# The struggle of Argentina

A research project about collective memory, reconciliation and dealing with a conflictive past



















The pictures of painted bicycles on the cover of this thesis are the work of art of the artist Fernando Traverso. During the dictatorship in Argentina he worked in the resistance until he was forced to go into exile. For members of the resistance, the bicycle was the primary mode of transport. Therefore, an abandoned bicycle on the street was the first sign that someone had disappeared. During the dictatorship 350 people disappeared in Rosario, of which 29 were friends of Traverso. In order to remember all those who have disappeared he painted 350 bicycles throughout the city of Rosario. This made the silhouette of the bicycle a metaphor of absence, which is, due to the art of Traverso, always present in the city of Rosario.

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A research project about collective memory, reconciliation and dealing with a conflictive past

Master thesis to conclude the master program Conflicts, Territories and Identities of the Centre for International Conflict – Analysis and Management (CICAM) at the St. Radboud University in Nijmegen

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Nijmegen, July 2013

Aan mam,

Voor het altijd trots op me zijn

## **Preface**

The product before you is a Master thesis about the conflictive past of Argentina, which is the result of the final assignment of the Master Conflicts, Territories and Identities of the Centre for International Conflict — Analysis and Management (CICAM) at the St. Radboud University in Nijmegen. Inspired by my stay in Chile 2010, where I noticed that the dictatorial regime of Pinochet still had a lot of influence on daily life, I wanted to do a research project about how a society deals with its conflictive past. Eventually, I had found an internship at the *Museo de la Memoria* (Museum of Memory) in Rosario, the third largest city of Argentina. This is how my qualitative research project about the consequences of the dictatorial regime that ruled Argentine from 1976 until 1983 begun.

The Museo de la Memoria is an organization that was founded in 1998, with the objective to improve the access to knowledge and investigation on the subject of the situation of human rights, social memory and politics. This internship has determined the course of my investigation. I was aware of the existence of many human rights organizations (HROs) in Argentina that lobby against the former dictatorial regime. I figured that, given the objective of the Museo de la Memoria, it would probably be easy to get in touch with the HROs through the Museo. Therefore, they became an interesting group to investigate, in order to learn more about how a group in Argentine society is dealing with its conflictive past. Furthermore, I got acquainted with the concept of collective memory, a very interesting but complex concept that could be used as a tool to investigate the feelings and perspectives of a group towards the past. This is how I started my research project about how collective memory is used to process a conflictive past.

I have lived in Rosario for six months and through the social network of the staff of the Museo de la Memoria I have met a lot of people who are active in the human rights movement. I have had the pleasure to interview 16 of them, all conversations in which they shared their personal experiences with me. Every story has impressed me, and besides being very interesting for my research project, these stories have changed the way I perceive the world around me. These stories, together with other activities of HROs, have made my stay in Argentina into an incredible experience.

Due to difficult personal circumstances, the writing of this thesis didn't go as smoothly as planned. Although I have had quite some challenging moments during the writing process I am very pleased with the result. However, without the help of some people this thesis would never have been what it is now. Therefore, I want to thank my boyfriend Jord, who has sat with me for hours to read and perfect my texts and who has been my tower of strength when I was stuck with writing. Furthermore, I want to thank my brother Thomas for his technical support. Without his help with finding some books and software I would not have been able to do my analysis. Also I want to thank my parents Gert and Gerda for believing in me and supporting me despite the difficult period in life.

Finally, during my stay in Rosario, the Museo and its staff have functioned as a home base where I could always return to with questions and problems related to my research project or not. Muchas gracias al equipo del Museo de la Memoria por la oportunidad de hacer una práctica y mí investigación, y muchas gracias por la amistad que me recibieron. Especialmente a las mujeres de la biblioteca. Sin ustedes nunca había sido una experiencia tan maravillosa.

Nijmegen, 26-07-2013

Marije Oudshoorn

## **Abstract**

This research project is about how Argentinean society deals with its conflictive past. The primary objective of this research project is to gain more insight into how the HROs in Rosario, Argentina influence the hegemonic collective memory, by investigating their chosen truth and comparing this to the hegemonic collective memory. The secondary objective is to gain more knowledge about a possible influence of the HROs in Rosario on the process of reconciliation, by assessing the behavior of the HROs and comparing this to the theories of reconciliation.

This research project was done using methodological triangulation. A variety of sources and methods were used, such as the information from literature research, the media and interviews. This contributed to the coverage of the phenomenon, which in turn contributed to the validity of the research project. Literature research was used to outline a historical background and a theoretical framework, which formed the foundation of this research project and functioned as a touchstone to measure the data. The media, in the form of the newspaper Pagina12, were used to paint a picture of the hegemonic collective memory. Subsequently, semi-structured interviews with staff members of human rights organizations (HROs) were used to paint a picture of the chosen truth of the HROs. Both the newspaper articles as well as the interviews were analyzed using a combination of quantitative and qualitative research methods. Quantitative research methods were first used to extract the useful parts of information out of a vast quantity of data. Subsequently, this selection of information was investigated with the help of qualitative research methods.

In order to paint a clear picture of the hegemonic collective memory and the chosen truth of the HROs, both perspectives were decomposed into the variables memory, justice, truth and reconciliation. Finally, a concluding chapter has been written in which the reflection of the four variables in the chosen truth of the HROs and the hegemonic collective memory were compared. In this manner, the influence of the HROs on the hegemonic collective memory and their influence on a process of reconciliation could be determined.

It was concluded that the influence of the HROs on the hegemonic collective memory can be considered overall moderate. When looked at the different variables separately, the HROs have quite some influence with regard to the variables memory and reconciliation, due to their active and strategic use of memory and their demands for justice and truth. On the other hand, the HROs only partially influence the variable justice, considering that they do have a heavy influence on the idea of retributive justice, however, their distrust towards the judicial system cannot be found in the hegemonic collective memory. Furthermore, the HROs influence the variable truth only to a small degree. The hegemonic collective memory only shows a partial unofficial factual framework that consists with the chosen truth of the HROs in the sense that it has only demarcation criteria between victims and culprits.

Furthermore, it was concluded that the HROs do impede a process of reconciliation. Their active and strategic use of memory leads to a compulsive remembering and is based on events that have happened in the past. They have created a backward-looking narrative that keeps them lingering in the past. Be doing this they are unable to aim their efforts towards the future, which impedes a process of reconciliation.

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## Introduction

If we knew what it was we were doing, it would not be called research, would it? Albert Einstein

It is a little bit before 6 pm on a Thursday afternoon and I am waiting on the Plaza de 25 de Mayo<sup>1</sup> in Rosario, Argentina. The humidity in the air is high, probably because of the Paraná River, which meanders along the boulevards of this beautiful city. Like most of the days, the temperatures are high and I have found myself some shade on a bench beneath some palm trees surrounding the square. Except for the traffic that is rushing alongside the square, it is quiet. Some stray dogs are sniffling around and people are resting on other benches, some reading a book, others just relaxing after a day's work.

After waiting a couple of minutes on the Plaza de Mayo a car stops, out of which step two elderly ladies, both well in their seventies. They put a white scarf around their head as they walk towards the statue at the center of the square. More elderly ladies start to arrive, some by themselves, others with their younger family members, but all with the same white scarf. They greet each other with a kiss on the cheek, and then start to walk around the statue, which is dedicated to national liberty. They form a small group, walking arm in arm, very slowly while chatting to each other. For an outsider, unaware of Argentina's history, this seems like a strange spectacle. I know, however, that this scene has been a national form of protest for over thirty-five years. Since 1977, these elderly ladies are known as the Madres de plaza de Mayo<sup>2</sup>, and they are silently protesting against the long gone military juntas of Argentina. Over thirty-five years, they have been here every Thursday, shuffling their feet, walking their rounds and still hoping to one day be reunited with their disappeared children and grandchildren.

#### The case of Argentina in a nutshell

Argentina suffered from a dictatorial regime from 1976-1983, which left its marks on both political and social life. In an attempt to restore order during the chaotic period in the mid 1970's, the military seized power by deposing president Isabel Martínez de Perón. At the beginning the coup was seen as a welcome solution to the problems within as well as outside the country. Especially the conservative sectors of society were enthusiastic about the new regime. Soon, however, the regime started to show its true colors, when the military declared war on the leftist guerilla organizations.

During this repressive period a lot of horrors have happened, of which the forced disappearance of 30,000 people is an unavoidable fact. The preamble and the dictatorial regime itself gave rise to a human rights movement in the 1970's, which tried to help people find their missing relatives. With the advent of democracy in 1983, some attempts were undertaken by president Alfonsín to convict the perpetrators and people responsible for the horrors during the regime. He installed the National Commission on Disappeared Persons (CONADEP), which main task was to investigate the fate and whereabouts of the disappeared. The report of this commission eventually led to the prosecution of five generals in the Trial of the Juntas in 1985. However, as a consequence of military uprisings, Alfonsín decided later on to install two amnesty laws, which made it impossible to prosecute more culprits.

The amnesty laws were further amplified by Alfonsín's successor, president Menem. He granted several general pardons to former military leaders, among whom the generals that were already prosecuted in the Trial of the Juntas. This caused a public and institutional silence around the

<sup>&</sup>lt;sup>1</sup> May 25th square

<sup>&</sup>lt;sup>2</sup> The mothers of the May square

disappeared people and the atrocities committed by the military regime. The human rights movement, however, has committed itself to keeping the memories of the disappeared alive and claiming truth and justice. In 2003 president Kirchner annulled the amnesty laws, which made it possible again to prosecute the former military regime. Since then, the voice of the human rights organizations (HROs) has regained its strength and concepts such as truth, justice and collective memory are of greater importance in the daily life in Argentina. The complexity, which has triggered this research project, is thus Argentina's social vortex in which oblivion, compulsive remembrance, ignorance, justice, reconciliation and the search for truth all influence the collective memory of the extremely violent period of the juntas.

### The research project

The period of 1976-1983 and its fallout during the following decades produced ghosts that even today still haunt the Argentine people. The disappearance and torture of thousands of people over a period of eight years was not without consequences. Every group (regardless of gender, age or social background) is influenced by this common past and the current struggle for the collective memory. This struggle is, even after three decades, still very much alive in Argentinean society. Many different HROs are still active today; *las madres* and *las abuelas de plaza de mayo* (the mothers and grandmothers of the May square) are still doing their round every Thursday afternoon, trials are still going on, every district has its own anthropological forensic team and lost sons, daughters, grandsons and granddaughters are still being found. <sup>3</sup> On the other hand, the former juntas and the right-wing political parties are trying to obscure the dictatorial period, because they want to move forward. In the mix of all these opinions, groups, goals and memories, the bigger picture gets lost, both to the individual and social groups alike. This research project will deliver an outside and clear view on collective memory and its influence on processing the past in a post-conflict society.

The case of Argentina is also interesting for scientific reasons. Due to the decades of (non-violent) struggle, which followed the years of repression in Argentina, the country provides an ideal testing ground for different theoretical strands regarding transitional justice, collective memory and social movements. The hegemonic collective memory in Argentina forms a great case study to apply these theories to. In addition to testing the various theories used in this thesis, the research results will offer a basis for further research on collective memory, especially that of a society that is trying to deal with a conflictive past during a period of transition.

In this research project is investigated if and how the HROs influence the hegemonic collective memory, especially in regard to the conflictive past of Argentina. The formation of a shared official collective memory is important during a period of transition, because 'the unity of a nation depends on a shared identity, which in its turn depends largely on a shared memory.' It contributes to the formation of social cohesion and provides a reference point for the memory-construction of groups within the context of a nation. These are all aspects that are important to overcome the horrors of the past.

In a society there exist as many interpretation of the past as there exist groups, therefore, there will never exist one interpretation of the past, which is shared by the whole society. Individuals and groups can share or confront their interpretation of the past. There are moments in time where there exists a hegemonic interpretation, but there will always be other interpretations, which resist the hegemonic interpretation. Thus there exists a political struggle about the meaning of the past and the meaning of memory itself. In Argentina this struggle about the meaning of the past is taking place between different groups, however, this research project focuses on the two main actors in

<sup>&</sup>lt;sup>3</sup> Observed during regular Thursday meetings of *las madres* and *abuelas de plaza de mayo* (September – October, 2011) and conversations with staff members of *el Museo de la memoria* (September 2011).

<sup>&</sup>lt;sup>4</sup> (Zalaquett 1991, p. 1433)

<sup>&</sup>lt;sup>5</sup> (Jelin 2003, p. 27)

<sup>&</sup>lt;sup>6</sup> (Jelin 2002, p. 13 own translation)

<sup>&</sup>lt;sup>7</sup> (Jelin 2002, p. 5 own translation)

this political struggle; the HROs and the former juntas. Both groups are struggling about the formation of the hegemonic collective memory<sup>8</sup>, because they want to convince society of their interpretation of the past being the right one. The HROs accuse the former juntas of all kinds of atrocities they have committed during the dictatorial regime, of which the disappearance of 30.000 people is the most important one. Therefore, they want to prosecute the former juntas in order to prevent repetition of the horrors in the future. The former juntas, on the other hand, deny that they are guilty. They glorify themselves as heroes of a war and say that malicious things simply happen during wartime. They deny and maintain silence about the systematical forced disappearances and with that, their responsibility of the occurrence. The collective memory of the HROs and the former juntas will be referred to as their chosen truth, because of the conscious and strategic element with which both groups present their interpretation of the past. A further elaboration of this concept can be found in chapter 2; Theoretical Framework on page 28.

Understanding the development of a (hegemonic) collective memory in a post-conflict situation is at the heart of this thesis, because it helps to understand how society is dealing with its conflictive past. During a period of transition concepts like memory, justice, truth and reconciliation are important, because each of these concepts might contribute to processing the past, healing the disturbed relationships within society and preventing the repetition of atrocities in the future. Therefore, these concepts have been made into variables, which have been used to analyze and understand the development of a hegemonic collective memory in a post-conflict situation.

As always, a thesis needs a main focus in the form of a research question. The case of Argentina and the focus on both the country's collective memory and its HROs, have led to the following research questions (which will be fully discussed in chapter 2; Theoretical Framework):

- 1. How does the chosen truth of the HROs in Rosario influence the hegemonic collective memory?
- 2. Does the chosen truth of the HROs influence a process of reconciliation and why?

#### Itinerary of this thesis

This thesis attempts to deliver an outside, objective and clear view on the role and influence of collective memory in a post-conflict society. To deliver such a view and to formulate a clear answer to the research questions the structure of this thesis is as follows. In chapter two there will be elaborated on a theoretical framework, a problem analysis and a description of the methodology, which combined form the foundation of this research project. Chapter three will provide a historical background of the Argentinean case, which will help to fully understand the violent past that still haunts the Argentinean collective memory. Also, this chapter will provide a context in which the contemporary concepts researched in this thesis, can be placed. In chapter four the analysis will be expounded in which there will be looked at how the variables memory, justice, truth and reconciliation influence the hegemonic collective memory and how the HROs contribute to this influence. Finally, in chapter five will conclude this thesis by explaining how the HROs influence the hegemonic collective memory and a process of reconciliation.

<sup>&</sup>lt;sup>8</sup> The concept of hegemonic collective memory is linked to the concept of the hegemonic interpretation of the past from Jelin. (Jelin 2002, p. 5)

## **Theoretical Framework**

The world can doubtless never be well known by theory: practice is absolutely necessary; but surely it is of great use to a young man, before he sets out for that country, full of mazes, windings, and turnings, to have at least a general map of it, made by some experienced traveler.

Lord Chesterfield

This chapter provides a theoretical framework, which forms the foundation of this research project. It functions both as the touchstone to measure the work in the chapters to follow as well as to expound the different variables used in this thesis. The vast complexity of the current conflict in Argentina demands a clarification of the conflict from varying scientific angles. In addition, this chapter provides a problem analysis and a description of the methodology used in this research project.

This research project focuses mainly on collective memory in a post-conflict situation. To understand the development of the hegemonic collective memory in Argentinean society and the chosen truth of the HROs, we need to take a closer look at how the variables memory, justice, truth, and reconciliation are conceptualized within contemporary Argentinean society. The first variable memory - has been included because the way people conceptualize memory itself is of importance to the development of the (hegemonic) collective memory. The extent to which people are consciously using memory has influence on the collective memory and the influence of collective memory on society. Therefore, in this research project the term 'chosen truth' is used to define the collective memory of a group instead of the term collective memory. A group might, for example, consciously exploit memory for political purposes. Slobodan Milosevic used the Serbian collective memory about Prince Lazar's battle of Kosovo against the Turks in the 15<sup>th</sup> century. After the battle Serbia enjoyed economic and cultural prosperity until 1459, when the Ottomans brought about Serbia's downfall. Lazar's remains where then sent into exile north of Belgrade. By returning Lazar's body to the region where he was killed 600 years earlier Milosevic 'reactivated' the collective memory of the Serbian population in Kosovo. This enormous propaganda campaign helped to solidify a new Serbian identity after the fall of Yugoslavia. This new Serbian identity included a feeling of unity fuelled by a hate against the Turks. This eventually led to massive violence against Moslim Bosniaks and later Albanians, whom the Serbians now perceived as extensions of the Turks. Thus, by consciously using collective memory Milosevic could carry out his politics of nationalism.

The variables justice, truth and reconciliation are derived from the theories on transitional justice. Each of the variables might contribute to processing the past, healing the disturbed relationships within society and preventing the repetition of atrocities in the future. During a period of transition, these are all processes that are of great importance to people, also on a personal level, in order for them to move on with their lives. When people remember the period of conflict and the subsequent period of transition, the way the past has been processed is of influence on the way people think back to the past. Therefore, these variables are also of importance for understanding the development of a collective memory in a post-conflict society.

Three theoretical strands are used to form a theoretical foundation, in which the four variables memory, justice, truth, and reconciliation are elaborated. This chapter starts with an elaboration on the complex concept of collective memory will be addressed, which forms the nucleus around which the current problems in Argentina revolve. It is also the center of this thesis and therefore needs to be clarified theoretically. First the concept of collective memory will be explained and then the role of collective memory within the field of transitional justice will be elaborated. It

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<sup>&</sup>lt;sup>9</sup> (Volkan 2004, p. 9, 10)

will provide more insight into the important role of collective memory in dealing with a conflictive past in a period of transition.

Subsequently, the theory on transitional justice will be elaborated, because the period in Argentina of 1983 until the present can be seen as a transitional period. In a period of transition after a conflict, a new government is formed, which has an important task; to let a society deal with its conflictive past and thus to overcome social divisions. The theories on transitional justice will give more insight into the way states and institutions handle a past marked by political violence. Furthermore, it provides an overarching framework, wherein the variables justice, truth and reconciliation will be described.

Then, this chapter will focus on social movement theory, because the HROs in Rosario are the social actors around which this thesis is formulated. Social movement theory will provide more insight in the world of the HROs in Rosario and the way they try to influence society when coping with a discordant past. The concept of social movements will be explained, followed by an elaboration on the relationship between collective memory and collective action through social movements. Subsequently, it will be described how social movements can use memory in their battle for a common purpose.

Thereafter, theory will be linked to practice and in the problem analysis it will be described how the variables memory, justice, truth and reconciliation are related to each other and to this research project. Also, this leads to the formulation of a set of different hypotheses and research questions. Finally, the methodology will describe how the data used for this research project was gathered and analyzed.

#### **Collective memory**

In order to explain the term 'collective memory' we cannot simply suffice with a definition. A sharp picture must be drawn of how collective memory is formed, influenced and influences. Thus, the first part of the following paragraphs will elaborate on the complexity of collective memory, rather than to give an insufficient definition. Subsequently, the second part will describe the role of collective memory within the field of transitional justice.

According to Halbwachs<sup>10</sup>, collective memory is based on "a coherent body of people", but the individual as a group member is the one who remembers. This means that there are as many collective memories in a society as there are groups. By being a member of society, individuals are capable of recalling, recognizing and localizing their memories.<sup>11</sup> Society thus offers a framework through which recollections can be understood. The structure and rules of language form the most elementary and most stable framework of collective memory.<sup>12</sup> "[Society] thinks according to totalities; it attaches one notion to another and groups these into more complex representations of persons and events, which in their turn are comprised in still more complex notions."<sup>13</sup> Halbwachs shows the influence of society on the individual using the example of a dreamer. Only a dreamer has a low state of consciousness and is therefore in a state of mind which is 'most removed from society'. Hence, it is also almost completely detached from the social structures and representations of society. The images of a dream are nothing more than 'raw material', which appear in all sorts of combinations. Because the dreamer is detached from the structures of society it cannot sort out or give meaning to the images of the dream, and therefore is incapable of recollecting the dream.<sup>14</sup>

What makes memories hang together is that they are "part of a totality of thoughts common to a group." This can be a group in which we find ourselves right now or with whom we have had a relation in the past. So to recall the memories it is sufficient to place ourselves in the perspective of

<sup>11</sup> (Halbwachs 1992, p. 38)

<sup>&</sup>lt;sup>10</sup> (Halbwachs 1992, p. 22)

<sup>&</sup>lt;sup>12</sup> (Halbwachs 1992, p. 45)

<sup>&</sup>lt;sup>13</sup> (Halbwachs 1992, p. 44)

<sup>&</sup>lt;sup>14</sup> (Halbwachs 1992, p. 42)

<sup>&</sup>lt;sup>15</sup> (Halbwachs 1992, p. 52)

the group and that we adopt its interests.<sup>16</sup> This doesn't mean that we don't have an individual memory. There exists a variety of temperaments and life circumstances among individuals, which gives us a "capacity for memory that is unlike that of anyone else."<sup>17</sup> However, our individual memory is also a part of the group memory, because in order to understand our memories we have to connect them to the structure and representations of the group (or society).<sup>18</sup> "In this way, the framework of collective memory confines and binds our most intimate remembrances to each other."<sup>19</sup>

Zerubavel<sup>20</sup> also calls this the sociology of memory, which highlights the impersonal aspect of our recollections. What we remember is more than what we just have personally experienced. What, for example, can be stored in one's mind as vivid recollections are the recollections of a meeting last week, or a conversation at breakfast this morning. Even 'recollections' such as Columbus' voyage and discovery of South America, the Eighty Years' War in Holland or the morning of September eleventh 2001 in New York can be made 'our recollections'. We make these 'recollections' through the reading of books, watching television or stories of others. Most of our recollections are not entirely personal, because what we usually remember is the way an event was actually experienced by others. This is because we are all members of a group, or what Zerubavel calls mnemonic communities.<sup>21</sup> Being social gives us the ability to experience and remember events that have happened to groups and communities to which we belong long before we joined them. We remember these events like they were a part of our own personal past.<sup>22</sup> For example; a generation of Americans who were born in the 1980s will remember the Second World War very differently than Russians born in the same decade. This is because the stories told in their mnemonic communities are different.

However, the preservation of social memories is not dependent on written or oral transmission. Material culture plays a similar role in retaining collective memories, which are important for nurturing our national identity. Ruins, iconography, museums and souvenirs all have a mnemonic role. Images of important persons and events, which even appear on money or post stamps, allow future generations mnemonic access to their collective past. The medals, plaques, war memorials and other commemorative monuments which are created, have no other function than to capture memories and preserve them for future generations in order to give them access to their collective past and keep the collective national identity intact.<sup>23</sup>

According to Jelin<sup>24</sup>, thinking about the past evokes feelings about the past in the present and is consistent with wishes for the future. The existence of various subjectivities and temporal expectations makes this a complex matter. One way to look at time is in a chronological order, with equivalent time units like one hour, a year or a century. Historical processes, however, and the subjectivity of the human being make it more complex, because a historical period is given an own feeling, which is linked to politics, social activity and persons who act in institutions and organizations.<sup>25</sup> In this manner the sense of time is established in another way; the present contains and constructs the experience of the past and expectations of the future.<sup>26</sup> So in the present the past is 'the experienced' and the future 'the expected'. Expectations of the future can shape the experiences of the past, subsequently the present influences memories of the past. Therefore, memories can change over time and can influence and overlap each other. In this manner the past

<sup>&</sup>lt;sup>16</sup> (Halbwachs 1992, p. 52)

<sup>&</sup>lt;sup>17</sup> (Halbwachs 1992, p. 53)

<sup>&</sup>lt;sup>18</sup> (Halbwachs 1992, p. 53)

<sup>&</sup>lt;sup>19</sup> (Halbwachs 1992, p. 53)

<sup>&</sup>lt;sup>20</sup> (Zerubavel 1996)

<sup>&</sup>lt;sup>21</sup> (Zerubavel 1996, 289)

<sup>&</sup>lt;sup>22</sup> (Zerubavel 1996, 290)

<sup>&</sup>lt;sup>23</sup> (Zerubavel 1996, 292)

<sup>&</sup>lt;sup>24</sup> (Jelin 2002, p. 12 own translation)

<sup>&</sup>lt;sup>25</sup> (Jelin 2002, p. 12 own translation)

<sup>&</sup>lt;sup>26</sup> (Jelin 2002, p. 12 own translation)

can reduce or extend, depending on the way past experiences are incorporated.<sup>27</sup> Past factors, however, also influence our experience of the present in the way that our experience of the present depends on our knowledge of the past. "We experience our present world in a context which is causally connected with past events and objects."<sup>28</sup> Therefore it is difficult to extract our past from the present, because our present influences our recollections of the past and our knowledge of the past influences our experience in the present.<sup>29</sup>

This process is all about signification and re-signification of the subjective. Significations are constructed and change in relation with others. New historical processes and new political or social circumstances can influence the interpretations of past experiences and construct new expectations of the future. Individuals or groups can share or confront their experiences and expectations.<sup>30</sup> It is not possible that in any place or at any moment you will find one interpretation of the past, which is shared by a whole society. There are moments in time where there exists a hegemonic interpretation, but there will always be other interpretations, which resist the hegemonic interpretation.<sup>31</sup> Thus there exists a political struggle about the meaning of the past and the meaning of memory itself. This struggle is often referred to as 'the struggle against forgetting', 'memory against forgetting' or 'memory against silence' and is a resistance against other interpretations, or other memories of the past. So in reality it is a struggle of memory against memory.<sup>32</sup>

"A nation's unity depends on a shared identity, which in its turn depends largely on a shared memory." In a process of transition, the formation of a shared or an official collective memory plays an important role in coming to terms with the past. "But what purpose do these official collective memories serve?" They contribute to the formation of social cohesion and provide a reference point for the construction of memories of groups within the context of a nation. However, the construction of an official collective memory turns out to be problematic after a period of conflict. During a period of repression an official collective memory is imposed upon society. This version of history clearly determines who are the 'good' and the 'bad guys' and leaves no room for interpretation. In the Southern Cone militaries were presented as heroes who helped the nation out of the chaos caused by subversives. Because of censorship other versions of history can only arise underground, exacerbating acts of terror and fear, which in turn generates silence and paralysis. After the fall of a dictatorial regime there suddenly is space for other interpretations of the past. Such openings create a setting for new struggles over the meaning of the past, with a plurality of actors and agents who express a multiplicity of demands and claims.

According to Assmann and Shortt<sup>38</sup> memory can play an important role in processes of change and transition, because of its flexibility and transformative quality. To substantiate their argument they elaborate five premises of memory. The first premise is the plasticity of memory; collective memory is something dynamic and changes constantly in both meaning and relevance. As described above by Jelin the present and the past are influencing each other, hence memory is always changing. As said by Assmann and Shortt; "the file of memory is never closed; it can always be reopened and reconstructed in new acts of remembering." The second premise is that it is never the past itself which acts upon society, but a representation of past events that exist within a specific

<sup>&</sup>lt;sup>27</sup> (Jelin 2002, p. 13 own translation)

<sup>&</sup>lt;sup>28</sup> (Connerton 1989, p.2)

<sup>&</sup>lt;sup>29</sup> (Connerton 1989, p.2)

<sup>&</sup>lt;sup>30</sup> (Jelin 2002, p. 13 own translation)

<sup>31 (</sup>Jelin 2002, p. 5 own translation)

<sup>32 (</sup>Jelin 2002 p. 6 own translation)

<sup>&</sup>lt;sup>33</sup> (Zalaquett 1991, p. 1433)

<sup>&</sup>lt;sup>34</sup> (Jelin 2003, p. 27)

<sup>&</sup>lt;sup>35</sup> (Jelin 2003, p. 27)

<sup>36 (</sup>Jelin 2003, p. 28)

<sup>&</sup>lt;sup>37</sup> (Jelin 2003, p. 29)

<sup>38 (</sup>Assmann and Shortt 2012)

<sup>&</sup>lt;sup>39</sup> (Assmann and Shortt 2012, p. 3)

cultural frame and political constellation. What we see as reality is in fact an interpretation of that reality. 40 Again, this refers to the relationship between the past and the present, because we can only interpret the past in the present. Our interpretation of the past is constantly influenced by our surroundings in the present, like the media or politics. The third premise is that heterogeneous memories may coexist in society, some memories will interact with each other, others will remain unrelated and exist side by side and there will be memories that will clash with each other. This builds on the theory of Halbwachs that there exist as many collective memories as there exist groups in a society. The memories of individuals are not easily overwritten, but family stories, which are well preserved from generation to generation through oral transmission, are even stronger. These collective memories may clash with an official narrative constructed by the state. This clash may lead to a political struggle about the meaning of the past and which collective memory will become the official narrative and the hegemonic collective memory. 41

These three premises show that memory can change over time, however, it also implicates that memory is a powerful agent of change in itself. Memory can transform our relation to the past by revising former values, conceptions and attitudes. Thus, it can contribute to a process of working through past hatreds and resentments and finally to a process of reconciliation. Memory, however, can also impede a process of social and political change. Holding on to the past or certain values and conceptions, which are part of someone's culture, are social structures that are not easy to change.

Another, more extreme, standpoint that builds on these arguments is that it is not remembering, but forgetting which leads to peace and reconciliation. When remembering keeps feelings of hatred alive, then it should be the process of forgetting which will mitigate the conflictive parties. An example of politics of forgetting is post-war Germany. After being prosecuted and tried during the Nuremberg trials, most Nazi officials and followers were rehabilitated. A culture of silence followed and functioned as a cocoon, in which the social and political transformation of German society could take place. This was possible under the shadow of the Cold War, for in the whole of Europe national memories were forced to the background to support the global political status quo. It was not until the 1960s that a change of paradigm took place and that the perspective shifted from the perpetrators to the victims of the Nazi regime. First, forgetting was a synonym for renewal and social integration, but later it became negatively associated with denial and cover-up. Remembering on the other hand, which was first associated with a fixation on the past, hate, revenge and resentment, was now seen as a therapeutic and ethical obligation.

The Germans eventually renounced the politics of forgetting, however, forgetting and remembering are not necessarily opposites; instead, they may alternate over time.<sup>44</sup> This leads us to the next, and fourth, premise of collective memory, namely that it is not possible to neatly separate remembering and forgetting. As mentioned above, in the part that described the process of blaming, it is not possible for a human being to remember every detail of everything he or she has experienced. Thus, every act of remembrance includes a form of forgetting. "As remembering and forgetting are both necessarily selective, the sincerity of the wish to overcome inveterate hostile or mutually suspicious dispositions seems to ultimately depend on a genuine agreement not to remember everything, but to publicly negotiate which of the problematic issues need to be addressed."<sup>45</sup> This brings us to the fifth premise, that remembering and forgetting are not actors in themselves that contain the power to change narratives. They need to be tied to human actors within cultural, political, institutional and social frames in order to yield effects.<sup>46</sup> After all, it is often a collective of human actors, such as a political or cultural movement that forces a collective memory

<sup>&</sup>lt;sup>40</sup> (Assmann and Shortt 2012, p. 4)

<sup>&</sup>lt;sup>41</sup> (Assmann and Shortt 2012, p. 4)

<sup>&</sup>lt;sup>42</sup> (Assmann and Shortt 2012, p. 4-5)

<sup>&</sup>lt;sup>43</sup> (Assmann 2012, p.58-61)

<sup>&</sup>lt;sup>44</sup> (Assmann 2012, p. 55)

<sup>&</sup>lt;sup>45</sup> (Assmann and Shortt 2012, p. 5)

<sup>&</sup>lt;sup>46</sup> (Assmann and Shortt 2012, p. 5)

in a certain paradigm. These movements, or even individuals thus influence the collective memory and act as a catalyst for the processes of remembering and forgetting.

