.

³² BALBÍN, Ricardo, *La Prensa*, 21-11-1977, quoted by TCACH, César, op. cit., in QUIROGA, Hugo and TCACH, César, eds., op. cit., p. 34.

³³ Since the very beginning the regime mentioned its intention to establish a dialogue with the political and social forces of the country. See *La Opinión*, 14-8-1977.

³⁴ They all agreed that this way out could only be conceived in terms of

Thus, as has been stated in the literature, in that particular context it was unlikely for the political forces to break the silence and to criticise the regime's methods on the war against subversion. To do that could actually involve a reduction of the remaining space for political participation and in this sense a deterioration of their capacity to negotiate and influence on the political future of the country.³⁵

Now, it was the very ambiguous character of the repression which allowed most political leaders to maintain their silent and passive attitude. The clandestine and unofficial side of the dirty war made possible, as we have seen above, the negation or ignorance of the systematic persecution and physical elimination of the "enemy" and facilitated the repetition of the regime's interpretation of the consequences of the dirty war as "excesses" and "errors" committed by some uncontrolled groups that needed to be stopped. During the first years of the military government, the majority of concerns and calls for actions of the political forces were framed in these terms, as if the killings and disappearance were sporadic accidents that could be prevented rather than parts of a systematic plan of repression and extermination.³⁶ As Balbin's claimed about the killing of two important lawyers show, "the government should act with energy to prevent these episodes to be repeated".³⁷

A similar attitude prevailed among trade union leaders. During the first months of the PRN, and despite the extensive and brutal repressive campaign launched by the government against union activists and workers, no urgent calls for action or public criticisms regarding the regime's illegal methods and

a civic-military coalition that would assign the armed forces a significant role in the transition and in the new regime. See this point in MIGNONE, Emilio, *op. cit.*, p. 131.

³⁵ NOVARO, Marcos and PALERMO, Vicente, *op. cit.*, pp. 183-184. See also QUIROGA, Hugo and TCACH, César, eds, *op. cit.*, p. 35. As Teach explained, this was the prevailing position held by the Radical Party, one of the most important parties at that time.

³⁶ A point of break would be the declarations of Bittel with the visit of the IACHR. Bittel was interviewed by the Commission and prepared a statement from the Peronist party in which he denounced the illegal methods of repression and the human rights abuses. This will be discussed further on in the chapter.

³⁷ Quoted by NOVARO, Marcos and PALERMO, Vicente, *op. cit.*, p. 136.

violence were issued by the trade union leadership.³⁸ This passivity and silence responded in many cases to the fear that the repressive measures produced within these groups as well as to the strict legal restrictions imposed on the trade union activity.³⁹ However, there were as well other common perceptions and convictions within the union leadership that also contributed to the general lack of action. There was among most of them a widespread acceptance of the repressive campaign and its aims. That is, the regime's dirty war was bringing to an end the existence of guerrilla groups, and at the same time, dismantling and eliminating the class-conscious faction within trade unions. These two groups had increasingly become a serious threat for the union leadership; they had put in question their authority within the unions and their place within the Peronist party.⁴⁰ Thus, the regime's violent campaign launched against these groups was hardly opposed and rather implicitly accepted as necessary to achieve order. Sometimes this acceptance was made explicit, as it is very much shown in the following statement,

The extremisms represented either by the left wing guerrilla, murderous and suicidal, or by the right wing groups that want to impose their own justice with violence no less inhumane, are the expression of an elitist conception that despises the people [...] the labour movement today as always repudiates the action of these extremisms [...] the state must monopolise the use of force and oppose the subversive groups of either origin.⁴¹

³⁸ The National Commission on Disappeared People reports that of all the disappeared people registered, 30.2 per cent are blue collar workers, and 17.9 per cent are white-collar workers. See *Comisión Argentina por los Derechos Humanos*, op. cit., p. 368.

³⁹ As soon as the coup took place, many of the important trade unions were intervened, their activities were drastically cut down and the right to strike suspended. Many trade union leaders and activists were killed or disappeared and many others were imprisoned for long periods of time. See *Comisión Argentina por los Derechos Humanos*, op. cit., p. 23.

⁴⁰ NOVARO, Marcos and PALERMO, Vicente, op. cit., pp. 213-214.

⁴¹ Part of the document issued by the unions which conformed "los 25", quoted by NOVARO, Marcos and PALERMO, Vicente, op. cit., p. 214.

In the statement, the union leadership was clearly showing its sympathy regarding the war against subversion, and also, its adherence to the official interpretation of “excesses” and “errors” of that war. The union leaders were willing then to ignore and keep the silence regarding the very obvious “abuse of the use of force” of the military state in order to accommodate themselves to the new reality of the PRN and to preserve in this way their positions as representatives of the labour movement and as valid interlocutors of the regime.

Thus, although political and union leaders alike had suffered a great loss of popularity and credibility due to the political crises that preceded the military intervention, their silence and passivity would be very much valued by the Military Junta which saw in it a way of ensuring the silence of the rest of the population and of avoiding any kind of confrontation or challenge to its repressive campaign and ultimately to its plans and aims. But, it would be the general silence of the clergy and the church, which would prove to be fundamental for the PRN and its future continued existence.

As we have seen in the previous chapters, the discourse of the PRN was very much structured around the defence of the “Western and Christian values”, which, as we have also explained, introduced within the reality of the regime the world of the rule of law and morality, and very importantly, the authority of the Catholic Church. Thus, the reaction of the men of the clergy in relation to the war against subversion and its consequences would result decisive for the success or failure of the PRN. A condemnation of the atrocities and crimes committed by the state could have challenged seriously the stability of the regime and ultimately its legitimacy of origin.

Sadly for the fate of thousands of victims of the regime’s repressive campaign, this never happened. Since the very beginning, the members of the clergy showed to the military men clear expressions of support and acceptance through sympathetic statement, active collaboration as well as intentional silences and omissions. The very same day of the military coup, the Military Junta held a meeting with important members of the Catholic hierarchy marking the beginning of a close and long lasting relationship between the regime and the

church.⁴² After the meeting Monsignor Tortolo, the president of the Episcopal Conference, justified the initial approach saying, [...] Although the Church has a specific mission, there are circumstances in which it cannot avoid participating, when we are dealing with the problems related to the specific order of the state.⁴³

As Monsignor Tortolo put it very clearly, what would truly drive the support of the Church would be the problems of order. The years before the military coup were lived with high levels of alarm by important sectors of the Argentinean clergy. As had happened to other sectors of society at that time, the process of social and political radicalisation that had started during the late 1960s and beginning of the 1970s in the country had also affected considerably the Catholic Church. During those years, reformist groups within the Church had begun to advance and to increasingly influence the middle and lower ranks of the clergy, generating some divisions and unprecedented levels of politicisation among Argentinean priests.⁴⁴ This reformist advance was soon perceived by the prelates as a significant threat to the Catholic institution: it was putting in danger and challenging through the infiltration of “alien ideologies” such as populism, Marxism and liberalism, the unity and stability of the Church. This widespread perception then gradually turned the Catholic hierarchy closer to the more conservative and nationalist approaches within the church, adopting as a result an intolerant position regarding the reformist groups and holding with new impetus traditional values and roles attributed to the Church.⁴⁵ This perception was then moving the Church closer to the discourse of the armed forces and to their demands for “order”, for the defence of the “Argentinean way of living”, “for the protection of Western and Christian values” and so on. It would be then this perception what would ultimately lay behind the Church’s acceptance or at least toleration of the repressive campaign.

⁴² See MIGNONE, Emilio, *Iglesia y Dictadura*, Buenos Aires, La Página, 1999, p. 21.

⁴³ *La Nación*, 24-03-1976.

⁴⁴ MIGNONE, Emilio, op. cit., p. 145.

⁴⁵ NOVARO, Marcos and PALERMO, Vicente, op. cit., p.96.

Now, the conservative and reactionary response of the majority of the Catholic hierarchy was intensified by the actual discourse of the military government and its frequent threatening references regarding the dangers of subversive infiltration in the traditional institutions of the nation. As we have seen in chapter three, according to the military reading there was not a single dimension of society that could escape from the threat of subversion. Subversives were everywhere, and as expected, they were inside the Catholic Church as well. As General Juan Manuel Bayón put it,

[...] the worst of what could happen and with the most terrible consequences has been carried out: the infiltration of the Marxist ideology in the national spirit and, even worst, in the Argentinean nationalism, and in the Roman Apostolic Catholic Church.⁴⁶

This kind of deliberate expressions of concern on behalf of the regime deepened the perception of threat that existed among the members of the Catholic hierarchy and in this way, helped the military regime to secure and expand the Church's support and toleration for the anti-subversive campaign. Declarations such as the one of Monsignor Olimpo Marisma, stating that "the enemy lives inside many Argentines" and that "we are in an almost civil war that we haven't declared but that it has been declared to us" illustrated to what extent those expressions of the military men actually influenced the vision of the Church.⁴⁷

Thus, during the first years of the regime, the church showed through numerous statements and declarations a generalised approval of the PRN and its war against subversion. The statement of Monsignor Victorio Bonamín is illustrative in this regard,

The anti-subversive struggle is a struggle for the Argentine Republic, for its integrity, but also for its altars [...] this struggle in defence of morality, of the dignity of man, is in short a struggle in defence of God [...] because of that,

⁴⁶ Quoted by NOVARO, Marcos and PALERMO, Vicente, op. cit., trans. by me, p. 97.

⁴⁷ Quoted in MIGNONE, Emilio, op. cit., p. 154.

I ask the divine protection in this dirty war that we are engaged.⁴⁸

This prevailing identification with the demands of the regime was also expressed through the numerous exchanges and meetings with the authorities of the regime, as well as through the frequent participation of the prelates in the official public functions and in the armed forces and national celebrations. In many of those occasions, the prelates took the opportunity to repeat their adherence to the military regime and to show their predisposition to help. As Monsignor Plaza expressed in a public function of the police forces of Buenos Aires' Province, [...] the church will offer spiritual strength to the members of the police forces and to their families to calm them in the face of adversity [...]⁴⁹

In some other cases, the manifestations of support went even further than these sympathetic expressions and symbolic contributions. It has been widely proved that several members of the clergy actively and secretly collaborated on the actual military campaign against subversion. There are many testimonies that suggest that the collaborationist prelates participated in kidnappings, tortures and killings of political enemies; that many of them visited the centre of detentions on various occasions; that they conducted services inside these places and confessed the prisoners before being executed, and that they helped the troupes to emotionally cope with their guilt and bad conscience.⁵⁰ Among these sympathetic Church men, there were others that intentionally misinformed the relatives of the victims about the whereabouts of the disappeared people, creating more confusion and despair among the relatives, and who actually used the contact they held with the families of the victims to collect information and transmit it to the intelligent bodies of the armed forces.⁵¹

⁴⁸ *La Nación*, 6-5-1976.

⁴⁹ *La Nación*, 12-11-1976.

⁵⁰ See MIGNONE, Emilio, op. cit., pp. 19-42.

⁵¹ CONADEP, *Nunca más: (never again): a Report by Argentina's National Commission on Disappeared People*, London, Faber in association with Index on Censorship, 1986, pp. 337-354.

These symbolic and active manifestations of acceptance were accompanied, as we have said before, by intentional omissions and a general silence regarding the illegality and brutality of the regime's dirty war. In this sense, just four prelates of the Episcopal Body, which at that time had almost a hundred members, dared to express their discontent and disagreement about the war and to take some kind of public action against the regime.⁵² These actions were always of individual or private character and did not reflect at any point the position of the Catholic Church and its hierarchy. In fact, during the first years of the PRN, just on a very few occasions did the Catholic hierarchy address the issue of the illegal repression and directly criticised the government.⁵³ In these few instances, attempting to avoid any sort of confrontation with the junta, these criticisms were very much moderated by the apologetic attitude and the usual repetition of the government's reading of the situation. As one of the letters of the Episcopal body said after condemning the frequent abductions, disappearances and killings committed very obviously by the armed forces,

[...] We recognise, in effect, the exceptional situation that the country is passing through. We know the threat that subversion represented and still represents to the national life. We understand that those who are the responsible of the wellbeing of the country were compelled to take extraordinary measures [...].⁵⁴

Thus, although these individual actions and ambiguous criticisms were of great importance for the victims of repression and for the movement of resistance that was emerging, they were just exceptions that did not disrupt or change the general silence that prevailed among the members of the church.⁵⁵

⁵² These prelates were Jaime de Nevares, Miguel Hesayne, Jorge Novak, and Enrique Angelleli. This last one was killed by the armed forces in August, 1976.

⁵³ For a good account on the documents issued by the Conferencia Episcopal Argentina during the PRN see, MIGNONE, Emilio, op. cit., pp. 43-69.

⁵⁴ Conferencia Episcopal Argentina, *La Nación*, 7-03-1977.

⁵⁵ This attitude would be made more explicit when we discuss the rejection of the church regarding the calls for help and concern from the relatives of the victims.

Beyond the fear and insecurity that, as many other groups in society, the members of the clergy could have felt and perceived and as a result could have prevented them from denouncing the repressive campaign, their silence responded more than anything to the close identification of the hierarchy of the Church with the military regime's discourse. The PRN represented in the eyes of the prelates, the reestablishment of order inside and outside the church and the protection of Christian values, which ultimately meant the defence of the Catholic Church. The regime was offering the men of the church the invaluable opportunity to expand their influence on Argentine society and become once again the moral guardians of the nation; an opportunity that they were very unlikely going to sacrifice for the sake of some "excesses" and "errors" that could be peacefully solved with time in the future.⁵⁶ The majority of the prelates then preferred to turn their backs on the crimes and atrocities committed by the regime, an attitude that was very much possible thanks to the clandestine and ambiguous character of the repressive campaign which let them avoid having to take a position either in favour or in opposition to the repression.

Now, an important condition for the concealment and clandestinity of the repression to subsist was the deep silence of the Argentinean media. Since the very beginning of the regime, strict mechanisms of censorship and auto-censorship were imposed on newspapers, radios and TV channels of all over the country and a harsh intimidating campaign was launched against journalists and members of the press.⁵⁷

⁵⁶ See this point in MIGNONE, Emilio, op. cit., pp. 142-143. Also in NOVARO, Marcos and PALERMO, Vicente, op. cit., p. 105.

⁵⁷ The same day of the coup, a first communiqué on press censorship was passed and on April 22nd, 1976; a second one followed it and introduced a more stringent form of censorship. Under these laws, all TV channels and radios were legally intervened by the Government, and they remained under the control of the armed forces throughout the period of the military dictatorship. See *Amnesty Internacional, Report of an Amnesty International Mission to Argentina 6-15 November 1976*, pp. 14-15. See also on press censorship under the PRN, *Comisión Argentina por los Derechos Humanos*, op. cit., pp. 107-108. It is also important to mention here that an estimated 100 journalists disappeared during the PRN and a further 100 were imprisoned without ever being brought to trial. See CONADEP, op. cit., pp.

Under these new conditions, all the information about the war against subversion was severely controlled by the government; no body was actually authorised to give information about the happenings of the war except through the communications of the armed forces.⁵⁸ The government was then the only one capable of interrupting the silence that surrounded the war on subversion. These interruptions were never enough for ordinary people to suspect and understand the unprecedented dimension of the repression, but they were sufficient to generate terror and insecurity about the other world, the world of war and subversion that interrupted the world of order and legality.

In general, the media accepted the new circumstances and restrictions imposed by the PRN and adapted to its repressive and reorganisational plans becoming during those years a quite homogenous space, tasteless, uncritical and clearly sympathetic with the Proceso. Illustrative of this compliant position is an editorial of one of the main national newspapers, which said, “the press lines up without difficulties in the general course of the Proceso” and continued, “if it stumbles, it is with issues that either are of difficult interpretation or lack a complete elucidation on behalf of the public authorities”.⁵⁹

There was as well a quite large sector of the media that not only adapted very well to the norms and restrictions imposed by the PRN but also enthusiastically supported and took the regime’s aims as their own. The active role that some of them played in relation to the war against subversion is illustrative in this regard. In one occasion, for instance, one of the most popular magazines at that time published a special issue on “how to recognise the Marxist infiltration at schools”, informing the public about “some of the techniques deployed by left-wing activists to assault the schools” and calling the parents

362-367.

⁵⁸ As the law stated, “as from the April 22nd it is forbidden to report, comment or make reference to subjects related to subversives elements and/or members of the armed or security forces, unless these are announced by a responsible official source. This includes kidnappings and disappearances”, *Buenos Aires Herald*, quoted by *Amnesty International*, op. cit., p. 15.

⁵⁹ *Clarín*, 1-02-1978, quoted by NOVARO, Marcos and PALERMO, Vicente, op. cit., p. 145.

“to participate, watch and denounced those things that they conceived as suspicious”.⁶⁰

Thus, as we have seen throughout this section, for several social and political groups alike, complicity and the willing to cooperate with the regime would be one of the most important reasons for the maintenance of the command of silence. Despite the brutal and illegal repression and the reservations and differences they may have with the armed forces in relation to the dirty war, they were prepared to accept and even support the PRN. Beyond the particular reasons that lied behind the cooperative position of the different groups, this general attitude could only be understood in the wider political context of increasing scepticism towards liberal democracy, its institution and values that had prevailed in Argentina throughout the late 1960s and 1970s. As we have explained in the second chapter of the thesis, during those years, individual rights, liberties and democracy were more and more regarded as purely formal entities that could hardly provide valid arrangements and real solutions to the problems of society. At the moment of the military coup then, the perception of “disorder” and “crisis” that the very military discourse had contributed to produce, deepened the prevailing political scepticism and prepared the terrain for a wide acceptance of the military interlude and its re-foundational plans. The military intervention was received with relief by the majority of the members of the Church, political parties, trade unions and the media. It was welcomed with the common conviction that in order to secure “order” a certain degree of violence and repression had to be accepted and supported. These perceptions and convictions were soon reflected on the vast majority of the population and allowed a broader approval of the military regime. Although under the PRN the levels of violence were much higher than ever expected and evidence of this brutality were frequently perceived and witnessed by the majority of the population, the identification with the demand for order and all what it entailed would silence the voices of those ones who were in the position to speak. Political figures, trade union leaders, Church men and

⁶⁰ *Para Ti*, January, 1977, quoted by NOVARO, Marcos and PALERMO, Vicente, op. cit., p. 146.

influential people from the media and arts preferred to turn their back on the dirty war on terror and allowed the regime to cover the horrors of that war with a dense veil of silence. The challenge then to the discourse of the military regime, the interruption of its apparent coherence would come from the unexpected voices of the speechless: from the victims and relatives of state repression.

3. The Experience of Absence

*[...] it was like they would have cut me in two.*⁶¹

*[...] the pain was so deep, so from within, so crying [...] sometimes shouting, without control, touching the madness [...]*⁶²

The PRN's war against subversion started very promptly to leave its severe marks on Argentine society. Soon after the coup, vast sectors of the population were affected directly or indirectly by the unprecedented intensity and magnitude of the repression. Thousands of abductions and disappearances disturbed and shocked innumerable families, groups of friends, circles of fellow workers and colleagues, groups of political militants and so forth.

As we have explained in chapter three, abductions were carried out with a great display of force and weaponry and took place either at the home of the victim or at the place of work or study, or in the street, many times witnessed by relatives, neighbours, friends, or colleagues.⁶³ The experience of these violent and traumatic events is captured in many of the testimonies of the victims' relatives, neighbours and friends. As the account of the mother of a victim illustrates,

⁶¹ Graciela FERNÁNDEZ MEIJIDE, testimony quoted by FILC, Judith, op. cit., p. 75.

⁶² URANGA DE ALMEIDA, Lidia Miy, testimony quoted by FILC, Judith, op. cit., p. 75.

⁶³ In some of the operations, several cars were used –usually without license plates– as well as trucks or vans which could be identified as belonging to the armed forces. Also, in some occasions, helicopters surrounded the victim's home and neighbourhood. See CONADEP, op. cit., p. 12.

[...] at four o'clock in the morning, twenty armed men broke into our house with rifles and pistols pointed at us [...]. One man shouted, "there is one in here" and then two huge men with guns in their hands told me not to move. They asked only if he was Hugo Héctor Suárez and that he had to go with them. [...] I said "Why! My son has done nothing, he is not a criminal" [...] they pushed me and threw me against the wall. They took my son. That was the last time I saw him.⁶⁴

The abductions were often accompanied by threats and mistreatments of the persons witnessing the attack, as well as by the looting of the place⁶⁵ either while carrying out the kidnapping, or later, in a second operation in which another gang openly removed the victim's possessions.⁶⁶ These were forms of "punishing" the victims and their relatives, causing them a great emotional and economic harm, as well as forms of spreading fear and terror within the families and among those living nearby.⁶⁷

The fear and uncertainty that the abductions produced was intensified by the enigmas that surrounded the operations. In most of the cases, the identity of the kidnappers was not revealed. Although they had some clear marks that shown

⁶⁴ Testimony of DE SUÁREZ, Aida, quoted in Jo FISHER, op. cit., p. 13. Similar descriptions of this traumatic experience can be found in the numerous testimonies given during the trial to the Military Junta transcribed in *El Diario del Juicio*, Buenos Aires, Perfil S.A., 1985.

⁶⁵ It is agreed that the robberies were part of the military operations and kidnappings, and were considered by the armed forces as "war booty". See CONADEP, op. cit., p. 16.

⁶⁶ On several occasions, when the security forces did not find the person they were looking for at home, they occupied the place for many hours or even days, taking the relatives or persons witnessing the operation as hostages and submitting them to brutal attacks and interrogations. Often, when the suspected person was captured the relatives were obliged to witness the torture and mistreatment of the victims, and sometimes they were abducted as well and carried to the detention centres. Some of them were later released, some others never reappeared again. See several of these cases in CONADEP, op. cit., pp. 15 and 322-328.

⁶⁷ During these operations the traffic was frequently brought to a halt and loudhailers, searchlights, bombs and grenades were used. See CONADEP, op. cit., p. 12.

their affiliation, the gangs did not wear the military or police uniforms and generally did not identify themselves as members of the security forces.⁶⁸ Also, in the majority of the operations, the victims were brutally taken without any sort of explanation about the reasons of the abduction or about where they were taken or until when.⁶⁹

Thus, the abductions immersed the relatives of the victims and persons connected to their families in a climate of deep confusion and general anxiety.⁷⁰ A series of unresolved enigmas, such as, who were the responsible of the abductions, which were the reasons for the detentions, and where to look for their loved ones were unavoidably introduced into their lives. This anxiety is revealed in the following testimony,

I had a neighbour who was a doctor and after they took my son I went to him and he gave me an injection to calm me down. They come into your house and they take your child like that –you think you’ve gone mad. The injection didn’t calm me at all. At seven in the morning I was in the police station. A guard in the entrance asked me what I wanted. I said my son had been taken away and I didn’t know by who or why.⁷¹

⁶⁸ This similar point has been made by almost all the persons that witnessed the operations. See, for instance, the testimonies given by the relatives and persons connected to the victims of repression during the trial to the Military Junta transcribed in *El Diario del Juicio*, op. cit. In some occasions, the gangs did identify themselves as part of the security forces, but that was never recognised by the particular forces afterwards generating the same confusion within the families. See some of these testimonies in the CONADEP, op. cit., pp. 10-18.

⁶⁹ Sometimes, the families were told that their relatives or friends “needed to be interrogated” and if nothing was wrong they would be released in a couple of days. See numerous testimonies on the way abductions took place in CONADEP, op. cit., pp. 10 -20.

⁷⁰ As we have discussed in the previous sections, this uncertainty was dominant all through the social body, but for obvious reasons, this was very much deeply perceived by the families of the victim.

⁷¹ Testimony of DE SUÁREZ, Aida, quoted in FISHER, Jo, op. cit., p. 18. This anxiety can be seen in other similar testimonies, see for instance, in the same book the testimonies of DE BAZZE, Dora and of DEL ROSARIO, María, p. 16 and p. 63. Also see the testimony of DE BONAFINI, Hebe in BAUDUCCO, Gabriel, *Hebe, La Otra Mujer*, Buenos Aires, Ediciones de la Urraca, 1997, pp. 85-105.