These five premises of memory show how memory can be used within the discipline of transitional justice. In order to achieve peace, reconciliation and social integration, collective memories need to be respected, adapted and contained. Therefore it is important that, within the field of transitional justice, it is studied how people remember and how they refer to their experiences of violence and repression so that the knowledge of the interaction between different collective memories in transitional processes and change can be extended.<sup>47</sup>

#### **Transitional justice**

That abuses occur during conflict is not something new; the demands in the aftermath of conflict for truth and justice are neither. "But there is a growing sense that something can and must be done, not only to stop the atrocities but also to bring those responsible to account, to make the facts known, and to succor the victims." During the 1990s the study of transitional justice became an adult academic specialization. Attempts to restore justice after conflict even date back to the fourteenth century. In the previous century there seemed to be a lot of attempts to restore justice; the Nuremberg trials, the fall of the Greek dictatorship in 1970, the death of Franco in Spain, post Salazar Portugal and after the fall of the Berlin Wall there was a wave of transitions from dictatorships to civilian governments in the Southern Cone, Central America, Africa and Eastern Europe. These events raised questions regarding the best strategy after the fall of a regime or the end of a conflict.<sup>49</sup>

The term transitional justice has been defined in different ways. Leebaw<sup>50</sup> defines it as "the conception of justice in periods of political transition." Teitel,<sup>51</sup> however, defines it as "the conception of justice associated with periods of political change, characterized by legal responses to confront the wrongdoings of oppressive predecessor regimes." Lambourne<sup>52</sup> states that "from the perspective of civil society recovering from mass violence, justice may be sought as redress for crimes, but also as a way of coming to terms with the past and building a new future." She then goes on by saying "transitional justice is implemented in the context of a process of transition from violence or mass violation of human rights to some more peaceful and democratic state." These definitions are somewhat problematic, however, because they all imply a defined period of transition, "where in practice [a period of] transition may cover many decades, [differs per country] and may take longer for certain issues then for others." Furthermore, the focus on legal and judicial policies in the definitions of Leebaw and Teitel exclude mechanisms like "apologies, commemoration, reforms in school textbooks or the establishment of museums, all of which may be highly important in sustaining transitions to peace."<sup>54</sup>

The common perceptions of transitional justice contain the determination of a certain "period of flux after which a post-transitional state sets in"<sup>55</sup>, while in reality a transition often is a longer and more fragmented process. In the definition of Roth-Arriaza and Mariezcurrena<sup>56</sup> the implication of a determined period is left out; "Transitional justice includes that set of practices, mechanisms and concerns that arise following a period of conflict, civil strife or repression, and that are aimed directly at confronting and dealing with past violations of human rights and humanitarian law." This definition, however, still lacks the description of other aspects of transition besides human

<sup>&</sup>lt;sup>47</sup> (Assmann and Shortt 2012, p. 4)

<sup>&</sup>lt;sup>48</sup> (Roht-Arriaza and Mariezcurrena 2006, p.1)

<sup>&</sup>lt;sup>49</sup> (Roht-Arriaza and Mariezcurrena 2006, p.2)

<sup>&</sup>lt;sup>50</sup> (Leebaw 2008, p. 98)

<sup>&</sup>lt;sup>51</sup> (Teitel in Roht-Arriaza and Mariezcurrena 2006, p.1)

<sup>&</sup>lt;sup>52</sup> (Lambourne 2009, p. 29)

<sup>&</sup>lt;sup>53</sup> (Roht-Arriaza and Mariezcurrena 2006, p.1)

<sup>&</sup>lt;sup>54</sup> (Dudai 2007, p. 250)

<sup>&</sup>lt;sup>55</sup> (Roht-Arriaza in Dudai 2007, p. 262)

<sup>&</sup>lt;sup>56</sup> (Roht-Arriaza and Mariezcurrena 2006, p. 2)

rights and law. The definition of Call<sup>57</sup> does contain more aspects, but leaves justice in the background; "In its broadest sense, transitional justice refers to how societies 'transitioning' from repressive rule or armed conflict deal with past atrocities, how they overcome social divisions or seek 'reconciliation', and how they create justice systems so as to prevent future human rights atrocities." Therefore, in this research project there will be used a combination of the last two definitions of transitional justice. Transitional justice refers to how societies 'transitioning' from repressive rule or armed conflict deal with past violations of human rights and humanitarian law, how they overcome social divisions or seek 'reconciliation', and how they create justice systems so as to prevent future human rights atrocities. This definition implies the dual purpose of transitional justice of being forward- as well as backward looking.<sup>58</sup>

In the 1980s and the 1990s, periods of transition initiated in the Southern Cone. The transitional justice debate, led by the events in Latin America and Eastern Europe, was very dichotomous. The question was whether to "punish or to pardon" and to choose for truth (in the form of truth commissions) or for justice (in the form of trials). Scholars of transitional justice concluded that trials for human rights abuses were likely to undermine democracy and that truth commissions where a better alternative. More recent, Sikkink and Booth Walling showed that in Latin America "trials do not inadvertently promote atrocities, that trials do not increase human rights violations, exacerbate conflict or threaten democracy". Today the different instruments of transitional justice are more seen as complementary and reinforcing to each other. Instruments can be seen as components in a broader package of interventions, acting with different methods on various levels of society. The choice for a transitional mechanism is no longer seen as dichotomous, but as a continuum of options.

From truth commissions and international trials to reparations programs and security-sector reform; all these mechanisms are aimed at revealing the truth, prosecuting culprits, creating a new national narrative and establishing a healthier relationship between the state and its citizens. <sup>64</sup> However, more and more scholars have doubts about the well-meant effects of these mechanisms on the lives of ordinary people. Arriaza and Roht-Arriaza <sup>65</sup> argue that there are two reasons why these transitional mechanisms have not met the desired effects. The first reason is the continuing lack of social and economic justice. In most post-conflict countries the majority of the people are very poor, the political system continues to be dominated by elites, crime rates are still very high and large landholders mostly dominate the economy. <sup>66</sup> The inability of people to meet their basic needs gives way to significant impediments to peace and reconciliation. <sup>67</sup> This is illustrated when we look at the disenfranchised groups in Argentina.

In Argentina, existing problems of poverty, unemployment and social justice were exacerbated by the economic crisis of 2001-2002. *Villas* (slums) around cities like Buenos Aires and Rosario grew, in which people live under precarious circumstances and don't have access to basic health and education. <sup>68</sup> Since the crisis, crime rates have been high in Argentina and the poor and marginalized sectors of society have been most affected. However, the middle and upper classes see the crime as a plague and blame it on the poor, which leads to a stigmatization of this group as the

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<sup>&</sup>lt;sup>57</sup> (Call 2004, p. 101)

<sup>&</sup>lt;sup>58</sup> (Laplante 2008, p. 333)

<sup>&</sup>lt;sup>59</sup> (Leebaw 2008, p. 99)

<sup>60 (</sup>Sikkink and Booth Walling 2007, p. 442)

<sup>61 (</sup>Sikkink and Booth Walling 2007, p. 442)

<sup>&</sup>lt;sup>62</sup> (Dudai 2007, p. 251)

<sup>&</sup>lt;sup>63</sup> (Sikkink and Booth Walling 2007, p. 442)

<sup>&</sup>lt;sup>64</sup> (Arriaza and Roht-Arriaza 2008, p. 152)

<sup>65 (</sup>Arriaza and Roht-Arriaza 2008)

<sup>&</sup>lt;sup>66</sup> (Arriaza and Roht-Arriaza 2008, p. 153)

<sup>&</sup>lt;sup>67</sup> (Lambourne 2009, p. 42)

<sup>&</sup>lt;sup>68</sup> (Lessa 2011, p. 42)

'dangerous others'.<sup>69</sup> The political answer to this security problem and the rising crime rates is based on the idea of *mano dura* (iron fist) policies. Politicians have created a discourse, which "depict human rights as pitted against public security, contending that more rights correspond to less security, and vice versa."<sup>70</sup> However, the claims that individual human rights have to be sacrificed for public security are flawed and have failed to reduce crime rates. It only gave more power to the police, who was part of the repressive regime in Argentina and has never been properly reformed. There exist substantial evidence of police involvement in criminal acts, however, rising crime has resulted in the growth of conservative politics and groups who favor the *mano dura* policies and tough responses by the police.<sup>71</sup>

Since the poor are socially excluded from society they are considered not to have any rights. The widespread phenomenon of *gatillo facil* (trigger happy) shows how little restraint exists on the use of force and how little value is given to the lives of people living in marginalized groups. Since the economic crisis the stories of people, especially youngsters from marginalized groups, who have been disappeared or abused and tortured in police departments – with torture methods very similar to the ones used during the repressive regime like the *picana electra* (electric shocks) and *submarino* (similar to water boarding) – have increased.<sup>72</sup>

The second reason why transitional mechanisms have not changed the lives of ordinary people comes from the international community. Within both national and international conflict interventions, aimed at constructing shattered societies, policymakers treat a country as an undifferentiated whole. This approach is effective for establishing global norms, however, it does not capture the dynamics of local politics that aims to reinforce and transform the local power relations, which are important in peoples' lives. Therefore, one should also take into account local-level initiatives and perspectives, which can be of great importance to unraveling the complexities of local power dynamics and addressing culpabilities on a local level. This remains something that is difficult to grasp through the national criminal law system. Furthermore, local level initiatives are less prone to large-scale patronage and corruption.<sup>73</sup> Hence, "designers of national and international initiatives should strive to be aware of, and not to undermine, local level processes."<sup>74</sup> Examples of this phenomenon are most twenty-first century international interventions, such as Afghanistan and Iraq.

Another perspective on transitional justice is that of Lambourne<sup>75</sup>, who focuses on how conflict participants view transitional justice in the context of peace building after mass violence. She developed a model of transformative justice, that supports sustainable peace building and requires us to "rethink our focus on transition as an interim process that links the past and the future, and to think instead in terms of transformation, which implies long-term, sustainable processes embedded in society and adoption of psychosocial, political and economic, as well as legal, perspectives on justice."<sup>76</sup> Transformative justice requires transformation of social, economic and political structures and recognizes the multiple justice needs and expectations of the local population.<sup>77</sup> Furthermore, Lambourne emphasizes that culture and language affect the interpretations and expectations of people and their governments in the implementation of transitional justice mechanisms.<sup>78</sup> Thus, a process of transitional justice differs per country, because for example institutions and political, economic and social structures are different. Concluding we can say that what transitional justice actually *is* and how it works, might differ per country.

<sup>70</sup> (Lessa 2011, p. 42)

<sup>&</sup>lt;sup>69</sup> (Lessa 2011, p. 43)

<sup>&</sup>lt;sup>71</sup> (Lessa 2011, p. 42)

<sup>&</sup>lt;sup>72</sup> (Lessa 2011, p. 38)

<sup>&</sup>lt;sup>73</sup> (Arriaza and Roht-Arriaza 2008, p. 153)

<sup>&</sup>lt;sup>74</sup> (Arriaza and Roht-Arriaza 2008, p. 153)

<sup>&</sup>lt;sup>75</sup> (Lambourne 2009)

<sup>&</sup>lt;sup>76</sup> (Lambourne 2009, p. 30)

<sup>&</sup>lt;sup>77</sup> (Lambourne 2009, p. 30)

<sup>&</sup>lt;sup>78</sup> (Lambourne 2009, p. 46)

#### **Justice**

As mentioned above, Lambourne talks about the 'multiple justice needs' of a population in a period of transition. There exist different forms of justice, which have varying forms of legitimacy in different societies. Two main forms in the field of transitional justice are retributive and restorative justice. In general, Western societies are more focused on the retributive elements of justice, while many non-western societies, for example in Africa, rely more on the restorative elements of justice. Retributive justice is a more adversarial approach of justice, which focuses on accountability and an appropriate punishment for a crime. This form of justice is mostly used in the discourse of western society. It is based on a principle of action and reaction and maintaining a balance in society. When someone committed a crime he or she constructs a 'debt' to either an individual (namely the victim) and/or society. Retributive justice mechanisms ensure that the culprit will be prosecuted, that he will pay for his actions in order to restore the balance in society. In the context of transitional justice this has resulted in prosecutions through international and joint domestic/international criminal courts and international criminal tribunals. Examples of retributive justice are the International Criminal Court and the International Criminal Tribunal for the former Yugoslavia.

Restorative justice on the other hand, focuses on the harm and need to repair injustices and to establish a more equal and harmonious society. Victims, offenders and representatives of their communities are brought together to talk about what happened. Victims must be given a central role in which they can talk about their suffering and can receive acknowledgement and reparations for their pain. Offenders are being encouraged to take responsibility for their actions and should be treated with respect. Restorative justice recognizes that the acts of individuals reflect upon the whole society. Therefore, the presence of the representatives of the communities of both the victims and the offenders is very important, especially in transitional societies.<sup>82</sup> An example where restorative justice was used is the transition period in South Africa, where criminal cases of a less serious nature, like assault or malicious injury to property, were resolved through victim-offender mediation. The mediation program gave the victims the opportunity to tell the offenders how the crime affected them and the offenders had the opportunity to apologize, explain their behavior and make some reparation or pay compensation. The process was completely voluntary and nobody was pressurized to participate.83 The possibilities and benefits of this approach to justice are often simplified in the field of transitional justice. Restorative justice mechanisms are seen as a replacement for punishment through the formal legal system. Its perspectives on establishing a harmonious society are used to promote the use of truth commissions and other mechanisms, which focus on the transformation of relationships and restoring the community.

The view of the international community on retributive and restorative justice is very dualistic. Retributive justice is often seen as a preferable approach as it is identified with the western discourse (and thus the international community). As explained above, the culprit must pay a debt to either the individual or society. This paid debt then settles the upset balance. Restorative justice on the other hand, does not focus on the 'debt' owed by the culprit, but on restoring or promoting a harmonious society through dialogue. Proponents of retributive justice often consider restorative justice not adequate enough as it doesn't seem to deal with the 'debt'. As mentioned above by Leebaw<sup>84</sup>, the discussion between retributive and restorative justice is mostly seen as a question whether to punish or to pardon. This results in a choice either for retributive or restorative justice. Blunt examples might be; accountability for mass violations could interfere with a fragile peace process and a truth commission could interfere with international legal trials.<sup>85</sup>

<sup>79</sup> (Mallinder 2007, p. 220)

<sup>80 (</sup>Lambourne 2009, p. 30 and Mallinder 2007, p. 20)

<sup>81 (</sup>Lambourne 2009, p. 30)

<sup>82 (</sup>Mallinder 2007, p. 220)

<sup>83 (</sup>UNHABITAT, unknown, p.1)

<sup>84 (</sup>Leebaw 2008)

<sup>&</sup>lt;sup>85</sup> (Lambourne 2009, p. 30-31)

Lambourne argues that this simplification of retributive and restorative justice serves to "mask rather than illuminate the multiple, complex human needs, expectations and experiences related to justice and reconciliation."86 In practice, the boundaries between retributive and restorative justice are not that sharp, as in traditional approaches to justice and conflict resolution different elements of retributive and restorative justice are combined.<sup>87</sup> Lambourne continues to argue that we should strive for a harmonization of retributive and restorative justice and look at creative ways to combine international, national and local mechanisms of transitional justice. Examples of an approach, which treated retributive and restorative justice as interdependent, are the gacaca tribunals in Rwanda. The gacaca tribunals were a community-based system of courts inspired by local traditions, set up to try thousands of genocide suspects and reduce the delays in the overburdened criminal justice system. Originally the gacaca trials are held in public where the family of victims and survivors can confront the accused in order to promote justice and reconciliation. In this public setting the accused is given the opportunity to confess or maintain his innocence and the community members can either speak for or against the defendant. By holding these trials in public on a local level where survivors, victims' families and community members could participate, the gacaca tribunals blended the retributive and restorative approaches of justice in an innovative way in their objective to seek justice and reconciliation at the same time.<sup>88</sup>

In the long run, as a part of the peace building process, justice stretches further than the transitional period; in order to create sustainable peace it must set up structures, institutions and relationships. Mani states that "peace building is a dynamic process that is essentially a political task, but also a social and associative process that rebuilds fractured relationships between people."<sup>89</sup> The ending of a conflict and the introduction of transitional justice mechanisms, which reduce the threat of violence, are of great importance to the process of peace building. However, they are insufficient for creating or reestablishing confidence in the government or to overcome trauma and psychological barriers between people, caused by the conflict. To maintain a sustainable peace, transitional justice and peace building need to promote legal, socioeconomic and political justice, which "combat a culture of impunity and set up structures to ensure ongoing respect for human rights and the rule of law."<sup>90</sup>

Legal justice is an overall concept for the different types of justice and mechanisms used to prosecute and try culprits and legally compensate victims. It is also mostly described as the 'rule of law' and is based on accountability, prosecution, punishment and compensation. When a legal system fails to pursue prosecutions, it fails to create respect for the rule of law, which in its turn can tear down conditions needed for peace and security. However, a focus solely on accountability and prosecutions does not rebuild relationships, which are needed to overcome the social divisions that undermine peace and security. Socioeconomic justice refers to financial or another kind of compensation used to restitute or repair harm done by past violations. It aims at alleviating the marginalized groups in a post-conflict society by the redistribution of social and economic factors in a transitional period. This is to establish "a feeling of justice about what occurred in the past and to ensure that structural violence in the future is minimized in order to promote a sustainable peace". Political justice finally, refers to the transformation of institutions and relationships to eliminate corruption and to promote a fair and transparent government to the population. Transparency and truthfulness are very important for a decent political life and thus essential for a transitional

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<sup>&</sup>lt;sup>86</sup> (Lambourne 2009, p. 31)

<sup>&</sup>lt;sup>87</sup> (Lambourne 2009, p. 31)

<sup>88 (</sup>Goldstein Bolocan 2004, p. 355-356)

<sup>&</sup>lt;sup>89</sup> (Mani in Lambourne 2009, p. 35)

<sup>&</sup>lt;sup>90</sup> (Lambourne 2009, p. 34)

<sup>&</sup>lt;sup>91</sup> (Lambourne 2009, p. 39)

<sup>&</sup>lt;sup>92</sup> (Lambourne 2009, p. 41)

<sup>93 (</sup>Lambourne 2009, p. 45)

government, which has the task to rebuild a society.<sup>94</sup> The sole purpose of political justice is to create and reestablish confidence in the government.

Whatever form of justice is used in a period of transition, it becomes clear that justice is an indispensable component of transitional justice. It may help to restore or maintain balance in society, establish a more equal and harmonious society, combat against a culture of impunity and create sustainable peace by setting up structures and institutions. These characteristics are also of importance to the development of a collective memory.

When a balance is restored or victims compensated by a form of justice, it is easier for people to process and close the door to a violent past. This is important, because when people can give emotional closure to what has happened in the past they can distance themselves from it, which prevents people from lingering in the past. In this manner the past will not negatively influence their present lives and their expectations of the future. He may be made the relations to the past by revising former values, conceptions and attitudes, he because emotional closure will change the relationship of the victim with the former perpetrator and with that their feeling towards the past. Therefore, memory may finally contribute to a process of working through past hatreds and resentments, which in turn might bring people's memories more in line with each other. This may create more unity within a nation, because a nation's unity depends on a shared identity, which in its turn depends largely on a shared memory. He may be a formed to a shared memory.

When some form of justice does not succeed to achieve its goal, dissatisfactions about the past will remain or even aggravate and might negatively influence the feelings of people in the present and their expectations of the future. Memory then, can impede a process of social and political change, because people will hold on to their old values, conceptions and resentments. Therefore, justice also plays an important role in the development of a collective memory in a post-conflict situation. We thus see, that justice might positively or negatively influences the development of collective memory. However, this mechanism works both ways, because collective memory can also determine how we perceive perpetrators and the gravity of their crimes committed. For instance if collective memory focuses on forced disappearances, trials will focus more on abductors, while there may have been countless other forms of atrocities committed as well. In this thesis this phenomenon will be a part one of the hypotheses, described later on in this chapter under the paragraph 'hypotheses'.

#### Truth-finding, truth-telling and truth commissions

The concept of truth is unfortunately less tangible than the concept of justice. There does not exist one truth, since everybody has their own perception of reality, which makes the effects of truth-telling on a peace building process difficult to measure. Despite this intangible characteristic, truth and truth commissions seem to play an important role in the literature on transitional justice and peace building. Mendeloff<sup>98</sup> states that in the literature "truth-telling ... is increasingly considered a necessary, if not vital, component of the peace building process, as important as demobilization, disarmament, or the holding of postwar elections." This statement can be substantiated by the literature on truth and truth commissions used in this thesis.

During the initiation of transitions in the late 1980s and early 1990s in countries in the Southern Cone, truth commissions where developed as an alternative form of accountability. <sup>99</sup> Truth commissions are officially assigned commissions, which exist for a limited period. Their task differs per country, but in general they are "dedicated to establish a historical record and compiling a narrative over a defined time period of violations, restoring a degree of social reconciliation and

95 (Jelin 2002, p. 12 own translation)

<sup>94 (</sup>Goti 2010, p. 153)

<sup>&</sup>lt;sup>96</sup> (Assmann and Shortt 2012)

<sup>&</sup>lt;sup>97</sup> (Zalaquett 1991, p. 1433)

<sup>98 (</sup>Mendeloff 2004, p. 355-356)

<sup>99 (</sup>Leebaw 2008, p. 99)

moral order, recommending ways to repair the damage and prevent repetition."<sup>100</sup> Although the danger exists that a truth commission becomes a substitute for trials and serves as a second best alternative to judicial punishment for perpetrators, they can also offer unique contributions to the process of transition that trials cannot.<sup>101</sup> Truth commissions respond to the public need for official acknowledgement of past societal wrongs and victims play a central role. "[They] have therefore helped redress the inherent individualist bias of human rights laws and instruments, bringing social processes and consequences to the fore."<sup>102</sup>

Laplante<sup>103</sup> argues that economic and social inequalities and grievances of the poor can impede a pathway to peace when not addressed. Therefore, she proposes to expand the mandates of the truth commissions, so as to analyze violations of not only civil and political rights, but also of economic, social and cultural rights.<sup>104</sup> They have the possibility to look at what happened during a conflict, but also to address more structural underlying causes of conflict. This was not done by the truth commissions of Argentina, Chile and El Salvador. They did provide explanations for political polarization, like "repressive state apparatuses, corrupt judiciaries, faulty rule of law and other institutional type weaknesses, which contributed to the continuation of violence."<sup>105</sup> However, they failed to look at the underlying structural causes of the conflict, particularly political clashes over socioeconomic ideologies.<sup>106</sup> Furthermore, truth commissions can offer a preliminary description of the socioeconomic conditions before, during and after the conflict, which can set "reform agendas for longer-term conflict recovery efforts."<sup>107</sup> Moreover, truth commissions can set the stage for national reconciliation, issue recommendations for development or provide political empowerment through testimony-taking processes.<sup>108</sup>

Arriaza and Roht-Arriaza,<sup>109</sup> however, argue that we should not look at truth commissions as a panacea, because of the time restriction. They define truth commissions as "official, time-limited fact-finding bodies generally charged with examining the roots, facts, patterns and consequences of dictatorship or armed conflict and presenting a report and recommendations to avoid recurrence."<sup>110</sup> Because of time and space limitations truth commissions need to pick illustrative and exemplary cases. They are restraint to the amount of evidence available, which are not necessarily the cases that are the most common, or cases that involve the worst violations, or cases of which there are no survivors to bear witness.<sup>111</sup> Thus, a truth commission report can only provide "a general, not a personal, 'truth' to many."<sup>112</sup> Furthermore, because of the short period of time in which a truth commission has to work, it does not create a widespread trust among a traumatized society. It cannot take testimonies from people of all sectors of society, which results in a partial, fictionalized or exaggerated official narrative of the past. "Even under the best circumstances, a truth commission can only hope to portray a snapshot of memory at a particular moment and cannot capture the processes of memory changing over time."<sup>113</sup> The rehabilitation of survivors is a long-term process, for which truth commissions are not suitable.

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<sup>&</sup>lt;sup>100</sup> (Roht-Arriaza 2006, p. 3 and Call 2004, p. 103)

<sup>&</sup>lt;sup>101</sup> (Call 2004, p. 103)

<sup>&</sup>lt;sup>102</sup> (Call 2004, p. 103)

<sup>&</sup>lt;sup>103</sup> (Laplante 2008)

<sup>&</sup>lt;sup>104</sup> (Laplante 2008, p. 333)

<sup>&</sup>lt;sup>105</sup> (Laplante 2008, p. 335)

<sup>&</sup>lt;sup>106</sup> (Laplante 2008, p. 335)

<sup>&</sup>lt;sup>107</sup> (Laplante 2008, p. 347)

<sup>&</sup>lt;sup>108</sup> (Laplante 2008, p. 348, 351, 353)

<sup>109 (</sup>Arriaza and Roht-Arriaza 2008)

<sup>&</sup>lt;sup>110</sup> (Arriaza and Roht-Arriaza 2008, p. 157)

<sup>111 (</sup>Arriaza and Roht-Arriaza 2008, p. 157)

<sup>112 (</sup>Arriaza and Roht-Arriaza 2008, p. 157)

<sup>113 (</sup>Arriaza and Roht-Arriaza 2008, p. 158)

According to Zalaquett<sup>114</sup> bringing facts to light can be, to a certain extent, a form of punishment in the way that "it provokes social censure against the perpetrators." "[Truth] in itself cannot dispense justice,"<sup>115</sup> however, it can put an end to continued injustice. In cases of disappeared people the truth can get them out of silence, which could mean an end to the suffering of their relatives. Furthermore, telling the truth is important because society cannot deny the facts of its own history, "however differently these may be interpreted."<sup>116</sup> Silence and oblivion will only lead to more conflicting and confusing versions of the past, possibly fueling a future conflict, but certainly leading to socioeconomic tensions.

Rosoux<sup>117</sup> states that since the worldwide implementation of truth commissions, truth and reconciliation have become closely associated. A lot of truth commissions, including the Argentinean one, emphasized reconciliation as a goal of the truth-telling processes. But is truth the road to reconciliation? According to Rosoux, truth-telling processes can be a condition as well as a potential impediment to achieve reconciliation. On one side truth-telling can lead to public acknowledgement for the pain of the victims; on the other side however a "search for truth can be seen as undermining the fragile cooperation by holding on to the past instead of looking to the future ... Although seeking accuracy about the past and allowing victims to tell their stories are vital steps in a reconciliation process, truth in itself does not bring reconciliation." The acknowledgement of facts by all sides is probably even more important for a process of reconciliation than simply revealing the past by telling the truth. Following Rosoux, different subjective views of the past do not necessarily undermine the search for truth. An intersubjective truth can only emerge when different interpretations of the past are allowed to exist. Past events cannot be undone or denied, however, the meaning that is attributed to past events is never fixed once and for all. Expecting the establishment of a single shared truth would be naïve. 119 Therefore, "the purpose is not to have a single agreed version of the past, but to achieve 'an agreed description of the basic factual landscape of the past' that could constitute the 'factual framework within which the vital healthy and unending battle of interpretations must go on.' "120

These are a few examples of different theoretical perspectives about the role of truth and truth commissions in post conflict countries. It becomes clear that most of the authors impute an important role to truth and truth commissions with regard to peace building. Mendeloff has deduced eight primary claims about the peace promoting effects of truth-telling from the literature. "Truth-telling (1) encourages social healing and reconciliation, (2) promotes justice, (3) allows for the establishment of an official historical record, (4) serves a public education function, (5) aids institutional reform, (6) helps promote democracy, and (7) preempts as well as (8) deters future atrocities."<sup>121</sup>

According to Mendeloff these claims are based on factual and theoretical assumptions about the causes of war and peace, which are either "factually of logically flawed, highly contentious or misconstrued." This, of course, raises questions about the proclaimed utility of the role of truth and truth commissions. Mendeloff concludes that more systematic research is needed before the utility of truth mechanisms can be determined. Although Mendeloff might have a point by saying that more scientific evidence is needed when it comes to the effectiveness of truth-telling, it does not in any way diminish the importance of it. In every post-conflict situation, we see a cry for truth from the population. Even without outside interventions, a post-conflict society will turn to itself to

<sup>&</sup>lt;sup>114</sup> (Zalaquett 1991, p. 1433)

<sup>&</sup>lt;sup>115</sup> (Zalaquett 1991, p. 1433)

<sup>&</sup>lt;sup>116</sup> (Zalaquett 1991, p. 1433)

<sup>&</sup>lt;sup>117</sup> (Rosoux 2009)

<sup>&</sup>lt;sup>118</sup> (Rosoux 2009, p. 555)

<sup>&</sup>lt;sup>119</sup> (Rosoux 2009, p. 565)

<sup>&</sup>lt;sup>120</sup> (Ash in Rosoux 2009, p. 565)

<sup>&</sup>lt;sup>121</sup> (Mendeloff 2004, p. 358)

<sup>&</sup>lt;sup>122</sup> (Mendeloff 2004, p. 362)

<sup>&</sup>lt;sup>123</sup> (Mendeloff 2004, p. 361 – 362)

find out what exactly happened in the past to move forward as a whole. Furthermore, albeit that some authors may overstate the effectiveness of truth mechanisms they still all have something in common; truth is one of the most important issues to settle a sustainable peace. Mendeloff himself deduced no less than eight peace promoting effects of truth-telling. Even if half of these were effective, it would still be worth to find the truth.

Something that is narrowly linked with finding and telling the truth is the concept of blaming. In order to reveal the truth and create an official national narrative it must be clear who the offenders are and who the victims are. In short, in a post-conflict situation there exist victims, so there must exist perpetrators as well. Somebody has to be to blame for the evil that befell the victims. Therefore, alongside a process of truth-finding, a process of blaming is also started to contribute to identifying this group of perpetrators and to provide the victims with a feeling of justice. Furthermore, blaming following truth-finding also has the effect that certain groups that might be guilty but were not to blame in the end, can rejoin society as active members. An example of this are low ranking Nazi soldiers who committed atrocities but, as decided by the Nuremberg Trials, were not to blame as they were simply following orders of their superiors. This contributes to the healing of a torn society and moving people along on the path to a sustainable peace. For the value and meaning of an official truth, it is of great importance that the truth-finding and blaming is done by authoritative sources, in the form of a criminal court and/or a truth commission. The process of blaming and its consequences differ when carried out by a criminal court or a truth commission. 124

There exist two concepts of blaming; broad and narrow blaming. When targeted at large institutions like the police, the government, political and religious groups or countries one can speak of broad blaming. This type of blaming was also the purpose of the truth commission in Argentina, of which its mandate was to investigate the fate and whereabouts of the disappeared. In narrow blaming, the responsibility of wrongdoing is assigned to individuals or a small group of people. 125 Furthermore, there exist two types of blaming, namely retributive and restorative blaming. Retributive blaming is aimed at establishing the guilt of perpetrators and attaining criminal convictions. Through the convictions it aims at providing a more complete understanding of the past to make it clear who are the victims, how much they suffered and to provide them with the feeling that their suffering is being heard. It also has more distant goals such as giving a voice to the masses or rebuilding a deeply divided society by punishing the perpetrators and promoting reconciliation. Restorative blaming seeks to show society that the victims were the objects of someone else's wrongdoing. It is also aimed at explaining the causes behind the violence and is less directed at the guilt of the perpetrators than retributive blaming. 126

Scholars disagree about which type of blaming is more important or useful. They agree about the fact that the violent past must be brought into the open and that it must be known who are responsible for the sufferings and who are not. However, they differ on the issue "whether justice essentially consists in giving each person his or her due or in reincorporating victims into a community of equals and restoring their self-respect by paying heed to their voices and acknowledging their plight."127 There are also scholars who are critical about the concept of blaming, because it would ignore the multiplicity of causes of violence and thus provide a too thin and simplified view of the past.