Thus, after the abductions, following the kidnapers' footsteps as well as acting according to the normal practices under a legal order, the initial reaction of almost all the families of the victims was to search for information of their relatives in police stations and military headquarters.⁷² As we have anticipated in chapter three, the general response of the security forces to the relatives' enquiries was an emphatic denial. Police and military forces alike rejected their involvement in the operations and kidnappings and frequently pretended to ignore absolutely the attacks. On top of these rejections, relatives of the victims were very often subjected to endless waits, intimidations and threats; their statement were refused to be taken and many times they were referred to other police or military units. After weeks or months of going backwards and forwards, the families could not obtain any credible information from the military and police authorities. As the mother of one of the thousands victims of repression explained,

I used to travel from Mendoza to Buenos Aires by train and begin going round all the military barracks and headquarters, the army, the navy, the air force, asking if they had my son. Everyone said they knew nothing [...]. I had to wait from the early morning until five in the afternoon before I could see someone, with men with machine guns standing on either side of me.⁷³

Thus, as this testimony shows, the families of the victims were forced to start in their search for their relatives an endless circuit of police stations, military barracks that would rapidly extend to hospital, psychiatric clinic and prisons.⁷⁴ By the middle of 1976, the large number of relatives moving from one police or military building to another looking for some information forced the government authorities to open a special office within the Ministry of Interior in Buenos Aires that was in charge of receiving the relatives and taking their statements

⁷² See several related testimonies in FISHER, Jo, op. cit., pp. 17-31.

⁷³ Testimony of DE ORO, Margarita, quoted in FISHER, Jo, op. cit., p. 19. See other similar testimonies in *El Diario del Juicio*, op. cit.

⁷⁴ In their anxious search, sometimes the families went to the morgues, believing that they might find the bodies of their relatives there. See the testimony of DE BONAFINI, Hebe, in BAUDUCCO, Gabriel, op. cit., p. 99.

about the abductions and disappearances. As with the rest of the official enquiries, for the most part, these steps ended up with little success and expanded the families' sense of frustration. As an account of a relative shows,

I used to come from Mar del Plata and they would tell me to come back in thirty or forty days. If you came late they would close the case. Anyway, they always said the same, that they had no information. They played with us. It was a kind of psychological torture.⁷⁵

In almost all the cases, families also repeatedly appealed to the law and filed numerous writs of Habeas Corpus⁷⁶ through which they required the courts to locate the detainees and assess the legitimacy of the detention.⁷⁷ But, only on very few occasions did these legal mechanisms bring any positive result.⁷⁸ In the overwhelming majority of the cases, the families received the same negative standard reply from the courts in which it was stated that the person who was being the subject of enquiry was not being detained and no record of arrest was held by the

⁷⁵ Testimony of DE RUBINSTEIN, Beatriz, quoted in FISHER, Jo, op. cit., p. 27. See as well the testimony of Marta, a mother of a disappeared person, quoted in BOUSQUET, Jean-Pierre, *Las locas de Plaza de Mayo*, Buenos Aires, El Cid Editor, 1982, pp. 15-6.

⁷⁶ The Habeas Corpus is the basic right to ask a judge to order the cessation of an illegal restriction of the right of personal freedom. The judge then must be informed if the person in question is being detained, which official is holding him/her, the legitimacy of the detention, and also if there is enough reason for his/her arrest. See CONADEP, op. cit. p.196.

⁷⁷ It resulted often very difficult for the families to find defence lawyers that accepted to sign the writs of Habeas Corpus—a condition imposed by the military regime— as many lawyers either by fear or in many cases just by indifference and complicity, refused to do it. There were, though, a few ones that did what they could to help the victims and their relatives. Those lawyers were systematically persecuted by the government and many times abducted and later assassinated. See CONADEP, op. cit., p. 412.

⁷⁸ By positive here it means that the detention was first acknowledged and legalised and later the person was released. There were many cases that the persons were localised as being at the disposition of the Executive Power, but unfortunately many of those person were never released and their fate is still unknown.

authorities.⁷⁹ The failure and the ineffectiveness of the juridical procedures was very much reflected in their testimonies,

I presented six writs of Habeas Corpus in different federal courts in La Plata and in the Penal court of the province of Buenos Aires; all the writs were negative, in some of them I could read that the three armed forces replied that they did not have any news about the whereabouts of the that person [...].⁸⁰

I had filed ten writs of Habeas Corpus and then I decided to go to prisons by myself.⁸¹

The judges were unable to locate or rescue a single abducted victim despite the many obvious evidences regarding the identity of the kidnappers and of the vast information available pointing to the security forces. With certain indifference and no apparent remorse in front of the victims and their relatives, the majority of the members of the judiciary accepted the information provided by the military and police forces and generally did not intend to implement any kind of exceptional procedure or to promote further investigation on the thousands of negative reports. The recourse of Habeas Corpus was then turned into a mere formality and the judicial process became almost inoperative as a means of appeal and as a way of preventing abductions.⁸² The Military Junta had greatly succeeded in putting the judicial

⁷⁹ As the report of the CONADEP informed, in the first five years of the military government, only two cases had positive results, the case of Timerman and Moya, who were put at the disposition of the Executive Power and later released, and after 1982 there were just a few others. These facts are alarming when considered in relation to the number of Habeas Corpus writs presented in the period 1976-1979, when, no counting renewed application, the writs reached 5,487 in Buenos Aires city alone, against 1,089 for the period 1973-1975 and 2,848 for the period 1980-1983. See CONADEP, op. cit., p.196.

⁸⁰ Testimony of DE FALCONE, Melba, in *El Diario del Juicio*, op. cit, p. 66.

⁸¹ Testimony of DE ORO, Margarita, quoted in FISHER, Jo, op. cit., p. 22.

⁸² See CONADEP, op. cit., pp. 386-402.

power under its control⁸³ and very importantly in assuring the judges' loyalty to the aims of the Proceso.⁸⁴

Most of the families, whatever their religious beliefs, also turned to the members of the clergy in their search for help. Appealing to one of the most traditional institutions of the country and identifying the crucial place that it occupied within the discursive formation of the PRN, many of the families thought and had hopes that the men of the Church could give them some information about their abducted relatives and even intercede to get their release.⁸⁵ In the majority of the cases though, the responses of the clergy were not what the families were expecting. There was, as we have explained in the previous section, a homogenous attitude within the Church of not interfering with the regime's dirty war against subversion and of keeping the mandate of silence about the consequences of the war. Thus, many of the cardinals and bishops did not even receive the families of the victims; or in the case they did –forced by the continuous presence of numerous persons in their churches– they categorically denied to have any knowledge of the situation and argued that there was nothing they could do for their relatives.⁸⁶ Others, more sensitive with the despair of the families did try to intercede with the military and police authorities on behalf of the victims of repression.⁸⁷

⁸³ The same day of the coup, all the judges of the highest levels of the judiciary, such as the Supreme High Court, were replaced; several others from the lower courts were suspended from duty and all the magistrates were required to swear to uphold the inaugural Acts of the PRN. See this information in CONADEP, op. cit., p. 386.

⁸⁴ The majority of the judges accepted or at least tolerated the consecutive interruption of the rule of law by the military regime and except for a few steps taken by some of them; they did not intend or did not show any intention to limit the abuse of power exercised by the Military Junta. There are many cases mentioned in the CONADEP's report that are clear examples of this. See these cases in CONADEP, op. cit., pp. 387-402.

⁸⁵ This is very much revealed in the numerous testimonies of the families of the victims gathered by the CONADEP's report and in the testimonies during the Military Junta trials. See CONADEP, op. cit., pp. 248-253. See also, *El Diario del Juicio*. See this point as well in MIGNONE, Emilio, op. cit., p. 51.

⁸⁶ See this point in MIGNONE, Emilio, op. cit., p.44.

⁸⁷ See for instance the case of the bishop Manuel Marengo mentioned by MIGNONE, Emilio in MIGNONE, Emilio, op. cit., pp.46-47.

Nevertheless, never prepared to assume a public attitude or to confront the military regime, these steps were condemned to failure and most of the families could not get any positive outcome from these personal favours.⁸⁸ Thus, after several meetings and interviews with the representative of the Church, the families were equally or maybe even more desperate and confused. Some of the responses of the men of the Church were particularly disturbing. It is worth quoting in length some of these responses,

I contacted several priests, one of them the father Astolfi [...] that treated us in a very strange way, almost cynic I would say, and he said that he had visited young people that were detained and that he had given them some spiritual assistance [...]; he told me that surely my daughter was going to be taken to a rehabilitation farm, I don't know what kind of rehabilitation he was referring to, because my daughter was an extraordinary girl [...]⁸⁹

People told me to go to see Monsignor Grasselli, the naval chaplain. I had to wait in line because there were a lot of people who wanted to see him. [...] He said, in a very weary, very tired way, "these children what trouble they give us. Sometimes they take the wrong paths" [...]⁹⁰

⁸⁸ As we have explained in the previous section, there were some few members of the Church that did intercede and publicly oppose the illegal repression. See these cases in MIGNONE, Emilio, op. cit., pp. 185-213. See in the CONADEP's report how many of these members of the Church were systematically persecuted by the state, kidnapped, tortured and in many cases, killed. CONADEP, op. cit., pp. 317-355.

⁸⁹ Testimony of DE FALCONE, Melba, in *El Diario del Juicio*, No. 3, p. 66. Under the clandestine world of the PRN, there were no such things as rehabilitation farms, only detention centres. As we have explained in the previous chapter, according to the military discourse, the subversive elements were "irrecoverable". Thus, since the very beginning of the dirty war the forces of order attempted not to rehabilitate the prisoners, but to exterminate them.

⁹⁰ Testimony of DE KRICHMAR, Rita, quoted in FISHER, Jo, op. cit., p. 22. Thousands of families turned to Monsignor Grasselli who was willing to receive them and apparently helped them in the search for their relatives. Many of the testimonies suggested that he had some clear information about the abducted persons and that he was very aware of the illegal repression. Despite this, not even one of the numerous enquiries he did

Thus, families used all the means available to them and explored all the official and extra-official procedures to find out some information about their relatives. They individually contacted and occasionally held interviews with government officials, with high-ranks military men and police officers, with important political figures and union leaders, with influential people from the media and from the culture and arts. Except on just a few occasions, almost all these meetings, interviews and contacts had similar negative results: nothing could be done and no information was available about those abducted persons.⁹¹ As we have explained, a deep silence was surrounding the “acts of war” and nobody was willing or was able to interrupt it.⁹²

There was however in all these negative responses an implicit and sometimes explicit message that was frequently received by the families in the course of their search: if persons were detained “it must be for something”, or as the testimony above mentioned suggested, it must be because “they took the wrong path” or because “they need rehabilitation”.⁹³ Thus, identifying

was successful, confirming the hypothesis that instead of trying to help, this member of the church was intentionally creating more confusion and frustration among the families. See the testimonies in CONADEP, op. cit., pp. 250-51. See also MIGNONE, Emilio, op. cit., pp. 32-35.

⁹¹ There were some cases in which the families could get some information about the whereabouts of their relatives from these meetings and interviews and even in some few cases the families could actually have some contact with them. However, this did not always mean that the detainees were later released. On the contrary, in many of these cases, after a period of time, the families would lose contact and either they would not have any other information about their relatives or they would know about their death. Some of these cases can be found in CONADEP, op. cit.

⁹² It is important to mention again that there were exceptions and that some of these figures and leaders did attempt to help the families and the victims, as for instance was the case of Raúl Alfonsín from the Radical Party, or of Robert Cox, the director of *The Herald* newspaper. But it is also important to repeat that these were just exceptions that were not in any sense enough to disrupt the uniform silence that prevailed within society or to change the frustration and anxiety of the thousands of families in the search for their relatives.

⁹³ This correlation was sometimes very explicit, see for instance the testimony of Josefa de Neim-Melo, in which she tells how Monsignor Plaza said to her that if her son had nothing to do with subversion then he will come back but if he was a subversive, he will disappear. See this testimony

with the military regime's gaze, these responses were repeating the association between the abducted persons and subversion, deepening the sense of guilt and frustration of the families, which were according to this vision the ultimate responsible of the bad conduct of their members.⁹⁴ That is, if the families and particularly the parents were not capable of protecting their members from corruption and subversion, they were "bad families" and "bad parents" that must assume along with the victims their culpability.⁹⁵ As Colonel Bilbao explained it,

[W]hen some parents assume their true responsibility, the suffering of the families that we are witnessing when their sons and daughters are detained due to subversive activities, drugs or thefts would diminish [...]⁹⁶

In a society dominated by fear and insecurity, this correlation between families of the victims and subversion resulted in the marginalisation of those affected by the repression. The testimony of a mother illustrates this very well,

[...] when they heard that your child had been taken, they asked what they had been involved in; that they must have done something. So people distanced themselves. [...] They considered it dangerous for their own children to associate with us. Most people avoided speaking to us.⁹⁷

in FISHER, Jo, op. cit., p. 97.

⁹⁴ As Kordon and Edelman explain, through an intense political propaganda, the regime tried to revert the victimiser's responsibility to the victim's family. See KORDON, Diana and EDELMAN, Lucila, 'Psychological effects of political repression I', in KORDON, Diana R. et al, op. cit., p. 34.

⁹⁵ Repeatedly in the course of their search, the relatives of the victims experienced and received this kind of accusations. They were accused of not knowing the true lives of their children and of not educating them properly. See for instance the testimony of DE ORO, Margarita, quoted in FISHER, Jo, op. cit., p. 19. Also see the testimony of Marta, quoted in BOUSQUET, Jean-Pierre, op. cit., p. 16. For a similar point regarding the ultimate responsibility of the families of the victims, see Filc, Judith, op. cit., pp. 58-59.

⁹⁶ *La Nación*, 6-12-1976.

⁹⁷ Testimony of DE BECERRA, Elsa, quoted in FISHER, Jo, op. cit., p. 26 and 93. A similar point is made also by other several families affected by the repression; see for instance, in the same book, the testimonies of Dora de Basse, as well as of Carmen de Guede, who tells how even her own relatives distanced themselves completely. See FISHER, Jo op. cit.,

Thus, the families of the victims were drawn into a lonely search and wait that many times was even accentuated by their own fears, guilt and shame. That is, the victims' families were inevitably affected by the regime's association between victims and subversion as well as by the prevailing fear and uncertainty. Thus, many times, ashamed to talk about the abduction of their relatives with others fearing a social condemnation, and in a further degree, afraid of what could happen to their disappeared relatives and to themselves, some families just immersed themselves into an isolated and private task of finding their own relatives.⁹⁸ As a mother of a victim recalls,

We did a lot of things privately [...]. We didn't recognise the whole problem, that it had happened all over the country to many families. And I was afraid. I didn't want to bring attention to myself [...]. Our other children were all what we have left and I wanted them to be safe.⁹⁹

Behind this initial isolation frequently remained as well the families' hopes that a mistake had been made and that their children would be returned home as soon as it was rectified.¹⁰⁰ This is reflected in numerous testimonies, as for instance,

p. 26 and 53.

⁹⁸ This fear was also intensified by the warnings that many families received from the security forces, about the possibility of endangering the life of the rest of the family. As a result of this, there were families that waited for years before officially reporting the disappearance and it is also believed that many others never did it. See this point inly reported two years before uctionseported a disappearnace r. a de Neim- Melo,ugghout theries and subversion, CONADEP, op. cit., p. 284. As we have explained in the text, there was as well in less degree in many families during the first steps of their search, a component of embarrassment regarding the disappearance of their children. See this point for instance in the testimony of DE BECERRA, Elsa, quoted by FISHER, Jo, op. cit., p. 93. See also the testimony of LADO DE SÁNCHEZ, Esther, quoted by FILC, Judith, op. cit., p. 93. See as well the testimony of Marta, a mother of a disappeared person, quoted in BOUSQUET, Jean-Pierre, op. cit., p. 12.

⁹⁹ Testimony of DE KRICHMAR, Rita quoted in FISHER, Jo, op. cit., p. 86. See a similar point in the testimony of DE LANDIN, Elsa, quoted in the same book, p. 64.

¹⁰⁰ See this point in GUZMAN BOUVARD, Marguerite *Revolutionizing motherhood: the mothers of the Plaza de Mayo*, Wilmington, Del., Scholarly Resources, 1994, p. 67. See also a similar point in MIGNONE, Emilio, op.

We all thought that by going to churches the authorities, by going to the courts we would get them back in the end.¹⁰¹

I always believed that they would come back. We all did.¹⁰²

Still very much assuming the regime's interpretation of the situation, that is, "only subversives were taken", these families expected that once it was proved that their children were innocent they were going to be released. Thus, their individual search was conceived in many cases as limited to finding their relatives and to proving their innocence.

During the course of their search nonetheless, the hopes and assumptions of the victims' families started to fall apart and a sense of helplessness and desperation started to grow within them. The lack of responses regarding the whereabouts of their relatives was drawing the families into a situation they were incapable to grasp or understand. After persistently appealing to all the resources available to them under the reality of the PRN, the abduction and disappearance of their relatives could not be symbolised nor explained. That is, all the symbolic references were failing to help the families to come to terms with the new experience that they were passing through and a growing frustration was seizing their lives, as this testimony reveals,

It is very difficult to explain how you feel when they take a child from you and you don't know what happened to that child. It is like a terrible emptiness, like something has been wrenched away from inside and there is nothing you could do about it. No one would help us.¹⁰³

These families were then experiencing along with the absence of their relatives, the *absence of meaning*. This *absence* was, according to what we have explained in the first chapter

cit., pp. 91-92.

¹⁰¹ Testimony of DE ORO, Margarita, quoted in FISHER, Jo, op. cit., p. 63.

¹⁰² Testimony of DE BONAFINI, Hebe, quoted in FISHER, Jo, op. cit., p. 91.

¹⁰³ Testimony of DEL ROSARIO, María quoted in FISHER, Jo, op. cit., pp. 105-106.

of the thesis, the effect of a situation of *dislocation*, that is, a situation that presupposes a structural failure in the symbolic order.¹⁰⁴ In other words, the military discourse and other discourses available under the PRN failed to symbolise the new events prompted by the illegal repression and this failure was showing its de-structuring effects on numerous families and groups of society that were affected by the abduction of one or several of their members. Thrown into an endless search these families were shattered and incapable –despite all their attempts– of making sense of the experience they were living in. This traumatic experience, that at some point reached the level of madness and threatened the identity of these groups, would be as it will be explained in the following chapter the instance that opened up the possibilities for struggle and change within the universe of the PRN.¹⁰⁵

Conclusion

In this chapter, we accounted for the dislocatory effects that prompted the mobilisation and constitution of the human rights groups and discourse inside the country. For this, we began to explore one of the prevailing features of the reality of the PRN: silence. This silence resulted crucial for the PRN as it enabled the regime to accomplish its aims, preventing the expression of dissent and the articulation of alternative constructions of reality. As we explained, this silence was assured by the identification of the political and social forces with the aims and values of the Proceso. That is, the main social and political forces remained silent in front of the dirty war and its terrible effects on vast sectors of society. This silence along with the lack of responses from the government resulted in a temporal suspension of meaning within the reality of the PRN. As a result, the families and persons affected by the illegal repression were driven into a situation they were incapable to

¹⁰⁴ LACLAU, Ernesto, op. cit., pp. 39-41.

¹⁰⁵ The effects of dislocation are, as Laclau explains, contradictory, “If on the one hand, they threaten identities, on the other, they are the foundation on which new identities are constituted”. See this point in LACLAU, Ernesto, op. cit., p. 39.

grasp or understand. This dislocatory experience brought great frustration and deep desperation into their lives, but it also prompted the relatives to start a new path of collective search and mobilisation. It is to the analysis of this process of coming together that the following chapter is devoted.

CHAPTER SIX

Breaking the Silence: the First Timid Steps of Coming Together

The fact that such a tragedy did not paralyse us, but on the contrary, stimulated us, is amazing. It gave us strength to start on a path that we had never thought we were going to take.¹

Introduction

As we argued in chapter five, the effects of the dirty war were spreading rapidly and prolonged in time within the official world of the PRN and neither the regime nor the rest of the political and social forces were able to limit their scope or to inscribe them within existing forms of representation. On the regime's side, its failure was very much the result of one of its main reasons of existence: to defend and protect the Western and Catholic values from the threat of subversion. As we have explained in chapter three, this claim introduced within the regime's discourse the world of the rule of law and morality, and with it, the limits to what was possible and conceivable under the PRN. Thus, the acknowledgment of the thousands of illegal detentions and disappearances on behalf of the security forces was clearly beyond these limits.² On the side of the rest of the political and social forces, the inability to symbolise the effects of the war was very much linked to their identification with the demand for order of the Proceso. The inscription of these events within their discursive formations would have presupposed a public recognition of the regime's illegal repression, and with

¹ Matilde Mellibovsky's testimony in MELLIBOVSKY, Matilde, *Circle of love over death: Mothers of the Plaza de Mayo*, Willimantic, CT, Curbstone Press, 1997, p. 77.

² See this point in chapter 3, section 1. As we also explained in that chapter, the regime was forced later on to acknowledge the effects of the dirty war and it is then when it turned to the so called "excesses of war".

that, an unavoidable decision making; decision that as we have seen in the previous chapter, the political and social forces were not capable to make if they pretended to secure their influential positions within the universe of the PRN.

Thus, the failure and incapacity of existing discourses to articulate the effects of the dirty war produced, as we have argued in chapter five, a temporal suspension of meaning within the discursive reality of the PRN that immersed the families of the victims and all those affected by the illegal repression into a stage of deep desperation and frustration. But, as we also anticipated there, it was this absence or suspension of meaning which would actually force these persons to come out from their isolated search and attempt to rearticulate the dislocatory effects of the war such that this re-articulation provided them with a new principle of reading that allowed them to make sense of the new situation and to come to terms with their own experience of absence and lack. This process entailed, at the same time, a reconfiguration of these persons' lives and identities. As a mother of a victim put it, "the kidnapping and disappearance of a beloved being from our homes forced us to change", and then she adds, "to change our way of life", "our cultural and family habits".³ This change that this mother refers to would not be spontaneous or natural but the result of a gradual and prolonged process of engagement in political activities and struggles that would find its origins in the families' first timid steps of coming together. It is precisely to the analysis of this initial process that this chapter is devoted. The first part of the chapter then accounts for the very first encounters and exchanges of the relatives and for the role the local human rights organisations played in these initial steps together. As it is argued, initially the human rights groups played a crucial role in receiving the relatives' reports on the detention and disappearance of their family members and in advising them on where to go and what to do. However, these groups would be incapable of assuming a leading role through which they could represent and organise the relatives' desperate requests and eventually provide them with an alternative interpretation of the events that could bring

³ Matilde Mellibovsky's testimony in MELLIBOVSKY, Matilde, *op. cit.*, p. 52.

some meaning to their experience of absence and uncertainty. Thus, the second part of the chapter shows how it would be from outside the existing human rights groups that the first forms of collective organisation of the relatives began to take form and a new but timid space of resistance, with its own characteristics and strategies, to emerge.

1. The First Encounters

1. a. Meeting Others in the Search

For me it was really important to realise that I was not alone; to know that there were others that feel the same, that have the same madness, the same fantasies, and the same terror.⁴

It was on their endless circuit of military and police headquarters, authority offices, prisons, courts, etc., that the families of the victims began to meet and to break with their initial isolation and fear. In sheer desperation, having no response from the authorities, many of the victims' relatives started to talk to each other and disclose, in some cases almost compulsively, their traumatic experience.⁵ As a mother of a victim recalls when meeting for the first time a person that she thought was another mother looking for her missing child,

And then I began to tell her everything all at once –how she disappeared, how they'd taken her and left her three children and stolen everything from her house. [...]. It was very dangerous to talk about those things in public. It shows you what state I was in. I was desperate.⁶

⁴ Testimony of Graciela Fernandez Mejide, quoted in ULLA, Noemí and ECHAVE, Hugo, *Después de la noche*, Buenos Aires, Contrapunto, 1986, p. 52.

⁵ See this point in *Madres de Plaza de Mayo*, Monthly Newspaper, Year 1, Number 2, Buenos Aires, Madres de Plaza de Mayo, 1984, p. 6. See also *Familiares de Detenidos y Desaparecidos por Razones Políticas, Testimonios de Nuestra Lucha*, Buenos Aires, Tierra Fértil, 1988.

⁶ Testimony of Porota, quoted in FISHER, Jo, op. cit., p. 106. See a similar testimony in FISHER, Jo, op. cit., p. 29.

Thus, in the halls and waiting rooms of government offices or outside the buildings, the families anxiously transmitted their experiences to other relatives and exchanged information about where to go and what to do to, hoping in this way to put together the pieces of information they had collected on the abduction and disappearance of their relatives.

Day by day, this experience of telling their own cases was repeated as periodically more relatives were starting their desperate search. As a mother put it, “wherever we went, we met women asking for information about their children”.⁷ Thus, during these first encounters and exchanges, the families began to hear about the numerous abductions and disappearances as well as about the similar characteristics of the military operations and of the groups that carried them out. Many were shocked when hearing for the first time about extreme cases of repression in which three or four members of the family were abducted or when finding out that some families had been searching for several months already without any positive result. The effects of these initial meetings were then for some of the relatives alarming, and in many cases devastating. In the words of a mother of a victim, “the pain got worst all the time”.⁸ But along with this increasing pain, the urge to understand what had happened was also growing. Soon then, from these exchanges and encounters, some relatives arranged to continue in groups the lonely circuit they were going around since the disappearance of their family members.⁹ In each encounter, the numbers of relatives were growing, as a mother explained,

By July 1976 there were already thirty of us, and every week we went together to different places. We went to the churches. Twenty-seven of us were allowed to see the three bishops who were the head of the episcopate.¹⁰

⁷ Testimony of María del Rosario, quoted by FISHER, Jo, op. cit., p. 27.

⁸ Testimony of Elisa de Landin, quoted in FISHER, Jo, op. cit., p. 30. See also the testimony of Maria del Rosario, quoted by FISHER, Jo, op. cit., p. 106.

⁹ See this point in *Madres de Plaza de Mayo*, Monthly Newspaper, op. cit., p. 6. See also *Familiares de Detenidos y Desaparecidos por Razones Políticas*, op. cit.

¹⁰ Testimony of María del Rosario quoted in FISHER, Jo, op. cit., p.27.

There was in most of them the expectation that the presence of numerous families could disrupt the veil of silence that was covering the abductions. They were once more reluctant to accept the silence of those who were able to speak. This reluctance to admit the failure of existing forms of representation would persist throughout the search process and would put in evidence the traumatic dimension of a situation of dislocation; it symbolised the desperate and insatiable attempts that a dislocated subject would make in order to make sense of a situation that has changed.¹¹

1. b. Encountering New Spaces: the Human Rights Organisations

From these first encounters, the relatives heard –many of them for the first time– about the existence of human rights organisations in the country that were receiving and documenting the statements about the abductions.¹² Two of these organisations, the Permanent Assembly for Human Rights (APDH) and the Ecumenical Movement for Human Rights (MEDH), were established just before the March 1976 military coup as a response to the increasing violence and institutional crises of the last period of the Peronist government. By the time the first groups of relatives started their search and appeal for help, these two organisations were very much still in the

¹¹ I want to emphasise here not so much the positive moment of freedom that is involved in a situation of dislocation and of subjectivity but the moment of trauma and desperation that this freedom and dislocation involve for the subject. As Laclau explains, "the experience of dislocation is not *ipso facto* something positive and worthy of celebration. But this also means that, if freedom and dislocation are related ... the very experience of freedom is ambiguous... Freedom is both liberating and enslaving, exhilarating and traumatic, enabling and destructive". See for a discussion on the relation of freedom and dislocation, HOWARTH, David and NORVAL, Aletta, 'Negotiating the paradoxes of contemporary politics. An interview with LA-CLAU, Ernesto, in *Angelaki*, 1:3, Oxford: Angelaki, 1994, pp. 43-50. Also see LA-CLAU, Ernesto, *op. cit.*, pp. 18-19.

¹² In this regard, see the testimony of Hebe de Bonafini in *Asociación Madres de Plaza de Mayo*, 'Interview with Hebe de Bonafini, April 1988', <<http://www.madres.org/>>.

process of constitution and organisation.¹³ Scarcely known or heard at the national level, both organisations were very small in members. The APDH was mainly formed by lawyers, political leaders and men from the Catholic Church, and the MEDH was constituted by religious people coming mainly from Protestant Churches and few others from the margins of the Catholic Church. For several months under the PRN, both organisations did not have permanent offices and were holding their meetings and receiving the families of the victims in different and transitory religious institutions and churches; situation that many times complicated the functioning of the organisations and made it difficult for the relatives to get in contact with them. The situation was different for the Argentinean League for Human Rights (LADH), the oldest existing human rights organisation in the country that although it also counted with very few members, it was already well settled and had its own offices by the time of the coup.¹⁴ As

¹³ The MEDH was founded on February 26, just one month before the military coup and the APDH on December 18, 1975. Inspired very much on the increasingly influential international human rights discourse, these groups condemned both left wing and right wing terrorism and denounced the increasing number of political prisoners, abductions, cases of torture, disappearances, and extra judicial killings that were taking place in the country. In its founding declaration and in its following statements, the APDH emphatically criticised the Constitutional government and its illegal repressive policy and urged the political groups to find a rapid solution to the increasing authoritarian and repressive trend that was rapidly developing in the country. As it put it “the indiscriminate terrorism threatens everyone [...] and it is an excuse to create more terrorism, more repression, more violations to the right to life, to liberty and to individual security”, and it called “all sectors of the Argentine society [...] to carry on a collective action for the defence of human rights and for the restitution of the right to life, a life without fear”. See APDH, ‘Constitutive Declaration’, 18-12-1975 and ‘The report on the situation of human rights’, 9-03-1976. For an account on the origins and development of the human rights organisations in Argentina, see among others, MIGNONE, Emilio, op. cit.; VEIGA, Raúl, op. cit., and LEIS, Héctor Ricardo, op. cit. just one month before the cup, and the APDH was founounisation were.

¹⁴ For an account of the history of the LADH see WELSH, Alfredo Villalba, *Tiempos de ira, tiempos de esperanza*, Buenos Aires, Rafael Cedeño Editor, 1984. There was as well another human rights organisation that existed previously to the 1976 military coup; this was the Foro de Buenos Aires por la vigencia de los Derechos Humanos (Buenos Aires Forum for the protec-

we mentioned in chapter two, the League was very much linked to the Argentinean Communist Party and was founded with the aim to defend the Communist Party's members from state repression and persecution during the late 1930s. Over the years, the League's main tasks consisted on legally assisting political prisoners and actively helping the prisoners and the victims' families. Although these tasks were very much limited to the Communist Party members and activists, the League also provided assistance to other political groups in the country. Finally, there was another organisation that although not primarily focused on the defence of human rights would be closely working with the rest of the human rights organisations. This was Servicio de Paz y Justicia (SERPAJ), a regional and Christian organisation that was established in the country in 1974 and whose members participated in the formation of the APDH and the MEDH.¹⁵

1. c. The Role of the Human Rights Organisations

Since 1976, the rumours about the existence of the human rights organisations among the people affected by the

tion of Human Rights). Established during the last years of the *Argentine Revolution* (1966-1973), the forum was mainly formed by union lawyers and focused primarily its activities on the defence of political prisoners and union activists and on denouncing the illegal repressive measures deployed by the military regime. The Forum had though a very short existence. As soon as the 1976 military coup took place, the Forum along with other social and political organisations was dissolved and prohibited; its offices were closed down, its goods confiscated and its bank accounts blocked. There was a four years penalty for those found in any way participating in the organisation. See *Comisión Argentina por los Derechos Humanos*, op. cit., p. 50. See about the Forum its report, *Proceso a la explotación y a la represión en la Argentina* (Buenos Aires: Foro de Buenos Aires por la vigencia de los Derechos Humanos, 1973).

¹⁵ The SERPAJ main aim was to promote the solidarity and non-violence values in the region. It attempted to provide a service of support and solidarity to grassroots groups and Christian organisations that were devoted from the perspective of the faith to the social and economic liberation of the region without the use of violence. For information on SERPAJ see the material available at the organisation's website at: <<http://www.derechos.org/serpaj/>>

repression were spreading and large numbers of relatives were now approaching these organisations looking for some help. Soon, human rights groups became a main reference point in the relatives' search.¹⁶ Here, though, two comments need to be made. Firstly, this sudden turn of the relatives to these organisations was not a response to the relatives' shared sense of loss and denial of rights as it has been commonly explained by the literature -which ascribed the relatives with a conception of individual rights that was almost absent at that time-, but to the fact that these human rights organisations were the only few ones that received the statements about the abductions and advised the families on the steps to take, providing them, for instance, models of writs of Habeas Corpus and encouraging them to denounce in police stations, the Ministry of Interior, the courts and military headquarters the abductions of their relatives.¹⁷ As we explained in the first chapter of the thesis, the existing human rights organisations had occupied a very marginal position within the Argentine reality and so had the language of human rights. A sudden shift in that prevailing reality without any sort of political intervention or articulation was then not exactly possible. Now, secondly and in connection to the first point, although the number of relatives passing through these organisations in search for information was rapidly growing, just a very few ones would get involved and work actively for these organisations. The majority of the relatives instead would just go there once to report the disappearances or abduction of their family members and occasionally would go back to check for

¹⁶ As we mentioned above, the relatives were meeting in different points at their search, one being the human rights organisations. But also, many of them recalled meeting at the Ministry of Interior, where there were long queues of relatives waiting to receive some information from the authorities; another important place of encounter was the military chaplaincy in the Stella Maris Chapel, in which Monsignor Grasselli was receiving the testimonies of the families and where there was a waiting room that was usually full of relatives. See this point in numerous relatives' testimonies, Aida de Suarez, Beatriz de Rubinstein and Dora de Basse, quoted in FISH-ER, Jo, *op. cit.*, pp. 27-29.

¹⁷ The relatives were given a sort of "list" of things to do and were advised to exhaust all the available possibilities to make known the abduction of their family members. See the testimony of Hebe de Bonafini. Second interview, 26-05-1988.

any recent news about their case or to attend some particular event or activity organised by these groups. Still very small in numbers and fairly closed, human rights groups did not leave enough space for the relatives to actually attend and participate in the organisation's meetings or in any kind of decision making process. As a testimony of a relative shows, the contacts between the relatives and the organisations were fairly formal and distant,

When I started to wander from one place to another and they told me what to do, where to go, they told me about the Assembly, the League and about the MEDH. These were the three places where you could report the disappearance. As we didn't know anything, we arrived at those places quite scared, and that fear didn't pass. There, you felt that they treated you as in a government office [...] It was something absolutely cold. You sat there, they made you wait outside, in a sort of hall, there you sat and wait, one next to the other [...]¹⁸

An exception to this initial situation was the open assemblies organised by the League to which the relatives were invited to participate.¹⁹ These assemblies became soon one of the most attended events organised by the human rights groups. It was there actually that after a few months of the coup, in front of the increasing number of families attending and their urgent common concern, a group of relatives proposed the organisation of additional weekly meetings that would just congregate those who were affected by the illegal detentions and disappearances and in which they would plan their first actions together.²⁰ Very cautiously at the beginning, the relatives begun by presenting collective statements to the military and police authorities, sending letters to the ecclesiastical authorities signed by all the

¹⁸ Testimony of Hebe de Bonafini, in *Asociación Madres de Plaza de Mayo*, op. cit.

¹⁹ Numerous relatives pointed out that when they attended the League to report the disappearances or abductions, members of this organisation or other relatives usually invited them to participate in the League's meetings.

²⁰ See *Familiares de Desaparecidos y Detenidos por Razones Políticas. Testimonios de nuestra lucha 1976-1988*, Buenos Aires, Tierra Fértil, 1988.

relatives as well as making collective visits to different political and social figures of the country.²¹

All the initial presentations and letters of this incipient group still embodied a desperate request for information from the government authorities and for a sort of reaction or intervention from the main social and political forces. In other words, there was still in all these collective communications the same kind of imploring requests found in the relatives' individual claims, requests that aimed to put together the fragmented pieces of information and bring to an end their experience of absence. This is how, despite the very obvious suspicions and discussions about the involvement and responsibility of the military forces in the abductions and disappearances, in the first relatives' actions accusations and direct criticisms to the regime were almost absent. The urge and necessity to know what had actually happened to their loved ones and the enormous fear of the possible consequences of their actions very much determined what sort of demands were possible at that time. It was also the cautious position of the "hosting" organisation which limited in part what these relatives were able to say and to do at that very first stage of their struggle. That is, as we have explained above, the League had always been very much linked to the Communist Party and its main task over the years had been mainly to assist legally the party's political prisoners and their families. By the time of the coup and afterwards, the leaders of the PC, as most political leaders, were fairly and at some points explicitly supportive of the Military Junta's government and were not intending to interfere with the main aims of the Proceso.²² These considerations would have clear repercussions

²¹ Ibid.

²² Despite of the many victims within the communist ranks –between 100 and 200 communist militants disappeared and other hundreds were illegally detained during the dictatorship–, the leadership of the Communist Party hardly reacted or confronted the Military Junta's regime and its war against subversion. As the rest of the political forces, the PC's supportive position was grounded on the leadership's identification with the regime's call for order and their explicit dislike for the left wing guerrilla movements. The communist leaders considered that as it was conformed, the Military Junta's government was embodying the most "progressive and democratic" elements of the armed forces and they did not want to interfere with the government's plans or to put obstacles that could favour or strengthen the

for the position and activities of the League under the PRN. During most part of the regime but specially during the first years, the League's members were extremely cautious with their actions and held a moderate and at some points ambiguous views about the Military Junta and its war against subversion, repeating the government's diagnosis of crises and assuming the actual need to stop the advance of both right and left wing terrorisms.²³ A letter sent by the League to the director of *La Opinión* newspaper regarding a supplement published by that tabloid on the situation of human rights in the country shows very well this identification with the regime's analysis of the situation,

[M]r Jacobo Timmerman: the newspaper that you direct holds that "Whoever denounces only one extreme of violence, is complicit of the other extreme" something that we adhere totally. [...] There are in Argentina horrible events carried out by both terrorisms that we condemn without ambiguities and hesitations. [...] The extremist left produces victims and abuses, but overall it gives reasons and feeds the psychological actions and activities of fascism which it calls its enemy. [...] we should meditate about the terrible events that are happening [...] For the League reflection clarifies the conscious and responsible action for ending with the conditions of chaos and war that both terrorisms pretend to impose.²⁴

conservative and reactionary elements within the forces and eventually put at risk their well established and respected position within the political party spectrum. It is worth remembering that under the Military Junta's government the Communist Party was not forbidden as the rest of the leftists groups and parties but as the other democratic forces just suspended. Thus, the party could continue with its regular meetings and activities and could participate in the "dialogue" that since the beginning the Military Junta was holding with the democratic forces. By 1979, after the American boycott to the Soviet Union as a result of its invasion to Afghanistan, the Military Junta began successful trade exchanges with the Kremlin. This decision on behalf of the junta greatly reinforced the position of the PC leadership towards the regime. See this point in FRONTALINI, Daniel and CAIATI, María Cristina, op. cit., pp. 46-47. Also in NOVARO, Marcos and PALERMO, Vicente, op. cit., p. 185.

²³ See this point in MIGNONE, Emilio, p. 101.

²⁴ *La Opinión*, 24-09-1976.

Adopting such understanding of the events, the League somehow obscured the responsibility and participation of the Military Junta's government in the brutal repressive campaign launched in the country. The numerous abductions and disappearances were conceived as if they were the result of a war between autonomous extremist groups that had no relation whatsoever with the state but to which the state should contain and put an end to.²⁵ Initially then, and regardless of the overwhelming evidences of the illegal character of the military regime, the League held a fairly uncritical view about the regime and discouraged any form of illegal action or communication that seemed too confrontational and called instead for some moderation and patience among the relatives that were approaching the organisation in search of support.²⁶ Loyal to its legalistic tradition, the League insisted on dealing with the unprecedented number of reports about the abductions and disappearances from within the legal terrain and as single cases. This emphasis on the legal actions and its moderate position very much conditioned the kind of demands and strategies initially raised by the first group of relatives gathering in the League's offices. As we have mentioned above, those very first actions were still pleading requests for information that were barely antagonistic with the regime and that remained very much within the confines of traditional channels of complaint.²⁷

Now, the sort of responses initially given to the relatives by the other two existing human rights organisations was not very different to the ones offered by the League. Both organisations

²⁵ It was regarding this very last point that the League held a more critical position towards the regime. As the above mentioned letter shows, according to the League the government was not combating with equal effort the right wing terrorism as it was doing with left wing subversion, as it put it, "the only terrorism effectively pursued and punished is the left-wing extremism". *La Opinión*, 24-09-1976.

²⁶ See this point in BOUSQUET, Jean-Pierre, op. cit., p. 52.

²⁷ Numerous relatives remembered that initially there was always a person, usually a lawyer from the League, leading or actively participating in the relatives' assemblies and that all the major decision had to be approved by the League's leaders. From my interview with relatives of the Familiares de Detenidos y Desaparecidos por Razones Políticas. See also in this regard, the testimony of Hebe de Bonafini in *Asociación Madres de Plaza de Mayo*, op. cit.

held a similar cautious position towards the regime at least during the first months of its government. In the case of the MEDH, it took a while for this group of Christian priests and religious people from different churches to constitute and organise themselves. By the time the first groups of relatives started to meet, the functioning of the organisation was still unstable and very much based on the individual effort of the few founding members. Its main work consisted in spiritually helping the relatives in their restless search, giving them a message of hope and faith and encouraging them to go on in their individual search. Its activities also involved assisting the families with the legal issues and very importantly, it also involved some economic support for the families in financial need, offering them administrative jobs in the organisation or providing them some sort of grants for their children or other members of the families. But during the beginning of the Proceso, the organisation hardly ever organised any form of collective action or raised a public demand or called the attention of the government about the numerous cases of disappearances and political prisoners. Their members held a moderate view regarding the war on terror and as we have just seen they limited themselves to provide spiritual and material help.²⁸

As the MEDH and the LADH, the APDH was initially also very careful in its evaluation and criticism of the regime's war on terror.²⁹ Mostly composed by political leaders and well known social and religious figures, the Assembly was not alien to the imperative of order and to the general climate of silence that prevailed among most political and social forces in the country at that time. Against a background of disagreements and compromises among the heterogeneous political positions of its members, the organisation limited itself to attempting to re-establish a contact and a dialogue with the new military authorities. The first letters sent to the government were then particularly moderate and hardly critical, very much welcoming

²⁸ As it will be seen further on in this chapter, the explicit and public complaints against the regime of terror will come later on, after almost one year that the military coup took place.

²⁹ See this point in MIGNONE, Emilio, *op. cit.*, pp. 104-105.

the regime's aim to put an end to the prevailing violence and to re-establish order and peace in the country,

[W]e need to reflect about the conditions under which the population of the country has been living since a long time; permanently threaten by the terrorist violence of different sides. Workers, students, business men, priests, members of the security and armed forces, [...] have been victims of the terrorist actions. The numerous murders kidnappings, disappearances, riots, attacks [...] have become a part of the daily news and debate.[...] For that reason the Assembly received with great satisfaction and hope the clear definition of the Honourable Mr President the General Jorge Rafael Videla [...].³⁰

There were in these first letters nonetheless some expressions of concern about the repressive campaign launched by the government, but these concerns or calls for attention were very much concealed by the apologetic tone of the communication. The responsibility of the regime was blurred once again by the understanding position adopted by the Assembly, as it put it at the very end of the above mentioned letter,

[W]e understand the great difficulty of the government to carry on its task under the conditions unleashed in the country by the terrorism of both sides.³¹

Thus, the relatives did not find in the existing human rights organisations very different responses to the ones offered by the rest of the social and political forces. That is, although initially the human rights groups played a crucial role in receiving the relatives' reports on the detention and disappearance of their family members and in advising the relatives on where to go and what to do, these groups were incapable of assuming a leading role through which they could represent and organise the relatives' desperate requests and eventually provide them with an alternative interpretation of the events that could bring some meaning to their experience of absence and uncertainty. It was going to take some time for these groups to actually offer a more

³⁰ *La Opinión*, 26-08-1976.

³¹ *La Opinión*, 26-08-1976.

critical understanding of the war on terror and its consequences. As for the time being, the relatives would produce their own forms of organisation and strategies for resistance.

2. New Forms of Organisation and Resistance

2. a. Organising Themselves for Resistance

I didn't want to read anything about what was happening, just search, search. Then, I realised we had to look for all of them and we had to be together because together we were stronger.³²

Week by week since the middle of 1976 and onwards, more and more people looking for some help and guide were starting to join the relatives' assemblies at the offices of the League. The relatives were spreading the word about their gatherings in the waiting rooms of military and police headquarters, churches and government's offices. These rumours were disseminated rapidly and reached the interior of the country from which many relatives travelled to the capital to attend those meetings in search for help and information. The relatives began then to hold two weekly assemblies, one for those living in Buenos Aires, and a second one for all those coming from outside the capital. In these meetings, the relatives organised the actions for each week and gradually set up different groups that would be in charge of the various activities and tasks of the incipient organisation.

Now, this initial form of organisation that was starting to emerge among the people directly affected by illegal repression found its first constraints and resistances among the relatives themselves. Particularly during the first years of the military regime, against the prevailing fear and uncertainty, numerous relatives found it very difficult to break their isolation and join other relatives in the search. As explained above, these relatives were terrified of the reprisals that their actions could provoke against the abducted persons as well as against themselves.

³² Testimony of Hebe de Bonafini, quoted in quoted in FISHER, Jo op. cit., p. 52.

Thus, for many of them it took a considerable time to actually overcome their fears and participate in any form of collective action, even in those activities organised by relatives themselves. This is very much seen in the testimony of a relative about her first interactions and conversations with other relatives,

Our conversations were limited to the habeas corpus petitions and the best way of writing them [...] I didn't give any of the women my name or my telephone number. We were anonymous, distrustful people, united by our paperwork and the lives we were trying to recover.³³

Besides this general fear, the particular connection of the first group of relatives with the League and basically the League's association with the Communist Party made these relatives even more cautious about these first attempts of collective action. That is, very much interpellated by the regime's rejection of politics, and above all by its demonisation of left-wing and Marxist political groups, many of the persons that started their search every day were reluctant to engage with the emerging group and with its activities in front of the obvious presence of the League's lawyers and members in the relatives' meetings. The testimony of a mother shows very well this apprehensive position regarding the political links of the League,

One day that I arrived early to one of the assemblies, I said why we didn't discuss who should chair the meeting, because I thought that the person who was chairing the meetings was from a political party, from the Communist Party [...] and I questioned why the meeting were not chaired by us.³⁴

Thus, distrustful about the political influence of the PC on the League and unconvinced about its legalistic approach for dealing with disappearances, numerous relatives continued wandering around in search for information.³⁵ As we said

³³ Testimony of Hebe de Bonafini, in OWEN STEINER, Patricia, *Hebe's story: The inspiring rise and dismaying evolution of the Mothers of the Plaza de Mayo*, Philadelphia: Xlibris, 2003, p. 68.

³⁴ Testimony of Hebe de Bonafini, in *Asociación Madres de Plaza de Mayo*, op. cit.

³⁵ They were going around in small groups, disorientated, occasionally at-

before, the two other existing human rights organisation, the APDH and MEDH, were still fairly closed and did not organise events or activities that could engage these relatives or give any space for their participation. Thus, for most part of 1976, many relatives were still disorientated and their situation had not been addressed nor successfully inscribed in any form of representation.

This sort of concerns and fears were not alien to the emerging group at the League's offices. By September 1976, in an attempt to get some independence and autonomy from the hosting organisation, the group of relatives decided to constitute an independent organisation under the name of the "Relatives of the Disappeared and Detained Persons", (*Familiares de Desaparecidos y Detenidos- FDD*). This would be the first formal organisation of the relatives of the victims that existed in the country and would play a key role in the development of other relatives' groups in Buenos Aires and throughout the rest the country.³⁶ Later on, by the beginning of 1977, a bunch of few women that had been meeting at the League's assemblies as well as in the Churches, Police headquarters and Ministry of Interior, decided to push further this initial separation and to gather in the Plaza de Mayo, Buenos Aires' central square facing the presidential palace. Their initial aim was to write and deliver together a petition to the country's President requesting an audience with him.³⁷ As one of the few women that participated

tending the meetings organised by the Relatives in the League, but refusing to engage permanently with it.

³⁶ See *Familiares de Detenidos y Desaparecidos por Razones Políticas*, op. cit. Later on this group will change its name and add "for political reasons"; the final name then would be: 'Familiares de Desaparecidos y Detenidos por Razones Políticas'. As we will see further on in this chapter, this change was related to the relatives' acceptance of the political character of the disappearances and detentions.