Goti argues that blaming indeed provides a limited version of the past, however, finding and disclosing the whole exact truth is doomed to become an uninteresting collection of data. "Without finger pointing, the very idea of truth-finding is a vague ideal with no direction [...] blaming steers our gaze toward the past in ways that enable us to identify the relevant agents."128 If we find it important to remember as much as possible, we will lose track of what we seek to remember. Besides, it is

<sup>&</sup>lt;sup>124</sup> (Goti 2010, p. 154)

<sup>&</sup>lt;sup>125</sup> (Goti 2010, p. 155)

<sup>126 (</sup>Goti 2010, p. 155-156)

<sup>&</sup>lt;sup>127</sup> (Goti 2010, p. 156)

<sup>128 (</sup>Goti 2010, p. 157)

impossible for a human being to remember every detail of everything he or she has experienced. If we would remember every detail of every object and event, it would take away any possible meaning from it. Therefore, meaningful memories require oblivion, forgetfulness and unawareness. The process of selecting objects and events, which have a meaning to us and thus are worth remembering, makes us set aside innumerable things. This process of selecting memories is very important in the process of blaming; it gives a direction in the process of finding the truth and establishing a national narrative.

Furthermore, the processes of blaming differ when carried out by a criminal court or a truth commission. Criminal courts aim at revealing a culpable mind and giving an exact punishment, where truth commissions seek to create a complete story of how some individuals were turned into victims by the deeds of others. When we look at the value of truth and truthfulness, Goti states that truth commissions are more credible for the fact that "unlike criminal courts, truth commissions predominantly are not intended to reveal a culpable mind and to exact punishment, but rather to attain a full description of the harm done from the victims' standpoint". Without the danger of being punished for their crimes, perpetrators often do not fear telling the complete story. Truth commissions aim at restoring self-respect and self-esteem of victims, therefore, the narrow blaming practice of the truth commissions gives a more complex and encompassing conception of the past than do criminal trials. 131

Truth is another important component of transitional justice, because it is considered a necessary, if not vital, component of the peace building process and it contains eight peace promoting effects. In addition, truth plays an important role for the component justice as well, because without the truth about who are the perpetrators and who are the victims, there can be no justice. The truth, however, is an intangible concept, because everybody has its own perception on reality. Different groups within society have their own perception on the past and thus their own interpretation of history. This interpretation of history is influenced by the collective memory of a group, but the interpretation of history can influence the collective memory of the group as well. Taking note of another interpretation of history may change perspectives, norms and values, which in turn influences the collective memory. This characteristic of truth can be positively used in a transitional process. When the majority of society accepts an official version of history, it will become part of the hegemonic collective memory. This will favor a shared national identity and a feeling of unity within the nation.

Truth is thus an important component of transitional justice, as well as an important variable for understanding the development of collective memory in a post-conflict society. An interpretation of the truth is formed by collective memory, but can form collective memory as well. When a transitional government manages to get an official truth accepted by the majority of society, it will achieve a feeling of unity, which is favorable for a peace building process.

#### Reconciliation

In the 1980s and 1990s a dilemma was raised within the transitional justice debate. The short-term goal of transitional justice was "to engage with inherited traditions and centers of power in order to maintain a degree of stability and legitimacy", <sup>132</sup> however, the long-term goal was "to challenge and transform inherited values and political relationships". <sup>133</sup> This dilemma was also referred to as the "tensions between transitional justice and reconciliation". <sup>134</sup> Reconciliation referred to "political compromises to stabilize a new regime". <sup>135</sup> Human rights advocates often opposed this and the

<sup>&</sup>lt;sup>129</sup> (Goti 2010, p. 157-158)

<sup>&</sup>lt;sup>130</sup> (Goti 2010, p. 160)

<sup>&</sup>lt;sup>131</sup> (Goti 2010, p. 161)

<sup>&</sup>lt;sup>132</sup> (Leebaw 2008, p. 101)

<sup>&</sup>lt;sup>133</sup> (Leebaw 2008, p. 101)

<sup>&</sup>lt;sup>134</sup> (Leebaw 2008, p. 101)

<sup>&</sup>lt;sup>135</sup> (Leebaw 2008, p. 106)

consequence was that reconciliation now had a negative connotation. However, the initiation of truth commissions was seen as a compromise, which advanced reconciliation and created some kind of accountability for past abuses.

Because nowadays the different instruments of transitional justice are seen more as complementary to each other, the goal of reconciliation has been adapted. First reconciliation had served the stability of a (transitional) government in the short run, so it became the opposite of transitional justice, which was a threat to short term stability. But now reconciliation is associated with the long-term aspiration for political community and consensus. Hereby a minimalist conception of reconciliation contains "the principle of democratic reciprocity among conflicting parties or between the governors and the governed." A more expansive conception contains "a range of features associated with democracy, including tolerance of political and ethnic diversity and respect for human rights." In this research project the 'new' definition of reconciliation with an expansive conception will be used.

According to Rosoux, we can distinguish three approaches to political reconciliation: structural, social-psychological and spiritual approaches. The structural approaches deal with the interests and the issues at stake by giving priority to "security, economic interdependence and political cooperation between parties." By establishing mutually accepted structural and institutional mechanisms, a general perception of threat can be reduced and possible disagreements can be resolved. The social-psychological and spiritual approaches concentrate on the relationships between the parties. The social-psychological approaches "underline the cognitive and emotional aspects of the process of rapprochement between former adversaries." Where the spiritual approaches "accentuate a process of collective healing based on the rehabilitation of both victims and offenders." The implementation of structural changes can be done relatively quickly after the end of a conflict and can provide a basic level of trust between parties. However, these measures alone are not sufficient to resolve conflicts. A process of reconciliation obviously requires the transformation of relationships between former belligerents, which does not occur that quick and easy. Acceptable process of the process of the process of reconciliation obviously requires the transformation of relationships between former belligerents, which does not occur that quick and easy.

Every conflict is different and therefore reconciliation acquires a different meaning in each situation. In post-apartheid South Africa for example, reconciliation meant 'learning to live together', because former enemies had to live in the same country. Public opinion polls showed that people associated reconciliation mostly with forgiveness, unity and racial integration. <sup>144</sup> In the Southern Cone, reconciliation became for a large part the opposite of the call for prosecution, because of politics of oblivion and silence in the 1990s. <sup>145</sup> In the eyes of many people, reconciliation became synonymous with the apparent impunity of the perpetrators. Having said that, one cannot deny that people in different violent conflicts have similar experiences. But how do former belligerents need to try to restore their relationship?

According to Ignatieff, political reconciliation means, "accepting the world as it actually is, instead of fighting or opposing it." This process of acceptance implies three forms of reassessment: reassessment of the representation that each party has about the other, reassessment of the self-image and reassessment of the common past. If In conflicts the demonization and dehumanization

<sup>137</sup> (Leebaw 2008, p. 106)

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<sup>&</sup>lt;sup>136</sup> (Leebaw 2008, p. 105)

<sup>&</sup>lt;sup>138</sup> (Leebaw 2008, p. 106)

<sup>&</sup>lt;sup>139</sup> (Rosoux 2009, p. 544)

<sup>&</sup>lt;sup>140</sup> (Rosoux 2009, p. 544)

<sup>&</sup>lt;sup>141</sup> (Rosoux 2009, p. 544)

<sup>&</sup>lt;sup>142</sup> (Rosoux 2009, p. 544)

<sup>&</sup>lt;sup>143</sup> (Rosoux 2009, p. 545)

<sup>&</sup>lt;sup>144</sup> (Dudai 2007, p. 254)

<sup>&</sup>lt;sup>145</sup> (Leebaw 2008, p. 102)

<sup>&</sup>lt;sup>146</sup> (Ignatieff in Rosoux 2009, p. 549)

<sup>&</sup>lt;sup>147</sup> (Rosoux 2009, p. 550)

of the enemy will prevail and dominate the perceptions of groups. The denial of 'the other' as human being will even become a central element of the identity of a group. This makes the reassessment of the other and the self-image difficult, because the recognition of the other's identity means the destruction of its own identity. Therefore, no group will be expected to make a move, unless it develops a sense of assurance of the existence of its own identity. Obviously, the recognition of the enemy is a long and slow process. Losses need to be mourned in order for groups to alter their position and develop a kind of empathy. It requires a change of attitude, from backward-looking to forward-looking, which can only be achieved when coexistence appears to be a necessity for each party. Therefore, the pursuit of common goals and the establishment of personal relationships between parties are very important for the mitigation of the impact of dehumanization.<sup>148</sup>

The reexamination of historical narratives and the revaluation of national myths on each side of the conflict are important for coming to terms with the past. It is not the question whether to forget or to remember, but how to remember and forget in order to move forward. There must be shed light on uncomfortable episodes of the past, although it should be done in a later stage of the reconciliation process, because in an earlier stage there will be powerful resistance within the population. Each party is supposed to take responsibility for the past pain, because, with exception of genocide, mass killing or crimes against humanity, generally conflicts lead to victims and grievances on each side. Public acknowledgement of the crimes by perpetrators or representatives of the state is also very important, although this proves to be very difficult in practice, because every party perceives itself as the victim. An important requisite for the impact of public acknowledgement is a basic level of trust between parties. Without trust, the acknowledgements of the opponents or even apologies are perceived as manipulative actions. In such situations, the willingness for reconciliation may even decrease among the population.

In the literature reconciliation is often linked with the concepts of justice, truth, pardoning and forgiveness. Each historical case shows that these concepts are deeply interconnected, however, it cannot be said that there exists a linear correlation between these concepts and reconciliation, and therefore they cannot be seen as preconditions for reconciliation. Justice appears as a component of reconciliation, because many victims state that there cannot exist reconciliation without justice. Therefore, an important question is not whether justice is done, but how justice should be done in order to promote peace. (Different approaches are described above.) It is evident that justice is required in the aftermath of a conflict, however, it can hardly provide the only basis for reconciliation. A described above, truth and reconciliation have become associated with the worldwide implementation of truth commissions. However, truth-telling processes can be a condition as well as a potential impediment to achieve reconciliation. Although truth-finding and truth-telling are vital steps in a reconciliation process, truth in itself does not bring reconciliation. Thus a post-conflict society must look at all of these components when it is striving for reconciliation.

"According to some scholars, the degree to which truth commissions contribute to long-term reconciliation is partly determined by whether perpetrators or state officials acknowledge and apologize for wrongs." This leads to the examination of the concepts of pardoning and forgiveness. Although the relation between forgiveness and reconciliation is controversial due to a lack of a universal significance, the political use of forgiveness and the metaphorical character when used in a collective frame, it is worth looking at. According to Goti, "wrongdoing engenders resentment and indignation, which arouse a strong desire that the agent be made to suffer, usually expressed as

<sup>&</sup>lt;sup>148</sup> (Rosoux 2009, p. 550)

<sup>&</sup>lt;sup>149</sup> (Rosoux 2009, p. 551)

<sup>&</sup>lt;sup>150</sup> (Rosoux 2009, p. 552)

<sup>&</sup>lt;sup>151</sup> (Rosoux 2009, p. 553)

<sup>&</sup>lt;sup>152</sup> (Rosoux 2009, p. 554)

<sup>&</sup>lt;sup>153</sup> (Rosoux 2009, p. 555)

<sup>&</sup>lt;sup>154</sup> (Rosoux 2009, p. 556)

<sup>&</sup>lt;sup>155</sup> (Rosoux 2009, p. 556)

condemnation of the act, the agent or both."<sup>156</sup> Thus, retributive emotions tie us to the wrongdoings of the past, which means that we feel that the perpetrator owes a debt to the victim or the community. We are emotionally bound with the perpetrator and his deeds until he is punished or pardoned for the act.<sup>157</sup> Goti defines pardoning as "the termination of a backward-looking relationship based on resentment and as consent to the inclusion of the wrongdoer in the community as another member worthy of considerations and respect."<sup>158</sup> Pardoning is something unilateral, it only demands that the forgiver is in a position that he or she is able to forgive. This also means that the wrongdoer does not necessarily show remorse, however, in general showing remorse does contribute to the mitigation of resentment. Furthermore, forgiving is not the same as acquitting someone from punishment, a perpetrator might still pay for what he did to be able to be part of a community again. Finally, forgiving, as a unilateral act, gives a sense of power to the forgiver and in this sense it can be essential to a process of reconciliation. This is because the former victims now experience a feeling of emancipation as a result of this power over their former oppressors. However, it is important to emphasize that forgiving should not ignore the condemnation of the wrongdoing of the perpetrators.<sup>159</sup>

Something, which can impede a process of reconciliation, is the concept of impunity. Lessa defines impunity as "a lack of and exemption from punishment or accountability for a crime." 160 Impunity rests on two complementary pillars, namely the denial of truth and the absence of justice. However, according to Lessa there are more issues at stake in a situation where human rights are violated. Therefore, she finds it important that the constituent elements of impunity are unveiled. These include "the lack of remedies and reparations for victims; the failure to investigate, provide justice and attribute responsibility; an element of official sanction and/or complicity by law enforcement authorities; abuse of power; and the legitimization of falsehood."161 Impunity can be sustained and reproduced through formal and informal mechanisms. Examples of formal mechanisms are; amnesty and self-amnesty laws, presidential pardons, decrees or provisions within the Constitution, other forms of clemency, and the application of military jurisdiction. Informal mechanisms can be used by officials in charge of institutions with relevant duties, such as public prosecutors, judges and other authorities such as the police, who are purposely delaying or interfering with proceedings and investigations. Both formal and informal mechanisms can impede prosecutions and punishment of perpetrators and the discovery of facts in crime investigations. Impunity thus, has its impacts on society as a whole and it can contribute to a continuing cycle of violence.<sup>162</sup>

The case of Argentina is a good example of how a culture of impunity, which is a key factor in the continuity of human rights abuses, sustains cycles of violence and impedes a process of reconciliation. Impunity has characterized the country for many years, starting with the atrocities of the military regime, it was sustained and reproduced in the 1980s en 1990s through amnesty laws and presidential pardons (for a more details, see chapter 3; Historical Background - Carlos Saúl Menem). Although those laws are now annulled, they were in place for more than 15 years, affecting the human rights landscape, which in its turn still has its effects nowadays. In the 1980s and 1990s perpetrators of human rights violations could openly walk the street and go about their lives. Some even taught on military or police academies, training the next generation of officers to use certain torture methods like the *picana electrica* or the *submarino* (also mentioned above). Furthermore, informal mechanisms also promote impunity and prevent the healing of a nation. These informal mechanisms include; police tampering with forensic evidence and the lingering of lawsuits for years

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<sup>&</sup>lt;sup>156</sup> (Goti 2010, p. 163)

<sup>&</sup>lt;sup>157</sup> (Goti 2010, p. 163)

<sup>&</sup>lt;sup>158</sup> (Goti 2010, p. 164)

<sup>&</sup>lt;sup>159</sup> (Goti 2010, p. 163-164)

<sup>&</sup>lt;sup>160</sup> (Lessa 2011, p. 30)

<sup>&</sup>lt;sup>161</sup> (Lessa 2011, p. 30)

<sup>&</sup>lt;sup>162</sup> (Lessa 2011, p. 31)

or even decades.<sup>163</sup> The persistence of this culture of impunity sends a clear message to future human rights violators: "it is highly unlikely they will ever face justice." <sup>164</sup>

Despite the fact that reconciliation is a polysemic concept, it has become more popular in the transitional justice literature. Some even call it "probably the most important condition for maintaining a stable peace." The concepts of justice, truth, pardoning and forgiveness might serve a process of reconciliation. The qualities of these concepts might create an environment for reconciliation to work. When perpetrators are being prosecuted so a balance can be restored within society, an official truth is being told and is accepted by the majority of society, impunity is combatted and structures and institutions are set up to create sustainable peace it is easier for people to reconcile with each other.

Reconciliation is an important variable for understanding the development of collective memory as well. The way reconciliation is conceptualized within a society says a lot about how a conflictive past is being processed, or whether or not a society has overcome social divisions. When people are not eager to reconcile with each other there are probably still unresolved problems within society regarding the conflictive past. It is possible that the collective memory of a group is impeding a process of reconciliation, because their collective memory is not respected, adapted and contained and therefore, they resist the hegemonic collective memory. A struggle about the meaning of the past and the meaning of memory itself will then remain. However, it depends on the size and position of the group within society and the seriousness of their resistance with the hegemonic collective memory, whether or not it will have effect on a process of national reconciliation.

#### **Social movements**

Another theoretical strand important to this research project is that of social movements. First, the concept of social movements will be explained, and then the relationship between collective memory and collective action through social movements will be elaborated. Finally, it will be described how memory can be used by social movements in their battle for a common purpose.

Social movements are a specific form of collective action, which is different from forms of collective action like political parties or interest groups. Della Porta and Diani<sup>166</sup> use three criteria to effectively characterize social movements. They are involved in conflictual relations with clearly identified opponents, they are linked by dense informal networks, and they share a distinct collective identity. This leads to the following definition; "We have a social movement dynamic going on when single episodes of collective action are perceived as components of a longer-lasting action, rather than discrete events; and when those who are engaged in them feel linked by ties of solidarity and of ideal communion with protagonists of other analogous mobilizations."<sup>167</sup> A similar definition is given by Tarrow, who defines social movements as "collective challenges, based on common purposes and social solidarities, in sustained interaction with elites, opponents, and authorities."<sup>168</sup>

The first characteristic of social movements, which differentiates them from other forms of collective action, is the involvement of conflictual relations with clearly identified opponents. According to Della Porta and Diani<sup>169</sup> "[the] genesis of social movements is in the co-existence of contrasting value systems and of groups in conflict with each other." Social movements want to promote or oppose social change, which generates an oppositional relationship with other actors in society who seek to control the same stake. The conflict can be about political, economic or cultural power and the demands of the oppositional actors would, if realized, damage the interests of the

<sup>&</sup>lt;sup>163</sup> (Lessa 2011, p. 38-39)

<sup>&</sup>lt;sup>164</sup> (Lessa 2011, p. 39)

<sup>&</sup>lt;sup>165</sup> (Rosoux 2009, p. 543)

<sup>166 (</sup>Della Porta and Diani 2006, p. 20)

<sup>&</sup>lt;sup>167</sup> (Della Porta and Diani 2006, p. 23)

<sup>&</sup>lt;sup>168</sup> (Tarrow 2011, p. 46)

<sup>&</sup>lt;sup>169</sup> (Della Porta and Diani 2006, p. 13)

other actors.<sup>170</sup> Tarrow defines this oppositional relationship as "contentious politics" and describes it as "what happens when collective actors join forces in confrontation with elites, authorities, and opponents around their claims or the claims of those they claim to represent."<sup>171</sup> Contentious politics occur when "changing political opportunities and constraints create incentive to take actions for actors who lack resources on their own."<sup>172</sup> Collective action thus becomes contentious when people who lack access to representative institutions, who claim something new or unaccepted and who challenge authorities or other actors in society, use it.<sup>173</sup>

The second distinctive element of social movements is that they consist of dense informal networks. Both individuals and organizations exchange resources in the interest of a common goal, while keeping their autonomy and independence. "The coordination of specific initiatives, the regulation of individual actors' conduct, and the definition of strategies all depend on permanent negotiations between the individuals and the organizations involved in collective action." It is not possible that one single actor or organization represents a whole social movement. Della Porta and Diani state that this basis of an informal network leaves more room for individuals to play an independent role in the political process, than when collective action is concentrated within formal organizations. Individuals who can start, stimulate and sustain a social movement are also called movement or moral entrepreneurs. A movement or moral entrepreneur is someone who tries to influence a group to adopt or maintain a norm. However, he or she can only accomplish this by tapping into and expand deep-rooted feelings of solidarity and identity. In the interest of a common specific initiatives, the regulation of specif

This leads us to the third characteristic of social movements, a shared distinct collective identity. A shared collective identity goes further than the sum of events or initiatives; it is associated with recognitions and the creation of connectedness. 177 "It brings with it a sense of common purpose and shared commitment to a cause, which enables single activists and/or organizations to regard themselves as inextricably linked to other actors, not necessarily identical but surely compatible, in a broader collective mobilization." 178 Tarrow also states that at the basis of common actions lay common or overlapping interests and values. People will not sacrifice their time or, in extreme cases, risk their freedom when they don't have a good reason for it. 179 "Individuals need to perceive political opportunities and be emotionally engaged by their claims if they are to be induced to participate in possibly risky and certainly costly collective actions." 180 These common purposes and collective identities are important building blocks of social movements; if they are no longer shared a social movement will fall apart. 181

In the following paragraphs the three characteristics of social movements – conflictual relations with clearly identified opponents, a composition of dense informal networks and a shared distinct collective identity – emerge when the link between collective memory and collective action is elaborated.

<sup>172</sup> (Tarrow 2011, p. 40)

<sup>&</sup>lt;sup>170</sup> (Della Porta and Diani 2006, p. 21)

<sup>&</sup>lt;sup>171</sup> (Tarrow 2011, p. 36)

<sup>&</sup>lt;sup>173</sup> (Tarrow 2011, p. 43)

<sup>&</sup>lt;sup>174</sup> (Della Porta and Diani 2006, p. 21)

<sup>&</sup>lt;sup>175</sup> (Della Porta and Diani 2006, p. 21)

<sup>&</sup>lt;sup>176</sup> (Tarrow 2011, p. 50)

<sup>&</sup>lt;sup>177</sup> (Della Porta and Diani 2006, p. 21)

<sup>&</sup>lt;sup>178</sup> (Della Porta and Diani 2006, p. 21)

<sup>&</sup>lt;sup>179</sup> (Tarrow 2011, p. 49)

<sup>&</sup>lt;sup>180</sup> (Tarrow 2011, p. 52)

<sup>&</sup>lt;sup>181</sup> (Tarrow 2011, p. 51)

#### Collective memory and collective action

As mentioned above by Halbwachs, collective memory is based on a coherent body of people; however, the individual as a group member is the one who remembers. What makes these grouporiented memories hang together is that they are part of a totality of thoughts common to the group. This can be a group in which we find ourselves right now or with whom we have had a relation in the past.<sup>182</sup> "Just as public opinion reflects the consolidation of individual preferences into a collective whole, collective memory functions in a similar vein, comprising the sum total of personal recollections of various individual members who experience or have knowledge of specific events."183 So when collective memory reflects the choice of preferences of social groups, the link between collective memory and collective action seems self-evident. A shared collective memory can be seen as part of a shared collective identity. This shared past, or shared identity, may strengthen social cohesion, group solidarity and group cooperation, which can lead to social incentives for collective action. Furthermore, collective memory may have its effects on individual decision-making "by providing group members with historically nuanced perspectives that may enhance their possibility of joining collective action efforts."184 There are thus two effects of collective memory that can lead to collective action. The first effect is providing a sense of a shared past or shared identity, which leads to group solidarity and cooperation. The second effect is influencing the individual decisionmaking process through a historically nuanced perspective established by the group.

For oppressed groups, however, the influence of collective memory on collective action may not necessarily be positive. Individuals will make a cost-benefit analysis about whether to participate in a group or not. "Past events symbolizing the cost of challenging structures of oppressions may weaken the possibility of cooperation among oppressed groups, while events symbolizing victory may signal that successful cooperation is viable." Harris the theoretical links between collective memory and collective action through a social movement perspective on micro mobilization. This perspective argues that micro-level processes are combined with macro-level resources in the formation of collective action. Micro-level processes are the face-to-face interactions between people, from which group solidarity, feelings of political empowerment and interpretations of collective identities, grievances and opportunities are derived. Examples of macrolevel resources are financial support, social networks, communication and meeting places. Through micro-level processes collective memory "may stimulate movement participation by providing a lens through which actors could articulate grievances, cement loyalties, establish goals and reflect on the possibility for successful cooperation." 187 Whether this will lead to collective action depends on the situation of the macro-level resources and the cost-benefit analysis individuals will make of the situation.

An example of investigations on how shared memories influenced movement participation among African Americans in the 1960s showed that activists were more likely to emerge from families where elders shared stories of injustices. In climates of fear and oppression elders shared their stories in private settings, which helped to sustain opposition in the communities. When the political opportunities emerged, community elders started to share their memories in public spaces, which renewed self-respect and deepened the group identity of the African American community. 188

The three characteristics of social movements, namely; the involvement of conflictual relations with clearly identified opponents, the linkage with dense informal networks and a shared collective identity, can be found in this investigation. In the US of the 1960s there existed great tensions between the African American and Caucasian communities. The African American

<sup>&</sup>lt;sup>182</sup> (Halbwachs 1992, p. 22 and 52)

<sup>&</sup>lt;sup>183</sup> (Harris 2002, p. 155)

<sup>&</sup>lt;sup>184</sup> (Harris 2002, p. 155)

<sup>&</sup>lt;sup>185</sup> (Harris 2002, p. 156)

<sup>&</sup>lt;sup>186</sup> (Harris 2002)

<sup>&</sup>lt;sup>187</sup> (Harris 2002, p. 160)

<sup>&</sup>lt;sup>188</sup> (Harris 2002, p. 159)

community thus had a clearly identified opponent. Because of a shared past of repression and slavery a shared identity was created, which was emphasized by their skin color. This shared identity provided a basis for the formation of a dense informal network. When the political environment allowed it, collective action of the African American communities found its expression.

#### Memory entrepreneurs and their mnemonic battles

Collective memory can, next to the cause, also be the objective of collective action. As mentioned above by Jelin, after the fall of a dictatorial regime an opening arises in which a struggle of memory against memory can take place. This struggle between different mnemonic actors is also called a mnemonic battle. Mnemonic battles can be fought within or between mnemonic communities and most of them are fought over the 'correct' way to interpret the past. "As we develop a collective sense of history, we do not always agree on how a particular historical figure or event ought to be remembered." For example, many Americans regard Columbus as a hero, while others claim that he should be remembered as the beginning of the European expansionist spirit, colonialism and massive destruction of the environment. 191

Mnemonic communities who enter into a mnemonic battle use the past to place different interpretations and feelings about the past into the political arena, with the intention to establish, convince and convey a story, which needs to be accepted by the public. After a conflict or the fall of a repressive regime they are struggling to assert the legitimacy of 'their' truth. The memories of the ones who have been repressed and marginalized also try to claim justice. With these claims memory, truth and justice converge, because the struggle for the meaning of the past is actually a demand for justice. Within a mnemonic battle, the state plays a central role in establishing an official history or memory. In the absence of parameters for sociopolitical legitimation based on general ethical criteria (the legitimacy of the rule of law) and of the translation or transfer of memory to institutional justice, there will be ongoing disputes about who can promote or demand what, about who can speak and in whose name."

Jelin uses the theory of Howard Becker of 'moral entrepreneurs' to explain the struggle for memory of actors in society. A moral entrepreneur is a person who tries to influence a group to adopt or maintain a norm. In the struggle on collective memory the people who are fighting this struggle can be seen as 'memory entrepreneurs' who try to promote their version of the past. These people are also concerned by, and pay attention to maintain, social and political attention for their work. <sup>196</sup>

Due to the mnemonic battles in the countries in the Southern Cone the human rights movement has been, and continues to be, an important social movement, which consists of memory entrepreneurs. According to Jelin<sup>197</sup>, public and political uses of memory are embedded in the concept of the memory entrepreneur. She follows the theory of Todorov, who differentiates between 'good' and 'bad' uses of memory. The bad use of memory is called 'literal memory', which "highlights a difficulty in processing the memories of the past, in 'working them through' and in making a critical selection of what should be remembered and what not in order to construct a better future" <sup>198</sup>. This is opposed by the good use of memory, which is called 'exemplary memory'. This use of memory is "oriented towards the future, and extracts from traumatic memories those

<sup>&</sup>lt;sup>189</sup> (van Drunen 2005, p. 36)

<sup>&</sup>lt;sup>190</sup> (Zerubavel 1996, p. 295)

<sup>&</sup>lt;sup>191</sup> (Zerubavel 1996, p. 295)

<sup>&</sup>lt;sup>192</sup> (Jelin 2002, p. 39 own translation)

<sup>&</sup>lt;sup>193</sup> (Jelin 2002, p. 43 own translation)

<sup>194 (</sup>Jelin 2002, p. 40 own translation)

<sup>&</sup>lt;sup>195</sup> (Jelin 2003, p. 44)

<sup>&</sup>lt;sup>196</sup> (Jelin 2002, p. 49 own translation)

<sup>&</sup>lt;sup>197</sup> (Jelin 2003, p. 35)

<sup>&</sup>lt;sup>198</sup> (van Drunen 2005, p. 37)

elements that have an exemplary value, that permit generalizations and lessons for the future." <sup>199</sup> Jelin emphasizes that using memory involves a dual task:

"First, it is necessary to overcome the pain caused by remembrance and successfully contain it so that it does not invade life completely; second, and here we move from the private and personal level to the public realm, it is necessary to learn from it, drawing from it the lessons that would make the past the guide for action in the present and the future."<sup>200</sup>

Jelin's theory shows a lot of similarities with Todorov's 'exemplary memory' in that they both emphasize on processing the past and draw lessons from it to use in the future. Jelin does, however, differentiate between the private and public realm, whereas Todorov does not. Todorov on the other hand, deals in absolutes when it comes to the use of memory in practice. He discusses a bad use of memory that he calls 'literal memory'.

It is important to take heed of the use of collective memory in a post-conflict society. As we have seen, after a conflict there are almost always mnemonic battles that take place in the public area, where they are politicized. The different parties then vie over who has the best claim to 'the truth'. Memory entrepreneurs are the most important actors in this battle of sorts and thus make use of the collective memory. In post conflict-societies, however, the collective memory is for the most part made up by a series of traumatic events. These events can either be selectively used to construct a version of the past that allows a society to move forward, or they can be processed to heal the past, learn from it and used for a better future. These mnemonic battles and their entrepreneurs are rarely so absolute but are often far more complex, something we will see in the following chapters.

#### Linking theory to practice

Above, the three theoretical strands on which this research project is founded were elaborated. First, the theories on collective memory where described, followed by the theories on transitional justice, in which the variables justice, truth and reconciliation are explained and finally, the theories on social movements were elaborated. What remains, is to see how these theoretical strands are related to each other and this research project.

As a reminder, the definition of transitional justice used in the research project is as follows; Transitional justice refers to how societies 'transitioning' from repressive rule or armed conflict deal with past violations of human rights and humanitarian law, how they overcome social divisions or seek 'reconciliation', and how they create justice systems so as to prevent future human rights atrocities. Scholars discuss about whether Argentina still finds itself in a period of transition or not. For this research project, however, that discussion is not important because this project focuses on the collective memory concerning the dictatorial period until the present. This timescale certainly contains a period of transition, which is precisely the period that is of interest to this research project.

The Argentinean historical period that is of concern for this research project is a post-conflict period. During the dictatorial regime, injustice and trauma has been done to many people, which has caused disturbed and fragmented relationships between groups within society. During a period of transition after a conflict, it is important that these disturbed relationships are being healed. Both processing the traumas of the past, as well as finding social, legal and political justice might do this healing. This is where the theories on transitional justice are of great importance. In this research project the main theory on transitional justice provides an overarching framework for the variables of justice, truth and reconciliation. Each one of these variables may contribute to a process of healing the disturbed relationships within society and preventing the repetition of atrocities in the future. In order for people to process the past and move on with their lives these are very important aspects of

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<sup>&</sup>lt;sup>199</sup> (van Drunen 2005, p. 37)

<sup>&</sup>lt;sup>200</sup> (Jelin 2003, p. 42)

transitional justice. When people remember the period of conflict and the subsequent period of transition, the way the past has been processed is of influence on the way people think back to the past. Therefore, these variables are also of importance for understanding the development of a collective memory in a post-conflict society.

Following the traumatic events during the dictatorial regimes, different groups arose within society. Although these groups did not necessarily oppose each other, they all have their own conception and opinion about the past. The theories on collective memory help to better understand what these different conceptions and opinions are and how they are constructed. Although there is no single one definitive theory on collective memory, most theories combined form a clear picture on how to approach this complex phenomenon. The way people conceptualize memory itself is of importance to the development of a collective memory. People may consciously use and construct a collective memory in order to exploit it for political purposes. This might have its effect on the influence of the collective memory on society. Therefore, the variable memory is also important to understand the development of a collective memory.

In a society there will never be one collective memory, which is shared by everyone.<sup>201</sup> There exist as many collective memories as there are groups<sup>202</sup> so there will always be a political struggle of one interpretation of the past against the other. The collective memory of the most influential group in society is called the hegemonic collective memory. Jelin talks about this political struggle as a struggle of memory against memory.<sup>203</sup> Ever since the fall of the regime in 1983, this struggle is still taking place in Argentina today. To better understand how the different groups function in such a battle and how they act as a social actor, the theories on social movements are of importance. In the case of Argentina, the former juntas and the HROs are pitted against each other in a struggle for Argentina's hegemonic collective memory. In this research project the point of view of each of both these groups will be referred to as their chosen truth.

# **Research questions**

The subject of interest in this research project is the construction of collective memory. This construction is always a political struggle about the meaning of the past and the meaning of memory itself.<sup>204</sup> For the purpose of simplifying my methodological approach this political struggle will be conceived as between two actors; the HROs and the former juntas. Each of these actors advances a version of history, which they consider the truth. The truth that will be generally accepted by society will become the hegemonic collective memory and will form a part of historical records as an authoritative version of the past.<sup>205</sup> This scenario leads to the following research questions:

- 1. How does the chosen truth of the HROs in Rosario influence the hegemonic collective memory?
- 2. Does the chosen truth of the HROs influence a process of reconciliation and why?

With these questions I would like to gain more insight into how the HROs in Rosario cope with a violent past. The HROs are entangled in a struggle for collective memory. Robben even calls it 'compulsive remembering' and states that 'the contestive relation between the various groups impedes society of standing back from the past which turns reenactment into a compulsive practice.' Therefore I am curious why and how the HROs feel about the concept of reconciliation.

<sup>202</sup> (Halbwachs 1992, p. 22)

<sup>&</sup>lt;sup>201</sup> (Jelin 2002, p. 5)

<sup>&</sup>lt;sup>203</sup> (Jelin 2002, p. 13)

<sup>&</sup>lt;sup>204</sup> (Jelin 2003, p. xviii)

<sup>&</sup>lt;sup>205</sup> (Zalaquett 1989, p. 629)

<sup>&</sup>lt;sup>206</sup> (Robben 2005, p. 127)

The sub questions are formulated as followed:

# How are the variables memory, justice, truth and reconciliation reflected in the hegemonic collective memory today in Rosario?

It is important to know what the hegemonic collective memory is today. Is it more in line with the collective memory of the HROs or with the collective memory of the former juntas? This question will be answered with the help from literature research and the media in the form of newspaper articles. I want to emphasize that this question will not be answered with data gathered from interviews, because I will only be doing interviews with the staffs of HROs. Data from the interviews will only show the collective memory of the HROs and will therefore impede an objective answer to this question.

# How are the variables of memory, justice, truth and reconciliation reflected in the chosen truth of the HROs in Rosario?

With this question I want to know more about how concepts like truth, justice, collective memory and reconciliation can be found within the policy of the HROs. Are they consciously working on each of these themes or do you have to read it between the lines? The answer to this question will be answered with the study of the interviews with members of HROs.

#### Research objective

The primary objective of this research project is to gain more insight into how the HROs in Rosario, Argentina influence the hegemonic collective memory, by investigating their chosen truth and comparing this to the hegemonic collective memory.

The secondary objective is to gain more knowledge about a possible influence of the HROs in Rosario on the process of reconciliation, by assessing the behavior of the HROs and comparing this to the theories of reconciliation.

#### **Problem analysis**

The concept of chosen truth is composed of two elements; the collective memory of a group and that group's ability to consciously and strategically exploit and alter the collective memory for the benefit of the group. These two elements influence and complement each other, however, it is not clear which of these elements is predominant. This is not only unclear for an outside observer, but also for an individual group member. For example, a chosen truth might be perceived as the collective memory by an entire group but at the same time might be composed of mostly strategic choices and altered history. If given enough time, a chosen truth might be adopted to become the group's collective memory.

The concept chosen truth is closely linked to the concept of 'chosen trauma' described by Volkan.<sup>207</sup> He refers to "the shared mental representation of a large group's massive trauma experienced by its ancestors..."208 A large group 'chooses' to carry the mental representation of the traumatic event of their ancestors, which through time will be mythologized and will become a shared identity.<sup>209</sup> The main function of this phenomenon is "to link the members of the group and give them a sense of security in order to secure the survival of their shared identity."210 There are important similarities between chosen trauma and chosen truth. There is the element of choice, which implies an instrumentalist perspective on the group's collective memory. Both in chosen trauma as well as in chosen truth, this choice is made consciously and strategically so that it benefits the group. In chosen trauma, the members of the group are linked by the trauma to provide

<sup>&</sup>lt;sup>207</sup> (Volkan 2004)

<sup>&</sup>lt;sup>208</sup> (Volkan 2004, p. 1)

<sup>&</sup>lt;sup>209</sup> (Volkan 2004, p. 4)

<sup>&</sup>lt;sup>210</sup> (Volkan 2004, p. 5)

cohesion and a sense of security. This cohesion is also found in chosen truth, where it is mostly provided by the collective memory of the group.

The chosen truth of the former juntas is that they glorify the military as heroes of a war against leftist subversive elements in society, who wanted to create chaos in order to establish a communist regime. Although they admit that there were some incidents, they also claim that the country was in a state of war and that malicious things simply happen during wartime. Furthermore, they deny and maintain silence about the occurrence and with that, their responsibility of systematical forced disappearances.

The chosen truth of the HROs is that they accuse the former juntas of letting people systematically disappear. According to the HROs, all culprits of the repression need to be prosecuted in order to achieve justice. Furthermore, they want the former juntas to break their silence around the forced disappearances and tell the truth about what happened to the victims. By activating memory, promoting recall and pointing out which events have to be retained and transmitted<sup>211</sup> they try to keep the memory of the disappeared and the horrors of the former juntas alive, with the goal to avoid repetition.

This research project will be aiming only at the chosen truth of the HROs, not that of the former juntas. This is because the human rights movement in Argentina has grown so large and generated significant political influence in reaction to the repressive regime. Such an active political role of the human rights movement is characteristic for the region of the Southern Cone. Another reason to aim this research at the HROs is that they seem to have a lot of influence on Argentina's daily social life. They organize countless protests, discussions and social events to keep the issue alive in Argentina. Protest graffiti paints the streetscape, newspapers are filled with articles about the work of the HROs and one cannot turn on the TV without seeing a reference to the HROs, juntas or the repression. A more practical reason is that the HROs are more approachable than former junta members for interviews and research. Furthermore, there was the risk of the HROs stopping their participation when they would find out that members of the former juntas would also participate in the research project.

The choice to investigate the HROs brings along another subject of interest in this research project. The HROs claim that they are struggling for truth and justice and that they keep the memory of the disappeared alive to avoid another period of repression. The main motivator for the work of the HROs is of course this very period of repression. One could argue that the past is of great importance to these organizations. This raises the question whether their modus operandi is actually contributing to moving forward and reconciliation, which is about accepting the past and not about lingering in it. By this reasoning, even the claims of truth and justice might seem counterproductive to a process of reconciliation. Therefore, this research project will also aim at the role of the HROs in the process of reconciliation.

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<sup>&</sup>lt;sup>211</sup> (Jelin 2007, p. 50)

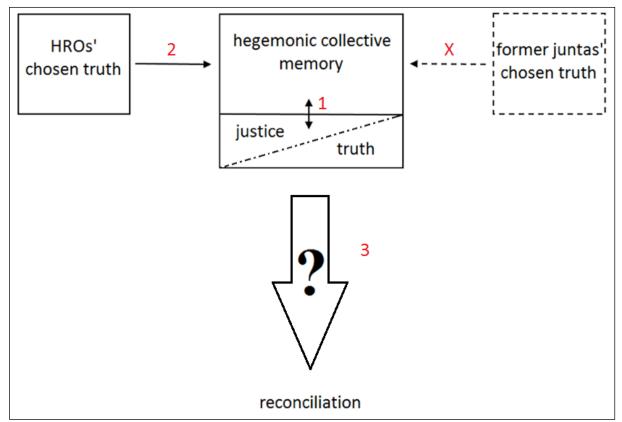


Figure 1: Conceptual model of the problem analysis

# **Hypotheses**

All the actors and concepts mentioned above have been outlined in figure 1. The relations between these actors and concepts will form the hypotheses of this research project and will now be explained. Arrow 1, which is pointing upwards and downwards between the squares 'hegemonic collective memory' and 'justice and truth', is expected that both justice and truth influence and are influenced by the hegemonic collective memory. In this thesis this will be used as a presupposition. In order to explain this relation it is important to first explain the mutual influence of justice and truth. Justice can be either seen as a means to find or construct a truth or as a consequence of a truth. Through trials or juridical investigations certain facts can come to light, from which a truth can be constructed. When an official institution such as a court determines a truth, it is very likely to be adopted by society. In this sense, justice is a means to find or construct a truth. On the other hand, when a truth emerges, for example through the investigation of a truth commission, justice can be used to compensate wrongdoings. In this way, justice is a consequence of the emergence of a truth. In practice, of course, this division between the two types of influence is far more complex. Often justice and truth interact and influence each other at the same time.

The hegemonic collective memory is the interpretation of history, which is shared by most people in society. It is a set of ideas, meanings and interpretations that form a framework through which people perceive and interpret the world. The hegemonic collective memory can influence truth in the sense that it influences the interpretation of facts, which includes the formation of a truth. In other words, the hegemonic collective memory colors the truth and determines a framework in which facts are interpreted differently than without the hegemonic collective memory. This framework of the hegemonic collective memory also influences justice, because it determines whether somebody is perceived as a perpetrator or not and whether justice is needed. It also determines the gravity of perpetrations and the punishment that follows. However, justice and truth can influence the hegemonic collective memory as well. When trials officially label people as perpetrators or when new facts have come to light, for example through juridical investigations, they can change perspectives and with that the hegemonic collective memory. It is thus expected that

both the 'hegemonic collective memory' and 'justice and truth' influence each other. The way in which they influence each other can be both positive as well as negative, meaning that a more positive framework could emerge as well as that negative views could gain the upper hand. It is not clear which factor influences the other more, or how often the influence is visible. This is left to the gravity and frequency of an occurrence; a judicial trial might be a very grave matter and could thus influence the hegemonic collective memory immediately, whereas a minor trial would not influence the hegemonic collective memory. However, if minor trials would occur very often (a high frequency), they would invariably influence the hegemonic collective memory in some way. Of course, there is no scale yet to measure either gravity or frequency in these matters.

The arrows 2 and X pointing from the squares 'HROs chosen truth' and 'juntas' chosen truth' are implicating that both parties are trying to influence the hegemonic collective memory. The square of 'juntas' chosen truth' and arrow X are in a dotted line, because the research project will not focus on this group. Nevertheless, they are of importance to the political and social course of Argentina from the 1970's until today. How are both of these chosen truths trying to influence the hegemonic collective memory and gaining the upper hand in Argentinean society? The HROs have no direct political influence, nor access to a large amount of financial means, which makes it more difficult for them to influence the hegemonic collective memory. Nevertheless, they try to do this by constantly imposing their opinions and version of history on the public in the form of protest, discussions and organizing events in the public arena. An example of these activities is the 24<sup>th</sup> of March, which is made into the national day of memory for truth and justice (día nacional de la memory por la verdad y la justicia) by the HROs. On this day the victims of the dictatorial regime are commemorated by what is now almost a national holiday of some sorts.

The juntas on the other hand, have had a large amount of political influence during the period of repression. The fear that this has generated still echoes in Argentinean society, in large part due to the fact that many important figures of the repressive period have held positions of political power, even until a few years ago. Although many amnesty laws have been revoked in 2003<sup>212</sup>, the fear many people have of these former juntas is not something to underestimate. This enables them to advance their version of history, without the struggle the HROs have had to endure to do the same. Although their means and motives differ enormously, both the HROs and the former juntas try to influence the hegemonic collective memory by imposing their chosen truth to the Argentinean society. The hypothesis that is associated with arrow 2 is that, given their methods, currently the HROs are more influential on the variables of memory, truth and reconciliation than on the variable justice. By constantly imposing their opinions and version of history on the public they are able to influence the variables memory, truth and reconciliation in the hegemonic collective memory, because these variables are all formed by ideas, opinions and perspectives. The variable justice is eventually formed by ideas, opinions and perspectives, however, in the first place it is in hands of an official institution of the state. Therefore, it is more difficult for the HROs to influence the variable justice from the streets, especially in Argentina where the former juntas still have some influence on the official institutions of the state.

Finally, arrow 3, which is pointing down to 'reconciliation', is implicating that the hegemonic collective memory has an either positive or negative influence on a process of reconciliation. As mentioned above, reconciliation has a lot of preconditions in order for it to work. Among other things structural and institutional mechanisms need to be restored, relationships between belligerents need to be repaired or established and every party needs to reassess its representation of the other, of itself and the common past<sup>213</sup>. The way people perceive the concepts of memory, justice, truth and reconciliation influence these processes which are required for a reconciliation process. In short, the hegemonic collective memory could positively or negatively influence a process of reconciliation. The hypothesis that belongs to arrow 3 is related to the first hypothesis, because it is expected that the HROs influence the variable reconciliation of the hegemonic collective memory.

<sup>&</sup>lt;sup>212</sup> (Bonner 2005, p. 69-70)

<sup>&</sup>lt;sup>213</sup> (Rosoux 2009)

Therefore, in the second hypothesis it is expected that the chosen truth of the HROs will negatively influence a process of reconciliation through the hegemonic collective memory. The HROs are actively demanding for justice and truth through a strategic, conscious and active use of memory, with the goal of disproving the former juntas, proven right in their own claims and receive acknowledgement for the harms done in the past. This is not in line with the preconditions needed for reconciliation, because the attitude of the HROs impedes the reassessment of their representation of the other, of themselves and the common past. Looking at the preconditions of reconciliation, the standpoint of the HROs implicate that they are not yet ready for a process of reconciliation.

A final note is necessary here; there are more actors (beside the HROs and former juntas) in Argentinean society, which influence the hegemonic collective memory. Although many of them have little influence on the hegemonic collective memory to be of significance in this research, one major actor remains worth mentioning. According to Jelin<sup>214</sup>, politics appear to have an influence on collective memory and vice versa. Collective memory is a social phenomenon that can only exist between people and within groups, hence it can only exist within a society. It starts and forms different ideas, opinions and motivations of groups, which then gain or retain a certain perspective of the past, present and future. These perspectives are the basis for political ideas and ideologies and therefore influence politics. Politics, however, have an influence on collective memory as well, because they are a powerful public actor. They can influence the political opinion of people and use (or abuse) collective memory to make a political statement. Because of the size and complexity of politics itself, the complexity of the relation between politics and collective memory and the fear of this social research project becoming a political one, politics will be left out of this research project.

#### The research design

The research design shows what steps have to be taken during this research project. It is a very schematic view of the research project, which is why some details are not represented in the design, however, it offers a comprehensive overview. Every step is represented by a vertical arrow, which points in both ways, from which a horizontal arrow points to the right. This combination means that different items are interrelated from which a result or conclusion can be drawn. (See figure 2)

In step one theory was interrelated from different scientific fields, of which each can be applied to the situation in Argentina. The theories on transitional justice are of importance to this research project, because the historical period that is of concern in the case of Argentina is a post-conflict period. During the dictatorial period, a lot of injustice and trauma has been done to people, which has caused disturbed relations within society. These relations need to be healed and this is where the theories on transitional justice are of importance. The theories on collective memory help to understand what the opinions and conceptions of different groups in society are and how they are constructed. They help, for example, to understand how the HROs have constructed their chosen truth. The theories on social movements explain how different groups within society, like the HROs, behave as a social actor. In the particular case of Argentina a combination of the theories on collective memory and social movements can explain how the HROs place their chosen truth into the political arena, in order to convey their story to the public.

This research project focuses mainly on collective memory in a post-conflict situation. The variables memory, justice, truth and reconciliation, which are derived from transitional justice theory, also apply to a collective memory in a post-conflict society. In order to understand the development of collective memory in Argentina, we need to take a look at how these variables are conceptualized within the contemporary society. This is done by looking at the interaction regarding the four variables between the hegemonic collective memory and the chosen truth of the HROs, as described in the research questions.

In step two a topic list for interviews was constructed using the theories of the three theoretical strands described in step one. The topic list contains the four variables conceptualized in

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<sup>&</sup>lt;sup>214</sup> (Jelin 2002, p. 40)

questions concerning justice, truth, memory and reconciliation (See Appendix III). The interviews were done with the staffs of different HROs. In the model four HROs are drawn, however, this is just to indicate that research was done on several HROs. Several people were interviewed from seven different HROs.

Step three of the research design shows what different types of data were used in the research project to give an answer to the research questions. The newspaper articles where used to describe the current hegemonic collective memory of Argentina and the interviews with members of HROs where used to describe the chosen truth of the HROs.

In step four, the data generated from the interviews and the newspaper articles is analyzed, using content analysis and looking specifically at the four variables justice, truth, memory and reconciliation. In this manner an impression of the current hegemonic collective memory is deduced from the newspaper articles, and an impression of the chosen truth of the HROs is deduced from the interviews. By using the same variables in the analysis of the newspaper articles and the interviews the results of the analyses can easily be compared. Hence, the impression of the hegemonic collective memory can easily be compared with the impression of the collective memory of the HROs.

Eventually in step five, the results of this comparison can answer the research questions and lead to more insight in the case of the HROs in Argentina. A more detailed description of this research design will now be elaborated in the paragraph 'methodology'.

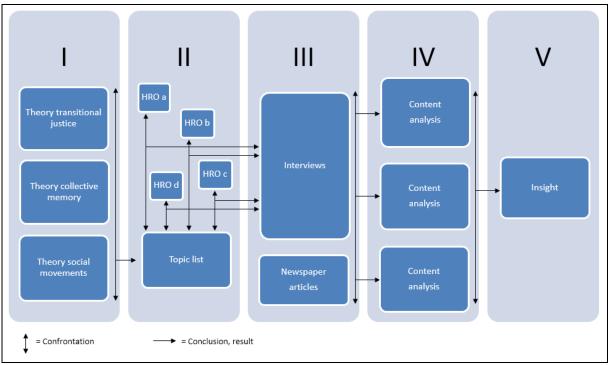


Figure 2: Research design<sup>215</sup>

#### Methodology

This research project has taken place in the city of Rosario during a period of six months. Rosario is situated in the province of Santa Fé, Argentina and is the third biggest city of the country. With a population a little over one million people all different kinds of social, economic and political layers of society are represented. This research project was done from the *Museo de la memoria* (the museum of memory). This organization was founded in 1998 by the municipality of the city of Rosario, with the objective to improve the access to knowledge and investigation on the subject of

<sup>&</sup>lt;sup>215</sup> This model is deduced from the method of Verschuren and Doorewaard. (Verschuren and Doorewaard 2005)

the situation of human rights, social memory and politics in the Santa Fé region, Argentina and Latin America.<sup>216</sup> I want to emphasize that this research project was not carried out in the name of the *Museo de la memoria*.

#### Quantitative and qualitative research

This research project is based on a combination of quantitative and qualitative research methods, of which the qualitative methods are predominant. Quantitative research is based on a positivist position, using numerical data to test hypotheses. It can be used to predict or indicate trends or to explain causal relationships between events of variables. In this research project quantitative research methods were first used to extract the useful parts of information out of a vast quantity of data. Subsequently, this selection of information was investigated with the help of qualitative research methods. Qualitative research has as a general goal to describe, interpret and explain the behavior, experiences and perceptions of the people concerned in the event the researcher wants to investigate. To get more insight into how the HROs in Rosario cope with a violent past, it is important to get an emic perspective on them. An emic perspective can be described as a research method, which investigates how local people think. How do they perceive and categorize the world? What are their rules for behavior? What has meaning for them? How do they imagine and explain things? Operating emically, the ethnographer seeks the 'local viewpoint', relying on local people to explain things and to say whether something is significant or not."

This research project was done using methodological triangulation.<sup>220</sup> By using a variety of sources and methods like the information from literature research, the media and interviews, collective memory will be looked at from different angles, which contributes to the coverage of the phenomenon, which in its turn contributes to the validity of the research project.

#### Literature

Literature research was used in this thesis to form a theoretical framework, which in turn was the foundation of this project, and to provide a historical perspective of the formation of collective memory through the period of 1976 until the present. To fully understand the complexity of the conflict in Argentina it is important to put this research in a historical perspective. Literature was acquired through the internet, the supervisor of this research project, the library of the St. Radboud University and the library of the *Museo de la memoria*. The selection of the literature was made based on relevance to the research subject and consists of scientific books and articles from renowned journals from different scientific disciplines. Theoretical triangulation<sup>221</sup> was applied by illuminating the conflict in Argentina from different scientific angles, using literature from the scientific fields of collective memory, transitional justice and social movements. Approaching the conflict through different theories contributed to the validity of this research project. All the literature was thoroughly read and selections were made, of which the theoretical framework and historical perspective were written.

#### Newspaper articles

To answer the first sub question – How are the variables memory, justice, truth and reconciliation reflected in the hegemonic collective memory today in Rosario? – newspaper articles were used. Media reflects and responds to what people find important and therefore can be used to investigate the hegemonic collective memory. First, the relation between media and collective memory and the

<sup>&</sup>lt;sup>216</sup> http://www.museodelamemoria.gob.ar

<sup>&</sup>lt;sup>217</sup> (Gerrish and Lacey 2010, p. 8 and 134)

<sup>&</sup>lt;sup>218</sup> ('t Hart, Boeije and Hox 2005, p. 253)

<sup>&</sup>lt;sup>219</sup> (Kottak 1974, p. 258)

<sup>&</sup>lt;sup>220</sup> ('t Hart, Boeije and Hox 2005, p. 286) and (Mikkelsen 1995, p. 349)

<sup>&</sup>lt;sup>221</sup> ('t Hart, Boeije and Hox 2005, p. 286)

meaning of the media within this research project will be elaborated. Subsequently, the sampling process of the newspaper articles will be described.

# The media and collective memory

In chapter 2; Theoretical Framework is described how people are grouped together in mnemonic communities. Because of these mnemonic communities we are able to 'remember' events, which we did not actually experience ourselves.<sup>222</sup> The media plays an important role in the construction of this type of recollections. Through watching television, listening to the radio or reading articles in newspapers or on the internet it is nearly possible to actually 'experience' an event. We all have, for example, recollections of how two airplanes crashed into the twin towers on the ninth of September 2001, not because we were in New York, but because of what we saw on television. To let us better understand the relationship between the media and collective memory we will have to take a closer look at the media as an actor.

One could say that the media possesses some form of authority with regard to telling stories about public events. Zelizer<sup>223</sup> uses the concept of cultural authority to explore how and why journalists would be interested in telling their own version of public events. She states that "periods of marked intensification give community members a way to question and ratify basic notions about authority ... authority thereby becomes a construct of community, functioning as the stuff that keeps communities together."<sup>224</sup> Cultural authority thus has its effect both on publics as well as on communicators. "[It] helps journalists use their interpretations of public events to shape themselves into authoritative communities."<sup>225</sup> This is relevant when many groups in society use constructions of reality to tell their own preferred version of the event, because by doing so they shape the public's memories of the event.<sup>226</sup>

If a journalist accomplishes in shaping the public's memory of an event by retelling a story, he or she generates authority. People won't listen to a journalist without authority, because he or she lacks credibility in the eyes of the public. Zelizer defines "the ability of journalists to promote themselves as authoritative and credible spokespersons of real-life events" as journalistic authority. It is a specific type of cultural authority in which journalists determine their right to present authoritative versions of the world. 228

In the discussion about cultural authority, collective memory plays an important role, because it allows for the emergence of patterns of authority over time. Collective memory reflects what a group finds important, prefers and appropriates. It thus reflects the reshaping of the practices through which people construct themselves as cultural authorities.<sup>229</sup> This can be seen in the fact that different groups, or mnemonic communities, can interpret and promote a public event in a different and possibly a competitive manner. The way journalists select and present their story is related to the story they want to tell. In constructing a story, the journalist makes use of collective memory, because this reflects what society finds important, prefers and appropriates. However, because journalists are sandwiched between the audience and the event, they are able to construct what they see as preferred and important, which helps them put forward their own version of the event.<sup>230</sup> It thus works both ways, collective memory has its influence on journalists, because they are part of the mnemonic community and thus share their perceptions of what is important, what they prefer and what is appropriated with the rest of the community. However, the fact that they are

<sup>224</sup> (Zelizer 1992, p. 2)

<sup>&</sup>lt;sup>222</sup> (Zerubavel 1996, p. 289)

<sup>&</sup>lt;sup>223</sup> (Zelizer 1992)

<sup>&</sup>lt;sup>225</sup> (Zelizer 1992, p. 2-3)

<sup>&</sup>lt;sup>226</sup> (Zelizer 1992, p. 2-3)

<sup>&</sup>lt;sup>227</sup> (Zelizer 1992, p. 8)

<sup>&</sup>lt;sup>228</sup> (Zelizer 1992, p. 8)

<sup>&</sup>lt;sup>229</sup> (Zelizer 1992, p. 3-4)

<sup>&</sup>lt;sup>230</sup> (Zelizer 1992, p. 8)

the ones who tell stories about public events places them between the audience and the event, which gives them the opportunity to shape and construct their own version of the event, which in turn influences the collective memory.

It can be said that 'it is crucial to keep in mind that all media ... neither simply reflect nor determine memory, but are inextricably involved in its construction and evolution.' Therefore, media in the form of newspaper articles of the newspaper Pagina12 are used to determine the current hegemonic collective memory in Rosario. Although the newspaper probably is an actor that influences the collective memory, it is also a good medium to give a snapshot of the current hegemonic collective memory. Pagina12 is one of the major national newspapers in Argentina, which implicates that it reflects the opinions of a large part of society. The newspaper has been used by authors who are considered experts on the case of Argentina such as Van Drunen and Jelin. Furthermore, the local edition of the newspaper called Rosario12 was pointed out by the staff of the *Museo de la memoria* as the best and most read newspaper in the city. Therefore, Pagina12 has been chosen to investigate in order to get a snapshot of the current hegemonic collective memory in Rosario.

# Sampling process

To learn more about the current hegemonic collective memory, all the editions of Pagina12 of the year 2011 were analyzed. On the website<sup>232</sup> of Pagina12 it is possible to register and look into previous editions. To make a sample of the articles nine queries were deduced based on literature written by experts on the Argentinean case, the different theories used in this research project and the experience of the author in Argentina. The queries were; dictatorship, 1976, CONADEP, remembrance, forgetfulness, the disappeared, impunity, genocide and soldier.<sup>233</sup> After testing these queries in the search engine of the website for the amount of hits they produced, the following four queries remained; 1976, CONADEP, the disappeared and genocide.

It was also possible to select certain sections of the newspaper. To reduce the amount of irrelevant articles and fasten the search the following sections were selected; science, culture, dialogue, economics, the world, the country, specials, psychology, reports, society, university and latest news.<sup>234</sup> These sections were chosen, because they might contain a relevant article and reflect on themes as daily life, history, society, politics and economics. All of which have an important role in or influence on collective memory. The following sections were left out; letters to readers, sports, music, books, shows, pleasure, art, summer12, digital culture.<sup>235</sup> These sections were left out for several reasons. The sections sport, pleasure and summer12 are not related to the subject of collective memory. In the section letters to readers one can read letters from individuals about all kinds of subjects. However, if the subject would have been relevant for this research project it would not have been interesting to analyze it, because it is a letter from an individual. Furthermore, this section was not present in most of the editions. The sections music, shows, art, digital culture and books are all forms of art and work of individuals or a small group of people. There were for example quite a few reviews about theater shows related to the topic of collective memory. Yet these reviews were left out, because a theater show is first of all an interpretation of an individual of a subject or phenomenon. And second, theater is meant to entertain people and almost always has an underlying message or a political statement. Also, art is about moving people by any means, so the truth as well as fiction are used to trigger people into thinking.

All the articles that remained after the selection of the sections and the queries were scanned on relevance. Every query is on the one hand just a word, however, on the other hand this word has a certain connotation within this research project. With these connotations in mind the

<sup>&</sup>lt;sup>231</sup> (Kansteiner 2002, p. 195)

<sup>&</sup>lt;sup>232</sup> www.pagina12.com.ar

<sup>&</sup>lt;sup>233</sup> Own translation

<sup>&</sup>lt;sup>234</sup> Own translation

<sup>&</sup>lt;sup>235</sup> Own translation

articles were selected on relevance. For example, along with the query genocide also came up articles about the genocide that took place in the 16<sup>th</sup> century among the indigenous people of Argentina, these articles were, of course, left out.

Of all the relevant articles the date was written down and filled in on a calendar, so it became clear which days had the most hits. This is called the 'hotspot' calendar. (see Figure 3) All the days with ten hits or more were made red, the days with five hits or more were colored orange and the days with three hits or more were made yellow. A hotspot shows that an event or subject relevant to the research project is of importance in that period of time. To catch the preamble and the end of this period, the day before and the day after the hotspot were included. The editions of the newspaper on the hotspot days (plus the day before and after the hotspot) were fully scanned on relevant articles. This was to find articles that did not came up with the queries, but were relevant to the research project. Eventually a content analysis was applied on all the headings and introductions of the articles that came out of this sampling process.

March 2011								
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday		
		1	2	3	4	5		
		1976; 2 - desaparecido; 1 TOTAL 3	1976; 2 TOTAL 2	CONADEP; 1 TOTAL 1	1976; 1 TOTAL 1			
6	7	8	9	10	11	12		
		1976; 1 TOTAL 1		1976; 4 TOTAL 4	1976; 3 TOTAL 3			
13	14	15	16	17	18	19		
	1976; 1 TOTAL 1	1976; 1 TOTAL 1	1976; 1 TOTAL 1		1976; 2 - desaparecido; 1 TOTAL 3			
20	21	22	23	24	25	26		
1976; 2 TOTAL 2	1976; 1 TOTAL 1	1976; 1 - desaparecido; 1 - genocidio; 1 TOTAL 3	1976; 3 - CONADEP; 1 - genocidio; 1 TOTAL 5			1976; 1 - CONAD 1 TOTAL 2		
27	28	29	30	31				
	1976; 2 TOTAL 2	1976; 3 - genocidio; 1 TOTAL 4	1976; 2 TOTAL 2	1976; 2 - desaparecido; 1 - genocidio; 1 TOTAL 4				
Opmerkingen:								

Figure 3: Hotspot calendar of the month March

# Interviews

The kind of interviews, which were used are semi-structured interviews. This type of interview was held using a pre-established topic list or interview guide with open-ended questions. Other questions could emerge from the dialogue between the interviewer and the interviewee. <sup>236</sup> It is important to follow the interview guide to require reliable and comparable data. During the interview the interviewer "maintains discretion to follow leads." <sup>237</sup> This kind of interviewing has two main advantages; first there is the comparability of data because there is a kind of systematic line in the interviews. Second, logical gaps in data can be anticipated and closed and interviews remain conversational. A disadvantage might be that important and salient topics can accidently be left out. Also, the flexibility of the interviewer in the formulation and the sequencing of the questions can

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<sup>&</sup>lt;sup>236</sup> (DiCicco-Bloom and Crabtree 2006, p. 315)

<sup>&</sup>lt;sup>237</sup> (Bernard 2006, p. 212)

lead to different reactions and perspectives, which might reduce the comparability of the data.<sup>238</sup> As described above an emic perspective of the HROs is very important. Therefore, semi structured interviews were chosen, because there is a level of comparability of the data and room for conversation, which will leave some space for the understanding of the ideas, perspectives and behavior of the HROs.