³⁷ *Asociación Madres de Plaza de Mayo*, 'Historia de las Madres', *Diario de las Madres de Plaza de Mayo*, Year 1 No. 2, January 1985. The women who encouraged the rest of the mothers and wives to go to Plaza de Mayo was Azucena Villaflor de De Vicenti, a very energetic middle age woman, who was searching for her son and daughter in law that had been abducted shortly after the 1976 military coup. She became the natural leader of the group and because of that, as we will see later on in the chapter, she was abducted and killed by the security forces in December, 1977. For some

in these first meetings remembered, “we were going to write together a letter to the president, but us, by ourselves and not other persons or other organisation on our behalf”.³⁸

Thus, during the third week of their meetings, after collecting some few signatures and delivered the letter, they decided to continue with their public gatherings once every week until they were received by the authorities. They hoped that being altogether in the square could help them to call the attention of the people and of the government and eventually prompt some form of reaction and the so awaited responses. They wanted to be noticed, to make visible their suffering and their search. As some of them explained, “one of our main intentions was the people to know the horrible things that were happening [...] the only ones who knew were us, the relatives”.³⁹

Initially, this group of women were convinced that the government was still not aware of the abductions and disappearances. They were fairly confident that once it knew and understood what had happened to them and to their innocent relatives, their situation would be solved and their sons, daughters and husbands released.⁴⁰ Thus, the waiting

good and detailed accounts on the history of the Madres de Plaza de Mayo, see among others, FISHER, Jo, op. cit.; in BOUSQUET, Jean-Pierre, op. cit.; OWEN STEINER, Patricia, op. cit.; MELLIBOVSKY, Matilde, op. cit, and GUZMAN BOUVARD, Marguerite, op. cit.

³⁸ Hebe de Bonafini, in *Asociación Madres de Plaza de Mayo*, ‘Interview with Hebe de Bonafini, April 1988’, op. cit.

³⁹ This intention could be seen in the women’s decision to change the date of their meetings. Initially, because of the lack of political experience, they organised the first meeting on a Saturday, without thinking that since stores and business were closed for the weekend, the park would be empty. They decided then to hold their next meeting on a weekday when there would be people and government officers around so they could be seen. See *Asociación Madres de Plaza de Mayo*, ‘Historia de las Madres’, op. cit. Hebe de Bonafini explains how the mothers’ intention to be seen was one important difference regarding the rest of the human rights and relatives groups, “we wanted to be seen, this was always the idea”. Hebe de Bonafini, in *Asociación Madres de Plaza de Mayo*, ‘Hebe de Bonafini in ‘Interview with Hebe de Bonafini, April 1988’, op. cit. See also, *Asociación Madres de Plaza de Mayo*, ‘Historia de las Madres’, op. cit.

⁴⁰ María Adela Antokoletz remembers how Azucena Villaflor urged them to make visible their suffering to the government, “we are wasting our time. [...] We have to go to the Plaza de Mayo and then speak with Videla, be-

could not last for long, it was a matter of time for their relatives to go back home. As one of them recalls,

We left the Plaza saying that we would see each other there again the following Thursday. At that time, none of us thought that our waiting for our children would be longer than a couple of months.⁴¹

Going to the square every week was frightening. The prevailing fear created constant doubts about the right thing to do and made these women very apprehensive of breaking the silence and of gathering together in a public space. As one of them remembers,

It was a tremendous effort to get to the Plaza, to the point that sometimes I used to tell myself... "I am going this Thursday but afterwards I am not going any more". As I moved forward, I kept assuring myself I am not going any more...⁴²

Yet, fear did not prevent many of these women from continuing to attend the meetings in the square every week and from going to the homes where they knew that some family member was abducted or to police stations, churches and government offices to recruit other mothers and wives.⁴³ Being a group of women was seen by this group as a sort of symbolic refuge against any form of confusion or association with politically motivated activities and ultimately with subversion.⁴⁴ A mother's remembrance

cause he does not know what is happening". Quoted in NAVARRO, Marisa, 'The Personal is Political: Las Madres de Plaza de Mayo' in EICKEN, Susan, *Power and Popular Protest: Latin America Social Movements*, Los Angeles: University of California Press, 1989, p. 248.

⁴¹ Testimony of Hebe de Bonafini, in OWEN STEINER, Patricia, op. cit., p. 73.

⁴² Testimony of Matilde Mellibovsky in MELLIBOVSKY, op. cit., pp. 84-85.

⁴³ See this point in Hebe de Bonafini's testimony, in OWEN STEINER, Patricia, op. cit., p. 70.

⁴⁴ See this point in FEIJOO, Maria del Carmen and Mónica GOGNA, 'Women in the Transition to Democracy', in JELIN, Elizabeth, *Women and Social Change in Latin America*, op. cit., p. 77. See also TAYLOR, Diana, *Disappearing acts: spectacles of gender and nationalism in Argentina's "dirty war"*, Durham, Duke University Press, 1997, pp. 194-5.

of how she was invited to the meetings at the square reveals very well this perception, “another mother told me: come, they won’t ask you any question. We are all women together”.⁴⁵ That is, a group of women seemed less intimidating than another sort of group and the square was portrayed as a neutral terrain in which all had suffered the same loss and experienced the same rejection and in which everything what mattered was the disappeared relatives.⁴⁶ As a woman remembers, “the first time I went to the square no one asked me what religion are you, what race, what are your politics. The only thing they asked me was who has disappeared”.⁴⁷ Let me then make some brief remarks on this social perception of women and on how it propitiated the emergence of this organisation.

2. b. The Place of Gender

The particular perception of women described by the testimonies mentioned above found its roots in traditional and hegemonic gender discourses in Argentina, in which women were articulated to housewives, wives, and especially to mothers and to all the characteristics that motherhood denoted, such as caring, life preservation, confinement to the private world of family activities and organisation.⁴⁸ The regime’s renewed stress on the centrality of the family and on the traditional and Christian values helped to strengthen this association. In the military discourses, women were called to participate in the foundational process in which the country was embarking on, but in a very specific way. As Admiral Massera put it,

We are calling women to be mothers of the Republic, to teach it to talk, to teach it to think, to teach it to smile.

⁴⁵ Testimony of Aida de Suarez in FISHER, Jo, *Mother of the Disappeared*, op. cit., p. 29.

⁴⁶ As a mother explained “we did something very important, we were beyond religion, race and political parties”, quoted in LAUDANO, Claudia Nora, *Las Mujeres en los Discursos Militares*, Buenos Aires, La Página SA, 1995, p. 81.

⁴⁷ Testimony of Elisa de Landin, in FISHER, Jo, *Mother of the Disappeared*, op. cit., p. 30.

⁴⁸ See this point in LAUDANO, Claudia Nora, op. cit. pp. 29-33.

Never as in these moments has Argentina so needed its women, because never as these moments has Argentina so needed to be on the side of life.⁴⁹

Women then were given a central role in the big Argentinean family: they were the ones who should primarily defend and guard the families of the nation from the seeds of subversion, educating its members, controlling them and even denouncing them to the authorities if they show any sort of sign of deviation. This central role though, did not put in question the authority of men within the family. In contrast, it reproduced the naturalised model of the nuclear family with its unequal distribution of power and its fixed roles, in which men as fathers occupied the place of authority and performed their responsibilities in the actual public domain and in which women controlled the obedience to the commands of the regime from within the domestic realm.⁵⁰

Thus, within this particular cultural context, in which women were less likely to be considered politically motivated and in which they were in some way free from suspicion and confined to the activities of the family, women were less afraid of joining the other mothers and wives in the search. Around few benches at the square, they all felt they could openly discuss about the disappearance of their relatives with the rest of the women and that they could find in one another support and empathy, as a mother put it, “we could talk about our concerns without any problem, without fear and the person by our side listened very attentively”, she also explained that “among us women we would tell each other things that we wouldn’t even tell our husbands”.⁵¹ Thus, women were confident among

⁴⁹ From Admiral Emilio Massera’s discourse, quoted by Marguerite FEIT-LOWITZ, *op. cit.*, p. 18.

⁵⁰ See this point in LAUDANO, Claudia Nora, *op. cit.*, pp. 21-33.

⁵¹ Testimony of Matilde Mellibovsky, in MELLIBOVSKY, Matilde, *op. cit.*, p. 85. See also there a similar testimony of Marta Vazquez, in which she described the dynamic of the mothers’ group and emphasised this empathy, in pp. 99-102. Hebe de Bonafini also recalls, “we felt great with each other... we spent hours chatting”. Hebe de Bonafini, in *Asociación Madres de Plaza de Mayo*, ‘Hebe de Bonafini in ‘Interview with Hebe de Bonafini, April 1988’, *op. cit.*

themselves, and although men accompanied and support them from the beginning of their gatherings, they would not participate directly in the groups and its activities.⁵² Men were traditionally associated to public and political activities and their participation was potentially dangerous for the security of the group and for men themselves.⁵³ Thus, without too much thought or premeditation, the group would remain mainly composed by women; the majority of them being mothers.

The gender roles and interests then have played a crucial part in the emergence of a women-only group, but this was not so much because women –and not men, according to the assigned roles– had the responsibility within the household to look for their missing relatives as commonly explained by the literature on the issue, but because these roles very much conditioned how women’s activities were perceived by the rest of society and by themselves, making women feel safer and less afraid of getting together and sharing their experiences with others as well as of gathering in public places. As explained above, under the reality of the PRN in which everything that was political could be potentially subversive, being a group of women became a sort of protection against any form of confusion.⁵⁴

⁵² See several testimonies con this point in FISHER, Jo, *Mother of the Disappeared*, op. cit., pp. 58-60.

⁵³ As a mother put it, “it was very difficult to for the men to participate. It was more dangerous for them because it was always the men they took first”. See this testimony in FISHER, Jo, *Mother of the Disappeared*, op. cit. p. 59.

⁵⁴ Here I disagree with the understanding often offered by the literature about the women-only character of this group. Although the literature on this issue acknowledges the importance of the political context and the less threatening condition that women represented within society, the composition of this group has been very much linked to the sexual division of labour and to the assigned roles that women and men held and performed in society. That is, most of the approaches would relate the fact that the majority of the members of this group were women to the women’s practical gender interests as dictated by the hegemonic gender discourse. Women were the responsible of defending and taking care of their sons and daughters and it was then their duty and not of men to look for them once they were missing. Thus, the women-only group was the coherent expression of the cultural model prevailing in the country at that time. For an exposition of the literature’s common understanding about the women-only character of this group see among others CRASKE, Nikki, op. cit., pp. 118-120; also NA-

Against this background, the numbers of mothers gathering at the square were rapidly growing and the group was becoming more and more visible to the public every week. After two months of delivering the letter, the group of women was received by the Minister of Interior, General Harguindeguy. Three of them representing the group attended the meeting and plead for some information about their missing relatives. The Minister denied all kind of responsibility of the armed forces in the detentions and claimed to ignore the whereabouts of the missing people, but he did not miss the opportunity to repeat once more the sort of explanations that the women had heard many times in their desperate search: their relatives were disappeared because probably they were hiding, they have gone into voluntary exile to Mexico or Spain or they have run away with a girlfriend or boyfriend.⁵⁵

The government's denial would be the first great blow to the group's expectations but it would also represent a crucial boost for the women's growing solidarity and unity. That is, although disappointed and frustrated by the answer of the authorities, these women would not abandon the space gained at the square, and they would go on with their gatherings every Thursday until their claims were heard.

2. c. Alternative Spaces and Strategies

Out of necessity, as a mother accurately described it, the relatives were becoming increasingly organised and began developing a new sense of companionship very much absent in the rest of society.⁵⁶ By the end of 1977 then, two main groups of relatives were beginning to take form: the group of women gathering at the Plaza de Mayo and the group of Relatives of the Disappeared and Detained People that was meeting at the

VARRO, Marysa, op. cit., pp. 256-257, and ROBBEN, Antonius, *Political Violence and Trauma in Argentina*, Philadelphia, University of Pennsylvania Press, 2005, pp. 306-308.

⁵⁵ See this point in *Asociación Madres de Plaza de Mayo*, 'Historia de las Madres', op. cit.

⁵⁶ From my interview with Nora Cortiñas.

League's offices.⁵⁷ There were other relatives participating in the APDH and in the MEDH, but as it has been mentioned before, these two organisations were mainly composed by people that were not directly affected by the repression.

The groups produced different strategies to interrupt the silence surrounding the consequences of the dirty war. The sort of activities they carried out ranged from collective presentation of Habeas Corpus and petitions to the authorities to less legalistic actions, which consisted for instance on the relatives' attendance to important political or social acts or the participation in religious events as vigils and peregrinations. When several US government officials visited the country for instance, the group of women gathering at the Plaza de Mayo used these opportunities to attract the attention of the international press and make visible their suffering and plead. Defying the extensive security operations that were at place, the women gathered in big numbers at the square, in front of the Government Palace, waving their white handkerchief, shouting and praying, determined to be seen by the US missions and the media.⁵⁸ As a result of this action, the pictures and accounts of the women's weekly meetings and claims for their missing relatives appeared on several international newspapers and TV channels. Inside the country, for the first time, a local newspaper, *The Buenos Aires Herald*, acknowledged the existence of the group, covering the women's demonstration and their clashes with the police in detail. The newspaper reported that the people working in the area referred to them as the "mad women of the Plaza de Mayo" and repeating what some of the members

⁵⁷ From the very beginning, smaller versions of these groups were emerging in several places of the country. The Relatives of the Detained and Disappeared Persons and the Mothers of Plaza de Mayo actively encouraged the organisation of the relatives in the interior of the country.

⁵⁸ When Terence Todman visited the country, around one hundred women gathered at the square waving white handkerchiefs attempting to attract the attention of the US diplomat and the international media. Despite the police's threatening attempts to disperse them and a message sent by the government promising an interview with the President if they decide to leave the square, the group of women refused to leave and managed to talk to some foreign journalists, who interviewed them and heard their plea for information about their missing relatives. See *The Buenos Aires Herald*, 15-08-1977.

of the group said to the journalists, the newspaper explained, “they do not wish to harm the image of the country, but are desperate for news about their children”.⁵⁹

Throughout their struggle, the relatives would continue generating new forms of mobilisation and strategies of resistance that would escape the narrow confines of the legal channels of complaint that were predominantly used by the existing human rights organisations. As we will see further on in the thesis, through these new modes of resistance and protest the groups of relatives would increase the levels of collective participation and would lead the way to the reoccupation of the public space shattered by the repressive policies implemented by the dictatorship.

Conclusion

To conclude, as we discussed in this chapter, immersed into a stage of deep desperation and thrown into a frustrating search, the families of the victims of repression started to meet in their endless circuit of police and military headquarters, government offices and churches. These first encounters were marked by great fear and mistrust but as well by a deep necessity. It was this necessity which drove many of the families to join with others and start the search together. As we argued, the existing human rights organisations were the only few organisations that received the relatives’ reports and helped them with the search, nevertheless, they were incapable of assuming a leading role and providing the relatives with an alternative interpretation of the events that could bring some meaning to their experience of absence and lack. Thus, the relatives began to organise from outside these groups, giving place to a new but timid space of resistance with its own strategies and characteristics. Now, in the following chapter, I will explore in detail the process through which this new space would be constituted and consolidated by means of a language of human rights that was increasingly available under the reality of the PRN. This process would entail a discursive production of a constitutive other and it would only

⁵⁹ *The Buenos Aires Herald*, 15-08-1977.

be in relation to that other that the identity and discursive unity of all these groups was to be achieved. It is then to this process which I will now turn.

CHAPTER SEVEN

Coming into Being: The Constitution of the Human Rights Movement and Discourse in Argentina

*[...] the explanation for the disappearance of our own children could only be found in the explanation for all the disappearances.*¹

Introduction

As we explained in the previous chapter, the first encounters of the relatives were marked by a great fear and mistrust but also by a deep necessity to find the answers to the many unsolved questions that the abductions and disappearances of their relatives had brought into their lives. It was this necessity which drove many of the families to share their experiences with others, attempting to put the pieces of information together and to inscribe their own experience of absence into a more general principle of reading that could account for the experiences of all. As we also showed, although the existing human rights organisations were the only few organisations that received the relatives' reports, the families did not find in them an alternative reading of the events nor a very favourable attitude towards their participation. Thus, it was from outside these groups that the first forms of collective organisation of the relatives began to take form and a new space of resistance to emerge. This chapter then accounts for the constitution of these forms of collective organisation and for the new mode of political identification that they entailed. As it will be shown, this new political identity constituted around the defence of human rights would only be possible firstly, by means of an increasingly available human rights language that was spreading in the country as a result of the criticisms of the international

¹ Testimony of Hebe de Bonafini, quoted in FISHER, Jo, *Mother of the Disappeared*, op. cit., p. 30.

community, and also by the sort of responses these criticisms prompted in the national political scene, and secondly, through the engagement of the affected groups in different social and political practices through which the relatives could identify the similarity of their individual cases and represent the equal source of their absence and failure. This process of political identification would entail the constitution of a political frontier and the production of an other which would, at the same time, reject and reaffirm the identity in question. Thus, through this process of identification and by the representational means of the human rights discourse the claims of the groups of relatives would be transformed and their identity as human rights groups constituted.

The chapter will be divided in three parts. The first part will account for the increasing availability of the human rights discourse and for the initial transformation it prompted as regards the relatives' claims. The second part will analyse in detail how this transformation entailed the construction of political frontiers and the production of an "other". It would be only in relation to that "other" that the identity and discursive unity of the relatives' groups would be achieved. The final part of the chapter will account for the process of political articulation of the relatives' claims around the signifier human rights.

1. The Incidence of the Human Rights Discourse

1. a. Dangerous Affirmations

As explained in chapter four, the international pressure on the military regime began to mount rapidly since 1977.²

² Already by the last months of 1976, the first problematisations of the consequences of the war on terror were starting to arise. By September 1976, for instance, there were numerous reports in the media about the series of hearings that the Subcommittee on International Organisations and Movement of the US Congress held on the status of human rights in Argentina. See *La Opinión*, 29-9-1976, *La Nación*, 30-09-1976. A month later, the on-site observation of a delegation of Amnesty International was as well extensively covered by the media, which followed all the steps of the mission and described in detailed the background of the organisation as well as the profile of the members of the delegation. See *La Opinión*, 4-11-1976, 9-11-1976 and *La Nación*, 13-11-1976. Although in general the media echoed

Throughout the year then, the regime was forced to respond to several accusations and warnings launched by the international community having as a result to deal publicly once and again with the consequences of the dirty war; the unwanted reminders which were returning to the fore in need of acknowledgment. As shown before, one of the junta's strategies was based on the denial of the allegations and a re-affirmation of its democratic and law obeying commitment.³ As the Argentine Ambassador in the United States Jorge Aja Spil explained when responding to the US first economic sanctions in 1977, "the Argentine government wants to re-establish the human rights that have been violated by subversion", and later on he continued "to watch over human rights is essential for the Argentine Nation".⁴

As international pressure started to mount, these declarations and statements in favour of democratic values and human rights would be more and more frequent in the military speeches. With them, the government attempted to contest the increasing association of the regime with illegal repression and human rights abuses and, ultimately, to safeguard its acclaimed embodiment of the Western and Christian values that conferred its legitimacy of origin. When the report of the Amnesty International's mission to the country came out in March, 1977 for instance, the government issued an official response

very much the regime's rhetoric on the anti-Argentinean campaign and in these cases it implicitly accused the US Subcommittee and Amnesty International of being partial and of just following the stories of a few terrorists living abroad, the allegations about disappearances and human rights violations were still on the pages of most newspapers for a few days.

³ As we have also discussed in chapter three, the Military Junta articulated the initial enquiries about human rights violations as part of an international conspiracy generated abroad by communist and terrorist groups that aimed to boycott the image of the country in the world and ultimately to destroy and interfere in its future development. Thus, in the regime's discourse and in the echoes of the media, human rights claims and enquiries were gradually equivalentially linked to subversion, terrorism and to foreign and alien interests. The military government and the PRN, in contrast, were portrayed as the guardian of the human dignity, freedom and rights of all the Argentinean people and not just of a very few ones that eventually were attempting on the life of the entire nation. See this sort of argumentation in *La Opinión*, 21-11-1976, *La Prensa*, 10-11-1976.

⁴ *La Nación*, 8-3-1977. See also the Army's communication on its support for human rights, *La Nación*, 7-3-1977.

published in the national newspapers in which it categorically affirmed “the respect of the Universal Declaration of Human Rights of United Nations” and assured that in Argentina “all and every part of the text is equally binding”.⁵ A few months later, when various US government officials visited the country⁶, the regime made similar declarations and attempted by all means to disperse the doubts about its democratic devotion, repeating its intention to open up the dialogue with the social and political forces and to plan a gradual transition to democracy.⁷ Videla’s trips abroad, covered by the local media in detail, were also marked by the emphatic affirmation of the junta’s respect for individual liberties and rights, as he explained in a press conference in the US, “it was in defence of human rights of the majority of the people that the war on subversion was fought”.⁸

1. b. Some Expected and Unexpected Effects

The increasing expressions of concern from the international community about the country’s human rights records vis-à-vis the regime’s responses to the allegations soon begun to show their effects in the Argentine social and political context. That is, these exchanges were bringing to the fore a new reading or understanding of the war on terror that was opening the debate

⁵ *La Razón*, 23-3-1977. The circulation of the AI’s report was forbidden inside the country, although some clandestine copies were available among the human rights organisations and relatives’ groups.

⁶ As we have already mentioned in chapter three of this thesis, during August 1977, the US Assistant Secretary of State for Human Rights Patricia Derian visited the country for second time to discuss with the government the human rights situation. Later on that month, the US Assistant Secretary of State for Inter-American Affairs Terence Todman arrived in the country as part of a visit to the region, and a month later a mission from the Subcommittee of Latin American Affairs of the US Congress visited the country to evaluate the existing relationship between the US and Latin America. Finally by the end of that year, the US Secretary of State Cyrus Vance arrived in Argentina to discuss among other issues the human rights violations in the country.

⁷ See General Videla’s speech in *La Nación*, 6-8-1977.

⁸ *La Opinión*, 15-9-1977. See also a similar declaración in *La Nación*, 9-9-1977.

about its methods and consequences as well as spreading out the possibility for new expressions of consent or dissent within society.

The first responses triggered by the international criticisms were those which very much echoed the regime's version of the events. Important political and social sectors rejected any form of international intromission within the domestic affairs and made numerous declarations on the achievements of the PRN in its fight against subversion.⁹ As a statement of a group of well known politicians embedded in a nationalistic spirit explained, "the problem of human rights violations in the country was something that had to be resolved only by Argentines themselves".¹⁰

Beyond these expected echoes of support, the international pressure nonetheless also helped to trigger expressions of concern and voices of discontent within the reality of the PRN. Despite the dense veil of silence covering the consequences of the war on terror, some of the social and political forces could not remain completely immune to the increasing international pressure. This was the case for instance of the Catholic hierarchy during the first months of 1977. Against a background of increasing international and national demands for the numerous disappearances and detentions, fearing a condemnation for its passive and tolerant role, the Episcopal body issued a series of public and confidential documents in which, despite the repetition of its approval and support for the military government, expressed its concern about the irregularity of the state repression and the numerous human rights violations inside the country.¹¹ Although avoiding any

⁹ This was the sort of response commonly heard during the first three years of the PRN and which was very much echoed in the national newspapers, in their editorials and columns.

¹⁰ See document issued by Arturo Frondizi, Rogelio Frigerio, Marcos Merchensky, Héctor Gomez Machado and Melchor Posse. *La Nación*, August 1977.

¹¹ During 1977, the Episcopal Body issued three documents: a first one on March 17th, a second one on May 7th, which had the greatest diffusion, and a last and confidential one on November 26th. In all these documents, as we have explained in the text, there are no direct accusations to the government of the Armed Forces, but an analysis of the situation of violence prevailing in the country and a reflection and a call for action on the numerous

direct accusation, the Church's documents were of great repercussions causing unhappiness in the government circles and becoming one of the sources of validation of the claims for the disappeared people.

Also, the exchanges between the international community and the regime prompted the existing human rights organisations to raise more clearly their concern about the current situation. A letter sent to the President of the country by the APDH few days before the first anniversary of the military coup showed this shift.¹² The letter, the second one of the organisation since the junta took office¹³, was the first clear public petition to the military authorities in which a local group claimed for the release of all the political prisoners and the publication of the list of all the people detained as well as the information of the centres of detentions in which they were held. Drawing on the government's recent expressions in favour of human rights and particularly referring to the Junta's answers to the Assembly's previous requests, the human rights organisation pushed the regime for an urgent affirmative response. Only that sort of action, it argued, could prove the "unhesitant recognition and validity of human rights inside the country".¹⁴ Thus, although

families looking for their missing relatives. After these series of documents, the Church went back to its conciliatory position and avoided any other direct reference to the consequences of repression. See MIGNONE, Emilio, *Iglesia y Dictadura*, op. cit., pp. 53-60.

¹² *La Nación*, 22-3-1977.

¹³ A first letter was sent to Videla in December 1976. See the letter in *La Opinión*, 13-12-1976. The MEDH also hardened its view regarding the government, and by the end of the year, few days before the Christmas Eve, the group organised its first religious ceremony at the Quilmes Cathedral in which it expressed its solidarity with the disappeared people and their relatives, as well as for the respect of human rights. See MEDH, *Boletín informativo del Movimiento Ecueménico por los Derechos Humanos*, Year 1, December-January 1977, No. 3.

¹⁴ *La Nación*, 22-3-1977. In April, and continuing with its more critical position, the APDH presented a collective appeal to the Supreme Court of Justice for the disappearance of 425 persons. Although the Court rejected the petition and declared itself unable to intervene, the appeal prompted the judges to acknowledge the existence of a serious and exceptional situation and to request the executive power to carry out an investigation to find out the whereabouts of these persons which were said to be detained but whose detentions were not recorded. The Court's sentence was of great

still with some moderation and caution, the Assembly's petition was starting to point at the government as the ultimate responsible of the thousands of detentions.

It was also within this context of international criticisms and frequent affirmations of the government that the voices of discontent of the many relatives of the disappeared and detained persons started to be heard and to actually take shape inside the country. International enquiries and criticisms made visible what the regime pretended to confine to the world of war and secrecy, a world in which the rule of law was suspended and a brutal repression against vast sectors of the population was unleashed. Thus, by shedding light on the unofficial world of illegal detentions, systematic torture and extra-judicial executions, the allegations were stressing the contradictions and ambiguities of the military discourse and ultimately questioning the regime's failure to defend the values it claimed to incarnate. The allegations then meant an interruption of the apparently smooth functioning of the military regime and the introduction within the universe of the PRN of a re-description of the war on terror which had its own language, symbols and conventions. This interruption and new understanding would open up new possibilities and spaces for the groups of relatives, which would soon begin drawing on that intervention and on the responses it triggered to articulate and express their claims.

1. c. The First Confrontations

By September 1977 then, after a month of several visits of the US officials and of great presence of the allegations of human rights violations and of the responses of the government in the local media, the first paid press release organised by the FDD in collaboration with the group of women gathering at the Plaza de Mayo appeared in *La Prensa*, the only national newspaper that had accepted to publish it. Beneath the main text were listed

importance as it was breaking with the prevailing silence regarding the consequences of the dirty war and was, without really intending so, giving some validity to the concerns and petitions of the human rights organisations and relatives' groups. See this point in MIGNONE, Emilio, *Derechos humanos y sociedad. El caso Argentino*, op. cit., p. 105.

the names and identity cards of numerous relatives and of other persons supporting their claims.¹⁵ The full page press release was addressed to the Commanders of the Armed Forces and was explicitly responding to the recent government's calls for dialogue.¹⁶ Thus, appealing to the regime's constant references to the Argentinean family and to the crucial role that they were attributed under the Proceso, the release stressed the suffering and frustration that many families and relatives were passing through,

[...] we see our homes destroyed by the anguish and the uncertainty caused by not knowing where or how our beloved ones are, until when they would suffer detention without cause or which would be the cause for their accusation.¹⁷

Facing this uncertainty, the relatives emphasised their consequent inability to contribute to the Military Junta's aim to achieve, "an advanced, prosperous and happy country". The petition made this clear,

[...] for all the families to contribute to realize such aim we need peace, and peace is not possible without the protection of justice.¹⁸

Thus, while taking over the Military Junta's rhetoric, the relatives were somehow beginning to portray a family, a mother, a citizen that was at odds with the military discourse. That is, the press release represented the relatives as unable to identify themselves with the "cooperative and well behaved" family/mother/citizen of the PRN: those subjectivities that were expected to witness, silently obey and actively assist

¹⁵ By the end of the month, on the occasion of the proximity of the Mother's day, the same paid press release appeared for the second time in the same national newspaper, this time with more relatives' names. See press release, *La Prensa*, 28-9-1977.

¹⁶ As we have already mentioned in the chapter, by the middle of the year the regime attempted to neutralise the international criticisms calling for a dialogue with the social and political forces of the country to plan a future return to democracy. See *La Opinión*, 15-8-1977.

¹⁷ Press release, *La Prensa*, 3-9-1977 and 28-9-1977.

¹⁸ Press release, *La Prensa*, 3-9-1977 and 28-9-1977. In the following months similar releases also came out.

the government of the armed forces in its political project to bring order to the country. The relatives presented this failure as the result of the incomprehension and incapability of the regime to address their desperate situation. A later press release organised by the group of mothers and wives expressed this lack of understanding and failure of the regime,

[...] to whom should we go to know the truth about the whereabouts of our children? We are the expression of pain of hundreds of mothers and wives of disappeared people. [...] We have exhausted all the means available to reach the truth. This is how today publicly we demand help from all of those men who really love the truth and peace [...] ¹⁹.

Thus, stressing their frustrated requests for information, the relatives' release began to exhibit their non-compliance with the commands of the regime and to give shape to a demand that was increasingly positioning them in a place of enunciation in conflict with the military discourse. An expression of this transformation could be clearly seen in the four points with which the relatives summarised their claims and concluded the 1977 petitions,

The search of all the disappeared citizens.

The appearance of the detained citizens.

The release of all those detainees without charges and/or the Constitutional option to leave the country.

The trial according to the National Constitution and laws for all those with charges against them. ²⁰

These clear cut points show how the relatives ceased to timidly implore and turned to more confrontational and imperative claims for information about the abductions and disappearances. These claims were starting to be articulated in a legal language of rights, guarantees and duties that was acquiring an increasing prominence inside the country and that was very much challenging the world of war and illegal repression instituted by the PRN. As shown before, this new prominence of the language of rights resulted not only from international pressure but also

¹⁹ Press release, *La Prensa*, 5-10-1977. The same release appeared in *La Nación* a month later, on the 10-12-1977.

²⁰ Press release, *La Prensa*, 3-9-1977

from the sort of responses this intervention prompted inside the country. In this regard, particularly important were the frequent and overwhelming assertions coming from the government itself which tried to displace the association of human rights violations and the war on terror and to articulate the signifier human rights within their project of order vis-à-vis crisis and chaos. While doing so though, the regime increased the availability of a language of rights that was starting to function as a point of identification for the already mobilised groups of relatives who drawing progressively on this language were questioning the generalised legal insecurity and trying to give back the status of citizens to those illegally detained and disappeared people that had been stripped of all human condition. That is, the relatives would then attempt to bring back to the official world of juridical subjects those who were thrown into the world of war, illegal tortures and killings, displacing the regime's association of the figure of the disappeared and detained person with subversion and all the attributes associated with it.

Thus, during the last months of 1977 and throughout 1978 and 1979, against a background of increasing international pressure and of frequent affirmations of the regime, the relatives' claims were transformed by means of an increasingly available language of rights. This transformation entailed the recognition of what prevented the relatives to fulfil their claims: the source of negation that was pervading them all. It was only in relation to that negation that the identity and discursive unity of all these groups was to be achieved.

2. Defining Themselves vis-à-vis the Other

*Walking, holding each others arms tenaciously,
relating one to another, we were also
strengthening our thoughts and growing and
assuming.²¹*

The transformation of the claims of the relatives was neither easy nor straightforward under the adverse political conditions

²¹ Hebe de Bonafini in *Asociación Madres de Plaza de Mayo*, "Conference given by the president of the Association Madres de Plaza de Mayo", in *Liberarte* on July 8th, 1988.

of the PRN. The sheer censorship and its consequent silence and the prevailing fear and insecurity made it very difficult for them to express any form of critique or dissent. As we explained before in the thesis, the relatives were extremely concerned about possible reprisals and accusations of subversive actions. Thus, from the very beginning, the groups of relatives attempted by all means to differentiate themselves from politically motivated groups, emphasising their ordinary positions as “mothers”, “wives”, or just “family” of the victims and limiting their first steps and actions to imploring requests for information to the authorities about their missing relatives that did not involve any direct accusation or confrontation with the regime.²²

2. a. A Sense of Equality and Solidarity

*[...] in all these years, we have learnt about the importance of collective action and we have learnt about solidarity.*²³

Meeting together, organising press releases, walking every Thursday afternoon at the square, etc., the groups of relatives began to partially dismantle their concerns and fears. As a mother put it, “each time we came together we felt stronger, safer, less afraid”.²⁴ In the course of these meetings the relatives developed a new sense of companionship and solidarity that helped them to confront their anxieties. This increasing solidarity emerged from the rejections and denials they all experienced and shared. Thus, there was not a positive feature grounding the bonds and increasing attachment of these persons but only a common and repeated experience of negation. That is to say, although

²² Here we need to point out that this fear of being associated with politics would persist in the groups of relatives for a long time as well as their constant appeal to their positions as mothers, wives and relatives of the victims. It was relatively recent that these groups would accept the political character of their struggle. In my interview with Elisa, a mother from the Madres de Plaza de Mayo, she even suggested that it was not until her first trip abroad in 1988 when she first thought herself as a human rights activist.

²³ Hebe de Bonafini, *La Voz*, 16-10-1983, *Argentina 1983*, Centro Editor de América Latina: Buenos Aires, 1984, p. 416.

²⁴ Testimony of Hebe de Bonafini, in OWEN STEINER, Patricia, op. cit., p.77.

they had all suffered the disappearance or detention of a close relative, what initially united them was not that particular loss or, as it has been commonly explained by the literature on this issue, their defence of life and fundamental individual rights²⁵, but the repeated rejection and lack of responses from those to whom they demanded an answer and who were able to respond. Thus, what brought these persons together was ultimately the absence of signification of what had happened to their missing relatives. As a mother recalls,

[...] In the Plaza de Mayo we were all alike. We were all similar one to another, they had taken away to all of us our sons and daughters, we were all hearing the same, we had all gone to the same places. It seems that there was no difference nor distance. That is what we felt so well. That is why the plaza assembled us. That is why the Plaza was consolidated.²⁶

Thus, the situation of frustration experienced by all these relatives triggered what could be described, using Laclau's theoretical insights, as a logic of equivalence: the relatives began to come together constructing an equivalential chain between their unsatisfied claims. That is, beyond the particular character of their case and situation or their very private and intimate pain and suffering, at the square, at the churches or at the League's offices these relatives established a sense of equality and solidarity among themselves that was very much based on their shared experiences of absence and rejection.²⁷ From this perception of equality and solidarity vis-à-vis negation the groups of relatives began to stress the equal nature of their aim beyond their differential character; as a mother clearly put it,

²⁵ Which I will argue arise later on in their struggle.

²⁶ Hebe de Bonafini in *Asociación Madres de Plaza de Mayo*, 'Conference given by the president of the Association of Mothers of Plaza de Mayo', op. cit.

²⁷ The establishment of an equivalential relation between the relatives would not be straight forward or immediate, as we have shown in the text, it would be the result of the engagement of the relatives in different activities and collective actions. This relation would neither mean the complete erasure of the differences and particularities of each of the groups. That is, as we will see further on in the text, the groups would continue developing its own activities and strategies.

“we began to realise that the explanation for the disappearance of our own children could only be found in the explanation for all the disappearances”.²⁸

During the meetings then, the relatives started to make sense of the fragmented reality of the PRN, putting together the pieces of information and the rumours about clandestine detention centres, killings and torture that began to spread through the official world of juridical subjects. Some information was coming from the few prisoners that had been freed, who were approaching the circle of relatives and uncovering the horrors of the dirty war.²⁹ The relatives then began to know where their missing relatives could be held or what may have happened to them. Rumours about several police stations and military centres where detainees could be held circulated among the relatives and a new universe of macabre words and meanings that denoted the kind of mechanisms and procedures deployed in the world of war and secrecy was gradually discovered.³⁰ These rumours, far from calming down the uncertainty, made it worse, generating more pain and frustration among the relatives as well as a compelling necessity to understand what had happened to all those who had been taken away. “We had to read and began to collect information to help us understand what was really going on”, a mother of a victim recalled.³¹

2. b. Constructing the Other: the Effects of Political Frontiers

The relatives received the information about the clandestine world against a background of international criticism that

²⁸ Testimony of Hebe de Bonafini, quoted in FISHER, Jo, *Mother of the Disappeared*, op. cit., p. 30.

²⁹ Some information was also coming from abroad, from the groups of political exiles who had collected testimonies and evidences from prisoners who had been released and managed to flee the country.

³⁰ As one of the mothers recalls, “we began to hear words like ‘capucha’, ‘submarino’, ‘picana’ and we began to piece together the full extent of the horror”. See Hebe de Bonafini, in FISHER, Jo, *Mother of the Disappeared*, op. cit., p. 66.

³¹ Hebe de Bonafini, quoted in FISHER, Jo, *Mother of the Disappeared*, op. cit., p. 108.

started to spread a new interpretation of the war on terror. By means of a language of human rights, the military government was accused of carrying out an illegal and illegitimate repressive campaign against political opponents. The state appeared in these reports as the main responsible for the violent situation of the country. By the end of 1977 and beginning of 1978 then, drawing increasingly upon this interpretation and language, the groups of relatives began articulating a more imperative form of request that challenged the military regime's silence and ambiguity about the war on terror. In December 1977, General Videla gave a speech in the United States recognising the possibility of "excesses of repression" and asking for "truth" and "peace" in the country. The relatives responded with a half page press release addressed to the President of the Supreme Court, the Commanders of the Armed Forces, the Junta and the Church:

The truth we ask is to know whether our disappeared relatives are dead or alive and where they are. When will the completed lists of the people detained be published? Who have been the victims of the "excess of repression" that the President referred to?³²

The more confrontational tone of the release was made even more explicit when the relatives decided to publish the petition the same day of the celebration of the anniversary of the UN Universal Declaration of Human Rights, wordily known as the international day of human rights. This was a clear message to the regime and a first step in their path to confrontation. Thus, with this action and with the petitions and actions to come the relatives began positioning themselves vis-à-vis the military regime. This involved the identification and representation of the military regime as the main source of their desperate and shared situation of absence and uncertainty. That is, the regime and by association those which stand by its side, began increasingly to be portrayed as responsible for the irregular and illegal situation of their relatives and for their own uncertainties regarding their beloved ones. In this new and initial picture, the military authorities denied the families, mothers and wives of

³² Press release, *La Nación*, 10-12-1977.

the country, the so acclaimed “legal order” and eventually the “peace”, “truth” and “justice” that supposedly prevailed under the PRN order. In contrast, the authorities provoked what the relatives expressed as “the most cruel torture for a mother: the uncertainty on the destiny of their children”.³³

In this way, the relatives began to draw an antagonistic frontier through which those who denied the truth about their missing husbands, daughters and sons were radically excluded from the domain of the legitimate. The side beyond the frontier was more and more discursively constructed as that which blocked the plenitude of the identity of numerous families/ mothers/wives of the country and ultimately as the “enemies of the peace, welfare and justice” in the country.³⁴

This antagonistic frontier vis-à-vis the identification of the source of social negativity soon showed their effects on the other side of the frontier.³⁵ By the end of 1977 and faced with the new interpellations raised by the relatives, the regime launched a repressive and intimidating campaign against the groups of relatives that reached its highest point in December of that year, when a group of fourteen relatives and two French nuns were abducted.³⁶ Despite the intense international pressure for the release of the French nuns, some of these persons were never found; their names would join the lists of the thousands of disappeared people.³⁷

³³ Press release, *La Nación*, 10-12-1977.

³⁴ Press Release, *Familiares de Detenidos y Desaparecidos por Razones Políticas*, July, 1978.

³⁵ As Laclau explains, the operation of the logic of exclusionary limits has a series of effects which spreads to both sides of the limits. See LACLAU, Ernesto *Emancipation(s)*, op. cit., p. 37.

³⁶ See the description of the events that led up to the abduction of the relatives and nuns in FISHER, Jo, *Mother of the Disappeared*, op. cit., pp. 66-70.

³⁷ The relatives and the two French nuns were taken to the clandestine detention centre “Escuela Mecánica de la Armada” (ESMA) and ten days later were assassinated thrown alive into the River Plate from the so called “death flights”. Their bodies were then buried in anonymous graves and were found and identified recently, in June 2005, by the Equipo Argentino de Antropología Forense (Argentine Forensic Anthropological Team). See *Clarín*, 14-12-2005.

This episode represented a big blow for the relatives, particularly for the group of women that suffered the abductions of three of its most militant mothers. But instead of weakening their actions, this event encouraged these relatives to continue their search and struggle. That is, the December's events and the persisting government's intimidation and repression very much intensified the relatives' representation of the regime as the source of their unfulfilled requests and ultimately of their experience of failure and absence. The incipient antagonistic frontier was then reinforced by these acts of violence and repression. The initial relation of solidarity and equality that was gradually established among the relatives was in this way strengthened by their common opposition to the power beyond the frontier. As we have mentioned above, the equivalential relation among the relatives was the result of they being antagonised by the regime and not a consequence of a positive and a-priori aim or feature uniting them all. As a testimony of a mother shows,

[...] we felt one similar to the other, because we were equal, [...] because the enemy was in the same place and becoming harder, because the enemy had ordered our kidnappings.³⁸

Thus, it was then on the basis of this negative operation that the relatives began to shape their own position and discourse within the reality of the PRN.

2. c. A New Political Identity

The increasing identification of the regime as a “constitutive other” whose existence and presence pose an equal threat to the relatives' realisation as mothers, fathers and citizens of the nation, was one of the main conditions for the constitution of the relatives' groups as a new political identity under military rule. As we explained in the first chapter, following Laclau and Mouffe's argument on the relational character of political

³⁸ Hebe de Bonafini in *Asociación Madres de Plaza de Mayo*, “Conference given by the president of the Association of Mothers of Plaza de Mayo”, op. cit..

identities, the “other” or antagonising force not only negates the full constitution of the identity to which it is opposed but also affirms it. As Laclau puts it, the identity in question “would not be what it is outside the relationship with the force antagonising it, the latter is also part of the conditions of existence of that identity”.³⁹

This incipient political subjectivity that was taking form under the difficult political context of the PRN, emerged as a result of a situation experienced as a dislocation. As Laclau explains, the dislocation of a particular order calls for the need to re-articulate and re-institute the disrupted space. Every response to a dislocation thus attempts to provide a new principle of reading that could make sense of the people’s experience of dislocation and change and ultimately to re-create a new stable social meaning. Thus, there is always a critical dimension in the origins of all these responses: a critique of the *de*-structuring effects of the dominant discourse. Resulting from this critique the subject or group in question constructs the new principle of reading of the situation and gives content to its own position and particularity.⁴⁰ This critical dimension at the emergence of every social demand could be clearly seen in the relatives’ response. As we explained previously in this thesis, the life of numerous families had been dislocated by the silence and denial of information on the whereabouts of thousands of persons abducted from home, working place or the streets. This denial and silence drove the families into a stage of deep desperation and soon prompted them into a collective mobilisation and protest. Thus, the response of the relatives emerged as a critique of the failure of the authorities to provide them with some credible answers to their desperate requests for information and ultimately to address the consequent absence of meaning they all experienced. A Christmas press release shows the form adopted by the relatives’ critique:

We have passed another Christmas, a day of love and union, without the happiness of the reunion with our loved ones.

³⁹ See LACLAU, Ernesto, *New Reflections on the Revolution of Our Time*, op. cit., p.21.

⁴⁰ See LACLAU, Ernesto, *New Reflections on the Revolution of Our Time*, op. cit., p. 62.

The mothers and relatives of the disappeared and detained people, we request, once more, to the President and to the authorities of the country, the FINAL SOLUTION of this dramatic problem, that with the time, is weakening not only the Argentinean family but the country itself.

SILENCE does not heal wounds [...]

The mothers and the relatives of the disappeared and detained people we have claimed repeated times that the path of truth should be taken to reach peace.

Those who have the truth about this problem are the men from government.⁴¹

Thus, from the initial critic to the military regime, the groups of relatives began to define their own diagnosis of the situation and to give shape to the content of their particular demand. This definition, as we already anticipated in this chapter, entailed an increasing identification with the human rights language and cause. Before exploring this issue in detail in the last part of the chapter however, let me make some remarks on the emergence of the relatives' critique and response under the PRN.

2. d. The Non-Necessity of Demands

The critique and explicit challenge to the regime and the relatives' political mobilisation were neither inevitable nor straightforward. This process, taken for granted or overlooked by most of the literature, was a difficult and long lasting one which required the availability of certain discourses and the engagement of the affected groups in different social and political practices through which they begun to identify the similarity of their individual cases and represent the equal source of their absence and failure. As a result, accounting for this process of critique means to provide a detailed analysis of the particular conditions that made it possible. New social demands and new challenges do not emerge spontaneously without any sort of mediation. There is always a moment of

⁴¹ Press release, *La Prensa*, 7-1-1980.

political intervention at the emergence of all social claims that requires a process of political articulation and engagement that needs to be stressed and pointed out.⁴² The difficulties and obstacles present in the process of emergence of a new critique or a new form of political identification that are made visible in particular social and political contexts –as the one studied in this thesis– have been nonetheless many times ignored. Laclau’s work for instance, which is very much deployed in my account and which, as stated in the first chapter of this thesis, I consider provides very illuminating insights for the exploration of the formation of new political identities, would tend nonetheless to overlook the political dimension already present at the moment of emergence of a particular and simple claim or request, failing in this way to account for the process of engagement in political practices that is very much necessary for a new claim to actually emerge.⁴³ That is, Laclau’s emphasis

⁴² The importance of the process of engagement in political practices for the formation of new political subjectivities has been pointed out by Aletta Norval in her work on democratic subjectivity. See NORVAL, Aletta, “Democratic Identification: A Wittgenstenian Approach”, in *Political Theory* 34, No. 2, 2006, pp. 229- 255.

⁴³ In his later work on populism for instance, Laclau starts his analysis with the category of social demand and he describes it “as the elementary form in the building up of the social link”. The notion of demand, according to him, has an ambiguous meaning and it is actually this ambiguity which gives place to different logics of political articulation. He differentiates two main forms of demands: democratic demands, which are the ones that are isolated and are simple “requests”, and popular demands, which are a plurality of demands that had turned into “claims” and which through establishing an equivalential relation constitute a broader social subjectivity. But how does Laclau account for the emergence of simple requests and claims? In his latest book, to explain this he uses one example that although it is imaginary, he says corresponds to situations widely experience in Third World countries. He says, “think of a large mass of agrarian migrants who settle in the shantytowns on the outskirts of a developing industrial city. Problems of housing arise, and the group of people affected by them request some kind of solution from the local authorities. Here we have a demand which initially is perhaps only a request. If the demand is satisfied, that is the end of the matter, but if it is not, people can start to perceive that their neighbours have other, equally unsatisfied demands –problems with water, health, schooling, and so on. If the situation remain unchanged for sometime, there is an accumulation of unfulfilled demands and an increasing inability of the institutional system to absorb them in a differential way

has been more on the political instance that is in play when an already constituted demand attempts to become the surface of inscription for other demands and claims. This political process is extremely relevant for understanding the functioning and emergence of hegemonic myths and social imaginaries but should not overshadow another important moment of politics which is the instance in which simple requests or demands become actual demands, in which critiques constitute themselves as legitimate and valid critiques. As we showed in the analysis above, the same kind of political logics can be seen at play in both instances and it is relevant, especially for the sort of research conducted in this thesis, to explain and acknowledge this equally important moment of politics. Doing this would prevent us from falling into the sort of misunderstandings very commonly found in the literature on human rights in Argentina that we have discussed in the first chapter of the thesis. As we have shown there, these approaches would either attribute the relatives' groups an unalterable belief on human rights taking for granted their mobilisation and protest, or would stress

and an equivalential relation is established between them". Thus, from his example we can deduce that simple demands or request for instance for housing, water, health, etc., respond to basic needs that in case of unfulfilled they would necessarily lead to punctual complaints to the authorities and to expressions of discontent that potentially after some time of rejection could turn into anti-systemic demands. So the emergence of simple demands is in this way taken for granted and almost explained as spontaneous and there seems to be no need of any sort of political mediation. What we can see though with our own case of study is that this is not exactly like that. In order for people to come together and request for punctual things, as it could be "human rights" or "water", there should be certain discourses available and an already process of mobilisation and engagement should be also taking place. This is how we would say that in the absence of this process of political intervention these simple demands for housing, water, health are also absent. Disagreeing with Laclau's example, this last case is many times the situation widely experience in Third World countries. That is, despite the obvious necessity of simple facilities and services, the failure or the unwillingness of political discourses to articulate these issues make this situation normal and non problematic for the people living without them. See Laclau's formulation on popular demands in Laclau, Ernesto, "Populism: what's in a name", in Panizza, Francisco, ed., *Populism and the Mirror of Democracy*, London, Verso, 2005, and in LACLAU, Ernesto, *On Populist Reason*, op. cit.

the novelty of the human rights ideas in the country without addressing how this change and the process of mobilisation it involved were actually possible. Thus, as we have mentioned several times, one of the main aims of this research has been to stress the process of articulation and political engagement in the emergence of the human rights demand in Argentina. It was only through the relatives' gradual and long engagement in a political struggle that this new form of political identification around the defence of human rights was possible. Thus, once we have made these remarks, we may go on to explore further how the acts of identification of the relatives with the human rights language and cause did actually occur and strengthen.