The topic list used in this research project contained questions about the topics memory, justice, truth and reconciliation (See Appendix III). The interviews were held on places suggested by the informant with the intention to make sure the informant would feel familiar with the surroundings. Some interviews were held in offices, others in the homes of people and some in cafes. All interviews were digitally recorded and then transcribed. Because all the interviews were in Spanish the transcriptions are as well. However, when quotations were used in this thesis they were translated into English. After every interview both the place where the interview took place and the atmosphere of the interview itself were described. This was done to remain the quality of the interview, as the atmosphere and location sometimes might contribute to the connotation of the interview.

A combination of two types of sampling has been used. The first one is called snowball sampling. With this kind of sampling, a key informant was used to find other informants in the research population. Subsequently, those informants were asked if they knew other informants in the population. In this manner one goes from informant to informant and the sampling frame grows with each interview.<sup>239</sup> This kind of sampling was of use at the beginning of this research project to build up a network. The snowball sampling started at the *Museo de la memoria*. Through the use of their network different HROs in Rosario were mapped out to seek contact with them. A disadvantage of this kind of sampling is that the success of finding an appropriate sample is dependent on the researcher's skill to network vertically. Furthermore, there exists a lack of definite knowledge whether or not the sample is an accurate representation of the research population.<sup>240</sup> For example, people who have many friends are more likely to be in the sample than people who don't. To limit these potential biases a second kind of sampling was used. After the interview with an employee, recruited by snowball sampling via the *Museo de la memoria*, the second informant within the HRO was contacted using another type of sampling.

The second type of sampling is called purposive sampling. In purposive sampling the researcher decides which purpose the informants need to serve. The researcher will go out and look directly for these kinds of informants. It is somewhat like quota sampling, except that there is no overall sampling design that determines how many of each type of informant needs to be studied. The researcher will take what he or she can get. This kind of sampling is used for life history research and qualitative research on special populations, <sup>241</sup> such as the HROs. The HROs in Rosario form a special population within the city, because of their expertise on the subject and their experience in the struggle for collective memory. A disadvantage of this kind of sampling is that because of potential subjectivity of the researcher the sample is not easily defensible as being representative of the population. However, in this research project this disadvantage was limited, because this kind of sampling was only used within the human rights organizations. Most organizations exist of a small group of people; therefore at least two informants per organization formed a relatively large sample for the population of one organization.

As mentioned above, at least two informants were interviewed per organization. One characteristic that was taken into account during the sampling was the position of the informant within the organization. Within each organization an informant was chosen which had the role of a policy maker. Also, an informant with more of an executive role was interviewed. (For example, both

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<sup>&</sup>lt;sup>238</sup> (Mikkelsen 1995, p. 171)

<sup>&</sup>lt;sup>239</sup> (Bernard 2006, p. 193)

<sup>&</sup>lt;sup>240</sup> (Black 1999, p. 118)

<sup>&</sup>lt;sup>241</sup> (Bernard 2006, p. 189-190)

<sup>&</sup>lt;sup>242</sup> (Black 1999, p. 118)

a person who is a member of the board of an organization and someone who participates in projects.) Furthermore, age or gender were not taken into account for the following reason. This research project is aimed at the policy, ideology and perspectives of organizations. When people join an organization they share, to a greater extent, the ideology and perspectives of the organization. Therefore, age or gender were not taken into account. Nevertheless, there exist different HROs, which are represented by different groups in society. For example, *las madres de plaza de 25 de mayo*, this is a group of more elderly women, and H.I.J.O.S, which is an organization who represents younger people. Therefore, the variation of the overall sample of groups, which represent the HROs, was taken into account.

Eventually, 16 interviews were done, of which 13 people were members of seven different HROs and three people were active in the human rights movement, but were not a member of a HRO anymore. The youngest was 25 and the oldest 76 years old, of which 13 were women and 3 were men. The division between men and women is not equal; however during her stay this author noticed that in general there were more women active in the human rights movement than there were men. Therefore, the division within the sample is a reasonable reflection of the research population. Not all of the respondents have experienced the dictatorship themselves, because they are too young. These young people have their own motivations to participate in the human rights movement. Some are the children of disappeared people, others just want to do something about the injustice of which they (indirectly) feel victimized.

#### **Analysis**

The analysis of the data was done using content analysis. Hsieh and Shannon define content analysis as "a research method for the subjective interpretation of the content of text data through the systematic classification process of coding and identifying themes or patterns". <sup>243</sup> It is assumed that when words and phrases are classified in the same categories they share the same meaning. The aim of content analysis is to describe a phenomenon using these categories. <sup>244</sup> The content analysis in this research project was done with the help of the computer software Nvivo9<sup>245</sup>. This program helps the researcher to sort her data, via the use of so-called 'nodes'. The researcher has to put in all the raw data from the field research and select certain paragraphs, sentences or words. These selections are called nodes and can be used to categorize information. Additionally, the nodes have to be labeled to function properly. The researcher can then use these nodes to discover trends or patterns in the data. Additionally, the program provides the option of exploring trends or testing theories through the use of charts, graphs, cluster analysis and tree diagrams.

# Newspaper articles

For two different types of sources of information, namely the interviews and the newspaper articles, different approaches of content analysis were used. The newspaper articles were analyzed using the summative content analysis described by Hsieh and Shannon. "A study using a summative approach to qualitative content analysis starts with identifying and quantifying certain words or content in text with the purpose of understanding the contextual use of the words or content." However, summative content analysis digs deeper with interpreting and discovering the underlying meaning of words or content.

As described above, the hotspot calendar revealed the relevant newspaper articles, which could then be analyzed. Prior to the analysis, the author selected the most important concepts deduced from the theoretical framework. These concepts were 'justice', 'truth', 'memory' and 'reconciliation', which were made into 'parent nodes', to categorize other important 'nodes', which

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<sup>&</sup>lt;sup>243</sup> (Hsieh and Shannon 2005, p. 1278)

<sup>&</sup>lt;sup>244</sup> (Elo & Kyngäs 2007, p. 108)

<sup>&</sup>lt;sup>245</sup> Nvivo9, version 9.2.81.0, QSR International.

<sup>&</sup>lt;sup>246</sup> (Hsieh and Shannon 2005, p. 1283)

<sup>&</sup>lt;sup>247</sup> (2005, p. 1283-1284)

in turn might contain 'sub nodes'. For example, the parent node 'justice' also contains the nodes 'trial', 'judge' and 'crimes against humanity'. The node 'trial' in turn contains sub nodes, such as 'sentencing' and 'the accused'. This process yielded many results that could be fitted in a tree-structure, along with a number of hits per node. After this quantitative analysis of the relevant articles, a qualitative analysis was used to further study the results. The qualitative research focused on the quantitative results, with the aim to describe, interpret and explain the hegemonic collective memory of Argentinean society as reflected in the newspaper Pagina12. This was done by comparing the research results to Argentinean contemporary history, current society and the theoretical framework encompassing this thesis.

This research project made use of a deductive approach by using the most important concepts from the theoretical framework as parent nodes. However, to not overlook anything, an inductive light was also cast on the newspaper articles. Through this approach, other important words were allowed to surface from the articles, which could also function as parent nodes. The most important example of this is the parent node 'dictatorship'. To maintain an open and readable chapter, not all different nodes are described in chapter 4; Analysis. (For an overall view of the node structure, see Appendix II)

#### Interviews

The interviews were analyzed using a combination of ethnographic content analysis and grounded theory. In ethnographic content analysis the investigator is continually central and there exists a reflexive movement between concept development, sampling, data collection, data coding, data analysis, and interpretation.<sup>248</sup> Categories are deduced from the theory, which is called deduction, and initially guide the study. However, during the analysis categories may also emerge from the text, which is called induction. Ethnographic content analysis is "embedded in constant discovery and constant comparison of relevant situations, settings, styles, images, meanings and nuances."249 It thus uses a deductive as well as an inductive approach. To improve the quality of the inductive approach grounded theory was added to the analysis of the interviews. Grounded theory consists of a set of inductive strategies for analyzing data. This means that one starts with individual cases, and subsequently, works their way up to more abstract categories to understand the data and identifies patterns in it.<sup>250</sup> Thus, categories only can emerge from the text and theory will help later on in the process to arrange the categories. "By offering a set of systematic procedures, grounded theory enables qualitative researchers to generate ideas that may later be verified through traditional logico-deductive methods."251 Within the grounded theory methods the interpretative tradition exists, which starts its analysis from the point of view of the experiencing person. It aims at capturing "the worlds of the people by describing their situation, thoughts, feelings and actions and by relying on portraying the research participants' lives and voices."252 Through their stories the researcher tries to construct their experiences.

For the interviews there was chosen a combination of ethnographic content analysis and grounded theory, because the use of an inductive as well as a deductive approach was of importance. The inductive approach of the grounded theory method contributes to an emic perspective, which is important for this research project as mentioned above. However, the complex theory of collective memory, which this research project is built on, was important for understanding the complex relationships and patterns of the memory of the informants. Therefore, the content analysis started with categories deduced from the theory, which were complemented with categories that emerged from the text during the analysis.

<sup>249</sup> (Altheide 1987, p. 68)

<sup>&</sup>lt;sup>248</sup> (Altheide 1987, p. 68)

<sup>&</sup>lt;sup>250</sup> (Charmaz 2004, p. 497)

<sup>&</sup>lt;sup>251</sup> (Charmaz 2004, p. 516)

<sup>&</sup>lt;sup>252</sup> (Charmaz 2004, p. 499)

# **Iterative process**

Doing fieldwork is accompanied by a lot of insecurities. From the beginning a researcher cannot know everything about the field he will be going to investigate and besides that he is working in an ever-changing environment.<sup>253</sup> Therefore it is important to work with an iterative process between the research question, research goal, research strategy, research material and the research model. (This is in this case a topic list). It is important to constantly review these elements and to look at what consequences of change in one element have for the other elements. This process is outlined in figure 4. During this research project this has constantly been on the mind of the author to guarantee the objectivity and quality of this project. From the perspective of this author, this has been accomplished, which makes for interesting research results in a field were a critical view on the HROs is not common.

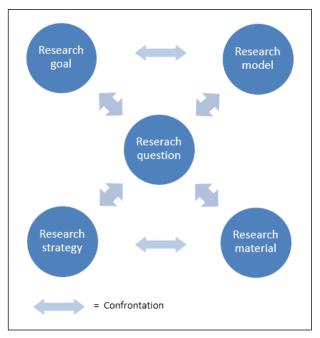


Figure 4: Iterative process<sup>254</sup>

This chapter has provided a theoretical framework, a problem analysis and a description of the methodology, which together form the foundation of this research project. By unraveling this complex conflict in different variables, derived from different scientific angles, and by showing how the theoretical variables are linked to practical phenomena, the case of Argentina has become more comprehensible. In the following chapter the results of the analysis of the newspaper articles and the interviews with staff members of the HROs will be elaborated looking at how the HROs influence the hegemonic collective memory.

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<sup>&</sup>lt;sup>253</sup> (Mikkelsen 1995, p. 150)

<sup>&</sup>lt;sup>254</sup> (Verschuren en Doorewaard 2005)

# Historical background

History is a relentless master. It has no present, only the past rushing into the future.

To try to hold fast is to be swept aside.

John F. Kennedy

# Before the juntas

Over the course of the twentieth century, Argentina has been no stranger to military involvement in politics, and the ensuing violence. This involvement started in the early 1930s and gradually led to the most repressive period of military dictatorship (1976-1983) in the history of the country.<sup>255</sup> According to the French political scientist Alain Rouquié the political influence of the military was a direct consequence of the disunity of the Argentine elite.<sup>256</sup> This elite had control over large land ownership, which was the most important aspect of the Argentinean economic structure since the founding of the country. The democratic system, which emerged in the early 1930s, was a natural threat to this economic power. The elite feared the looming power of the chosen president, the formation of unions, the rise in wageworker's pay and the possible redistribution of landownership. However, since power still rested with the elite, the president and his government needed them to formulate a clear political course. The Argentinean elite have always impeded this on purpose, as to prevent any threat to their wealth. In 1930 president Hipólito Yrigoyen was the first of many to be deposed by the army, which marked the beginning of the so-called era militar (military era). From the 1930s onwards, the elite has had several presidents deposed and replaced by the military, each time by not supporting any political party and impeding the formulation of a clear political course. Overtime, this process gave rise to the political and economic influence of the military, which even possessed its own economic basis and a great part of the national military industrial complex.<sup>257</sup> This, of course, clouds the view on who actually led the deposition of the president and who was profiting from it. Suffice it to say that, at least for a time, both the military and the elite had joined interests, which led to continuous coups and political chaos in Argentina.

In 1945 Juan Domingo Perón became president, which led to the rise of political prominence of the working class. Perón incorporated and denounced many ideologies in his political course, which became known as Peronism, a popular form of politics among the working class. Income was more equally distributed, salaries for workers were generally raised and securities obtained, which contributed to the social integration of the working class. This development provoked a growing opposition among the conservative parts of society, existing of sectors of the army and important sectors of civil society. Backed by the Catholic Church, all the non-Peronist political parties, important sectors of the middle class and rural and urban elites overthrew Perón by a military coup in 1955. After this, the labor conditions worsened and the political prohibition of the Peronist movement contributed to the rise of political violence. Peronists now employed armed resistance against the army, but due to increased police repression the violence had faded out by the late 1950s. Peronists now employed armed resistance against the army, but due to increased police repression the violence had faded out by the late

Fear for Peronism motivated the military to commit another coup in 1966. Before this period, the military had always withdrawn after a coup to leave the governance to a civilian president. Now, however, they made an attempt to stay in power. This attempt lasted until 1973 and is also called the

<sup>&</sup>lt;sup>255</sup> (van Drunen 2010, p. 16)

<sup>&</sup>lt;sup>256</sup> (Rouquié in Baud 2001, p. 13)

<sup>&</sup>lt;sup>257</sup> (Baud 2001, p. 13)

<sup>&</sup>lt;sup>258</sup> (Ranis 1966, p. 113)

<sup>&</sup>lt;sup>259</sup> (Robben 2005, p. 128)

<sup>&</sup>lt;sup>260</sup> (Ranis 1966, p. 126)

<sup>&</sup>lt;sup>261</sup> (Robben 2005, p. 128)

*Revolución Libertada* (Liberating Revolution). During this period, political polarization deepened because of the suppression of political and civil rights and the consequences of the Cold War. Resistance developed among students, workers and the lower ranks of the Catholic Church. <sup>262</sup> Political resistance in the form of violence was now not only employed by Peronists, but also by a younger Marxist/Leninist generation, which wanted more social justice, inspired by the Cuban revolution. <sup>263</sup>

At the beginning of the 1970s, political-military organizations like the Marxist/Leninist *Ejército Revolucionario del Pueblo* (People's Revolution Army, ERP) and the Peronist *Montoneros* emerged. The *Montoneros* received the support of Perón, who had been banned to Madrid. The Peronist movement grew exponentially and was enhanced by the *Juventud Peronista* (Peronist Youth, JP). This mass movement became known as the *Tendencia Revolucionaria* (Revolutionary Tendency) within the Peronist movement. The development of organizations like the *Montoneros* and the JP together with an increase in protests, riots, demonstrations and mass strikes eventually forced the military to hold elections in 1973.<sup>264</sup>

The *Tendencia Revolucionaria* played an important role during the electoral campaign and eventually the Peronist Héctor Cámpora became president in August 1973. During his short presidency, Cámpora managed to give many important political positions to Peronists. <sup>265</sup> Perón himself took over presidency in September of the same year and the political violence in the country increased rapidly. It grew to a deadly eruption of violence between the rightwing and the leftwing of the Peronists. In the middle of this, the Marxist/Leninist guerilla organizations started to attack the army. The death of Perón in 1974 further worsened the situation <sup>266</sup> and his wife Isabel Martínez de Perón took over presidency. During her administration attacks on the leftwing became more violent and were directed far beyond the guerilla organizations.

In 1975 the army became even more involved in the government when it was made part of the internal Security Council led by Isabel Perón. <sup>267</sup> The army was assigned to perform military and security operations, which were seen as necessary to make an end to the activities of subversive elements in the whole country. The military interpreted this assignment as a license to eliminate its enemies. <sup>268</sup> During this chaotic period the economic elite and the military forces started working together to organize a coup and restore the situation in the country. When the military coup happened on 24 March 1976 it was welcomed by both domestic and international actors as the solution for Argentina's problems. <sup>269</sup>

# The juntas

Directly after the coup, the general assumption was that the moderate powers within the army had taken over with the arrival of general Jorge Rafael Videla as president. In his first speech he emphasized that they had no other choice than to take over power because "all the constitutional mechanisms were exhausted".<sup>270</sup> Nothing, however, could be further from the truth, as the military saw its power as a political project in which social and political control and economic liberalization were spearheads of its policy. They called this the *Proceso de Reorganización Nacional* (Process of National Reorganization), but the opposition would rather call it the Dirty War, in which the Argentine military fought against its own people.<sup>271</sup>

<sup>&</sup>lt;sup>262</sup> (van Drunen 2010, p. 16)

<sup>&</sup>lt;sup>263</sup> (Robben 2005, p. 128)

<sup>&</sup>lt;sup>264</sup> (van Drunen 2010, p. 16)

<sup>&</sup>lt;sup>265</sup> (van Drunen 2010, p. 16)

<sup>&</sup>lt;sup>266</sup> (Bethell 1998, p. 57)

<sup>&</sup>lt;sup>267</sup> (van Drunen 2010, p. 17)

<sup>&</sup>lt;sup>268</sup> (Baud 2001, p. 10)

<sup>&</sup>lt;sup>269</sup> (Philip 1984, p. 627)

<sup>&</sup>lt;sup>270</sup> (Baud 2001, p.11 own translation)

<sup>&</sup>lt;sup>271</sup> (Pion-Berlin 1985, p. 57)

The process of national reorganization of the army consisted of conservative and authoritarian ideas, which have always been important in Argentine politics. The vision of the juntas can be divided into two elements; First, Argentina had become a prey to terrorists (*subversivos*), which made healthy and successful development of the country impossible. Because of their behavior they had placed themselves outside of society and law and therefore they should be suppressed. Like Videla had announced, it did not only concern the people who actually placed bombs or killed people, but also their sympathizers like academics, journalists and lawyers.<sup>272</sup>

A second element of the military project was the reorganization and modernization of the economy, led by the newly designated Minister of Economics, José A. Martínez de Hoz.<sup>273</sup> The military placed its faith in the model of a liberal economy. This showed some contradictions, as the liberal economic model was forced upon society within a climate of authoritarianism and political and social control of the state. The propagated openness was only seen to apply to the economy, not to society as a whole.<sup>274</sup>

During the military regime forced disappearance, torture, murder, theft, rape and the abduction of children were common crimes. "The massive and systematic use of disappearances was itself a repressive 'innovation' by the Argentina armed forces. Other regimes had practiced 'disappearances,' but the Argentine military developed a well-organized system to 'disappear' very large numbers of people."

275 Directly after the fall of the military regime the number of disappeared was estimated at 9000,

276 but today estimations number closer to 30,000 people. Furthermore, after the fall of the regime 340<sup>277</sup> clandestine detention centers were discovered, and today this number is adjusted to a little over 360.

278 Because of the number of disappeared people and the large amount of clandestine detention centers, one can speak of a genocide in Argentina.

One remarkable characteristic of this military regime was that they managed to develop autonomy in relation to the elite. Many members of the Argentine elite expected that they would have some influence on the policy of the juntas because this had happened during the former regimes. Although the elite was implicated with the preparations of the *Proceso*, they did not have a lot of influence on it.<sup>279</sup> Another characteristic was the division between the armed forces, which was a consequence of the competition between the military units. There had always existed distrust between the army, the air force and the navy, but now it was determined that the *Junta Militar* would consist of three separate commanders of the three military units. These were Jorge Rafael Videla (army), Orlando Ramón Agosti (air force) and Eduardo Emilio Massera (navy). Because of the existing distrust, it was very difficult to choose a president. Videla was eventually chosen because he represented the traditionally powerful army.<sup>280</sup>

This division within the junta also caused a fragmentation and decentralization of the repression. Every military unit had its own command groups, arrest squads and prisons. All the reports and investigations of the repression point out the fact that there was a lot of arbitrariness in violating human rights. This was the consequence of a conscious policy of terror but also the unintentional result of the fragmentation of the armed forces. Later Videla and other leaders of the regime would use this argument to state that they did not know, and could not know, anything about the violation of human rights.<sup>281</sup>

Videla was president from 1976 until March 1981, when Roberto Viola, also a commander in the army, became his successor after a large conflict between the three military units. His attempts

<sup>&</sup>lt;sup>272</sup> (Baud 2001, p. 16)

<sup>&</sup>lt;sup>273</sup> (Pion-Berlin 1985, p. 57)

<sup>&</sup>lt;sup>274</sup> (Baud 2001, p. 17-18)

<sup>&</sup>lt;sup>275</sup> (Sikkink 2008, p. 4)

<sup>&</sup>lt;sup>276</sup> http://www.desaparecidos.org

<sup>&</sup>lt;sup>277</sup> http://www.desaparecidos.org

<sup>&</sup>lt;sup>278</sup> http://www.memoriaabierta.org.ar

<sup>&</sup>lt;sup>279</sup> (Baud 2001, p.13)

<sup>&</sup>lt;sup>280</sup> (Baud 2001, p. 14)

<sup>&</sup>lt;sup>281</sup> (Baud 2001, p. 15)

of liberalizing politics where not appreciated by the other units of the military and after a 'silent coup' in December of the same year he was succeeded by Leopoldo Galtieri who eventually led Argentina into the Falkland War in April 1982. The invasion of the British Falkland islands proved to be a disaster for the military junta. In the first weeks of April 10,000 soldiers occupied the island, but 50 percent of the soldiers was not even professional. For two months the Argentine media could keep up the appearance that Argentina was winning the war, but on 14 June 1982 the army surrendered to the British. All in all more than 1,200 Argentine men had died. The defeat in the Falkland war had crushed the public support for the juntas, marked the end of the dictatorial regime and initiated the transition to democracy. 283

# The rise of the human rights organizations

Violations of human rights and organizations who want to defend these rights are not a new phenomenon in Argentina. In the 1930s, the first organizations where established to defend and protect people from mistreatment by militants of political movements. Organizations, which defended the rights of indigenous people, also already existed. However, with the rise of violence in the 1970s and the arrival of the junta in 1976, claims of human rights violations started to soar. The claims became more pervasive, from all different corners of society and centered more around defending life itself. It was in this context that preexisting organizations changed their goals many new organizations came into existence. He is a new part of the start of the start

The human rights movement in Argentina has always been heterogeneous and can be divided into two groups; organizations primarily consisting of or employing people who are directly affected by the political violence and organizations, that are not. The difference between the human rights organizations would later become important in understanding the cleavages within the human rights movement and its position with regard to the transition to democracy.<sup>286</sup> The most important activities of the human rights movement were the distribution of information and public accusations of violations, and creating solidarity and support for the victims and their families.

#### After the juntas

In the final months of 1983 the transitional military government tried to influence the collective memory by propagating the following four points. First, the so-called 'dirty war' had been a legitimate war against guerillas that were supported by Cuba and the Soviet Union. Second, the army had helped Argentina on the right track by stopping the political disintegration, stimulating the economy and combating corruption and nepotism. Third, the counterinsurgency war was fought within the margins of the law, with a legal mandate, legal measures of repression and torture. The disappearances, however, where an inconvenient and inevitable excess. Finally, the army was, as the only stable social institution, inextricably bounded to Argentine society as it had been standing at the birth of the nation.<sup>287</sup> However, the Argentine people did not approve of this narrative, because their experience with the army (corruption, nepotism, abuse of power, state terror) was very different and the fate of the disappeared was an overarching concern of society. Nevertheless, the army was given the first move in the politics of memory. They imposed a self-amnesty law and by obscuring and destroying bodies they tried to hide the traces of state terror as much as possible.<sup>288</sup>

<sup>&</sup>lt;sup>282</sup> (Pion-Berlin 1985, p. 64 and 70)

<sup>&</sup>lt;sup>283</sup> (van Drunen 2010, p. 56)

<sup>&</sup>lt;sup>284</sup> (Jelin 1994, p. 39)

<sup>&</sup>lt;sup>285</sup> (Jelin 1994, p. 40)

<sup>&</sup>lt;sup>286</sup> (Jelin 1994, p. 41)

<sup>&</sup>lt;sup>287</sup> (Robben 2005, p. 130)

<sup>&</sup>lt;sup>288</sup> (Robben 2005, p. 131)

# Raúl Ricardo Alfonsín

The first president elected after the fall of the juntas was Raúl Ricardo Alfonsín. He promised to deal with the human rights violations of the juntas, which contributed to his victory. But the human rights organizations soon realized that his program was not as profound as they had wanted. Alfonsín wanted to punish human rights violations and at the same time include the armed forces in the process of democratization. The military, however, feared prosecution and exercised a lot of pressure on Alfonsín. They pressured him with the threat of rebellion, which in some isolated cases happened nonetheless. Alfonsín wanted to change the situation in his country, but found himself between two opposing sides; a rebelling military and the socially backed HROs, which stated that the military organization was responsible as a whole and had to be punished accordingly.<sup>289</sup> Alfonsín's vision on justice, however, was not retributive but forward-looking, and he wanted to protect the future social order.

On 15 December 1983, Alfonsín created the Comisión Nacional sobre Desaparicíon de Personas<sup>290</sup> (National Commission on Disappeared Persons, CONADEP). "The commission was an executive commission under the supervision of the Ministry of the Interior and its main task would be to investigate the fate and whereabouts of the disappeared."291 The CONADEP was aware of the attempts of the military to cover up its tracks. Therefore, they took over hundreds of depositions in Argentina and abroad, opened up mass graves to perform forensic research and examined the records of morgues, hospitals and cemeteries.<sup>292</sup> The commission had the jurisdiction to hear complaints from victims, to receive voluntary testimonies and documentation and to pass it on to the judiciary. However, the CONADEP had one limitation, it could not pressure witnesses into telling their story, which eventually meant that they were dependent on voluntary testimonies.<sup>293</sup> The human rights organizations collaborated with the CONADEP by allowing access to their voluminous documentation that they had gathered during the years of repression.<sup>294</sup> This contributed to the quality of the report presented by the CONADEP called *Nunca más*<sup>295</sup> (Never again). The report presented 8,961<sup>296</sup> cases of disappeared people and documented the location and organization of 340 clandestine detention centers.<sup>297</sup> It triggered demonstrations by human rights organizations, political parties and social organizations throughout Argentina. Several debates took place about the number of disappeared people and detention centers denounced in the report. In November of 1984 the book *Nunca más* was published and immediately became a bestseller.<sup>298</sup>

The investigation of the CONADEP was also very important for the collective memory in the country. The book *Nunca más* told the stories of the victims and 'broke the silence'. Through the book, people became acquainted with the methods of torture, forced disappearance and the function of the terrorist apparatus of the state. It caused a shockwave of horror throughout the nation, both in the conscience of the individual as well as in the collective mind. This period of storytelling after the fall of the regime is also called *the discourse of the victims*.<sup>299</sup>

Because of the heterogeneity of the human rights movement there were internal differences within the movement about how to deal with the democratic government. However, despite their differences, the HROs found common ground in their approach to justice. They demanded the immediate annulment of the self-amnesty law implemented by the military in 1983, and the punishment of all the culprits by a civilian court, regardless of their rank. They also demanded the

<sup>&</sup>lt;sup>289</sup> (van Drunen 2010, p. 59)

<sup>&</sup>lt;sup>290</sup> (Jelin 1994, p. 47)

<sup>&</sup>lt;sup>291</sup> (van Drunen 2010, p. 60)

<sup>&</sup>lt;sup>292</sup> (Robben 2005, p. 131)

<sup>&</sup>lt;sup>293</sup> (van Drunen 2010, p. 60)

<sup>&</sup>lt;sup>294</sup> (Sikkink 2008, p. 7)

<sup>&</sup>lt;sup>295</sup> http://www.desaparecidos.org

<sup>&</sup>lt;sup>296</sup> (Grandin 2005, p. 51)

<sup>&</sup>lt;sup>297</sup> http://www.desaparecidos.org

<sup>&</sup>lt;sup>298</sup> (van Drunen 2010, p. 61)

<sup>&</sup>lt;sup>299</sup> (García 2005, p. 62)

reform of the police and military institutions, replacement of policemen, reduction in the military budget, the dismantling of the repressive apparatus and the displacing of members who had been involved in the repression. Furthermore, they demanded the release of political prisoners and the return of children born in captivity. Finally, they demanded forced disappearances to be declared a crime against humanity.<sup>300</sup>

Alfonsín responded to these demands, but not to all of them and not in their full extent. <sup>301</sup> He replaced judges of the Supreme Court and the Federal Criminal Court, removed the police and gendarmerie from army control, and promised to annul the self-amnesty law of the military. <sup>302</sup> However, "Alsonsín had committed himself to seek justice for human rights violations, but he had to balance that commitment with the desire to integrate the armed forces into the democratic polity and prevent future military coups." <sup>303</sup> This mental legacy showed in his opinion about the trials. He believed that the vast number of trials should be limited and that the military as an institution should not be accused. Furthermore, a military court should be in charge of the prosecutions. <sup>304</sup> "He thought that leaving this responsibility to a military court would have the advantage of fulfilling his electoral promises of prosecution of the guilty, without the armed forces becoming his enemy." <sup>305</sup> Pressure from the human rights movement, however, trapped Alfonsín between them and the stubborn attitude of the military. He now had to reform with both parties demanding opposites, leaving him no choice but to find some middle ground. This could be found in the *Teoría de los dos demonios* (Theory of the two demons), which can only be explained when we look at the different narratives during the dictatorship and the following transition phase.

During the dictatorship of 1976-1983, the narrative of the human rights organizations centered around the value of human rights and the violations of these rights by the military regime. The emblematic figure of state terrorism was constructed in this time; that of the forcefully disappeared and detained person, who fell victim to unimaginable horrors during his or her time in captivity<sup>306</sup> (discourse of the victims). The other narrative during this period was that of the military. It reasoned that it was a time of war, which had turned out to be the so-called 'dirty war' against subversion<sup>307</sup>. An image was created of the 'subversivo'; an armed militant, fighting to overthrow the state. To make matters worse, the militants made use of an offensive ideology, which had its roots in communism. This proved to be a very effective narrative within the discourse of the Cold War when it came to demonizing the 'subversivos'.