3. The Relatives' Identification with the Human Rights Language and Cause

3. a. Human Rights as That Which is Absent

As we explained before, the human rights discourse had acquired an unprecedented relevance during the first years of the PRN. The international criticisms and accusations of human rights violations and the actions and efforts of the military government to actually contest and reduce the credibility of those criticisms inside and outside the country turned the human rights issue into one of the most controversial points in the national political scene. It was then down to this increasing dissemination and availability of the human rights discourse that the groups of relatives began to articulate their requests for information in a human rights language that simultaneously transformed the imploring character of their claims into more confrontational and well defined interpellations to the military regime. As we have anticipated above, the relatives' claims very much showed the marks of this language. Even the relatives' more simple questions persistently posed throughout their struggle, as for instance, "where are our detained-disappeared children?", "what are they accused of?", "who will judge them?", would embody an appeal to the respect of the rule of law and to the protection of the individual rights and guarantees.⁴⁴ Thus, a

⁴⁴ Press release, *La Prensa*. 22-5-1980.

language of rights was very much informing the critique of the relatives to the regime and it was marking decisively the kind of interpretation of the situation that these groups could offer as well as the content of their particular demand. This meant at the same time, that other sorts of interpretations and readings of the experience of repression and its consequences based more on political or economic terms were somehow foreclosed from the discourse of the relatives. That is, the sort of interpretations that were available in the circles of left wing political groups and militants that stressed the economic character of the repressive campaign and the government's connection to the national and transitional financial capital and to some few traditional sectors of the national oligarchy was displaced by a reading very much based on an apparent neutral and universal juridical language that did not involve the adoption of a political stand or position.⁴⁵ As we explained before, against the repressive and adverse conditions of the PRN, the relatives attempted by all means to avoid any sort of political claim that could associate them with any form of political groups and eventually with subversive activities.⁴⁶

A reading then very much influenced by a human rights language would prevail and consolidate in the relatives' struggle throughout the years. This reading of the events could be very much captured in the various press releases and communications that the relatives sent to the military, judicial and religious authorities since early 1978. It is worth quoting in length a July, 1978 open letter,

It has been a long time since the life of the Republic has been deeply altered by the dramatic and unavoidable reality of thousands of disappeared and detained persons for political reasons that had no juridical accusation nor trial, reality that has been the cause, at the international level, of accusations [...] to the Argentine government of not adopting the necessary measures to put an end to that

⁴⁵ The human rights discourse was indeed a political discourse and entailed then a political position but this was not conceived in these terms by the relatives' groups.

⁴⁶ See the testimony of Hebe de Bonafini on this issue in *Asociación Madres de Plaza de Mayo*, "Conference given by the president of the Association of Mothers of Plaza de Mayo", op. cit.

reality and to the repressive excesses that exceed the power of the state.

Recently our country has been the setting of numerous and jubilant demonstrations for the conquest of a sport trophy.⁴⁷ As it has been pointed out by many, these demonstrations have to be interpreted [...] as the expression of the deep desire of unity for a better Argentina, in order for that unity to solve the big problems that affects the Nation, the main problem which is, without doubt, the problem of Human Rights.

An end should be put to the strange disappearances and to the prolonged and unjust detentions of thousands of young and adult men and women, that distress and torment so many homes throughout the country and which constitute the main obstacle for the development of the nation.

If the new phase announced for the 1st of August means [...] a greater and decisive impulse of the National Reorganisation Process, there is no doubt that the condition for that is the establishment of the rule of law [...] and in the first place the solution of the dramatic problem of the disappeared and detained people for political reasons [...] This is necessary for the good of the Nation and is required by the big majority if the Argentine people [...]⁴⁸

Thus, as it could be seen in the open letter, the reality of the PRN according to the relatives' interpretation was mainly marked by the "dramatic and unavoidable" situation of thousands of disappearances and prolonged detentions. Furthermore, these disappearances and detentions were explicitly associated to political motivations, that is, they were framed as crimes against political opponents; crimes that had been internationally condemned as human rights violations and that had been the focus of concern of the international human rights discourse since the beginning of its emergence.⁴⁹

⁴⁷ The Argentinean national football team won the 1978 world cup, which took place in the country in June, 1978.

⁴⁸ Press- release, Familiares de Desaparecidos y Detenidos por Razones Políticas, July, 1978.

⁴⁹ By the middle of 1978, simultaneously to this characterisation of the dis-

Thus, the disappearances and detentions and the constant threat to the rule of law and to the personal security that they involved were in this way crucially articulated to human rights violations and this was how the human rights issues, following the relatives' representation, was presented then as the main problem of the country and the main obstacle for its future development. Thus, through this articulatory process, in an attempt to dominate the meaning of the social, the signifier "human rights" begun to occupy a more and more privileged position within the relatives' reading of the events.⁵⁰ That is, with it, the relatives responded, represented and at the same time made sense of the dislocatory effects of the dirty war on terror. By this representational means, they offered a description of the reality of the PRN quite different to the one given by the government and supported by the main political and social actors. As a later press release put it,

The kidnapping, detention and later disappearance of persons have a systematic and massive character in our country, constituting a crime against humanity. These acts constitute a violation of the rights guaranteed in the Universal Declaration of Human Rights: the right to life, to liberty, to security, the right to the physical integrity with explicit condemnation and prohibition of torture and other form of cruel or inhuman treatment, the right to an impartial trial...⁵¹

This representation was then naming the acts of war as illegitimate and internationally condemned acts of repression, bringing to light its political nature, which at the same time

appearances and detentions as politically motivated, the group of relatives also added to their name the predicate "for political reasons", emphasising here again the internationally condemned crime that the disappearances and detentions actually involved and the responsibility of the Argentinean State.

⁵⁰ The notion of articulation according to Laclau and Mouffe consists in "the construction of nodal points which partially fix meaning, and the partial character of this fixation proceeds from the openness of the social...". See LACLAU, Ernesto and MOUFFE, Chantal, *Hegemony and Socialist Strategy*, London, Verso, 2nd edition, 2001, p. 113.

⁵¹ Press release, *Clarín* 22-5-1981.

involved the acknowledgment of the political position of the victims.⁵²

3. b. Human Rights Articulated: the Consolidation of the Human Rights Demand

The form of representation articulated around the defence of human rights that become dominant among the relatives' groups was greatly reinforced in the following years, partly thanks to the decisions and omissions of the military regime itself. As we examined above, trapped within its own ambiguities and limitations, the regime would find increasingly difficult to contest and neutralise the human rights accusations and versions of the events coming from abroad and more and more from within the country. Throughout 1978 and 1979, attempting to silent the voices of discontent, the government embarked on a defamatory and repressive campaign against the groups of relatives that reached unprecedented levels. During this time then, public gatherings were heavily controlled and harassment and police arrests notably increased. These repressive measures came along a persistent operation of systematic association of all the criticisms and enquiries about human rights abuses with a subversive conspiracy orchestrated abroad. The relatives and

⁵² The acceptance of the political nature of repression and at the same time the political position of the opponents was an important rhetorical move within the relatives' groups. As we explained before in the thesis, initially, the claims of the relatives attempted by all means to re-invest the victims of repression with their "human condition", condition that they had lost in the discourse of the military. This re-investment involved the persistent emphasis on the ordinary position of the victims and their roles as daughters, sons, workers, students, citizens of the country, but it also supposed a rejection of their political activities. As we explained, a big majority of the relatives refused to acknowledge the political affiliation of their family members as a response to the existing and prevailing association between politics and subversion. Many of these relatives recalled how difficult this acknowledgement actually was and how it took a long time of struggle. It even involved ruptures and big discussions inside the different groups. See for instance the testimony of Hebe de Bonafini on the reaction of some of the mothers when for the first time the predicate' for political reasons' appeared in one of the press releases. See *Asociación Madres de Plaza de Mayo*, "Interview with Hebe Bonafini", op. cit.

human rights organisations alike were portrayed as politically motivated groups against the national interests and whose claims were inadequate and false.⁵³ As part of this renewed camping to discredit the accusations of human rights violations and to re-appropriate and articulate the human rights signifier into its own project of order and peace, the government tried out one of its last resorts; it finally announced the formal invitation of the Inter American Commission of Human Rights (IACHR) to the country by the end of 1978. During the previous months to the visit, the regime increased its intimidating and threatening campaign against the relatives and heavily controlled their activities. The offices of the human rights organisations were searched and the information and reports about detentions and disappearances confiscated.⁵⁴

Despite these defamatory and repressive measures, the relatives' mobilisation and interpellations to the regime did not cease. An expression of this was a December 1978 demonstration at the Plaza de Mayo, the biggest gathering organised by the groups of relatives so far, attended by large numbers of relatives and supported by the participation of the other existing human rights organisations.⁵⁵ During 1979, and regardless of the by

⁵³ See for instance the declarations of the General Albano Hurguindeguy, *La Nación*, 07-07-1979. For the exposition of this argument, see chapter three.

⁵⁴ See a press release organised by the relatives, in which they condemned the raids and the confiscation of the information about the abductions. *La Prensa*, 24-8-1979.

⁵⁵ The demonstration was organised to accompany the presentation of a petition to the military authorities for information on the whereabouts of the disappeared people and for the release of the detainees. The petition was signed by numerous persons, among them well known personalities of the social scene and was received by the officials of the Presidential palace who assured the relatives were going to have a response from the government in the following week. On a week time, on Thursday, December 28th, the groups of relatives went back to the square, but again the response was postponed, this time for the next day. That Friday, as expected, the relatives did not get any response either and, in contrast, were received by a big numbers of police officers that did not allow them to go into the square and forced them to leave, arresting many of them. These events generated a big frustration among the relatives who decided to send a letter to the President of the county requesting an urgent solution of their situation. There, they stressed very firmly that the so acclaimed "peace"

now almost complete police seizure of the Plaza de Mayo, the group of women continued carrying out “lightening strikes”, gathering at the edges of the square and running across, braking through the barricades and defying the police presence.⁵⁶ Thus, the increasing repression and defamatory operation did not stop the relatives’ incipient protest. On the contrary, these acts of repression actually prompted the relatives to intensify their opposition to the military regime, and in some cases also to consolidate their own position within the universe of the PRN, as it was the case of the group of mothers gathering at the square. That is, fearing the dissolution of their group in front of the increasing intimidation and of the almost closure of the square, the group of women decided to give some legal status to their spontaneous gatherings and collective actions constituting a civil association with an elected president and a leading committee.⁵⁷ Also, during the turbulent early months of 1979 and in front of the government’s announcement of the visit of the IACHR, another group was formally constituted,

of the Proceso could only be achieved through the “defence of life and of the essential rights of the person” as well as of “justice”. See “Letter sent to President Teniente General Jorge Rafael Videla”, Familiares de desaparecidos y detenidos por razones políticas, 2-01-1979. During the first weeks of January, 1979, after several failures to gather at the Plaza de Mayo as the square was surrounded by metal barriers and a cordon of armed police, the relatives organised a new petition, greatly confrontational, in which they claimed for the ending of “lies and delays”. See *Familiares de desaparecidos y detenidos por razones políticas*, “Otra experiencia y van...”, January 1979. See also for a description of the events leading up to the police closure of the square, BOUSQUET, Jean-Pierre, op. cit., Chapter X.

⁵⁶ The group of women continued carrying out different sort of actions to make themselves visible and heard.

⁵⁷ With this constitutional act, the mothers were also differentiating themselves from the rest of the relatives but at the same time strengthening their equality in front of the regime which was more and more characterised by means of a language of human rights as the main responsible of the relatives’ absence and sense of lack. This contradictory movement between difference and equivalence is constitutive of all process of identity formation. See Hebe de Bonafini’s testimony on the steps that lead up to the formation of the Association, *Asociación Madres de Plaza de Mayo*, “Conference given by the president of the Association Madres de Plaza de Mayo”, op. cit. Also see some other testimonies in FISHER, Jo, *Mother of the Disappeared*, op. cit., p. 91-92.

the Centre of Legal and Social Studies (CELS). The centre was formed by some few relatives and a group of lawyers that attempted to pursue further and register in a systematic way the cases of detention and disappearances.⁵⁸ Although at the beginning this was a very small group, it became one of the main references of the human rights movement in the country.

Thus, against the interests of the regime, the groups of relatives continued to proliferate and consolidate, and a language of rights was by now explicitly informing their discourse. The Madres de Plaza de Mayo's founding act makes this clear,

We desire the implementation of a democratic system in Argentina, which respects the fundamental rights of people. We do not claim to be the judges of our detained and disappeared children. We only want to be told where they are, what are they accused of, that they be judged through a proper legal process with the legitimate right of defence if it is considered that they have committed a crime [...] that they are not tortured and that they are held in good conditions, that we can see them and assist them.⁵⁹

This challenging interpretation of the events would get even stronger after the visit of the Commission. As we explained in chapter three, the invitation of the IACHR mission would prove to generate the opposite effects to those expected by the government. The visit put the human rights issue in the centre of the national political debate. For the first time, all political and social forces alike were compelled to refer to the visit and to the human rights problematic in the country.⁶⁰ Although the

⁵⁸ See for a good description of the creation of the CELS in MIGNONE, Emilio *Derechos humanos y sociedad. El caso Argentino*, op. cit., pp. 106-113.

⁵⁹ Founding Act, "Asociación Civil Madres de Plaza de Mayo", August 22nd, 1979, trans. by me.

⁶⁰ During this time, numerous press releases sponsored by the government but claiming to be from the groups of relatives of the victims of "left wing terrorism" or from patriotic groups, referred to the human rights issue and to the visit of the Commission, echoing very much the Anti-Argentinean strategy, aiming to link the human rights claims with subversive activities. See for instance, the press release entitled, "Human Rights?", which began with the following accusation: "today those who invoke them pretend to protect those communist guerrilla which are the executants of the cruellest

majority of the voices that could be heard regarding this matter few months before and during the visit did openly support the government's renewed Anti-Argentinean campaign or at least they did not want to make of the human rights issue an obstacle for the dialogue and democratic future of the country⁶¹, signs of discontent and disagreement with the regime started to appear outside the reduced circle of relatives and, for the first time, those signs were actually covered and published by national newspapers.⁶²

Thus, despite the efforts of the regime to dismiss the human rights accusations⁶³ and to control the effects and impact of the Commission's visit, the mission actually opened up the debate about the war on terror and its consequences and very much strengthen the struggle of the relatives' groups. That is, during the previous months to the visit and while the mission was

crimes...". *La Nación*, 16-9-1979, p. 4.

⁶¹ See regarding this point chapter three and four of this thesis.

⁶² See for instance the declarations of Raúl Alfonsín regarding the high importance of the ICHR's visit to the country. *La Prensa*, 21-7-1979. See as well Alfonsín's declarations to the Commission, in which he stated that "the repressive activity of the state should not go against the life, the rights, and the honour of citizens", *La Nación*, 13-09-1979. Of great importance were the declarations made by Deolindo Bittel, an important Peronist leader in representation of the party national committee, to the Commission, in which he openly accused the military regime of carrying out "systematic human rights violations" and denounced "the killing or disappearance of thousands of citizens". *La Nación*, 12-09-1979. This was the first time that a well known political leader assumed such a critical position in front of the junta and openly referred to the human rights situation in the country. As expected, the government reacted furiously and the Peronist Party had to retract of Bittel's declarations, and for Bittel himself, he had to hide for a while. See an exposition of the government's response to the Peronist document in *La Nación*, 13-09-1979. Those very few bishops that had been opposed to the regime and its repressive policy also took the opportunity of the visit to express their discontent. See for instance the declaration of Monsignor Miguel Hesayne in *Clarín*, 1-12-1980.

⁶³ As we explained in chapter three, along the renewed repressive and defamatory campaign launched against the relatives groups, a series of new measures were deployed in order to prepare the terrain for the visit of the Commission. Those measures aimed to "normalise" the legal situation of the country, and somehow, "address" the non-desired effects of the repressive campaign against subversion. See chapter three for a description of these measures.

in the country, the relatives increased notably their activities, documenting as many cases of disappearances and detentions as possible and encouraging the families to testify in front of the OAS's delegation. The Commission then became a source of legitimacy for the groups of relatives and their claims. That is, the mission was in the country to assess that what the relatives had been denouncing for almost two years becoming a form of validation of their struggle per se. Furthermore, beyond the possible result of the visit and the conclusions that the Commission may reach, the mission provided a valuable space for the relatives to give their testimonies and to actually be heard. For many of the families affected by the state repression, this was the first time that they talked about their disappeared relatives and that they could get in contact with the groups of relatives and find out about their activities. Thus, during and after the Commission's visit and once the report came to light, the relatives' claims gained a new impetus within the reality of the PRN.⁶⁴ This new impetus brought along an increasing consolidation of the articulation of the relatives' claims around the signifier human rights. The space opened up by the commission's visit was clearly defined and organised around a human rights discourse and its only presence greatly contributed to reinforce the meaning that the relatives gave to the consequences of the war on terror and to their own claims. The relatives' requests for information and truth about the disappearances, for the release of the detainees, for the

⁶⁴ As we explained above, the relatives' activities gained an unprecedented level of publicity, and for many sectors of society this was the first time that they could perceive the extent of the problem of the disappeared. Various groups and important personalities then expressed their solidarity with the relatives of the victims. See for instance the press release organised by the relatives signed by the well known writer Ernesto Sábato and the political leader Raúl Alfonsín and representatives of the Catholic Church, of protestant Churches and of the Jewish community. *La Prensa*, 18-8-1979. A year later, another important expression of solidarity calling for information on the disappeared people from important personalities of the national context was published. For the first time, the release was published by Clarín, the most popular and read national newspaper and it was signed by persons that until then had had a distant position regarding the disappearances. Among the signatories were Jorge Luis Borges, Adolfo Bioy Casares, María Lynch and César Luis Menotti. See *Clarín*, 22-08-1980.

effectiveness of justice and juridical security were by that time articulated around the signifier human rights, and a result transformed and consolidated as human rights claims. These elements were then transformed into internal moments of the discourse of the defence of human rights and their meaning was then partially fixed by reference to that nodal point. We may say then that the signifier human rights was giving the relatives' claims and struggle a meaning and a unity, it was in this way delimiting the content of their particular demand. On the second day of the OAS's visit to the country, the relatives expressed,

FOR THE FULL PROTECTION OF HUMAN RIGHTS
IN THE ARGENTINE REPUBLIC.

With truth and justice to reach peace, [...] it is necessary to attend primarily the cause of human rights.

This is why we claim for:

The apparition alive of the detainees-disappeared people.

The immediate release of all those detained for political reasons ...

Those who had legal causes and or processes should be judged according to the National Constitution....

The use of the right to leave the country established by the National Constitution...

The suspension of the actions that motivated this petition and that continue until now.⁶⁵

Thus, as the above press release shows the human rights demand begun then to embody in the relative's discourse all that what was absent and neglected under the PRN; it condensed the relatives' shared opposition to the lack of information about the disappeared people, of justice, of security and of truth. Ultimately, it could be said, it became to represent the relatives' opposition to the military regime.

Now, the prevailing position that the human rights signifier actually acquired throughout the relatives' struggle, particularly after the visit of the Commission, would not only transform their claims and struggle, but also their own identity. By enunciating their claims in the

⁶⁵ Press release, *La Nación*, 7-9-1979.

form they did, these groups were increasingly named and addressed as “human rights groups”. That is, although these groups did not cease to stress their conditions of relatives or of mothers of victims, the enunciation of this particular signifier as a means to represent their claims placed them increasingly in the position of social activists and human rights defenders and brought them closer to the rest of the human rights organisations, forming what would be later known as the human rights movement.⁶⁶

Conclusion

In this chapter, we accounted for the constitution of the relatives’ first form of collective organisation and for the new mode of political identification that it entailed. As we stressed, it was only through the relatives’ gradual and prolonged engagement in a political struggle that this new form of organisation and political identity constituted around the defence of human rights were possible. This political engagement supposed the construction of political frontiers and the production of an other, and also the political articulation of the relatives’ claims around the signifier human rights. Thus, by the end of the military regime, a new political identity with its own characteristics and language was formed inside the country. As we will show in the following and last chapter of the thesis, this new political position and its discourse would play an important role in the transition to democracy and would become one of the key elements of the new political formation inaugurated in 1983.

⁶⁶ By 1981, the groups were already addressing themselves as “human rights groups”. See for instance the press release published in October of that year, in which these groups along with the existing human rights organisations invite the citizenry to participate in a demonstration at Plaza de Mayo for the handing in of a petition to the government. The release made clear from the beginning, “groups devoted to the defence of human rights would give the President of the Nation ... a petition to request for concrete measures that could amend the prevailing situation regarding the fundamental human rights...”, *Clarín*, 13-10-1981.

CHAPTER EIGHT

Democracy and Human Rights

Introduction

In the previous two chapters we accounted for the emergence and constitution of the human rights movement and discourse in Argentina. As it was argued, this new political identity and its discourse were eventually possible by the increasing availability of the human rights language inside the country and through the relatives' gradual and prolonged engagement in a new set of political practices and activities. This engagement entailed the construction of political frontiers and the production of an other, and also the political articulation of the relatives' claims around the signifier human rights. Thus, as we suggested, through a process of political identification and by the representational means of the human rights discourse, the claims of the groups of relatives were transformed and their identity as human rights groups constituted.

Now, in the first part of this chapter, I account for the process through which this newly formed political identity around the defence of human rights turned into one of the main symbols of resistance to the dictatorship. As I argue, it was particularly within the post-Malvinas war political configuration that the human rights movement and discourse acquired an unprecedented relevance. Most political leaders appealed to the human rights demand in some way or another to express their opposition to the Proceso and the human rights groups reached unparalleled levels of action and participation in the political scene. Thus, as the other demands at play, the human rights demand had all the conditions to eventually fulfil the representation of the struggles of all vis-à-vis the military regime. However, as I suggest in the text, despite its unprecedented relevance and availability, this demand could not turn into the nodal point around which the different social

and political forces got together against the PRN. One of the important reasons of this failure could be attributed to the eventual success of a new political project constituted around the privileged signifier “democracy”. Thus, in the second part of the chapter, I look at the way the human rights demand became one of the key moments of the political formation that dominated the first years of the new democratic era inaugurated in 1983. As I show, this new formation was centred on the idea of democracy and it entailed the drawing of a clear cut political frontier in relation with the recent violent political past. One important aspect through which it established that frontier was related to the articulation of the human rights demand. The human rights claims were turned into a crucial moment of the new democratic discourse. Democracy was then identified with these values and defined in contraposition to the signifying chain of dictatorship, illegal repression, impunity and human rights abuses. In the third part of the chapter, I explain how the articulation of the human rights demand to the new democratic discourse had an important impact on the first years of the new government. I will show as well how this particular form of articulation determined the sort of prevailing understanding of the human rights cause and struggle inside the country. Here, I also briefly suggest some of the broader effects the unprecedented centrality of the human rights discourse has had on the Argentine society.

1. Human Rights as the Symbol of Resistance to the Dictatorship

1. a. Protest and Opposition in the PRN

By 1981, the military regime began to show clear signs of weaknesses and decline. The unity and consensus that the military forces had achieved around the main aims and objectives of the PRN at the moment of the coup were now beginning to crumble. Problems of leadership, disagreements about the future of the regime and the increasing discontent that the failure of the economic policies generated within some sectors of the military were some of the main issues that prompted the internal deterioration of the regime. Against this background

and confronting increasing international pressure, the military men were finding more and more difficult to negotiate with the existing social and political forces and to overcome the growing gap that was emerging between the government and the rest of society.

By the end of 1981 and beginning of 1982, under a mounting economic crisis, a new wave of social mobilisation, unthinkable just a year ago, started to take place inside the country. Trade unions, political parties, neighbourhood organisations among other groups began to take the streets to protest and to express their discontent with the economic and political situation of the country.¹ A new resistance movement against the military regime was beginning to take form. In the midst of the unrest, the human rights demand and its call for the disappeared acquired a new impetus. Using this more propitious context, the relatives groups increased their activities and accentuated their opposition to the military regime. During these months they organised frequent demonstrations and collective actions that progressively gained massive attendance and had a great social and political impact. On December, 10th, 1981, the international day of human rights, a twenty four hours demonstration at Plaza de Mayo which was symbolically called “Resistance March” was organised. Hundreds of relatives participated in the march and around one thousands people attended the event showing their support.² By April 1982, a big gathering in Plaza de Mayo commemorated the anniversary of the formation of the Mothers’ group and by October of the same year, all groups together organised the “March for Life”,

¹ Previously to 1981, the expressions of opposition and protests were very few and were rapidly repressed. The social unrest reached significant levels only during 1981 and particularly after the Malvinas/Falklands war.

² The march ended with a twelve days hunger strike carried out by a group of relatives in the Quilmes’ cathedral and also counted with numerous expressions of solidarity and support. This demonstration and hunger strike were initially organised by the group of mothers and joined later by the rest of the groups. The very first march of Resistance initiated a tradition of marches that would last until today and which would become one of the most important events organised by the groups of relatives. See for an account of these marches, *Asociación Madres de Plaza de Mayo, Luchar Siempre. Las Marchas de la Resistencia 1981-2001*, Buenos Aires, Asociación Madres de Plaza de Mayo, 2002.

a demonstration which called and imperatively claimed, once more, for an investigation into the disappearances. This march resulted in one of the relatives' most important protests under the dictatorship; it was joined by around fifty thousand people and was widely covered by the local and international media.³

Thus, within this new context of increasing protest and opposition to the regime, the newly formed political identity gained a new presence on the streets and was turning eventually into one of the main symbols of resistance to the military regime. Its particular struggle was presented as the absolute negation of the experience of the Proceso and it was shown as capable of expressing the general opposition to the regime. In this way, the human rights abuses and the issue of the disappeared people were presented not only as the problems of a reduced group of relatives but the problems of all the Argentinean people, workers, politicians and ordinary citizens in general. The struggle for human rights and for the disappeared people was in this sense conceived as the main struggle of the country, as a struggle that concerned all. As Hebe de Bonafini put it, "this is not a problem of the Mothers, but a problem of the country that has been bled. It should be judged as a national tragedy".⁴ Thus, the future and plenitude of the Argentine community depended on the fulfilment of the human rights claims.⁵

In its efforts to represent the increasing oppositional movement to the dictatorship, the human rights groups greatly intensified their search for support, participated actively in the different protests and actions organised by the rest of the political and social actors and arranged several interviews with the main political and social figures.⁶ However for the most

³ See on the "March for Life", FISHER, Jo, *Mother of the Disappeared*, op. cit. pp. 118-119.

⁴ *La Voz*, 16-10-1983, *Argentina 1983*, op. cit., p. 417. See for a similar sort of statement the FDDRP's press release of July 1981.

⁵ See for an evidence of this, the human rights groups' press-release on the occasion of the government's plans to enact an Amnesty law. 20-4-1983. See as well the human rights groups' petition sent to the political parties on "The proposals and claims on human rights". The solution to the human rights problems appeared as the prerequisite to the future of democracy in the county. FDDRP, October 1983.

⁶ See for instance the participation of the human rights groups in the March for Democracy organised by the main political parties and trade

part of 1981 and 1982, in spite of their efforts and attempts, the problem of the disappeared people and human rights abuses did not obtain the support that the groups pretended and the human rights organisations remained rather isolated from the rest of the political and social forces. At least until the end of the Malvinas war, the main political parties, congregated now under what was called the Multipartidaria⁷, as well as trade union leaders, repeatedly showed the regime their reluctance to make of the human rights issue an obstacle for the negotiation of the terms of the transition to democracy.⁸ If there were expressions of concern and calls for investigation on this matter on their behalf, these were very cautious and linked to the so called excesses of repression. There was also a shared position among the political and social leaders that these excesses and abuses committed during the war on terror had to be solved by the regime itself and this had to be done before transferring the political power to the democratic forces.⁹ Except for few individuals then, the general stance reproduced the arguments of the regime about the war on terror and it actually emphasised the military achievements in terms of the reestablishment of

unions in December, 16th, 1982.

⁷ The Multipartidaria was a political alliance formed by the country's main political parties in July 1981. The parties that participated were the Justicialista Party (PJ), the Radical Party (UCR), the Intransigent Party (PI), Integration and Development Movement (MID) and the Christian Democratic Party (PDC). The main objective of the alliance was the return of the rule of law by means of the full respect of the National Constitution.

⁸ An evidence for this was the Multipartidaria's refusal to receive the group of Mothers in its first talks and meetings as well as to include the problem of the disappeared people in its first declarations and motives of its constitution. See this point in FISHER, Jo, *Mother of the Disappeared*, op. cit., p. 112. This silence is repeatedly condemned by the human rights groups. See for instance the Grandmothers of Plaza de Mayo's press release in *La Nación*, 1-3-1983.

⁹ Although, as we have said above in the text, the human rights issue was gaining a new impetus and presence in the Argentine reality of that time, most political leaders agreed on resting importance to this matter and on thinking that this was something that they could control and manipulate. The common position during that time was inclined to silence and oblivion and only to request from the military men a "sincere act of truth" about the excesses of the dirty war. See this point in NOVARO, Marcos and PALERMO, Vicente, op. cit., p 377.

order and eradication of subversion in the country. During this initial phase of the transition then, there was not a clear questioning of the war on terror itself and what it actually involved.

1. b. Human Rights as a General and Common Concern

After the Malvinas war and in a very short period of time, the general stance of the main social and political forces regarding the human rights claims and organisation started to shift. Two main questions contributed to this change. The first one was related to the regime's rapid deterioration following military defeat. That is, after the war for the first time the regime's collapse became imminent: the government was under attack by most social and political forces, and social discontent and mobilisation within society became more prominent. This situation moved the political and social forces towards a more antagonistic position vis-à-vis the military regime that got accentuated once the general elections were announced. The political and social leaders were as a result much less cautious about hurting the regime's susceptibilities regarding the consequences of the dirty war, particularly with the human rights violations, and much more concerned on turning into the articulatory force of the post-war political formation that was beginning to take form around the negation of the PRN. The second issue that contributed to the political and social forces' shift was related to the process of disclosure of the atrocities of the dirty war that begun during the second half of 1982. In October of that year, hundreds of collective graves without identification were found in different cemeteries of the country, the testimonies of ex-detainees started to appear in magazines, journals and films, and the first public and open narrations of the military men about the dirty war and its methods were known.¹⁰ Within this post-Malvinas context, in which the regime's

¹⁰ Some military men gave their testimony in order to openly defend the unconventional methods and the strategies of the dirty war. Others, in contrast, use it as a form of expressing their repentance and regret, as it was the case for instance of Rodolfo Vilaríño. See this point in NOVARO, Marcos and PALERMO, Vicente, *op. cit.*, p. 485.

mechanisms of censorship had diminished, the clandestine but ubiquitous world of kidnappings, tortures and killings was becoming real and difficult to overlook. The media, which in general as we have seen in previous chapters, had remained silent during the most ferocious years of the repression, now started to obscenely flood the people with precise details and unbearable information about the most horrible killings and events of the dirty war. This generated a phenomenon that has been known in the literature, as the “horror show”: a dreadful and frivolous business made on the suffering of the people that continued throughout the transition and during the first years of democracy.¹¹ Within this context of disclosure then, the human rights issues got the attention of great part of society. Several groups that previously had preferred to ignore or were simply indifferent to the killings and disappearances of the dirty war were now inexorably moved and astonished about the crimes. Some others, who were opposed to the methods deployed but had been still by fear, used this more propitious context to show their disapproval and discontent with the regime.¹² The political forces were then not alien to this process of disclosure, and, as the rest of society, they found themselves compelled to address the issue of the disappeared and human rights abuses if they did not want to be associated with the site of the oppression. The human rights issue then became an unavoidable matter for the main social and political forces.¹³ Just very few months away from the war, most party leaders expressed their support towards the groups of relatives and claimed for a rapid solution

¹¹ See this point in GONZÁLEZ BOMBAL, Inés, ‘Nunca Más: el juicio más allá de los estrados’ in ACUÑA, Carlos H.; GONZALEZ BOMBAL, Inés, JELIN, Elizabeth, LANDI, Oscar, QUEVEDO, Luis Alberto, SMU-LOVITZ, Catalina, and VACHIERI, Adriana, *Juicio, Castigos y Memorias: Derechos Humanos y Justicia en la política Argentina*, op. cit., p. 204.

¹² This new support could be observed in the increasing number of people attending the marches and activities organised by the human rights groups. Also, in the active support many well known artists and intellectuals gave to the human rights cause. See for instance the numerous signatures of important figures in the Grandmothers of Plaza de Mayo’s press release on the kidnapped and disappeared children, *Clarín*, 5-1-1983.

¹³ See for instance, as a sign of this support, the political forces’ participation in the march against the amnesty plans of the military regime organised by the human rights’ groups. *Clarín*, 20-8-1983.

to the problem.¹⁴ Even those leaders that had strongly defended the regime's dirty war on terror were now showing their apparent concern about the problem of the disappeared people in the country.¹⁵

During the months preceding the 1983 general elections then, the human rights demand acquired an unprecedented relevance within the new post-war political configuration. As it has been explained by the literature, the political situation of the transition was marked by an increasing opposition to the regime of most social and political forces which eventually led to the constitution of an anti-Proceso front. Trade unions, neighbourhood organisations, political parties as well as the human rights groups were equivalentially linked by their common negation of the military regime. The PRN was then turned into the "constitutive outside" of a new chain of equivalence that begun to emerge out of the different political struggles.¹⁶ As Barros showed in his work, for several months this chain of equivalence remained unstable as no political position within the new formation was able to work as a surface of inscription for the rest of the existing positions, nor there was an issue or a problem around which the political and social forces came together vis-à-vis the military regime. The only common point that the different positions shared and which kept them together was their rejection of the experience of the Proceso.¹⁷ Thus, against this background, the human rights demand, as the other

¹⁴ Most political leaders however, were still waiting for the regime's solution to the problem and were reluctant to state their position regarding the human rights abuses once democracy was re-established. See this point in NOVARO, Marcos and PALERMO, Vicente, op. cit., pp. 475-480.

¹⁵ As it was the case of the leader of the Intransigent Party, Frondizi, who after showing innumerable expressions of support to the regime's dirty war, was now condemning the military regime for the "savage killing" of "idealist and innocent persons". Quoted in NOVARO, Marcos and PALERMO, Vicente, op. cit., p. 488.

¹⁶ See the work of BARROS, Sebastián *Orden, Democracia y Estabilidad. Discurso y Política en la Argentina entre 1978 y 1991*, op. cit., and the work of ABOY CARLES, Gerardo, *Las dos fronteras de la democracia argentina: la reformulación de las identidades políticas de Alfonsín a Menem*, Rosario, Editorial Homo Sapiens, 2001.

¹⁷ See this point in BARROS, Sebastián, *Orden, Democracia y Estabilidad. Discurso y Política en la Argentina entre 1978 y 1991*, op. cit., p. 77.

demands at play, was potentially capable of turning into the articulatory force of the transition's new political formation and it had all the conditions to eventually fulfil the representation of the struggles of all vis-à-vis the military regime. However, despite its unprecedented relevance, this demand could not occupy the central position that the groups of relatives and human rights organisations pretended. That is, although the human rights issue was a crucial problematic and a symbol of resistance within the political context of the transition, it did not turn into a nodal point around which the different social and political forces got together against the PRN.¹⁸ This situation could be attributed to various reasons. With regard to the role of the human rights groups, as in all democratic system of rule, once the general elections were announced and the electoral campaign launched, the political parties regained the leading role in the political scene, while the human rights groups and the rest of the social organisations that had occupied a central position during the dictatorship significantly lost protagonism under the new transitional context. This loss of protagonism was accentuated by the human rights groups' own limitations. That is, these groups emerged and constituted at the margins of the traditional political channels and conceived themselves and their claims as non-political. Thus, this initial conception continued and marked the identity and actions of the human rights groups throughout the transition and under the first phase of the democratic rule. As a result, except for very few exceptions, most members of the human rights groups rejected to get involve in political party politics and held an apparent neutral political position during elections time. This self-relegation of the human rights leaders behind the leading role of the main

¹⁸ The symptomatic effects of this could be observed in the result of a national poll conducted by Burk International by the end of 1982. According to this poll, only between 14% and 20% of the population considered that the human rights issues were one of the main problems of the country. Poll quoted in LANDI, Oscar and GONZÁLEZ BOMBAL, Inés, "Los Derechos en la cultura política" in ACUÑA, Carlos H.; GONZALEZ BOMBAL, Inés, JELIN, Elizabeth, LANDI, Oscar; QUEVEDO, Luis Alberto, SMULOVITZ, Catalina, and VACHIERI, Adriana, *Juicio, Castigos y Memorias: Derechos Humanos y Justicia en la política Argentina*, op. cit., p. 153. Also quoted in NOVARO, Marcos and PALERMO, Vicente, op. cit., p. 497.

political forces did not contribute to make of the human rights demand a nodal point around which the different social and political forces got together against the PRN. Now, as regards the role of the main political forces, as we have explained above, although their position regarding the human rights problematic had changed after the Malvinas war, they were still waiting for a solution to come from the military regime itself. Thus, most political parties were reluctant to make of the human rights demand a central point of their electoral campaign. The only political force that did take the human rights demand seriously, did not turn it into a nodal point, but into a discursive moment of its new political project constituted around the privileged signifier “democracy”. The eventual success of this emerging political project marked then the ultimate failure of the human rights demand in turning into the nodal point of the transition. Thus, in the following section of this chapter, we will look at how the human rights demand was articulated, if not as a nodal point, as a crucial moment of the new democratic discourse.

2. Human Rights as a Crucial Moment of the Democratic Discourse

2. a. A Break with the Past: Human Rights as Part of the Future

It was not until October of 1983 when a political position centred on the notion of democracy eventually accomplished the articulation of the different struggles that coexisted in the political arena of the transition. The main figure of this new political project was the presidential candidate of the Radical party, Raúl Alfonsín. In a very short period of time, the Radical leader became the embodiment of the common opposition to the dictatorship of the different political and social positions and gave a new content to the anti-Proceso front.¹⁹ Alfonsín’s discourse was constituted around the notion of democracy: it was only through the establishment of a new democracy that a united, popular and new Argentina could emerge. This

¹⁹ See for a detailed analysis of the process of constitution of this new political identity BARROS, Sebastián, *Orden, Democracia y Estabilidad. Discurso y Política en la Argentina entre 1978 y 1991*, op. cit.

new democratic discourse entailed the negation of that which was increasingly defined as the main obstacle of the country's development: the nation's recent violent political past. The future democracy required then the abandonment of the authoritarian and corporative practices that had characterised the recent years and the establishment of new political rules based on the respect of institutions. Thus, the radical candidate redefined the political frontier that had characterised the political configuration of the transition and established a radical break not only with the experience of the PRN, and with what it entailed, but with all those elements who have been the main protagonists of the recent violent years.²⁰ These elements were then excluded from the domain of the legitimate and turned into the anti-democratic forces that had tried persistently to hold back the success of democracy in Argentina.

One of the important moments of the new political formation constituted around the notion of democracy was the articulation of the human rights demand. As we explained before, this demand had acquired an unprecedented availability and centrality during the months of the transition. Most political leaders appealed to this claim in some way or another during the electoral campaign to express their opposition to the Proceso and the human rights groups reached unparalleled levels of action and participation in the political scene. But as we anticipated before, it was the radical candidate who, in the end, successfully articulated the human rights claim to the discourse of democracy. As we have explained above, the forging of Alfonsín's democratic discourse entailed the drawing of a clear cut political frontier in relation with the recent violent political past. One important aspect through which Alfonsín established that frontier was related to his position regarding the human rights abuses in the country. That is, from the beginning of his political campaign, Alfonsín strongly criticised the illegal repression carried out during the war against subversion and repeatedly accused the military government for the thousands

²⁰ This break included many figures of the political party leadership, including some members of the Radical Party. They were responsible for the violence of the recent year, as he put it, "for everything they let the militaries do and for everything they didn't do". *La Prensa* 19-06-1982. Quoted NOVARO, Marcos and PALERMO, Vicente, op. cit., p, 518.

of disappeared people and for the suffering of the relatives of the victims. The Radical leader held various meetings with human rights groups and expressed his solidarity for their struggle. He also expressed his will to revise the violent past and he was the only candidate to outline the legal framework to adopt regarding human rights abuses. Thus, the future democratic era that Alfonsín was envisioning for the country supposed a radical break with the world of illegal repression, impunity and human rights abuses. As he put it,

If any time in the future Argentina has again to defend itself from subversion, it will do it within the realm of the law and without carrying out a bloodbath in the country.²¹

Thus, in Alfonsín's discourse the solution to the human rights problem as well as the future respect of individual rights and liberties was closely associated to the new democracy in contraposition to the signifying chain of the violent political past, dictatorship, legal insecurity, death, and terror. As the candidate expressed, with the triumph of democracy "we will recover our rights and liberties".²²

Now, a decisive moment regarding the articulation of the human rights demand around the notion of democracy was on the occasion of the military government's enactment of the Amnesty Law in September, 1983.²³ The Radical leader's response to the government decision turned him into the incarnation of the negation of the world of violence and human rights abuses of the past. Let me make this point clearer. Against the background of the transition, the announcement of the law prompted a common opposition among the political

²¹ *Clarín*, 18-9-1983.

²² *Clarín*, 28-10-1983.

²³ After several months of preparations, the Law No. 22.924, 'Law of National Pacification' as it was called by the military government, was finally issued on September 23rd, 1983. This law extended immunity from prosecution to "all criminal activities resulting from or motivated by the development of actions directed at the avoidance, prevention or termination of the terrorist or subversive activities between May 25th, 1973 and June 17th, 1982. "The effects of this Law shall extend to the authors, participants, instigators, accomplices, and accessories, and include related common crimes and related military crimes". See the full text in *Argentina 1983*, op. cit., pp. 440-441.

and social forces: most leaders showed their discrepancy with the government's decision and expressed the law's unfortunate timing.²⁴ However, the candidate who more clearly and convincingly could express the opposition to the law was the Radical leader. This could be said to respond not only to the very attitude regarding the law held by the candidate himself, but also to the response this attitude prompted on the side of the government, as well as to the position in relation to the law held by Alfonsín's political opponents.

Thus, even before the enactment of the law, the Radical candidate expressed his categorical rejection of such legal initiative.²⁵ Once the law was enacted, Alfonsín reaffirmed his opposition to the government's decision and he stated,

Once more, it is clear that the military regime doesn't care about the opinion of the people and that the only thing that guides it, is to desperately find a way out to the responsibilities of the acts itself has committed in the country (...) This pretended law will be declared absolutely null and void.²⁶

According to the Radical leader, the new democracy was going to be built on the negation of the recent past of human rights violations and required then the rejection of any sort of general pardon laws that could endanger the future democratic project by letting the past break into the present. As Alfonsín expressed, "a law of this nature, granting impunity for the actions committed in the past, simply opens the possibility for the repetition of those actions".²⁷

²⁴ Already in July, when the government's intentions to issue the amnesty law came to light, the political and social leaders showed their opposition to the initiative. The leaders of the PI (Intransigent Party) characterised the decision as "ridiculous" and stated that "the amnesty laws could only be enacted by the national congress". Frigerio of the MID (Movement of Integration and Development) expressed that the amnesty law could be rejected "as it constitutes a self-amnesty". Cafiero, one of the leaders of the Peronist party also expressed his opposition, "it is not acceptable, those who are benefited with this measure are the same who enacted it". See these and other similar statements in *Argentina, 1983*, pp. 280-281.

²⁵ *Clarín*, 2-6-1983.

²⁶ *La Nación*, 24-9-1983.

²⁷ *La Nación*, 13-08-1983.

As we have anticipated above, the radical leader's opposition was reinforced and secured by the very response of the military. That is, during the months preceding the sanction of the law, and once Alfonsín's position was known, the Radical Party and its leader were excluded from the dialogue that the government held with the rest of the political forces on the content of the law and its future effects. As it became known through the media, according to the military men "Alfonsín's position did not give room to negotiation on this matter"²⁸. The government asserted that in contrast to the Radical leader's position, it found a general predisposition in the rest of the political forces to negotiate on the legacies of the dirty war and eventually to accept the amnesty law.²⁹

With this sort of assertions, the military men helped to differentiate Alfonsín's position from the rest of the political forces and, at the same time, contributed to build up the image of the Radical leader as the only candidate that truly opposed any initiative regarding a general pardon measure.

Now, this representation of the Radical leader also responded to the ambivalent position towards the law held by Alfonsín's main political opponents. That is, despite most political leaders had expressed their discontent with the government's decision, their position regarding the law's future effects and also on how to deal with the legacies of the dirty war was many times ambiguous. As the presidential candidate of the Justicialista Party, Italo Luder, expressed when asked his opinion about the law, "from a juridical point of view, its effects will be irreversible"³⁰. Another important leader of the same party, suggesting an eventual forgiveness, stated,

The first thing is to know the truth, to know what had happened, without it, it's impossible to find any sort of solution. As much as to judge, as well as to forgive, and

²⁸ From the magazines *Siete Días* and *Somos*, quoted in *Argentina, 1983*, p. 286.

²⁹ From the magazines *Siete Días* and *Somos*, quoted in *Argentina, 1983*, p. 286.

³⁰ Two weeks later, Luder rectified his opinion, expressing his will to make it null and void if he was elected. Once the law was enacted, the candidate stated that the derogation of the law will depend on the National Congress. In *Argentina, 1983*, op. cit., p. 379.

even to forget, we have to know the truth about what to judge, what to forgive, and what we could forget.³¹

Thus, within this particular context, the Radical candidate appeared as the figure that more firmly rejected the government's decision and through this rejection, he gave a new force to the political frontier that separated him from the side of the regime and also from his main political opponents, which negotiating with the regime made the past a reality of the present.

By means of a democratic discourse then, Alfonsín became the position that could eventually express the opposition to the human rights abuses of the recent past and, as a result, the figure that could articulate the available human rights demand to his political project. In this sense, the human rights demand was an important part of the new democratic ethos embodied in the radical leader. The speech of Hebe de Bonafini, the leader of the group of Mothers of Plaza de Mayo, just few days later Alfonsín was elected president illuminates the close association perceived between Alfonsín's figure and the human rights struggle,

This is the most difficult moment for the Mothers because we have to learn a new way of fighting as we will remain at the square, but our enemy will not be at the government's house.³²

2. b. Dealing with the Past: New Understandings and Meanings

The articulation of the human rights demand to Alfonsín's democratic discourse would have an important impact on the first years of his government. Already during the very first weeks of his mandate, the human rights problem occupied a central place within the agenda of the newly elected president.³³ Upon assuming office on December 10th, 1983, in his very first message to the National Congress, Alfonsín declared the

³¹ Antonio Cafiero, quoted in ABOY CARLES, Gerardo, op. cit., p. 271.