After the fall of the regime the discourse of the victims 'broke the silence', which brought the horrifying and painful stories of the victims to the forefront. In the middle of all these terrible stories, which brought on a collective feeling of fear, the Alfonsín government found it necessary to soothe peoples' minds. Alfonsín found his soothing in the theory of the two demons. This theory was a historical interpretation that "compared the actions of the guerilla organizations to those of the armed forces and reduced the complex political and social process that had led to the military dictatorship to a confrontation between these two armed factions." The government constructed an interpretation based on a scenario in which two great evils confronted each other; the military with its excesses and the leftist guerilla organizations. The population, portrayed as good citizens who favored peace and democracy, was caught in the middle of the clash. The theory of the two demons gave way to the majority of the people to identify itself with the notion of 'por algo sera'<sup>310</sup>,

<sup>&</sup>lt;sup>300</sup> (van Drunen 2010, p. 64-65)

<sup>&</sup>lt;sup>301</sup> (Sikkink 2008, p. 6)

<sup>&</sup>lt;sup>302</sup> (van Drunen 2010, p. 65)

<sup>&</sup>lt;sup>303</sup> (Sikkink 2008, p. 6)

<sup>&</sup>lt;sup>304</sup> (van Drunen 2010, p. 65)

<sup>&</sup>lt;sup>305</sup> (van Drunen 2010, p. 65)

<sup>&</sup>lt;sup>306</sup> (Jelin 2003, p. 53)

<sup>&</sup>lt;sup>307</sup> (Jelin 2003, p. 53-54)

<sup>&</sup>lt;sup>308</sup> (García 2005, p. 66)

<sup>&</sup>lt;sup>309</sup> (van Drunen 2010, p. 72)

<sup>&</sup>lt;sup>310</sup> (Jelin 2003, p. 54)

which meant that there must be a reason for the repression. This in turn, led implicitly to the justification of the repressive acts and excesses of the military regime. On the other hand, the human rights organizations strengthened the image of the victim by pushing accusations and judicial prosecutions of the military.<sup>311</sup>

It was in this context that Alfonsín stated that if the military court was not able to handle the cases in a certain period of time, a civilian court would take over. A deadline passed and finally the Federal Criminal Court concluded that the Supreme Council of the Armed Forces was not competent enough to lead the process. This initiated the Juicio a las juntas (The trial of the juntas) in 1985. 312

On 22 April 1985 the trial against three of the four juntas began. It included 709 cases of murder, unlawful deprivation of freedom, torture and robbery. The material gathered by the CONADEP and the human rights organizations helped the prosecutors.<sup>313</sup> The prosecution substantiated that:

"Argentina had been at a state of war, and added that, even according to the law of war, violations had been committed. It argued that the junta leaders were the authors of a systematic and criminal plan to eliminate the opposition and that they were responsible for murder and torture by acts of commission and by omission."314

The defense was based on four main arguments. First, it stated that the crimes had been committed in execution of legal duty, following an annihilation decree signed by Isabel Perón in 1975. A second argument was that 'the war against subversion' was a reaction to a serious threat for the country. Third, the defense pleaded that there had been an attack of subversive elements and that the military had acted out of self-defense. Finally, it argued that Argentina had been in a state of war so that military operations were not bound by rules. The Court however, took the edge off of all the arguments when it stated that "the author of a crime is the one who controls events"315, and therefore the juntas were also responsible for acts they had not committed themselves. Nevertheless, there was not enough proof that there had been coordination between the juntas, so they could not be judged as a collective entity. This is why the sentences turned out lower than the prosecutors had demanded. Nevertheless, five of the nine generals were found guilty and Videla and Massera were condemned to lifetime imprisonment.<sup>316</sup>

The success of the trials against the leaders of the juntas led to many more prosecutions. In the beginning of 1985 more than 2000 complaints had been filed against 650 officers. Alfonsín feared for the success of democracy with an offended military and he was not the only one. Because of the discourse of victims in the first few years after the fall of the regime, the atrocities committed by the dictatorial regime were still very fresh in the memories of the people. They were afraid of repetition of these horrors, which caused fear and silence. This new discourse that arose is also called the discourse of fear. People wanted to forget in order to deny the past and ensure their own safety. Therefore, to justify the past and the indifference of society two amnesty laws were drafted.<sup>317</sup> When sectors of the military performed various coup attempts against the government Alfonsín pushed the Ley de Punto Final (The Final Stop Law) through on 24 December 1986.318 This law stated that there would be a 60 day deadline for initiating new prosecutions with the exception of accusations of rape, theft and the abduction and concealment of children.<sup>319</sup> The law caused huge demonstrations among

<sup>311 (</sup>Jelin 2003, p. 54)

<sup>&</sup>lt;sup>312</sup> (van Drunen 2010, p. 66)

<sup>&</sup>lt;sup>313</sup> (van Drunen 2010, p. 66)

<sup>&</sup>lt;sup>314</sup> (van Drunen 2010, p. 67)

<sup>&</sup>lt;sup>315</sup> (van Drunen 2010, p. 68)

<sup>&</sup>lt;sup>316</sup> (Sikkink 2008, p. 10)

<sup>&</sup>lt;sup>317</sup> (García 2005, p. 63)

<sup>&</sup>lt;sup>318</sup> (Sikkink 2008, p.9)

<sup>319 (</sup>Bonner 2005, p. 61)

broad sectors of society and the human rights organizations and judiciaries reacted by intensifying their actions. Judiciaries skipped their summer vacations to process as many cases as possible. Hundreds of new cases were presented which radicalized the authorities within the military leading to demonstrations. The unrest was ended with the adoption of the *Ley Obediencia Debida* (The Due Obedience Law) on 5 June 1987. In order to limit the trials this law dictated that there are three levels of responsibility. "These levels distinguished between those who gave the orders, those who carried them out, and those who committed excesses." The second group would be spared of prosecutions, because they only followed orders. All the military personnel under the rank of lieutenant colonel, which not committed excesses, was exempted from responsibility for their crimes. This included accusations of forced disappearances, illegal detentions, torture and murder. "Only theft, rape and abduction of babies were still considered punishable." In 2003, both laws were repealed by the National Congress, which made it possible to reopen cases against humanity.

#### Carlos Saúl Menem

On 9 July 1989 Carlos Saúl Menem took over presidency. The policy of trading justice for obedience, with the Full Stop law and the Due Obedience law, continued under his leadership and led to a period of silence about the past. One of the first measures Menem took was granting pardons to high ranked officers who were accused of human rights violations and did not fell under the previous laws. Eventually, 277 people benefitted from the pardons, among them people who were prosecuted for their involvement in the Falkland war and military uprisings under the Alfonsín government. The pardons were applied to both former guerillas as well as former junta members. Only the junta leaders Videla, Massera, Viola and Lambruschini, the generals Camps, Richieri and Suárez Mason and former Montoneros number one Mario Firmenich were excluded. One year later, however, they were also granted a pardon and Videla immediately demanded an apology and recognition from society for his work on behalf of democracy.<sup>324</sup>

Menem also neutralized the rebellious sectors within the military by trading mass pardons for substantial subordination of the military to civilian rule.<sup>325</sup> In December 1990, however, there was another military uprising. From the 277 people who benefited from the pardons, 174 participated in this uprising. However, with the pardons granted in 1989 and the rumors of new pardons, the rebels did not receive support from the high commands.<sup>326</sup> Menem had the opinion that he had the moral right to pardon, because he himself had been a political prisoner during the dictatorship. According to him, the pardons he granted were necessary "to heal the wounds of the past, to generate national reconciliation and pacify the country", while demands for truth and justice from the victims of the disappeared were "manifestations of revenge and resentment."<sup>327</sup> However, because of the implementation of the Full Stop and Due Obedience law and the policy of Menem, healing the wound of the past and generating national reconciliation became synonyms for impunity.<sup>328</sup>

The presidential pardons revoked similar reactions as the Full Stop and Due Obedience laws. Critics pointed out the risk of pardons, which could undermine the authority of the judiciary, and thousands of people flooded the streets to demonstrate. But the policy of Menem had also consequences for the human rights movement. The pardons created demoralizations and disillusionment among members of human rights organizations which led to less action among members or even the departure of some. It became more difficult for the HROs to mobilize people

<sup>321</sup> (van Drunen 2010, p. 65)

<sup>&</sup>lt;sup>320</sup> (Bonner 2005, p. 60)

<sup>&</sup>lt;sup>322</sup> (van Drunen 2010, p. 66)

<sup>&</sup>lt;sup>323</sup> (Robben 2005, p. 140)

<sup>&</sup>lt;sup>324</sup> (van Drunen 2010, p. 82-84)

<sup>325 (</sup>Roniger and Sznajder 1998, p. 147)

<sup>&</sup>lt;sup>326</sup> (van Drunen 2010, p. 84)

<sup>&</sup>lt;sup>327</sup> (van Drunen 2010, p. 85)

<sup>&</sup>lt;sup>328</sup> (van Drunen 2010, p. 85)

and they became isolated from civil and political society. For the victims, the pardons meant that they could be confronted with their torturers at any time, because persons who had committed human rights violations could fulfill public functions again and even be elected.<sup>329</sup>

There were other issues as well that diverted the attention from the demands for truth and justice. Menem had radically reformed the state by establishing a market economy. Initially, this reform led to some economic welfare, 330 but it also led to socio-economic fragmentations and marginalization. The group of poor people grew and the differences between classes became greater as well on economic as on social and cultural levels. Thus, the human rights movement faced on one side a group that favored the policy of Menem, and on the other side a group that was hit by his policies and had other concerns. Menem constantly maintained that "settling the accounts of the past stood in the way of the nation's future socio-economic development" Another issue that diverted the attention from human rights violations was the increase of institutional violence, especially from the police. The violence consisted of torture, corruption and the involvement of the police in criminal activities. These illegal practices where rarely punished, because they were supported by external institutions like judges and forensic experts. Therefore, it became an issue of social protest. Menem had assigned loyal judges to the Supreme Court and by doing so effectively controlled the judiciary system of the country. 333

With Menem, the discourse of fear evolved into a *discourse of oblivion*. Because of the amnesty laws adopted by Alfonsín, and the pardons granted by Menem people started to forget the past. This process created an Argentine society, which did not have a history. Because the Argentines did not have a past, they were not able to use their past to construct expectations for their future in the present.<sup>334</sup> (See also chapter 2: Theoretical Framework.) Submission to governmental power seemed the only solution for society to move forward. The Menem government responded to this discourse by creating a new narrative, that of national reconciliation. People needed to leave the past behind to be able to move forward.<sup>335</sup>

In 1994, something happened that drew the attention back to the demand for truth and justice. A retired navy captain called Adolfo Scilingo had approached a journalist to tell about his experiences in the navy, which caused a shock through society and broke the silence around the military. The Senate had refused to grant promotions to two of his friends and former colleagues because of their participation in the repression, and Scilingo disagreed with that. According to him, the High Command should have been blamed for the repression, because they had given all the orders. After having tried to get attention from the military by sending letters to Videla, Menem and the successive chiefs of the navy Scilingo decided to approach the journalist Verbitsky. He talked about how the repression was organized within the navy, and particularly in the navy's secret detention centre, also known as the *Escuela de Sub oficiales Mecanicos de la Armada* (Navy Mechanics School, ESMA). Furthermore, he talked about his participation in the 'death flights' and he revealed the existence of lists of disappeared people circulating within the military.<sup>336</sup>

Menem declared that Scilingo was crazy and within the military he was seen as a traitor for breaking the silence. They could not prevent, however, that the story of Scilingo had an enormous impact and formed the beginning of a new discourse; the discourse of the offenders.<sup>337</sup> The confessions of Scilingo stimulated more retired military men to talk about their participation in the repression.<sup>338</sup> Their confessions opened the eyes of society, which gave the human rights movement

<sup>&</sup>lt;sup>329</sup> (van Drunen 2010, p. 87)

<sup>&</sup>lt;sup>330</sup> (Smith 1991, p. 46)

<sup>&</sup>lt;sup>331</sup> (van Drunen 2010, p. 88-89)

<sup>&</sup>lt;sup>332</sup> (Denissen 2008, p. 50)

<sup>&</sup>lt;sup>333</sup> (Denissen 2008, p. 50-51)

<sup>&</sup>lt;sup>334</sup> (Cerruti in García 2005, p. 67)

<sup>&</sup>lt;sup>335</sup> (García 2005, p. 67)

<sup>&</sup>lt;sup>336</sup> (van Drunen 2010, p. 89-90)

<sup>&</sup>lt;sup>337</sup> (García 2005, p. 63)

<sup>&</sup>lt;sup>338</sup> (van Drunen 2010, p. 90)

an extra boost in their call for the prosecution of perpetrators, and thus demolished the fragile process of reconciliation.<sup>339</sup> The demands for truth and justice from victims and human rights organizations revived and they were also demanding more information from the military about the disappeared. A huge debate between the government, military and human rights movement arose about the existence of lists of disappeared people.

With this renewed attention for past violations the human rights movement capitalized on impunity as a central concern. With the notion of impunity they were able to connect their past struggle for truth and justice concerning violations with their current struggle against wrongdoings of the present government. They stated that they did not saw changes of personnel, ideologies and practices within the government and claimed that for a great part, this was due to the policy of Menem. Because of the Full Stop and Due Obedience laws and the pardons granted by Menem, people had the feeling that they were sharing public space with criminals. On top of that the abuse of Menem of his presidential power further fueled the perception of impunity. He abused his veto prerogatives and constantly appealed to presidential decrees to implement state reform. These actions undermined the authority of the judiciary system, which had an effect on Argentine society. The perception of the judiciaries was that they were unable to provide justice for common citizens and lacked independence from the government. The human rights movement became a great actor in creating awareness for these problems that threatened the democratic order. According to them, the new crimes were a consequence of the impunity towards the crimes of the past. Little had changed and linking crimes of the present to crimes of the dictatorial regime became a dominant form of collective action in the 1990s. 340

#### Néstor Kirchner

After the economic crisis of December 2001 and the rise and fall of several presidents in a period of 4 years Néstor Kirchner was elected president on 25 May 2003. In contrast to his predecessors, Alfonsín and Menem, he made human rights a central concern of his state policy. He created important political opportunities for the human rights movement by adopting measures in the field of truth, justice and memory.<sup>341</sup>

In the first two years of his presidency, Kirchner took several measures that led to moral and political change. One of the first measures was the forced retirement of 27 generals, 13 admirals and 12 sergeant majors, which meant a renewal of 75 percent of the leadership of the military. In addition, no military personnel that participated in the repression could be promoted. In 2003 Kirchner publicly stated that he would support a decision of the Congress to annul the Full Stop and Due Obedience laws. The laws were revoked, which made it possible to reopen cases again. Simultaneously, Kirchner reformed the Supreme Court, because he was of the opinion that the Court lacked independence under the two former governments. Within two years, six of the nine judges were forced into retirement. Kirchner also advocated a more public and transparent process to appoint future court nominees. He also received a lot of credit for his actions from the human rights movement, especially after creating the *Archivo Nacional de la Memoria* (National Archive of Memory). This archive falls under the Secretariat of the Human Rights and contents documentation of the military and police, but also the CONADEP. This documentation has been used in several cases.

<sup>&</sup>lt;sup>339</sup> (Robben 2005, p. 121)

<sup>&</sup>lt;sup>340</sup> (van Drunen 2010, p. 93-94)

<sup>&</sup>lt;sup>341</sup> (Denissen 2008, p. 57)

<sup>&</sup>lt;sup>342</sup> (van Drunen 2010, p. 214)

<sup>&</sup>lt;sup>343</sup> (Bonner 2005, p. 69-70)

<sup>&</sup>lt;sup>344</sup> (Denissen 2008, p. 57)

<sup>345 (</sup>van Drunen 2010, p. 218)

The presidential term of Kirchner was also characterized by a fragmentation of the human rights movement. Actors who were struggling for truth, justice and memory were used to compete against a government, whereas now they had to deal with a government that was cooperative. "The central issue was whether it was possible to maintain a critical judgment while cooperating with the state."346 The human rights movement became deeply divided on how to deal with this new political environment.347 Roughly there can be made a distinction into two ideological movements. One movement was critical of the Kirchner government and looked at the situation in Argentina as a class struggle. They saw the state as an organization that successfully served capitalist interests, which operated against the interests of the majorities and in favor of the elites. In doing so it was systematically violating economic, social and human rights. The human rights movement that criticized the Kirchner government admitted that there were differences between the state under the dictatorial regime and the democratic regime; however, the differences were limited because the motivations and interests remained the same. They saw the state as the enemy and their role was to criticize the role of the state regarding the class struggle and the violations that resulted from it. Therefore, it was crucial to these organizations to remain independent from the state and maintain their autonomy. Their ultimate goal was to reform the juridical and political system through mobilizations and political pressure.<sup>348</sup>

The other movement was positive about the Kirchner government and thus did not want to transform the system. They did not see the limitations of the state as a consequence of issues of political will, but as consequences of the weakness of the state towards its public administrative, technical and enforcement institutions. They wanted to improve and strengthen the system by operating within it. Furthermore, they made a distinction between the dictatorial regime and the democratic state. They believed that with the arrival of a democratic government it had become more open to citizens' influence. By exercising this influence they wanted to prevent the state from being captured by private interests.<sup>349</sup>

#### **Processing the past**

The way Argentine society has processed the consequences of the dictatorial regime in the last 28 years shows contradictions. On one side the Argentinean government has done a critical self-reflection by starting a trial of the juntas and the search for justice. On the other side, she also adopted amnesty laws and decreed pardons that led to the release of the convicted. Although this seems quite ambivalent or arbitrary, it can be explained if we look at the different discourses since 1983. Through the investigation of the CONADEP the discourse of the victims arose through which the country became acquainted with the horrors of the dictatorial regime. People however, were afraid of repetition and the discourse of fear arose, which also brought silence. This silence and the wish of people to leave the past behind was answered by the Menem government with its narrative of reconciliation and the discourse of oblivion. Eventually the navy captain Adolfo Scilingo, which again opened the eyes of the people and heralded the discourse of the offenders, broke the silence. This discourse gave a boost to the human rights movement and their claims for truth and justice. Furthermore, with the arrival of Kirchner processing the past became even more important.

Nowadays in Argentina more and more attention goes out to civilians and sectors of society who silently adjusted after the fall of the dictatorial regime. The question whether civilians too were accessory to the repression comes to rise. This attention for the good, the bad and the grey space in between is becoming more and more important. This could be an indication that Argentine society has gone into a new phase of processing the consequences of the dictatorial regime.<sup>351</sup>

<sup>&</sup>lt;sup>346</sup> (van Drunen 2010, p. 209)

<sup>&</sup>lt;sup>347</sup> (van Drunen 2010, p.209)

<sup>&</sup>lt;sup>348</sup> (van Drunen 2010, p. 227-229)

<sup>&</sup>lt;sup>349</sup> (van Drunen 2010, p. 229)

<sup>350 (</sup>Baud 2001, p. 131)

<sup>351 (</sup>Baud 2001, p. 132)

Whatever the answer to this question may be, it is clear that Argentina has had a difficult century and that it will take time to recover from this. How its citizens view the country's history, will determine the course of its future.

# Analysis The hegemonic collective memory and the human rights organizations

Memory believes before knowing remembers. Believes longer than recollects, longer than knowing even wonders. William Faulkner

In this chapter the data derived from the analysis of the newspaper articles and the interviews with the staff members of the HROs will be elaborated. The data gathered from the newspaper articles reflects the hegemonic collective memory and the data from the interviews reflects the chosen truth of the HROs. The aim of this research project is to explain how the HROs influence the hegemonic collective memory in Rosario. In this chapter, there will be looked at how the variables memory, justice, truth and reconciliation influence the hegemonic collective memory. Subsequently, it will be elaborated how much the HROs contribute to this influence by looking at how the variables are reflected in their chosen truth.

First, the early findings of the analysis of the newspaper articles will be elaborated, because it gives a good impression of the role the dictatorial period plays in today's Argentinean society. Subsequently, the variables memory, justice, truth and reconciliation will be presented in turn by first describing the chosen truth of the HROs and then the hegemonic collective memory. At the end of each variable it will be elaborated how the HROs contribute to the influence of that particular variable on the hegemonic collective memory. 352

# Hegemonic collective memory; early findings

The first remarkable discovery was that relevant articles appeared throughout the whole year (See figure 5). More than 70 percent of the days of the year had at least one hit and thirteen hotspots appeared throughout the year, which in total contained 46 days. This shows that the subject of the dictatorship is very much alive and is considered an important issue in Argentinean society.

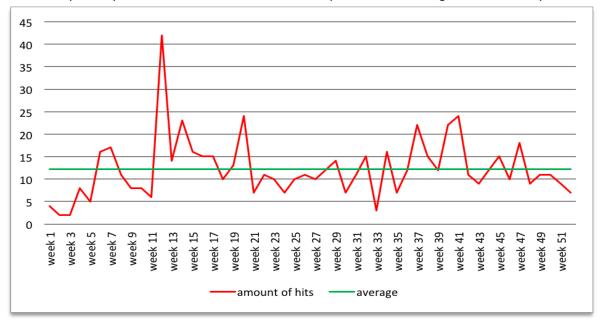


Figure 5: Amount of hits per week in the hotspot calendar

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<sup>&</sup>lt;sup>352</sup> Every citation or heading of an article mentioned in this chapter is translated by the author.

A closer look at the figure above reveals a couple of remarkable hotspots, but also results that were below the annual average. For example, week 12 contains the most important hotspot, where week 33 contains results far below the average. Although some periods show results below average, we can see that the queries still yielded some results; an indication that the issue of the dictatorship is present throughout the whole year. The results far above as well as quite below the average deserve a closer look to see if there is a reasonable explanation for their deviation. After all, if the mentioned deviations can be explained by certain events in Argentinean society in the same period in time, it is an indication that the newspaper articles provide a good reflection of the Argentinean hegemonic collective memory concerning the dictatorship and its remembrance.

From week one up to and concluding week five and from week 48 up to and concluding week 52 the amount of hits are far below average. This can be explained by the celebration of Christmas, which is directly followed by a month of summer vacation in January. The summer vacation in Argentina is in January, because the summer in the Southern Hemisphere is in January, February and March. Especially in January activities in Argentinean daily life are very low, probably because of the heat. This finds its reflection in the number of newspaper articles about social concerns.

The first hotspot that stands out is also the largest one, ranging from week 11 up to week 13. The 24<sup>th</sup> of March in Argentina is called the national day of memory for truth and justice (*día nacional de la memoria por la verdad y la justicia*). On this day the victims of the dictatorial regime are commemorated by what is now almost a national holiday of some sorts. There are newspaper articles about organized marches through the cities in which thousands of people participate, there are commemorations at monuments, debates about human rights, theatric plays related to the subject etcetera. Furthermore, on the 24<sup>th</sup> a special edition appears in the newspaper containing articles about the dictatorial regime ranging from an economic analysis of the regime to personal experiences.

Another point in the diagram that attracts the attention is the drop in amount of hits in week 33. This drop can be explained by the first round of the presidential elections, which took place at the beginning of week 33, on the 14<sup>th</sup> of August. In Argentina, when none of the candidates for election receives 45 percent of the votes in the first round, a second round of voting is held.<sup>353</sup> In 2011 a second voting round was needed and because of this the newspaper issues in week 33 mostly write about the political developments in the country. The second round of voting took place on the 23<sup>rd</sup> of October, which can explain the drop of hits in week 43. Presidential elections in Argentina mostly avoid the rather touchy subject of the dictatorial period. The campaigns for election are almost completely about current events in society. An exception to this rule was the presidential election of Néstor Kirchner, who gained support by promising to do something about the politics of impunity. Back then, however, this feeling was already present in Argentinean society. In contemporary politics there is no clear policy for or against former juntas, which leaves no opportunity for political gain in this field.

Finally, the diagram shows another hotspot in week 37 and 38. This hotspot can be explained by the opening of a very large trial about a detention center called *Circuito Camps*. In this trial 26 well known oppressors are accused, of which Miguel Etchecolatz is the largest name. The hotspot in week 37 and 38 is followed by a slightly larger hotspot in week 40 and 41. In these weeks the newspaper writes a lot about the development in the trial *Circuito Camps*. However, this hotspot can also be explained by the sentence of the major trial of the detention center *ESMA*, in which 18 former officers were prosecuted. Among them former captain Alfredo Astíz who was also known as *'el ángel de la muerte'* (the angel of death).

<sup>&</sup>lt;sup>353</sup> (Political database of the Americas, unknown)

After the sampling, the analysis started by looking at the ten nodes that had the most hits. The top ten was as followed;

Node in Spanish	Node in English	Sources	References
Juicio	Trial	35	90
Desaparecido	Missing person	34	90
Represor	Oppressor	35	87
Justicia	Justice	33	87
Dictadura	Dictatorship	33	78
La causa	The case	29	61
Memoria	Memory	26	60
Juez	Judge	22	50
Delitos de lesa humanidad	Crimes against humanity	29	49
Proceso	Juridical process	21	46

Table 1: Top ten nodes

The first thing that stood out was that the synonyms used for the node 'trial' ('the case' and 'juridical process') were also in this top ten. Because the node 'trial' was already the number one, which makes it very clear that it is of importance, it was decided to make a new top ten and to leave the nodes 'the case' and 'juridical process' out. Furthermore, it was studied under which parent node a certain node was categorized. After this review, the top ten was formulated as followed;

Node in Spanish	Node in English	Sources	References	Parent node
Juicio	Trial	35	90	Justice
Desaparecido	Missing person	34	90	Dictatorship
Represor	Oppressor	35	87	Dictatorship
Justicia	Justice	33	87	Justice
Dictadura	Dictatorship	33	78	Dictatorship
Memoria	Memory	26	60	Memory
Juez	Judge	22	50	Justice
Delitos de lesa humanidad	Crimes against humanity	29	49	Justice
Asesinados	Murdered person	20	41	Justice
El tribunal oral federal	The Federal Court	25	38	Justice

Table 2: Top ten nodes revised

This revised top ten shows us that the most of the high-ranking nodes are grouped under the parent nodes 'justice' and 'dictatorship'. This shows that both parent nodes are almost equally important. When looking closer at the newspaper articles, we see that most articles containing both parent nodes are about trails against the former juntas. This implicates a striking overlap between the two parent nodes; an overlap worth studying further. We also see that the parent node 'memory' is on its own, but still in the top ten. It is therefore an important aspect that requires further investigating. After all, is it creating conditions for other parent nodes, or is it an important theme by itself?

The parent node 'truth' is not found in this top ten, just as 'reconciliation' is not. The difference between these parent nodes, however, is that 'truth' is present in the sample of newspaper articles, where 'reconciliation' is conspicuous by its absence. This last fact deserves extra attention as reconciliation is an important aspect in this research project, as well as in any post-conflict situation.

#### Relation between justice and dictatorship

A parent node that has a place in the top ten of the analysis of the newspaper articles is 'dictatorship', which is not very surprising because it is the overall subject of the sampling process. The nodes 'missing person' and 'oppressor' are placed under the parent node 'dictatorship', although both have more hits. A parent node is an overarching theme or an important subject from which nodes are derived. It is therefore not necessary for a parent node to have more hits than its underlying nodes.

When looking at the context of the articles where the nodes concerning dictatorship were coded, we see that the majority of the articles are about trials. Examples of titles are 'Ten oppressors to trial' and 'So, it is possible to condemn the disappearance'. Therefore, it might be assumed that there exists a relation between the parent nodes 'justice' and 'dictatorship'. This relation can be seen in a cluster analysis of the top ten nodes (see figure 6). In the dendrogram, the nodes are selected together if they code many of the same sources. It shows that the nodes 'oppressor' and 'justice' share most of the same sources and are thus the most similar and form a cluster of two nodes. When we allow the cluster to be a little bit bigger, we can see that the nodes 'missing person', 'dictatorship' and 'trial' also share a similarity with 'oppressor' and 'justice'. It appears to be that the nodes 'crimes against humanity' and 'the federal court' also form a small cluster and thus are mentioned together in articles. This similarity between nodes of the parent node 'justice' and nodes of the parent node 'dictatorship' confirm that these two parent nodes are related to each other.

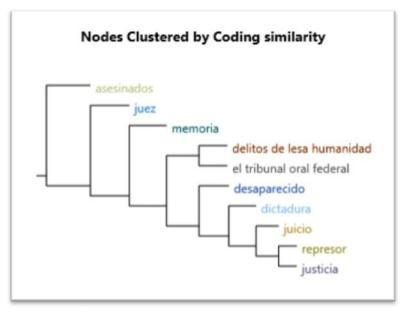


Figure 6: Dendrogram top ten nodes

It can be deduced from this relation that the dictatorship is seen as either a form of justice, or a form of injustice. Considering the context of this research it can be concluded that dictatorship is, of course, considered a form of injustice. The dendrogram shows that justice is the most important subject for the Argentineans, related to the repression and the dictatorship. Tangible examples of the injustice that has affected the Argentineans during the repressive dictatorship are high-ranking, directors of former detention centers and important ministers from the regime. These examples reflect the totality of the grave crimes committed by the dictatorial regime.

These first results, which were yielded from the sampling process and early analysis of the newspaper articles, provide a foundation from which we can further analyze the most important aspects of the hegemonic collective memory. As stated above, now the variables memory, justice, truth and reconciliation will be presented in turn by first describing the hegemonic collective memory and then the chosen truth of the HROs. At the end of each variable it will be elaborated how the HROs contribute to the influence of that particular variable on the hegemonic collective memory.

#### Memory

The chosen truth of the HROs

During the interviews, a lot of the informants referred to sharing a story with each other when talking about collective memory.<sup>354</sup> Having the freedom to talk about the past is found important and is represented by collective memory. When it is possible to openly remember what happened in the past, it is possible to share your version of the past. The informants emphasize the importance of sharing their version of the past with other people in order to create more openness and understanding about the conflictive past and to get acknowledgement of society. <sup>355</sup> An anecdote of Carmen illustrates this argument;

"During the last trial in Rosario there was organized an important march, so I went by bus to participate in this march. But because of this march the bus driver needed to take a detour, so he asked "has there happened an accident or something?" And a lady in the front of the bus answered "no they are prosecuting the murderers." And this conversation made me very happy, because this is the installation of collective memory. That someone can openly tell his history, without being mocked." - Carmen

Collective memory is also seen as important for constructing a collective history and thus a collective identity.<sup>356</sup> This is in line with the theory of Zalaquett<sup>357</sup> that a nation's unity depends on a shared identity, which in its turn depends largely on a shared memory. In a period of transition, the construction of an official collective memory can play an important role in coming to terms with the past, because it can contribute to the formation of social cohesion. The concept of identity is a sensitive subject for the HROs, because of what happened to the disappeared. Their identity, and with that everything they stood for, was taken away by the dictatorial regime. Thus, a shared identity, of which the remembrance of the disappeared forms a significant part, is of importance to the HROs. In order to maintain this identity, or collective memory, the HROs emphasize that the memory of what has happened must be passed on to future generations, in order for them to know that what has happened should never happen again.<sup>358</sup> In this way the HROs try to prevent repetition and build a better future for their posterity.