³² Hebe de Bonafini, *La Razón*, 18-11-1983.

³³ NINO, Carlos Santiago, *Radical evil on trial*, New Haven, Yale University Press, c1996,

government's commitment to the protection of human rights and his intention to initiate the judicial investigation of the crimes committed during the recent years.³⁴ Three days later, the president set forth his human rights programme over all radio and television stations. The message begun by delineating the government's approach to the human rights problem:

The democratic government has announced its firmer decision to re-establish the rule of law in Argentina. This requires a series of measures that are necessary in order to guarantee the full respect of the basic individual rights, as much as the democratic procedures of the constitutional government. The measures in question intend to resolve past situations and also to prevent future ones. The past shadowy hangs over our future; the extremely aberrant violations of rights that make the essence of the human dignity, which the terrorists committed as well as the repressors, could not go unpunished.³⁵

Following this approach, Alfonsín's speech concluded with the annunciation of the human rights measures his government would implement without delay.³⁶ Some of them were: the legislature's abolition of the Law of National Pacification³⁷; a reform of the military Code of Justice³⁸; the initiation of legal

³⁴ See Alfonsín's first message to the National Congress, 10-12-1983, *Argentina 1983*, op. cit., p. 535.

³⁵ In *Argentina 1983*, op. cit., pp. 544-545.

³⁶ The programme also included the introduction of civil libertarian legislation to eliminate the death penalty, to strengthen the Habeas Corpus legal figure, to punish the use of torture by public officials, and to criminalize "attempts against the constitutional order". It also promoted the ratification of the Inter-American Convention, the UN Covenants on Civil, Political, Economic and Social and Cultural Rights, and the Convention against Torture.

³⁷ The National Congress passed the 23.040 Law, which repealed the self-amnesty measure on the basis of its unconstitutionality and declare it void and null. All newspapers, 15-12-1983, in *Argentina 1983*, op. cit., p. 549.

³⁸ According to the reform of the Military Code of Justice, the Supreme Council of the Armed forces would be the first court to prosecute military personnel, and civilian courts would intervene if no progress were made within six months. The reform also would include a modification in the due obedience provision in order to distinguish different levels of responsibility for military members involved in the repression. *Argentina 1983*, op. cit.,

accusations and trial against the nine military officers of the first three juntas of the PRN³⁹; the arrest and prosecution of the main leaders of the revolutionary organizations Montoneros and ERP⁴⁰; and the creation of a National Commission on the Disappearance of Persons⁴¹ to document recent human rights abuses.⁴²

Now, as it could be gathered from Alfonsín's speeches and measures, the new political formation articulated around the nodal point democracy entailed a new turn in the understanding of the human rights problematic in the country.⁴³ It needs to be stressed out here that in all process of political articulation, the articulated demands suffer alterations as a result of the mutual contamination that the very articulatory practice entails.⁴⁴ In the case of the human rights demand then, the particular form of articulation that it underwent around Alfonsín's democratic discourse would alter part of its sense and understanding as these were known before this articulatory process actually took place. In his discourse then, human rights were subjected to the new democratic future of the country which supposed, as we have seen, a new institutional phase built upon the negation of the past world of violence, impunity and excesses. This past world was increasingly portrayed by Alfonsín's discourse as the result of the authoritarian practices and political violence deployed by anti-democratic minorities coming from "both

pp. 544-545.

³⁹ Decree 158/83, 13-12-1983. *Argentina, 1983*, op. cit., pp. 544-545. The fourth Junta was left out.

⁴⁰ Decree 157, 13-12-1983. *Argentina, 1983*, op. cit., p. 544-545.

⁴¹ Decree 187, 16-12-1983, *Argentina 1983*, op. cit., p. 551-552.

⁴² The CONADEP began its duties in December, 1983. The Commission was composed by some of the country's most prominent human rights activists, journalists, and famous persons. As we have mentioned in the main text, its aim was to clarify events relating to disappearance of persons in Argentina and investigate their fate or whereabouts. The CONADEP had jurisdiction to hear complaints from victims and pass them to the judiciary, to receive voluntary testimony and documentation from private citizens, and to demand written testimony from any public official or member of the armed forces. See CONADEP, op. cit.

⁴³ A new turn that was informed by not really new but already available visions of the past.

⁴⁴ See on this theoretical point, chapter 1 of this thesis.

sides” of the political spectrum. Thus, bringing to the fore the available interpretation about the two kinds of terrorisms that, as we have seen previously in this thesis, was commonly found in the national political context during the first and worst years of the Proceso; the radical leader attempted to redefine the responsibilities regarding the human rights violations in the country and by doing so, the very understanding of the human rights claims. That is, the “two demons theory”, as it became known later on, and which Alfonsín became the best expression, stated that the human rights abuses of the past should be understood in the context of a confrontation between the military and the demon of subversion, which by its use of violence as a legitimate tool, unleashed an unprecedented repressive campaign in the country. Thus, the main architects of this confrontation, that is, the chiefs of the military government and the main leaders of the revolutionary groups were equally responsible of the past world of violence and abuses and should be now prosecuted under the new democratic regime.⁴⁵ This representation of the events was, in this way, appealing very much to the PRN’s diagnosis of the events regarding the threat of subversion pending on the Argentine society and it was also making equivalent the use of violence and crimes committed by the revolutionary groups with the methods deployed and the abuses carried out by the terrorist state. Within this new discursive context then, the human rights claims were understood as against both sides of violence and against all forms of partiality. In short, human rights were very much tied to the neutrality of democracy and its institutions.⁴⁶

As it has been also pointed out by the literature, in this new portrayal of the past, the thousands of persons that had been disappeared, detained or killed were conceived, in its majority,

⁴⁵ Alfonsín’ speech, all newspapers, 14-12-1983, *Argentina* 1983, op. cit., pp. 544-545.

⁴⁶ This vision of the human rights claims as against both sides of violence would prove not to succeed. During the military trial and through the activities of the CONADEP the reading that prevailed within society was the one which was upheld by the human rights groups, which rejected the equivalence of the left wing violence with the methods deployed by the Military Junta and which clearly associated the human rights claims with the struggle against the military regime.

as innocent victims that had been trapped in the confrontation between the two sides of extremisms. As we have suggested in chapter four, this condition of innocence very much informed the claims of the relatives of the victims during the first phase of their struggle. Under the reality of PRN, the victims' families were inevitably affected by the regime's association between victims of repression and subversion, which at the same time was equivalently linked to political activities. Thus, as a form of legitimating their claims and disassociating their relatives and themselves from subversion, these groups highlighted the ingenuousness of the victims and attempted by all means to re-invest them with their "human condition". This re-investment involved many times a rejection of their political activities and the persistent reference to the ordinary position of the victims and their roles as daughters, sons, workers, students, citizens of the country.⁴⁷ Thus, during the first years of democracy, the innocent character generally attributed to the victims and the rejection of their political involvement that originated within the human rights groups was now part of the government discourse and spread rapidly and contaminated most of the human rights related issues and discussions of the transition.⁴⁸ The very prologue of the CONADEP's report, for instance, shows well this sort of vision,

A feeling of complete vulnerability spread throughout Argentine society, coupled with the fear that anyone, however innocent, might become a victim of the never ending witch-hunt [...] so many cases were known of people who had been sucked into the bottomless pit who were obviously not guilty of anything [...] The vast majority of them were innocent not only of any acts of terrorism,

⁴⁷ As we have explained before in the thesis, the human rights groups' acceptance and recognition of the political position of the victims of repression would take place during the late eighties.

⁴⁸ The government found, in this vision, a way of including to the democratic compromise all those "innocent" victims that were caught between the two forms of violence and terror, and at the same time, the means to exclude the extremist minorities from the domain of the legitimate. It also contributed to strength the image of a fearful military regime that went beyond all possible limits and indiscriminately repressed all sectors of the Argentine society.

but even of belonging to the fighting units of the guerrilla organisations: these latter chose to fight it out, and either died in shootouts or committed suicide before they were capture. Few of them were alive by the time they were in the hands of the repressive forces.⁴⁹

The condition of innocence of the victims could have at least two important but not less problematic consequences in terms of the human rights struggle. In the first place, from the emphasis on the innocent character of the victims it could be gathered that those who were “guilty”, that is, those who were considered by the military regime as subversives, they did somehow deserve the inhuman treatment that they were given. In the second place, and it follows from this first point, the human rights claims were claims related to those “innocent” victims, that is, to those persons or activists that were not directly involved with left-wing politics and were just accidentally trapped between the two forms of violence. Thus, again, the human rights demand was associated to a neutral ground that did not entail taking a political stand.

Now, during the very first years of democracy, the government’s portrayal of the past and the particular form of articulation of the human rights demand that it supposed was subjected to a process of debate and contestation. This process was initially started by the work of the CONADEP and by the judicial investigation of the military juntas’ trial, and it did not cease once the activities of these two institutional procedures ended. In the forums of the CONADEP and during the hearing at the Federal Court of Appeal, the testimonies and narratives of the witnesses, survivors and relatives of the victims yet again gave voice to the horror of the dirty war. But this time, the very special setting of the Commission and the Court, conferred the narratives about the clandestine world of kidnappings, torture and death a new legitimacy and connotation. That is, the official framework of the Commission and the judicial logic of the trial placed the witnesses’ accounts beyond suspicion and portrayed the hundreds of testimonies as evidence and clear manifestation of what was now considered as a systematic plan

⁴⁹ CONADEP, *op. cit.*, p.4.

of human rights violations.⁵⁰ Thus, these two spaces, very much tied to the new democratic discourse, provided a new context through which the political events of the recent years were not only recounted and brought to light but also re-signified. This re-signification was difficult to manipulate and it exceeded the limits which the government's discourse attempted to impose.⁵¹ As a result of this process, the dirty war on terror was eventually identified as the greatest and more savage tragedy in the history of Argentina and the authorities of the Proceso appeared as the maximum responsible of the systematic criminal plan that gave place to this tragedy. By the late 1980s and beginning of the 1990s, after various years of public debate on the issue and thanks to the incessant action of the human rights organisations, the condemnation of the Proceso's dirty war was general, and the equivalential relation established between the two forms of violence put forward by Alfonsín's discourse was questioned and rejected by large sectors of society. The innocence condition and the neutrality to which the human rights demand was associated with were also displaced. By then, not all the victims of the PRN repression were "innocent" persons just trapped within the two demons confrontation, but political activities, idealists and revolutionary people fighting for a better world. The human rights demand was then increasingly associated to the revolutionary ideals of the 1970s and to the political activists of those years, and by these means, to the popular project of the left. During the first years of the new millennium, this association gained a new impetus with Nestor Kirchner's government. The former president positioned himself as an activist of the lost revolutionary generation and articulated the human rights cause to the demands for social justice and equality, dismantling irreversibly the impartiality and neutrality of Alfonsín's human rights discourse.⁵²

⁵⁰ See this point in GONZÁLEZ BOMBAL, Inés, 'Nunca Más: el juicio más allá de los estrados', op. cit.

⁵¹ For a detailed analysis of the work of the CONADEP and the activities of the military trial and their impact on the Argentine society, see BARROS, Mercedes *Negotiating the past: truth, justice, and human rights in Argentina*, Ma dissertation, University of Essex, 2000.

⁵² For a detailed analysis of Kirchner's articulation of the human rights cause, see my recent work, BARROS, Mercedes, Barros, "Democracia y

3. Human Rights and the Democratic Ethos

As it has been argued, during the transition and all through the first years of the newly established democratic regime, the human rights demand that had emerged and constituted under the military dictatorship became the focus of attention of large parts of society. The two institutional paths opened by Alfonsín's government in order to deal with the legacies of state terrorism, and the persistent actions and participation of the human rights groups, contributed greatly to place the human rights issues at the very centre of the public debate. This unparalleled centrality and the unprecedented availability of the human rights discourse that it entailed would have long and lasting effects on the Argentine society.⁵³ These effects could be observed in various social, political and cultural aspects of the country's present reality. One important aspect has been the dissemination of the human rights discourse. That is to say, the human rights language that was initially constrained mainly to the confines of the groups of relatives and to the claims related to state terrorism have expanded and contaminated other spaces of the social, turning into a legitimate and common language for different social and political forces alike. Political parties, trade unions, and social organisations of different sort, have articulated a language of rights and have begun to consider human rights as an area of concern and many of them have included this issue within their work planning and organisational structure.⁵⁴ Left wing political forces that previously to the experience of the dictatorship had rejected

derechos humanos: dos formas de articulación política en Argentina", *e-l@tina*, Vol. 8, 29, Buenos Aires, October. December, 2009. <http://www.iigg.fsoc.uba.ar/elatina.htm>

⁵³ As it has been argued elsewhere, these long and lasting effects could not be neutralised by the policy of closure implemented later on by the democratic governments. That is, the regressive trend mainly materialised in the enactment of the Full Stop and Due Obedience laws and in the presidential pardons could not override the impact of the unprecedented centrality and availability of the human rights discourse in the country during the transition and throughout the first years of the democratic regime. BARROS, Mercedes, *ibid*.

⁵⁴ See GONZÁLEZ BOMBAL, Inés and SONDEREGUER, María, 'Derechos humanos y democracia' in JELIN, Elizabeth *Movimientos sociales y democracia emergente*, op. cit., pp. 97-104.

the liberal primacy of individual rights have now turned the human rights issues into one of its main political banner and have articulated it closely to their discourse of democracy.⁵⁵ Now, the language of human rights has also turned into the representational means for other social claims and struggles. Throughout the country, various groups have articulated their claims and constituted themselves as political subjects drawing on this language of rights and liberties. This is the case, for instance, of the struggles and popular mobilisation that have emerged at different points of the democratic period against the abuses and violence of the security forces, against the inefficacy of the juridical system, against the corruption of political elites, against discriminatory practices, etc.⁵⁶ This language then, has given place to new forms of popular participation in the country that supposed a direct and active engagement in a new set of political practises and activities. These forms of participation from outside traditional channels have proved to survive the first two decades of the democratic phase inaugurated in 1983 and have contributed greatly to preserve the democratic ethos of the transition alive. In each of these struggles, the democratic values of liberty, rights and justice that have inspired the spirit of the transition have been once and again enacted and put into play. By means of this language then, these different political struggles have questioned and challenged the contingent and always arbitrary arrangements of the democratic society. This never-ending interrogation, we may conclude, is what ultimately keeps the democratic process functioning and one of the very best avenues for political change.

⁵⁵ See this point in PANIZZA, Francisco, 'Los residuos de la historia y el futuro de la izquierda en América Latina', op. cit.

⁵⁶ Some of these new groups were HIJOS: Hijos por la Identidad y la Justicia Contra el Olvido y el Silencio; COFAVI: Comisión de Familiares de Víctimas Indefensas de la Violencia Social; CORREPI: Coordinadora contra la Represión Policial e Institucional, Foro por la Justicia de Corrientes; Confederación Mapuche Neuquina, Memoria Activa, ATRA: Asociación de Travestis Argentinas, Escrita en el Cuerpo, Lesbianas a la Vista, among others.

Conclusion

As discussed in the last two chapters; despite the difficult and fearful conditions of the PRN, a new form of political identification centred on the defence of human rights emerged and constituted in the country. This new position turned into one of the main symbols of resistance to the military regime in the transition to democracy and became one of the key moments of the new political formation inaugurated in 1983. As we suggested, this new formation was centred on the idea of democracy and it supposed a radical break with the recent violent political past. The establishment of this break was partly possible as a result of the articulation of the human rights demand. The human rights claims were turned into a crucial aspect of the new democratic discourse. Democracy was then identified with these values and defined in contraposition to the signifying chain of dictatorship, illegal repression, impunity and human rights abuses. As we have argued, the articulation of the human rights demand to the new democratic discourse had an important impact on the first years of the newly elected government and on the sort of prevailing understanding of the human rights cause and struggle inside the country. We suggested also some of the effects the unprecedented centrality of the human rights discourse during the years of the transition has had on the Argentine society. We mentioned particularly the dissemination of the human rights discourse within society and the new forms of popular mobilisation that were drawn upon this language.

CONCLUSION

After almost thirty years of the fall of the last military regime in Argentina, the popular mobilisation around human rights claims that emerged during the worst years of the military rule is still very much alive. The human rights language has remained as an available and legitimate language within the national political formation and it has turned into the representational means of different kind of claims and struggles. Now, this study began with various questions regarding the reasons for the initial emergence of the human rights movement and discourse in the country. And as it was argued in the course of this investigation, this emergence could be said to respond to a process of political articulation and identification that took place during 1976-1982. Let me here then reiterate the main points of this central argument.

This research began by looking at the historical and political context in which the human rights movement and discourse emerged. As it was suggested, if a more adequate interpretation of the historical formation of the human rights movement and its political struggle was to be achieved, attention should be given to the movement's political and ideological conjuncture in order to identify the prevailing and competing political discourses and to map out the assumptions and concepts available at that time. This historical enquiry was divided in two main parts. A first part that looked at the way in which political discourses had articulated the notion of rights in Argentina, and a second part that analysed, firstly, the discourse of the PRN, and secondly, the challenges and criticisms of the international discourse of human rights to the military regime's dirty war and the sort of responses the regime provided in order to dispute these accusations.

Thus, the first part of the historical enquiry showed how the language of individual rights and liberties was hardly available within the local political arena, being unlikely for the relatives to be able to articulate their claims in human rights terms. As it

was explained, although the liberal primacy of individual rights was a central element of Argentina during the first part of the twentieth century, since 1930s onwards it gradually became less relevant and was eventually displaced by alternative understating of rights. By the end of the last Peronist government, the liberal values and the figure of individual rights were left aside by most political and social forces and the language of rights was confined to few and selected redoubts of society. During the first months of the PRN, the general perception of disorder and chaos within society and the parallel discourse of the need for order and peace, very much set the terrain for the acceptance of any sort of order, even an order imposed by force, torture and killings.

Thus, the second part of the historical investigation began by analysing how the discourse of the PRN emerged and constituted as the embodiment of order and had as one of its main contents the eradication of subversion. As it was shown, this content was organised by means of an allegedly dirty war, which required the use of unconventional methods and entailed the extension of repression to unthinkable terrains. As it was also suggested, this war had certain limits that were imposed by the regime's claim to protect the "Western and Christian values". This very claim introduced in the regime's discourse both the authority of the Church and the world of the rule of law. These two dimensions imposed certain restrictions to what was possible under the PRN. The war on terror then had to be fought following certain *modus operandi* and it entailed the production of a clandestine and illegal world of tortures, kidnappings and deaths that intersected and overlapped with the official world of the rule of law and juridical subjects.

Now, the first challenges to the PRN's dirty war on terror came mainly from abroad, particularly, from the international discourse of human rights. Regardless of the clandestine character of the war, the military regime became the target of international criticisms and complaints regarding its human rights records. As we explained, the criticism of the international human rights discourse was not only questioning a particular aspect of the PRN's internal security policy, but also the very legitimacy of the regime. That is, these criticisms made visible the failure of the PRN to protect the "Western and Christian

values” that it claimed to defend. Against this background, the PRN deployed different discursive strategies to counterattack the allegations. Those strategies ranged from a total denial of the accusations with a re-affirmation of its commitment to the rule of law, to an acknowledgment of the alleged crimes and abuses by means of the figure of “excesses of repression” and by the argument of a “situation of exception”. Now, as I finally argued, as a result of these exchanges between the government and the international community the human rights discourse became eventually available inside the country. That is, it was only through the criticisms and by means of the government’s responses and counterattacks that the human rights language broke into the national political conjuncture, and brought with it a new reading of the war on terror that was very much at odds with the regime’s official version of the events.

This first part of the study then analysed the discursive context in which the human rights groups and discourse emerged and constituted. Thus, it was against this background that the rest of thesis explored the process of emergence and development of the human rights movement and discourse. For this, it first looked at the dislocatory effects that prompted the mobilisation of the groups of relatives, it turned later to analyse the actual constitution of the relatives’ new forms of collective organisation around human rights and the new mode of political identification that they entailed, and finally, it examined the way this new political identity and discourse articulated around human rights developed during the transition to democracy.

As it was argued, it was the dislocatory experience produced by the dirty war against subversion which prompted the unprecedented mobilisation and protest around human rights claims. This dislocatory experience was not the result of the illegal repression unleashed by the military regime as it has been commonly argued, but the consequence of the failure and incapacity of the military discourse and other discourses available under the PRN to articulate the effects of the repressive campaign. That is, this failure produced a temporal suspension of meaning within the discursive reality of the PRN that drove the families of the victims and all those affected by the illegal repression into a situation they were incapable to grasp or understand. Thus, as it was shown, this situation

of dislocation brought great frustration and deep desperation into the relatives' lives, but it also forced them to start a new path of collective search and mobilisation and to attempt to rearticulate the dislocatory effects of the war, such that this rearticulation provided them with a new principle of reading that allowed them to make sense of the new situation and to come to terms with their own experience of absence and lack.

Therefore, human rights groups such as Madres de Plaza de Mayo and Familiares de Desaparecidos y Detenidos por Razones Políticas emerged as a response to the dislocatory effects of the dirty war. As it was argued then, there was a critical dimension in the origins of this response: it emerged as a criticism of the authorities' failure to provide the relatives of the victims of repression with some credible answers to their requests for information, and ultimately, to address the situation of absence of meaning that they all experienced. From the initial critic to the military regime, the groups of relatives gave shape to their demand for human rights and inaugurated in this way a new space of resistance in the country, with its own political practices, strategies and language. Now, as it was pointed out, the constitution of these new forms of collective organization around human rights as well as the new mode of political identification that they entailed were only possible, firstly, by a prolonged process of engagement of the affected groups in different social and political practices through which the relatives drew a political frontier and established an antagonistic relation vis-à-vis the military regime, and secondly, by means of an increasingly available human rights language. The availability of this language allowed the articulation of the claims for the disappeared people, for truth and justice around the central notion of human rights and the gradual identification of the relatives of the victims with the human rights cause and struggle.

Finally, the study addressed the unprecedented centrality the human rights movement and discourse acquired during the transition to democracy and showed how this political demand occupied a crucial position within the political formation that dominated the first years of the democratic era. This new formation constituted around the notion of democracy entailed the drawing of a political frontier in relation with the past and

an important aspect through which it established that frontier was related to the articulation of the human rights demand. Democracy was then identified with human rights, the rule of law and juridical security and defined in contraposition to the signifying chain of dictatorship, illegal repression, impunity, and human rights abuses. As it was argued, this close association of democracy and human rights as well as the unprecedented centrality that the human rights demand acquired within the political context of the transition had long lasting effects on the Argentine society. The dissemination of the human rights language throughout society and the new forms of popular mobilisation that were drawn upon it were mentioned as some of the most visible and important effects.

Following the summary of the main conclusions of the study, a last and brief consideration can be made on how a discourse theory perspective contributed to the analysis of the formation of the human rights demand. As it was shown in the course of the investigation, one of the main problems found in the literature on the human rights movement in Argentina has been the lack of explanation regarding the very process of emergence and constitution of the popular mobilisation around human rights claims. Most of the approaches would either attribute the relatives' groups an unalterable belief on human rights taking for granted their mobilisation and protest, or would stress the novelty of the human rights ideas in the country without addressing how this change and the process of mobilisation it involved were actually possible. Thus, a discursive theoretical perspective that stresses the political dimension that is very much present at the origin of all social objectivity and identity, helped us to avoid taking for granted or overlooking the process of articulation and political engagement that the emergence of the human rights demand entailed. It was only through the relatives' gradual and long involvement in a political struggle that this new form of political identification around the defence of human rights was possible. This theoretical perspective then makes us aware that new social demands and new challenges do not emerge spontaneously without any sort of mediation. There is always a moment of political intervention at the emergence of all social claims that requires a process of political articulation

and engagement that needs to be stressed and pointed out if a full understanding of the phenomenon is to be achieved.

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This book accounts for the process of emergence and constitution of the human rights movement and discourse during the last military dictatorship in Argentina (1976-1983). Central to this account is the contention that the movement's emergence and constitution should not be understood as a necessary or as a natural response to the atrocities carried out by the last military regime, but instead as the result of a contingent process of political articulation and as a response which could have failed in its constitution and success.

Thus, the appearance of the human rights movement and discourse in the country can only be understood in its full complexity if attention is given to this very process of popular mobilisation and political articulation that took place during 1976-1982.



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