This process of passing on collective memory can be explained according to the sociology of memory described by Zerubavel.<sup>359</sup> Most of our recollections are not entirely personal, because what we usually remember is the way an event was actually experienced by others. This is because we are all members of a group, or what Zerubavel calls mnemonic communities. Being social gives us the ability to experience and remember events that have happened to groups and communities to which we belong long before we joined them. We remember these events like they were a part of our own personal past. In this way social memories, like those of the HROs, can be preserved through social behavior. However, the preservation of social memories is not only dependent on written or oral transmission. Material culture plays a similar role in retaining collective memories, which are important for nurturing our national identity and can give future generations mnemonic access to their collective past. Examples of such sites of memory are also given in the interviews like the *Museo de la memoria* in Rosario or the installation of a *Museo de la memoria* in the building of the ESMA in Buenos Aires.<sup>360</sup>

One informant referred to collective memory as something political, because everybody makes a selection of what he or she finds important of the history and thus what is worthwhile to

<sup>358</sup> Interview Marite, Jorge, Liliana, Anahí, Soledad, Susana, Carmen

<sup>&</sup>lt;sup>354</sup> Interview Anahí, Liliana, Laura, Julieta, Carmen

<sup>355</sup> Interview Anahí, Carmen, Liliana, Julieta

<sup>356</sup> Interview Felipe, Elena, Christian

<sup>357 (</sup>Zalaquett 1991)

<sup>&</sup>lt;sup>359</sup> (Zerubavel 1996)

<sup>&</sup>lt;sup>360</sup> Interview Anahí, Soledad, Carmen

remember.<sup>361</sup> This is in line with the theory of Assmann and Shortt on the relation between remembering and forgetting. It is not possible to neatly separate remembering and forgetting, because every act of remembrance includes a form of forgetting, which brings us to the theory of Goti.<sup>362</sup> It is impossible for a human being to remember every detail of every event he or she has experienced, because the excess of information would take away any possible meaning from it. Therefore, meaningful memories require oblivion, forgetfulness and unawareness. The process of selecting objects and events which have a meaning to us and thus are worth remembering, makes us set aside innumerable things.

On the other side there are informants who seem to emphasize the importance of not forgetting.<sup>363</sup> They claim that remembering is the most important thing to create a better future that the remembrance of what has happened must be kept alive. However, this claim is probably and mostly a reaction to the politics of oblivion and reconciliation of president Menem, which has given the concept of forgetting a very negative connotation. President Menem tried to enforce a process of forgetting on society, which provoked the reaction of the HROs to not forget anything at all. However, when further investigating the claims of the HROs it becomes clear that they don't remember everything, because they too only remember the events that they find most important. This brings us back to the statement of Assmann and Shortt that remembering and forgetting cannot be neatly separated. Additionally, this also refers to collective memory as something political, because even the HROs, which promote not to forget anything, make a selection of what they find the most important events in history.

From the interviews it became clear that the HROs construct and share their version of collective memory in order to get acknowledgement of society. When the collective acknowledges their version of the past it should also be acknowledged by the economic and political powers, because the ideas of the collective should be heard by the politics. This is the way the HROs try to change the political and economic system, which in their opinion has not changed since the dictatorial regime. This 'strategy' of achieving acknowledgement of their version of collective memory can also be found in the theories of Jelin and Assmann and Shortt. There will always coexist heterogeneous memories in a society of which some will interact with each other, some will remain unrelated and others will clash with each other. The collective memory of the HROs is aimed against the collective memory of the former regime and with trying to achieve a general acknowledgment of society the HROs want their collective memory to be the hegemonic collective memory. There thus exists a political struggle about the meaning of the past in Argentina, which Jelin also refers to as the struggle of memory against memory. Finally, informants mentioned that they were accused by others of compulsive remembering and lingering in the past. The HROs oppose this argument by saying that they only look at the past to learn from it in order to create a better future.

From the interviews with staff members of the HROs it becomes clear that memory is of great importance to them. Of the 16 informants only one referred to collective memory as something political, which implies a process of forgetting. However, most of the informants emphasized the importance of remembering, placing remembering on the opposite side of forgetting.

The HROs state that they want to share their own version of the past in order to create more openness about the conflictive past and to prevent repetition of the horrors in the future. By sharing their own version of the past with society they also want to construct a collective history and with that a collective identity. This is something of which the HROs admit they actively pursue. Although this seems as a very positive use of memory – namely using memory to create a collective identity and move society forward to a better future – it is not. Differently put, they want to impose their

<sup>362</sup> (Goti 2010)

<sup>&</sup>lt;sup>361</sup> Interview Laura

<sup>&</sup>lt;sup>363</sup> Interview Christian, Marite, Felipe, Laura, Susana

<sup>&</sup>lt;sup>364</sup> Interview Liliana, Laura

<sup>&</sup>lt;sup>365</sup> Interview Carmen, Claudia, Maria, Liliana, Marite, Anahí, Soledad

version of collective history and collective identity on society, with the goal to finally change the economic and political powers. The desired end-state of this use of memory is to prevent the repetition of atrocities in the future by demonizing the former juntas. This clearly shows a strategic use of memory, which is directed against the former juntas. It seems as if the HROs are struggling for their own place within society using memory as a tool to achieve it. Eventually, by constructing and sharing their version of memory, they want to receive acknowledgment from society and the economic and political powers for their sufferings.

# The hegemonic collective memory

The variable memory formed a parent node in the analysis of the newspaper articles. The parent node 'memory' contains the nodes 'remembrance', 'homage', 'companions', 'oblivion', 'commemorate' and 'monument'. The selection of articles that came up with these nodes was investigated, with the exception of the node 'oblivion' because it is the opposite of remembering. There were selected 60 articles, of which 34 were about homage's, commemorations and acts of memory in regard to what happened during the period of the repressive regime. Slogans of memory like 'a country with memory', 'the fire of memory' and 'the construction of memory' appear in the headings of the newspaper articles.

What stands out is that a lot of the articles concerning memory are dated at the end of March. This was to be expected, because the 24<sup>th</sup> of March is the Argentinean national day of memory for truth and justice, on which the victims of the dictatorship are commemorated. The articles, which are dated from the 22<sup>nd</sup> until the 25<sup>th</sup> of March, describe quite a variety of mnemonic events and the participation of a lot of people throughout society. The fact that a lot of attention goes out to these events shows that the Argentineans find them important.

These commemoration sites are also mentioned frequently in articles such as 'the forest of memory', 'the park of memory' and 'the museum of memory'. According to Zerubavel, <sup>366</sup> commemoration sites are meant to retain social memories, which is important for nurturing a national identity. Mnemonic sites like a museum or a park of memory have no other function then to capture memories and preserve them for future generations in order to give them access to their collective past and keep the collective national identity intact. The existence and preservation of these mnemonic sites, the variety of mnemonic acts and the amount of people participating in these acts show that there exists a lively mnemonic community in Argentina. However, this author believes that the function of the mnemonic sites is slightly different. Besides retaining social memories, the mnemonic sites play a more active role in the process of remembering. This leaves open ground for a vast array of groups to promote their stories, interests and values. For example, the management of a museum will actively go out and organize social events to promote what their museum is about. Not only to attract visitors to the museum, but also to awaken a social consciousness, prosecute perpetrators or advance their perspective on the period of the dictatorship. They find it important to spread their version of the past and to pass this version on to future generations.

Something that supports this argument and stood out during the analysis of the articles is the choice of words. The different mnemonic events organized throughout the country are called 'actos de la memoria' (acts of memory). The fact that they speak about acts of memory shows that the concept of memory is seen as something independent and a concept that can stand alone. The acts of memory are a personification of memory itself, which means that memory plays a more active role in Argentina than in for example Holland. In Holland it would be strange if someone would say 'today I am going to pursue some memories', however, in Argentina this is something rather common, especially on the 24<sup>th</sup> of March. This shows that the Argentineans use memory in an active way to keep the past vivid and modern in order to achieve goals, which most of the time have a political motivation.

Another thing that is also important to mention along with a process of remembrance, is a process of forgetting. The only node that could refer to a process of forgetting is the node 'oblivion',

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<sup>&</sup>lt;sup>366</sup> (Zerubavel 1996, p. 292)

which only appears in three articles and always refers to oblivion in a negative way. One article states that the only thing oblivion might bring is a repetition of the horrors. In another article about a protest march it is said that the acts of the former juntas will never be forgotten or pardoned. One could thus conclude that oblivion and a process of forgetting are seen as something negative in Argentina. The reason for this negative perspective on oblivion and forgetting can be found in the policy of president Menem. After the implementation of the impunity laws Menem granted several presidential pardons to former junta members. According to him, the pardons he granted were necessary "to heal the wounds of the past, to generate national reconciliation and pacify the country", while demands for truth and justice from the victims of the disappeared were "manifestations of revenge and resentment." However, because of the implementation of the Full Stop and Due Obedience law and the policy of Menem, healing the wounds of the past and generating national reconciliation became synonyms for impunity and forgetting. This is not in line with the theories of Assmann and Shortt<sup>369</sup> and Goti<sup>370</sup>, who state that remembering implies a process of forgetting. In Argentina, however, exists a dichotomy between remembering and forgetting, in which remembering is positive and forgetting negative.

What stands out in the newspaper articles is that memory seems to play a very active role in Argentinean society. There exists a national day of memory, on which many people participate in 'actos de la memoria', and there are many mnemonic sites like museums, parks and monuments. Besides this active role of memory, it is also used in a conscious and strategic way. Convincing others that your version of history is the right version seems to be important. The reason can be found in the dichotomy that is being made between remembering and forgetting. Forgetting is associated with the repetition of the horrors of the dictatorial regime and thus something negative. Because of the dichotomy, this implies that memory must do the opposite, namely preventing the repetition of the horrors. In the eyes of the Argentineans, this is thus seen as the positive effect of memory. However, it can be questioned whether it will yield positive results in the long run. After all, the consequence of this 'positive' approach is that memory is directly aimed at the former juntas, which are today's symbol of the repression and the atrocities committed. The effect of this is a very active prosecution of the former juntas and the demonization of everything that had anything to do with the dictatorial regime. Therefore, spreading one's own version of history is directed against the former juntas and used as a tool to pursue political goals. The fact that people consciously and actively use memory to pursue political goals means that they are aware of the existence of a hegemonic collective memory and its influence on society.

# Influence of the HROs

The chosen truth of the HROs shows similarities with the hegemonic collective memory. The strategic use of memory of the HROs shines through in the hegemonic collective memory. The chosen truth of the HROs, as well as the hegemonic collective memory, both show a dichotomy of the (perceived) positivity of remembering and the negativity of forgetting and both are directed against the former juntas. The – perhaps intended – effect of both these strategies is the prosecution and demonization of the former juntas.

Differences between the two are that the chosen truth of the HROs contains a more concrete political goal and the underlying goal of receiving acknowledgement from society, which the hegemonic collective memory has not. However, the similarities indicate that the strategy of the HROs with regard to the use of memory does influence the way people perceive and use the hegemonic collective memory. This might be explained by the fact that the followers of the HROs are mostly direct victims or families of direct victims of the dictatorial regime. The atrocities that were

<sup>&</sup>lt;sup>367</sup> (van Drunen 2010, p. 85)

<sup>&</sup>lt;sup>368</sup> (2010, p. 85)

<sup>369 (</sup>Assmann and Shortt 2012)

<sup>&</sup>lt;sup>370</sup> (Goti 2010)

committed against them are the most powerful incentive that drives the chosen truth of the HROs and in turn influences the hegemonic collective memory.

#### **Justice**

The chosen truth of the HROs

The staff members of the HROs agreed on the concept of justice, namely that it has played a very negative role in the last 30 years in Argentina. Since the fall of the regime in 1983 little has changed, the dictatorial regime knew very well that it needed the judicial system to legalize their acts. Therefore the regime appointed new judges who favored the regime and wrote new laws, which they called the statute of national organization. At certain times detainees had to appear before judicial bodies, which validated their detention. And it was very common that families of disappeared people presented Habeas Corpus<sup>371</sup>, which the judges always denied.<sup>372</sup>

Unfortunately president Alfonsín and president Menem never showed the political will to change this judicial system<sup>373</sup> and therefore its structure existed until the year 2003. Judges could stay in their position and due to the amnesty laws adopted by president Alfonsín and the presidential pardons granted by president Menem it was impossible to prosecute those responsible for the horrors committed during the repression. This political influence on justice is also mentioned by a couple of informants. Christian says that "it is very difficult to separate justice and political power and that is the whole problem in Argentina, because Menem pardoned in 1989 the majority of the accused during the trials in 1984".

Another aspect of the judicial system, which is frequently mentioned, is that traditionally the profession of judge is kept within elite families. Therefore, the judicial system is also called an aristocracy or a family corporation. Only people from certain economic sectors of society have access to positions within the judicial system. Felipe even calls it "absolute aristocratic nepotism". According to some, a lot of judges care more about their economic position then about what people think of them. Despite their impressive salaries they don't have to pay taxes, something a worker in a factory with a salary of a 1000 pesos does need to pay.<sup>374</sup> Because of this elite corporation, which extends each other's protection, justice is only for the poor.<sup>375</sup> The poor have to steal in order to survive and they are judged for it, however, white-collar crime and drug trafficking are not tackled. This shows that there is a lack of socioeconomic justice for the poor marginalized groups in Argentina. They are the group which is most affected by the consequences of the dictatorial regime, nevertheless they are socially and economically marginalized and the consequence of this marginalization is being declared as outlaw for the police. A lot of incidents of castillo facil (trigger happy) are being declared, in which the police were involved.<sup>376</sup> Instead of receiving compensation in the form of redistribution of social and economic factors the violations continue and with that the crime rates in Argentina remain high.

Because of this elite family structure of the judicial apparatus, which has shown little change, all the informants look at justice as accomplice to the dictatorship. Justice is accomplice because of the laws they adopted<sup>377</sup>, because of the ideology of the dictatorship they pursued<sup>378</sup> and because they formed one of the pillars of the dictatorship<sup>379</sup>. Furthermore, justice has always worked

<sup>&</sup>lt;sup>371</sup> Habeas Corpus is a Latin term and means 'you have the body'. It first came in to act in England in 1679 and was understood as a civil right, which protected people from being arrested without charge. Today, it means that someone has to appear in court in order to defend its position, therefore it is not possible to imprison someone without a fair trial or meaningful judicial review. (Head 2012)

<sup>372</sup> Interview Felipe

<sup>373</sup> Interview Elena

<sup>&</sup>lt;sup>374</sup> Interview Maria, Julieta

<sup>&</sup>lt;sup>375</sup> Interview Julieta, Liliana

<sup>&</sup>lt;sup>376</sup> Interview Marite, Sofía, Laura

<sup>377</sup> Interview Débora

<sup>378</sup> Interview Sofia

<sup>379</sup> Interview Maria

together with the police and the military. "The police is part of justice and the military too, they are killing women and children and what does the judicial apparatus about it? They leave them in freedom." 380

The Kirchner administration is the first that has tried to change the judicial system and achieve some form of political justice. President Kirchner replaced several judges in the Supreme Court and he annulled the impunity laws, which made it possible again to prosecute the culprits of the regime. With these changes he somewhat transformed the judicial apparatus in order to reduce the levels of corruption. The question remains, however, whether he achieved more transparency in his government. Some informants where positive about the initiatives of Kirchner, because he was the first president who showed political will to make changes.<sup>381</sup> However, others remained skeptical about the effects of the changes Kirchner made. They are of the opinion that despite the changes of Kirchner the judicial system still doesn't work like it should. The conservative structures of the judicial system have a large history and are very powerful. Therefore, it is difficult to influence the system from the political arena. So Kirchner didn't achieve much, only that the judicial corporation is even protected more.<sup>382</sup>

Despite this skepticism, all the informants are happy with the possibility to prosecute the responsible for the repression. However, they are dissatisfied with the course of the trials, because the trials are progressing very slowly. According to the informants justice has been a scrimshank, it works inefficient and it keeps on delaying trials.<sup>383</sup> Besides that, the punishments are not strict enough. Débora says "I thought that Videla was in prison, but it turns out that he is staying in Campo de Mayo.<sup>384</sup> It's ridiculous!" Due to the slow progression of trials only a small percentage of the culprits have been prosecuted, which results in the fact that a lot of the oppressors are dying before they have been prosecuted. That these people are dying in freedom is a big frustration for many informants and it makes them bitter. The death of the oppressors before their prosecution can result in the persistence of doubts about many of things that happened during the dictatorship. Therefore, the oppressors need to be brought to justice in order for them to tell the truth.<sup>385</sup>

This brings us to the next subject, which stood out during the interviews and that is the importance of the message of justice. When the acts of the culprits maintain unpunished it is very likely that history will repeat itself, because this shows that there are no consequences for their deeds. Therefore, most of the informants mentioned the importance of the message justice brings into society, which is that through justice one should learn that what happened does not remain unpunished, and that this should never happen again. This implies that justice is the way to a better future. Thus, the objective of the message of justice is prevention of repetition, however, there is another objective, which is at least as important for the direct victims of the dictatorship and that is acknowledgement. Acknowledgement of society and the state for what has happened and acknowledgement of the culprits for what they have done. And this can be achieved through the social aspects of justice, because when a judge concludes that someone is an assassin people will look at that person as an assassin. So when through justice a figure of genocide is created it causes a social restitution of something that has been denied by society for a long time. Thus, because of the trials, the silence around the repressive regime is breaking and people start to talk more about what has happened.

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<sup>380</sup> Interview Susana

<sup>381</sup> Interview Elena, Christian, Maria

<sup>382</sup> Interview Felipe, Débora

<sup>&</sup>lt;sup>383</sup> Interview Jorge, Maria

<sup>&</sup>lt;sup>384</sup> Campo de Mayo is one of the biggest military bases of Argentina, located near Buenos Aires. During the dictatorship several detention centers were located there. Today, it still functions as a military base with several military schools.

<sup>385</sup> Interview Laura, Liliana, Julieta

<sup>386</sup> Interview Claudia, Felipe, Laura

<sup>387</sup> Interview Christian

The problems with the judicial mechanisms mentioned by the staff members of the HROs indicate the existence of a culture of impunity as described by Lessa<sup>388</sup> in chapter 2; Theoretical Framework. Formal mechanisms of impunity, such as amnesty laws and presidential pardons, as well as informal mechanisms like 'bad' judges, problems with the police and the lingering of trials, are present in Argentina. Such a culture of impunity has its impact on society as a whole and can contribute to a continuing cycle of violence. Furthermore, it sends the opposite message to future human rights violators of what the HROs want, namely that it is highly unlikely that violators will ever face justice.

It becomes clear that the HROs are very negative about the role of justice. It is even seen as one of the former pillars of the dictatorial regime and accomplice to the atrocities committed during the dictatorial period. Despite this negative history and the skepticism towards the changes made by president Kirchner in 2003, it stands out that the only approach to justice for the HROs is retributive justice. For them it is very important that those who are responsible for the atrocities of the regime are brought to justice. They feel that the oppressors owe a 'debt' to the victims and society and that they need to pay for their actions. Only then is it possible to create a better future, because the prosecutions of the culprits will show that such deeds won't remain unpunished. When looking at the concept of legal justice defined as 'the rule of law' one can say that legal justice has always been present in Argentina, because the judicial system has always acted according to the rule of law. However, one cannot speak of pursuing accountability, prosecution, punishment and compensation. As seen in the above-mentioned opinions of the staff members of the HROs, there exists a lot of dissatisfaction about the actions of the judicial apparatus. However, strikingly enough there does exist respect for the rule of law, because the HROs underscore their passive role in their search for resolving the conflict. Despite of all the aggression used by the dictatorial regime none of the HROs has ever thought about revenge or picking up weapons. All of them have always chosen the way of justice, despite the fact that the judicial system did not act in their favor. 389 Nevertheless, according to the HROs it is clear that the judicial apparatus in Argentina has not contributed to peace and security.

#### The hegemonic collective memory

When looking at the tables 1 and 2 on page 56 it becomes clear that the parent node 'justice' is predominant, because the nodes 'trials', 'judge', 'crimes against humanity', 'murdered person' and 'the Federal Court', which are all placed under the parent node 'justice', are in the top ten. During the analysis, the predominance of the concept of justice already became evident, because many of the newspaper articles were mostly about trials against perpetrators of the former repressive regime.

The trials journalists write about are mostly the trials against the 'big fish' of the regime, such as former presidents, ministers, chiefs of the police and commanders of the armed forces. Although most of these 'big fish' are already in prison, they are nevertheless accused of even more crimes. Journalists write about all these trials, which results in several enumerations of the accusations of persons. An example is the enumeration of articles on the former head of the third army corps; Luciano Benjamín Menéndez. Twelve articles are devoted to his convictions with headlines like 'another life sentence for Menéndez' and 'the sixth life sentence'.

The fact that the newspaper pays a lot of attention to the prosecutions of the heads of the former juntas stands out. Because of this focus on trials, it can be said that the articles reflect the assumption that trials are the way to achieve justice in Argentina. Put differently, the only approach of justice described in the articles is retributive justice.<sup>390</sup> This approach to justice is a more adversarial approach of justice, which focuses on accountability and an appropriate punishment for a crime. It is mostly used in the discourse of western society and is based on maintaining a balance in

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<sup>388 (</sup>Lessa 2011)

<sup>&</sup>lt;sup>389</sup> Interview Christian, Jorge, Felipe, Débora, Liliana, Claudia, Carmen, Soledad, Elena

<sup>&</sup>lt;sup>390</sup> (Lambourne 2009, p. 30 and Mallinder 2007, p. 20)

society. A misbalance can be caused by wrongdoings; therefore retributive justice mechanisms ensure that the culprit will be prosecuted and that he will pay for his actions in order to restore the balance in society.

A type of justice, which is prominent because of the focus on trials, is legal justice.<sup>391</sup> This is an overall concept for the different types of justice mechanisms used to prosecute and try culprits and legally compensates victims. It is mostly described as the 'rule of law' and is based on accountability, prosecution, punishment and compensation. With headings like 'Life imprisonment for three oppressors for the disappearance of Ragone', 'Last statements before sentence' and 'Twenty six oppressors face their atrocities' legal justice is the only type of justice the newspaper articles write about.

An approach to justice, which cannot be found in the newspaper articles, is restorative justice. This approach to justice focuses less on the prosecutions of the perpetrators and more on the acknowledgement and reparations for the victims.<sup>392</sup> Furthermore, there is written very little on socioeconomic or political justice.<sup>393</sup> Socioeconomic justice refers to financial or another kind of compensation used to restitute or repair harm done by past violations. It aims at alleviating the marginalized groups in a post-conflict society by the redistribution of social and economic factors. Political justice refers to the transformation of institutions and relationships to eliminate corruption and to promote a fair and transparent government to the population.

When looking at the history of Argentina it is fair to say that socioeconomic justice, as well as political justice has not been at its best. Huge problems exist among the socially and economically marginalized groups in society, which has its effects on the high crime rates in the country. Moreover, when looking at the state and its institutions it can be said that there has been little change since the dictatorial regime stepped down in 1983. Therefore, it is remarkable that subjects which refer to socioeconomic and political justice are not mentioned in the newspaper articles.

This gives rise to two interrelated questions; first, why is the focus solely on retributive and legal justice and second, why are subjects related to socioeconomic and political justice not mentioned in the newspaper articles? Unfortunately, this research project does not focus directly on these questions. However, based on knowledge of the subject and experiences in Argentina, the author might offer some possible explanations. The first explanation has to do with the impunity laws implemented in 1986 and 1987 (for further elaboration see Chapter 3; Historical Background - Carlos Saúl Menem). President Kirchner annulled the Full Stop and Due Obedience laws in 2003, which gave the opportunity to the people to prosecute the culprits of the regime. The possibility to prosecute these culprits is still relatively new, especially due to the lingering of trials because of corruption and mechanisms of impunity. So perhaps the focus on retributive and legal justice is due to the novelty of the possibility of trials, which pushes the other approaches and types of justice to the background.

Another explanation is based on the history of the distribution of power in Argentina. As described in chapter three, Argentina has long known an agrarian elite of large landowners, who have a lot of economic and political power in the country. It is also known that in the past, the elite were the ones that used the military to organize several coups. They were also involved in the preparations of the last military coup in 1976 and they benefited of the neoliberal economic plans of the dictatorial regime. It is because of this that there still exists a small but powerful group in society, which doesn't benefit from a transformation of the state or a more equal distribution of economic resources. This could be a reason why the focus is on legal justice, which pushes socioeconomic and political justice to the background. Besides, the elite might benefit from the focus on legal justice, because only the top figures of the military are being prosecuted, which removes the focus of the elite.

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<sup>&</sup>lt;sup>391</sup> (Lambourne 2009, p. 39)

<sup>&</sup>lt;sup>392</sup> (Mallinder 2007, p. 220)

<sup>&</sup>lt;sup>393</sup> (Lambourne 2009, p. 41-45)

As we have seen above, the concept of justice is thoroughly described in the newspaper articles and thus very present in Argentinean society. The focus is on retributive and legal justice, wherein trials against the 'big fish' of the former regime play an important role. The 'big fish', at which these trials are aimed, represent the concept of the dictatorship. They are tangible examples of a repressive regime and a period filled with fear, oppression and insecurity. Society sees itself as a victim of the dictatorship, and feels the need to right the wrongdoings. When this is accomplished, a feeling of satisfaction and compensation might be achieved. In other words; it is then acknowledged that both the dictatorship and its victims exist. Two aspects here are important for the hegemonic collective memory. First, the Argentinean society views the period of the dictatorship as one where they were the victims of a repressive regime. They also feel that this created a debt, one that must be settled before any form of moving on is possible. The means to do this is found in the trials against the 'big fish' of the former regime. Second, these trials also represent a way to acknowledge the very existence, both of the grievances of the victims as well as the dictatorship as a whole. Since the trials are a form of legal justice, this existence is then not only acknowledged by Argentinean society, but also by the official institutions.

#### *Influence of the HROs*

Regarding the variable justice, the chosen truth of the HROs shows important similarities with the hegemonic collective memory. Retributive justice plays a large role in both of the perspectives and a plausible explanation is the annulment of the impunity laws by president Kirchner. Despite of their dissatisfactions with the judicial system and the current development of the trials, the HROs seize the opportunity to prosecute culprits and they emphasize the importance of prosecutions, because of the message justice can bring to society – namely that the current judicial system is an effective one. The HROs are a group, which for a large part exists of direct victims or close friends and family of victims. Therefore, the prosecution of culprits is very important to them. With their determination to pursue with prosecutions, the HROs influence the hegemonic collective memory with regard to the subject of retributive justice. This means that, in the hegemonic collective memory, the idea of punishing the culprits and settling the debt most likely comes from the influence of the chosen truth of the HROs.

A difference between the hegemonic collective memory and the chosen truth of the HROs regarding the subject of justice is the confidence in the judicial apparatus. In other words, the hegemonic collective memory and the chosen truth of the HROs differ on the concept of legal justice. The hegemonic collective memory clearly believes in trials and their success in finding justice. This can be seen by the fact that the newspapers follow a trial closely. In the context of these articles a negative connotation, with regard to the judicial apparatus, cannot be found. The HROs, however, are very skeptical about the judicial system and the trials in particular. They believe that the trials are a means to an end, but only because of a lack of alternatives to the judicial system. Thus we see that the hegemonic collective memory is in this case clearly not influenced by the chosen truth of the HROs. If this were the case, the newspaper articles would at least be more skeptical about the trials and the judicial system as a whole.

#### **Truth**

The chosen truth of the HROs

The concept of truth appeared to be as important, or by some informants defined as even more important, than justice. The informants give several reasons for this, of which the first one is that knowing the truth is important for the construction of history. For a person and for a society it is important to know the truth about the past, because the history of a society forms the identity of a society.<sup>394</sup> The construction of a 'true' history is found very important by the HROs, because after the fall of the regime there has existed ignorance about the atrocities committed during the dictatorship. The adaptation of the impunity laws by president Alfonsín and the promotion of reconciliation and

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<sup>&</sup>lt;sup>394</sup> Interview Elena, Christian

the granting of pardons by president Menem have contributed to this ignorance. Without knowing the truth about its own history, a society cannot learn from its past and therefore cannot grow. Furthermore, the truth about the past is something you cannot hide. How ugly it may be, it is something that will always come back at you. <sup>395</sup>

Some informants took it a step further and said that finding the truth is the incentive for the HROs to keep up their work.<sup>396</sup> Therefore, besides constructing a true history it is also very important that this history will not only end in books, but that it should always be part of the collective memory.<sup>397</sup> Thus, they feel that the true history should keep playing an important role in the sociopolitical environment of Argentina. One informant said that constructing a true history is indeed very important, however, it is still too early to construct a history, because there is not yet enough distance from the subject. People are still too emotionally involved in order to look at history objectively.<sup>398</sup>

Another type of truth that should be found according to the HROs is the truth about what happened to the disappeared and where their last resting place is. This is particularly important for the family and friends of the disappeared, because finding out the truth about what happened to their relative can give closure. Finding out this truth was also in the mandate of the CONADEP. The truth commission did found out what had happened to the disappeared and their report was an eye-opener for society about what the regime had done. Unfortunately, the scope of the horrors committed by the regime proved later on to be a lot bigger than the report of the CONADEP estimated and the last resting place of a lot of disappeared people still remains unknown.

The informants were unanimous about the way these objectives of finding the truth should be achieved; by justice. 400 Through justice a certain truth can be validated and, more important, can be recognized. It is striking that justice was seen as the only way to find out the truth. Nobody considered the installation of another truth commission and the work of the CONADEP was mentioned little in the interviews. Unfortunately trials have yet to yield tangible results with regard to finding out the truth. There doesn't exist a lot of proof of the atrocities committed by the dictatorial regime. A lot of documentation has been destroyed and most of the bodies of the disappeared people have never been found. Therefore, the only type of evidence there is are the testimonies of the people who survived their detention, because the culprits maintain their silence. 401

Acknowledgement of the truth through justice is important for the HROs, because it can lead to more openness in society about the conflictive past. It is important that different versions of the truth can be discussed openly in society in order to construct an official national truth. Fortunately, it is noticeable that today there exists more openness about the subject in society than a couple of year ago. However, there also exist groups within society who don't want to talk about the past and who try to impede a process of creating more openness about the past. Mostly this is because they are accomplice to the dictatorial regime. For example, people who worked for large international businesses like Ford or Mercedes Benz, where lists of names of their workers were passed on to the regime. When workers started to disappear they did nothing to stop it or report it. The silence and counterwork of this group is another example of the culture of impunity in Argentina.

Although not directly mentioned by the informants, the data shows that there are processes of blaming going on in Argentina. An example of this is the role played by the detention center of the

<sup>397</sup> Interview Liliana

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<sup>&</sup>lt;sup>395</sup> Interview Elena, Christian

<sup>&</sup>lt;sup>396</sup> Interview Claudia

<sup>398</sup> Interview Elena

<sup>399</sup> Interview Marite

<sup>&</sup>lt;sup>400</sup> Interview Elena, Jorge, Felipe, Laura, Liliana, Marite

<sup>&</sup>lt;sup>401</sup> Interview Felipe, Anahí

<sup>&</sup>lt;sup>402</sup> Interview Felipe

<sup>&</sup>lt;sup>403</sup> Interview Felipe

ESMA, which has become the symbol of horror committed by the regime. A lot of people have disappeared in this detention center, however, informants emphasize that there were detention centers in the country which were as brutal or more brutal than the ESMA. Unfortunately there exist little attention for the victims of these detention centers, because the government has chosen the ESMA as a symbol. Furthermore, certain disappeared people receive more attention than others because they were famous. This is something that is not fair according to some informants, because the disappearance of one person is not worse than the disappearance of another. 404

From the interviews with the staff members of the HROs it becomes clear that truth plays an important role to them. However, their statements about the subject truth are somewhat contradictory. They find it important to construct a 'true version of history', in which the black pages of history are not ignored, in order to create openness about the past so different versions of the truth can openly be discussed in society. It is the question, however, whether this envisioned 'true version of history' allows the existence of different interpretations of history, because at the same time the HROs state that the only way to find truth is through justice. The truth about what has happened to the disappeared as well as acknowledgement for the version of the truth of the HROs must both be achieved through justice. According to the HROs, a 'true version of history' can thus only be constructed using justice. This reasoning implies that there does not exist room for different interpretation of truth within the 'true version of history.' It is obvious that the HROs consider themselves to be the victims and that the truth must come to light about the atrocities committed against them by the former juntas. However, their truth should only be a part of an official factual framework.

#### The hegemonic collective memory

The parent node 'truth' is, unlike the parent node 'justice', not that present in the analysis of the articles. The node has 33 references in 23 sources, of which 27 references are in articles about the trials and six are in articles about acts of memory like protest marches or commemorations. What stands out is that the word 'truth' is never mentioned on its own. It is always mentioned in combination with justice or with memory and justice. Examples are statements like 'claiming truth and justice' and 'the encounter of memory, truth and justice'.

When looking at the relation between truth and justice, it shows that the parent node 'truth' does not stand on its own like the node 'justice'. As the subject of truth is mostly referred to in articles about trials, it seems that there exists a relation between the parent nodes 'truth' and 'justice', although 'truth' seems to be inferior to 'justice'. The parent node 'justice' can exist on its own in the newspaper articles, because the subject of certain articles is solely about justice. 'Truth' however, always needs to be in a relation to either the parent node 'justice' or the parent node 'memory', to be mentioned at all in the newspaper articles. It is thus in a dependent relationship with other parent nodes and therefore viewed as relatively inferior in the hegemonic collective memory, especially when compared to other concepts. One can even go as far as to say that the concept of truth is an enabler to the concepts of justice and memory. A truth must be brought to light during trials, in order to condemn the accused. Also, a truth is necessary when confronting a society with the memory of their troubled past. Without some form of truth, they can never leave the past to rest. Both forms of truth, however, can be very subjective as they only serve the group that is striving for either justice or memory.

The seemingly inferiority of the node 'truth' when compared to the node 'justice', could also be explained according to the fact that Argentineans find truth-finding less important than seeking justice. Unfortunately, this cannot be proved with the help of this research project. However, there can be given some possible explanation of the seemingly minor role of truth.

Something that is striking in Argentina is that the facts about the atrocities committed by the former dictatorial regime are mostly known. The testimonies of survivors, the existence of more than 360 detention centers and the fact that 30.000 people are still missing, all point in the same

<sup>404</sup> Interview Liliana, Elena, Claudia

direction. Therefore, in the eyes of the Argentineans it is obvious that the guilt lies with the former juntas. Besides, the former juntas have never denied any atrocities whatsoever; they simply maintain their silence. However, the conclusion of the facts mentioned above, namely that the former juntas are guilty, has never been made official. This means that official institutions have never acknowledged these facts, which, according to Rosoux, is even more important than revealing the facts. Different versions of the truth can coexist within a society, however, it is important that these versions of the truth fit within a factual framework, which is acknowledged by all groups in society. 405

A first explanation of the lack of an official factual framework is the possible influence of the transition from the authoritarian government to the democratic government on the state and political structures in Argentina. Because the military regime decided to step down in 1983, Argentina has never known a revolution whereby the military regime was overthrown. Therefore, although the leaders of the regime resigned from power, it was made possible for the structures of the regime to stay intact. The existence of these structures resulted in the continuance of fear in society, which kept people from speaking up. More importantly, it impeded the development of an official factual framework about the conflictive past. Generals of the armed forces, police officers and judges who favored the regime could continue their jobs long after 1983, until the arrival of president Kirchner in 2003. He abolished the Full Stop and Due Obedience laws and removed former juntas from power. Although this was a clear break with history, most young judiciaries, police officers and officials were by then trained by their predecessors from the juntas. This leads to the assumption that although an official factual framework could be formed with greater ease after the transition of 2003, it still proves to be difficult as the ghost of the dictatorship still lingers within the Argentinean governmental institutions.

Another factor, which could have had an impact on the relative inferiority of the parent node 'truth' is the role of the CONADEP, which was installed in 1983. The truth they revealed was based on an investigation done with a limited amount of resources in a limited period of time. Laplante<sup>406</sup> argues that the CONADEP did present a brief procedural explanation of political polarization, which contributed to the continuation of violence. However, it failed to explore the underlying structural causes of the conflict, especially the political clashes over socioeconomic ideologies were overlooked. It is speculated that the Cold War made it impossible for the CONADEP to investigate the grievances that motivated the leftist guerilla movements, because of the "high political price of appearing too sympathetic to their communist cause." Furthermore, the period in which the investigation of the CONADEP was done, was followed by a period of social and political silence and oblivion, which possibly voided the story of the CONADEP. Thus, the report of the CONADEP too never had the chance to contribute to the development of an independent official factual framework about the past.

A final explanation is the implementation of the theory of the two demons by the dictatorial regime, which was used by president Alfonsín and president Menem. The theory compared the actions of the guerilla organizations to those of the armed forces and reduced the complex political and social processes, which had led to the military dictatorship, to a confrontation between these two-armed factions. The former military regime benefited from this theory, because the theory gave way to the majority of the people to think that there must have been a reason for the repression, which in its turn led to the justification of the repressive acts and excesses of the military regime. So the theory of the two demons impeded a process of critical reflection of the past by society and thus impeded a development of an official factual framework, which wasn't influenced by the former dictatorial regime.

Something that is narrowly linked with finding the truth, and can also be found in the articles on trials, is the concept of blaming. The way the prosecutors and the accused are described in the articles is something that stands out. In trials, there are often two parties with opposing interests.

<sup>&</sup>lt;sup>405</sup> (Rosoux 2009, p. 565)

<sup>&</sup>lt;sup>406</sup> (Laplante 2008, p. 335)

<sup>&</sup>lt;sup>407</sup> (Laplante 2008, p. 335)

However, in the articles the choice of words to describe these parties is rather powerful and subjective. The accused party is already considered guilty, or put slightly different; it is already blamed for a crime. Examples of what journalists call the accused are 'oppressor' or 'violator' while the prosecutors are referred to as the families of the 'victims', 'companions' or 'survivors'. The following excerpt of an article is a good example of how both parties are described;

#### A survivor of the Night of the Pencils<sup>408</sup>

Emilce Moler, one of the four survivors of abductions, disappearances and torture suffered by the young members of the Union of Secondary Students, will be a key witness against the oppressors tried for the incidents of fifteen and sixteen September 1976. He celebrates the beginning of the process "together with organizations, victims and lawyers", who have achieved this moment due to many years of work.<sup>409</sup>

The concept of blaming is thus present in the newspaper articles in the form of broad retributive blaming. Although journalists only write about individuals who are being prosecuted, the blaming is actually aimed at the institution of the repressive regime represented by these individuals, namely the armed forces and the police. Through attaining criminal convictions people try to get a more complete understanding of the past by pointing out who are the victims and who are the perpetrators, in order to create an official factual framework. It is important to mention that the way the two parties are opposed in the articles is also the work of the journalists. By using powerful words they emphasize the effect of blaming and outline a certain narrative, which in its turn may have its effects on the collective memory.

The concept of truth seems to play a minor role in the newspaper articles as it only appears in combination with the concepts of justice and memory. This seemingly inferior role of truth might be explained by the lack of the construction of an official factual framework, in which the discussion between different interpretations of the truth can exist. What does this mean for the hegemonic collective memory? The lack of an official factual framework means the lack of an official public platform where a discussion between different interpretations of the truth can take place. This means that this discussion takes place in another way and another place within society. Examples of expressions of this discussion are graffiti or protest marches in the streets. It also means that it is more difficult to see all different sides of the discussion, because some groups are more successful in formulating and carrying out their interpretation of truth than other groups. Thus, the concept of truth does not necessarily play a minor role in the hegemonic collective memory, it is just less 'visible' because there doesn't exist an official public platform where a discussion about the interpretation of the truth can take place. The form of blaming described in the newspaper articles shows that there does exist a general conception in society that the former juntas are the perpetrators and the families of the disappeared are the victims. This implicates the existence of an unofficial factual framework, which still lacks the acknowledgement of the official institutions.

#### Influence of the HROs

The hegemonic collective memory seems to show some similarities with the chosen truth of the HROs regarding the subject of truth. In the hegemonic collective memory the former juntas are perceived as the perpetrators and the HROs as the victims. Therefore, the general opinion in society is that the former junta members must be prosecuted in order to find out the truth about what they have done. However, the need of the HROs of the construction of a true version of history is not strongly reflected by the hegemonic collective memory. It seems to be that the unofficial factual framework reflected by the hegemonic collective memory favors the chosen truth of the HROs, but

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<sup>&</sup>lt;sup>408</sup> La noche de los Lapices; A series of kidnappings and forced disappearances, followed by the torture, rape and murder of a number of students of the *Unión de Estudiantes Secundarios* (Union of Secondary Students) who were protesting in Buenos Aires on a night in September 1976. (www.elortiba.org)

<sup>&</sup>lt;sup>409</sup> (Pagina12, 12-09-2011)

does not completely support it, because the chosen truth of the HROs only forms a part of the unofficial factual framework existing in Argentina.

#### Reconciliation

The chosen truth of the HROs

All the staff members of the HROs consider reconciliation as something negative. Some informants say that it is impossible for them to reconcile with the oppressors, because of the scope and dreadfulness of their atrocities. However, reconciliation was also given a negative connotation because of its history. President Menem was the one who first introduced and promoted the term reconciliation, based on a motive that was built on the theory of the two demons. This theory, which was gratefully used by president Alfonsín, stated that the conflict had taken place between two parties; the military and leftist guerrilla movements. The rest of the Argentinean people were helplessly left in the middle of this clash (see chapter 3; Historical Background). Or as described by Carmen:

"The theory of the two demons equalizes the culprits and the victims. The explanation is as followed: Once upon a time there was a group of lunatics who felt like doing good things, but they went crazy and picked up their arms. Then, there was a second group of even worse lunatics who didn't have another solution then to kill the first group of lunatics. ... The military argues that there was a conflict between two groups and that society was caught in the middle. Nobody in society knew something, nobody was accomplice and there never existed silence, fear or ignorance. There was just nothing but those two groups who had a conflict with each other." 411

Using the theory of the two demons it was very easy for president Menem to explain and promote reconciliation. In order to solve the tensions about the past, all the two conflictive parties had to do was reconcile with one another. Then the past could be left in the past and the whole country could move on and look towards the future. Unfortunately for president Menem, the theory of the two demons was a simplification of reality and the forced reconciliation was not received well by the HROs. The informants see reconciliation as a strategy of the former dictatorial regime and the right oriented political parties to cover everything up and to accuse the leftist guerrilla movements for everything what happened. Reconciliation is associated and equalized with the theory of the two demons with forgetting and with the impunity laws and most of the informants state that a process of reconciliation is impossible without pursuing justice or telling the truth. An often used slogan of the HROs is 'no olvidamos, no perdonamos, no nos reconciliamos' we don't forget, we don't pardon and we don't reconcile.

Because the former regime and the right oriented political parties are the ones who spoke about reconciliation it may seem as if they are the ones who took the first step in resolving the conflict. However, according to the HROs it is not the place of the former regime and those political parties to ask for forgiveness and closure of the conflict, because it implies that the HROs should apologize. Offering their apologies is something incomprehensible for the HROs, because they are the victims of the deeds of the dictatorial regime and the regime still continues with the atrocities. 418

<sup>&</sup>lt;sup>410</sup> Interview Jorge, Christian, Débora

<sup>&</sup>lt;sup>411</sup> Directly translated from interview with Carmen

<sup>&</sup>lt;sup>412</sup> Interview Liliana

<sup>&</sup>lt;sup>413</sup> Interview Elena, Liliana

<sup>414</sup> Interview Marite

<sup>&</sup>lt;sup>415</sup> Interview Elena, Laura, Claudia

<sup>&</sup>lt;sup>416</sup> Interview Elena, Marite, Jorge, Maria, Felipe, Laura, Claudia, Julieta.

<sup>&</sup>lt;sup>417</sup> Interview Marite, Felipe, Laura

<sup>&</sup>lt;sup>418</sup> Interview Maria, Débora, Liliana, Anahí, Carmen

They were never prosecuted, they maintained their positions and they still refused to tell the truth, so speaking about reconciliation was a pretense and an attempt to depict the HROs as the party which refused to move on.

The standpoint of the HROs can be substantiated with the theory of Goti. According to him victims have retributive emotions towards perpetrators, because they feel that the perpetrator owes a debt to them or to society for the wrongdoings committed in the past. Until a perpetrator is punished or pardoned, victims are emotionally bound with the perpetrators. Goti defines pardoning as "the termination of a backward-looking relationship based on resentment and as consent to the inclusion of the wrongdoer in the community as another member worthy of considerations and respect." Pardoning is something unilateral, it only demands that the forgiver is in a position that he or she is able to forgive. Furthermore, forgiving gives a sense of power to the forgiver and therefore can be essential for a process of reconciliation. Unfortunately such a process didn't happen in Argentina, because it were the perpetrators of the wrongdoings who demanded forgiveness of the victims. Therefore, the retributive emotions of the HROs towards the dictatorial regime still exist and might have even grew stronger.

It is very clear that the HROs are repelled by the idea of reconciling with the former juntas and their sympathizers. The fact that the former juntas and the right wing parties used the theory of the two demons to deny the existence of victims in society and to demand apologies from society disgusts the HROs. It made reconciliation into a symbol for a culture of impunity. The HROs first want a change in the attitude of the former juntas and the right oriented parties. They want to hear the truth about what happened to their relatives, they want to see the perpetrators punished through justice and receive acknowledgement from the government and society before they think about a process of reconciliation.

#### The hegemonic collective memory

Another important concept of this research project is reconciliation, which is strikingly completely absent in the newspaper articles. Concepts that can favor a process of reconciliation, like forgiveness and pardoning<sup>421</sup>, are mentioned very little. Although the node 'pardon' is mentioned in three articles, it has a very negative connotation; namely that the actions of the former juntas will not be forgotten or pardoned. Furthermore, the concept of forgiving isn't mentioned at all. This might lead to the assumption that reconciliation is not something that plays an important part in the hegemonic collective memory of Argentina. However, as was shown in chapter 3; Historical Background, reconciliation does play an important part in the minds of the Argentineans. A more thorough analysis of the newspaper articles is necessary if we are to understand the concept of reconciliation in the hegemonic collective memory.

Because reconciliation and other concepts that share its connotation are mentioned so few in the articles, we have to broaden our search. Something that is present in the newspaper articles is het concept of impunity, which can impede a process of reconciliation.<sup>422</sup> There are three nodes that refer to this concept; 'impunity', 'due obedience' and 'final point' of which the last two refer to the two amnesty laws adopted in 1986 and 1987. In all of the thirteen articles that came up with this selection of nodes the subject of impunity was linked to trials. This is not surprising, because all the articles refer directly or indirectly to the two amnesty laws. There are for example, articles which refer to the reopening of trials due to the annulations of the amnesty laws, with headlines like 'Finally the end of 37 years of impunity' or 'It were 35 years of impunity'.

Examples of articles that refer more indirectly to the amnesty laws are articles about marches against impunity with slogans like 'enough of impunity' or articles of speeches of people who hold prominent positions in society. An example of this is the speech of the director of the

<sup>&</sup>lt;sup>419</sup> (Goti 2010)

<sup>&</sup>lt;sup>420</sup> (Goti 2010, p. 164)

<sup>&</sup>lt;sup>421</sup> (Goti 2010, p. 163-164)

<sup>&</sup>lt;sup>422</sup> (Lessa 2011, p. 30-31)

Museo de la memoria, who looks back on the year 2010 and states that something finally has been done against impunity, because the tribunals have woken up. Another example is an article about a speech of the former mayor and former governor of the Sante Fe province, who also participated in the last presidential elections in which he became second after Cristina Fernández de Kirchner. He states that "when there is no justice, a feeling of impunity remains, a feeling that everything can happen again"423 and that there will not be any rest until the last perpetrator of genocide is in prison.

The articles thus place impunity at the opposite of justice, which is in line with the statement of Lessa<sup>424</sup> that impunity rests on the two complementary pillars; the denial of truth and the absence of justice. According to her, Argentina has known a culture of impunity since the arrival of the repressive regime in which impunity has been sustained through formal and informal mechanisms. (see chapter 2; Theoretical Framework) When looking at the policies of democratically elected presidents Alfonsín and Menem, impunity plays an important part as well. President Alfonsín is the one who adopted the two amnesty laws and due to the promotion of reconciliation by president Menem impunity became a synonym for reconciliation and oblivion.

Although theoretically the concepts of impunity and reconciliation are vastly different and often even opposed to one another, in the eyes of the Argentineans these concepts have the same connotation. When hearing the word reconciliation most people feel the negative connotation that is associated with impunity. After all, in their eyes impunity stands for the juntas walking away scotfree from their crimes. Due to the policies of presidents Alfonsín and Menem reconciliation was eventually associated with the dictatorial regime.

Argentineans are thus familiar with a culture of impunity and the consequences that go along with it. Impunity sustains cycles of violations and corruption, because it is highly unlikely for human rights violators to get caught in such a culture. The existence of a culture of impunity in Argentina can be seen as a possible explanation for the absence of the concept of reconciliation in the hegemonic collective memory. As stated above by Lessa<sup>425</sup>, impunity is the denial of truth and the absence of justice. Hence, in the hegemonic collective memory reconciliation is viewed as the denial of truth and the absence of justice. Therefore, reconciliation plays a negative role in the hegemonic collective memory, because it is associated with impunity and thus the dictatorial regime.

#### Influence of the HROs

The chosen truth of the HROs in regard to the subject of reconciliation corresponds with the hegemonic collective memory. People associate reconciliation with impunity and therefore perceive it as something negative. In the hegemonic collective memory as well as in the chosen truth of the HROs, justice and truth are seen as conditions for reconciliation. The fact that only a small percentage of the perpetrators have been prosecuted and that there exists a lack of formulation of an official factual framework probably contributes to the negativity about reconciliation. This is only emphasized with the constant demands of the HROs for memory, justice and truth. In short, Argentinean society is not yet ready for a process of reconciliation. The interchangeability of reconciliation and impunity as well as the fact that justice and truth are preconditions for reconciliation show that the chosen truth of the HROs influences the hegemonic collective memory.

In this chapter the data derived from the analysis of the newspaper articles and the interviews with the staff members of the HROs was elaborated. With the help of the variables memory, justice, truth and reconciliation it is explained how the HROs influence the hegemonic collective memory. With their strategic use of memory they influence the way people perceive and use the hegemonic collective memory. With their determination to pursue with prosecutions, they influence the hegemonic collective memory in part with regard to the subject of retributive justice, but not in regard to legal justice. Although the HROs pursue the construction of a 'true version of history', they

<sup>&</sup>lt;sup>423</sup> (Pagina12, 25-03-2011)

<sup>&</sup>lt;sup>424</sup> (Lessa 2011, p. 30)

<sup>&</sup>lt;sup>425</sup> (Lessa 2011, p. 30)

only influence the hegemonic collective memory, in the form of the existence of an unofficial factual framework, to a certain extent. Finally, with their constant demands for memory, justice and truth they emphasize the already existing aversion for a process of reconciliation. In the following and concluding chapter of this thesis, the implications of these findings will be discussed.

# **Conclusion** collective memory and reconciliation

To create a more just and human society, we must present outstretched and friendly hands, without hatred and rancor, even as we show great determination and never waver in the defense of truth and justice. Because we know that we cannot sow seeds with clenched fists.

To sow we must open our hands.

Aldolfo Pérez Esquivel

It has been thirty years since the violence of the military junta in Argentina ended, however, the dust from this period has all but settled. Argentina is currently still in a post-conflict situation and a process of transition. This brings about a number of complexities, varying from economic to social and political questions. The most important complexity of all might very well be the collective memory of the Argentinean people. According to Zalaquett, "the unity of a nation depends on a shared identity, which in its turn depends largely on a shared memory." During a process of transition in a post-conflict society, the formation of a shared or an official collective memory plays an important role in coming to terms with the past. It contributes to the formation of social cohesion and provides a reference point for the memory-construction of groups within the context of a nation. The post of the past.

In a society there will never be one collective memory, which is shared by everyone. 428 There exist as many collective memories as there are groups<sup>429</sup> so there will always be a political struggle of one interpretation of the past against the other. The collective memory that is shared by most people in society is called the hegemonic collective memory. Ever since the fall of the regime in 1983, this political struggle is still taking place in Argentina today. The former juntas and the HROs are the two main actors who are pitted against each other in a struggle for Argentina's hegemonic collective memory. The point of view of each of these groups is referred to as their chosen truth. Both groups are trying to convince society of their chosen truth and are thus trying to influence the hegemonic collective memory. The HROs accuse the former juntas of atrocities they committed during the dictatorial regime. They also want to bring the truth about the atrocities to light and keep the memory about the dictatorial period alive in order to prevent repetition of the horrors. The former juntas glorify themselves as the heroes of a war and deny the accusations of the HROs. The malicious things that occurred under their regime are claimed to be incidents that simply happen during wartime. This research project aimed only at the chosen truth of the HROs, because the human rights movement in Argentina has grown so large and generated significant political influence in reaction to the repressive regime. Therefore, this research project focused on the possible influence of the chosen truth of the HROs on the hegemonic collective memory in Argentinean society.

The active political role of the human rights movement in Argentina is characteristic for the region of the Southern Cone. By organizing countless protests, discussions and social events they seem to have a lot of influence on Argentina's daily social life. The HROs claim that they are struggling for truth and justice and that they keep the memory of the disappeared alive to avoid another period of repression. The main motivator for the work of the HROs is of course this very period of repression. One could argue that the past is thus of great importance to these organizations. This raises the question whether their modus operandi is actually contributing to moving forward and reconciliation, which is about accepting the past and not about lingering in it. By

<sup>&</sup>lt;sup>426</sup> (Zalaquett 1991, p. 1433)

<sup>&</sup>lt;sup>427</sup> (Jelin 2003, p. 27)

<sup>&</sup>lt;sup>428</sup> (Jelin 2002, p. 5)

<sup>&</sup>lt;sup>429</sup> (Halbwachs 1992, p. 22)

this reasoning, even the claims of truth and justice might seem counterproductive to a process of reconciliation. Therefore, besides the presumable influence of the HROs on the hegemonic collective memory in Argentina, this research project also aimed at the role of the HROs in the process of reconciliation.

In order to understand both the development of the hegemonic collective memory in Argentinean society and the chosen truth of the HROs, it was analyzed how the variables memory, justice, truth and reconciliation are conceptualized within contemporary Argentinean society on one hand and the group that is the HROs on the other. Thus, painting a picture of both the hegemonic collective memory in Argentinean society and the chosen truth of the HROs. These two pictures were then compared using the aforementioned variables to see what the influence is of the chosen truth of the HROs on the hegemonic collective memory.

Each of the variables might contribute to processing the past, healing the disturbed relationships within society and preventing the repetition of atrocities in the future. During a period of transition, these are all processes that are of great importance to people, also on a personal level, in order for them to reconcile with the past and move on with their lives. When people remember the period of conflict and the subsequent period of transition, the way the past has been processed is of influence on the way people think back to the past. Therefore, these variables were also of importance for understanding the development of a collective memory in a post-conflict society. To analyze the hegemonic collective memory, newspaper articles of the newspaper Pagina12 were used. Interviews with staff members of seven different HROs in Rosario were used to analyze the chosen truth of the HROs. This research design led to the following research questions:

- 1. How does the chosen truth of the HROs in Rosario influence the hegemonic collective memory?
- 2. Does the chosen truth of the HROs influence a process of reconciliation and why?

To help answering these research questions, the following sub questions were formulated:

- How are the variables memory, justice, truth and reconciliation reflected in the hegemonic collective memory today in Rosario?
- How are the variables of memory, justice, truth and reconciliation reflected in the chosen truth of the HROs in Rosario?

In chapter 4; Analysis, it is elaborated how the variables memory, justice, truth and reconciliation influence the hegemonic collective memory and how much the HROs contribute to this influence. With this analysis the two sub questions have been answered. In short, the conclusion per variable will now be described, in order to answer the research questions.

#### Memory

In this thesis it becomes clear that the HROs are a strong mnemonic community with a dense social network. According to Halbwachs, <sup>430</sup> a coherent body of people offers a framework through which recollections can be understood. We can see this very clearly in the case of the HROs in post-conflict Argentina. Thus, through this framework the chosen truth of the HROs – as it is called in this thesis, because of their conscious and strategic exploitation of the collective memory – is formulated. Through their social network, the members of the HROs can also 'remember' or 'experience' events that they haven't experienced themselves, something that is supported by the theories of Zerubavel, <sup>431</sup> regarding mnemonic communities. By sharing (past) experiences they turn personal recollections into collective recollections through the framework of collective memory, which strengthens their unity and identity.

<sup>430 (</sup>Halbwachs 1992)

<sup>&</sup>lt;sup>431</sup> (Zerubavel 1996)

As a mnemonic community the HROs are actively fighting a mnemonic battle over the interpretation of history. During a dictatorial regime an official hegemonic collective memory is imposed upon society. This version of history leaves no room for interpretation and determines political and social life, which forces other interpretations of history to exist underground. After the fall of a dictatorial regime there arises a space for other interpretations of the past. "Such openings create a setting for new struggles over the meaning of the past, with a plurality of actors and agents who express a multiplicity of demands and claims." Jelin calls this struggle a mnemonic battle. We see this battle currently still raging in Argentina, where the HROs are actively participating to forward their chosen truth.

The HROs are actively and strategically using memory to impose their version of collective history and collective identity on society, with the goal to finally change the economic and political powers and to prevent the repetition of the atrocities of the juntas in the future. This active and strategic use of memory of the HROs shines through in the hegemonic collective memory. The chosen truth of the HROs, as well as the hegemonic collective memory, both show a dichotomy of the (perceived) positivity of remembering and the negativity of forgetting. In Argentinean society, forgetting is associated with the repetition of the horrors of the dictatorial regime and thus perceived as something negative. The existence of the dichotomy implies that remembering must therefore prevent the repetition of the horrors. In Argentina this is perceived as the positive effect of remembering. Both the compulsive remembering and forgetting in the hegemonic collective memory and the chosen truth of the HROs are directed against the former juntas. The – perhaps intended – effect of both these strategies is the prosecution and demonization of the former juntas.

The dichotomy between remembering and forgetting that exists in Argentine society is contradictory to the theory on memory. According to the theories of Assmann and Shortt, 434 it is not possible to neatly separate remembering and forgetting, not to mention placing them on the opposite side of each other. Creating meaningful memories implies a process of forgetting, because if we want to remember as much as possible, we will lose track of what we seek to remember. 435 Thus, the HROs are too, consciously or unconsciously, making a selection of what they find important to remember. They claim that they want to remember as much as possible, in order to avoid repetition. This of course, stems from the fact that for a very long time, the truth about the horrors of the dictatorship has been ignored. Now that the dictatorship has gone, the HROs want to inform the public of every horrific detail. However, this implies a goal – preventing a repetition of the horrors – and a strategy - informing the public - to accomplish this goal. To make this strategy effective, the HROs cannot tell every single detail about the dictatorial period, but will need to make a selection. Also, the way in which they tell their story needs to be convincing in order to create a more permanent memory. This notion of remembering and forgetting, which can also be found in the hegemonic collective memory, will keep them restrained to the past. This will be further explained at the end of this conclusion.

An important difference between the chosen truth of the HROs and the hegemonic collective memory is that the chosen truth of the HROs contains concrete political goals and the underlying goal of receiving acknowledgement from the political society, which the hegemonic collective memory has not. This might be explained by the fact that the followers of the HROs are mostly direct victims or families of direct victims of the dictatorial regime. The atrocities that were committed against them are the most powerful incentive that makes the chosen truth of the HROs so very fierce and enables them to influence the hegemonic collective memory. The part of Argentinean society that is not directly affected by the dictatorial period does not seem to seek the acknowledgement from political society. The research in this thesis shows that although the hegemonic collective memory does reflect the facts that there were victims and culprits in the dictatorial period, it does

<sup>433</sup> (Jelin 2003, p. 29)

<sup>&</sup>lt;sup>432</sup> (Jelin 2002)

<sup>434 (</sup>Assmann and Shortt 2012)

<sup>&</sup>lt;sup>435</sup> (Goti 2010)

not reflect an active aspiration of the Argentinean people to change economic and political powers, put culprits behind bars and reveal the truth at all costs.

#### **Justice**

Regarding the variable justice, the chosen truth of the HROs shows an important similarity with the hegemonic collective memory, namely retributive justice. This form of justice is based on a causal principle and the maintaining of a balance in society. When someone committed a crime he or she constructs a 'debt' to either an individual (namely the victim) and/or society. Retributive justice mechanisms focus on accountability and an appropriate punishment for a crime, in order to restore the balance in society. 436

It should also be noted that it is striking that other types of justice like political and socioeconomic justice are not mentioned at all in the hegemonic collective memory or the chosen truth of the HROs. Socioeconomic justice refers to financial or another kind of compensation used to restitute or repair harm done by past violations. It aims at alleviating the marginalized groups in a post-conflict society by the redistribution of social and economic factors. Political justice refers to the transformation of institutions and relationships to eliminate corruption and to promote a fair and transparent government to the population. When looking at Argentina's history one can say that both types of justice are only marginally present in Argentinean society. There exist huge problems among the socially and economically marginalized groups in society. Furthermore, it can be concluded that the state and its institutions have shown little change since the dictatorial regime has stepped down. Therefore, it is remarkable that political and socioeconomic justice are not mentioned at all in the hegemonic collective memory or the chosen truth of the HROs. A very likely reason for this is that the focus of the chosen truth of the HROs is on retributive justice. Since punishment and the restoration of balance in society are the only things the HROs focus on, this leaves little or no room for other forms of justice to be manifested.

We see from the analysis that, when it comes to justice, retributive justice is an important aspect in the hegemonic collective memory. There are numerous newspaper articles about trials and their punishment of the culprits. In these articles, the emphasis lies on how important a culprit is and the gravity of the punishment. There are two main factors that explain this focus on retributive justice. First, there are the impunity laws that were annulled by president Kirchner in 2003. This act finally enabled the people of Argentina to prosecute their former tormentors. Although it is not the subject of thesis to consider whether this annulment was powered by the idea of retributive justice, it is clear that it reopened the door for the HROs to resume their accusations against the former juntas. The HROs are, and always have been, a group of direct or indirect victims of the military dictatorship. Their followers are a very powerful incentive to lean on retributive justice. After all, they feel a great injustice has been done to them that left them with a debt to claim. When the balance is restored in society, it is also easier for people to process and eventually close the door to a violent past. It also enables people to move forward without being held back by negative connotations regarding the past. Regarding the variable of justice, we see a remarkable resemblance between the chosen truth of the HROs, as well as the hegemonic collective memory, as they both depend mostly on retributive justice. Thus, instead of adopting one of the many other forms of justice, the hegemonic collective memory seems - in the case of justice - to be influenced by the chosen truth of the HROs.

The hegemonic collective memory seems not to have been influenced by the chosen truth of the HROs in the matter of confidence in the judicial apparatus. The analysis of the hegemonic collective memory shows that there exists confidence in the legal system, since no negative connotation could be found, regarding the aspect of legal justice. Legal justice, which is based on accountability, prosecution, punishment and compensation, 438 seems to be important in the

<sup>436 (</sup>Lambourne 2009 and Mallinder 2007)

<sup>&</sup>lt;sup>437</sup> (Lambourne 2009, p. 41 and 45)

<sup>&</sup>lt;sup>438</sup> (Lambourne 2009, p. 39)

hegemonic collective memory, but not to the HROs. This finding is stressed here because of the importance of legal justice. When a legal system fails to pursue prosecutions, it fails to create respect for the rule of law, which in its turn can tear down conditions needed for peace and security. ABO The HROs are very skeptical about the judicial system and the trials in particular. In fact, they are so convinced that the judges are corrupt and the trials ineffective, that it is remarkable that the HROs still trust the judicial system. After all, Argentina has a long history of armed revolutions and one could expect the HROs, or at least individuals tied to these organizations, to avenge themselves on the former juntas. The HROs use the trials as a means to an end, but only because of a lack of alternatives to the judicial system.

#### Truth

The variable of truth is quite a different matter in regard to the other variables presented in this thesis. There are some similarities between the chosen truth of the HROs and the hegemonic collective memory regarding the subject of truth. Both perceive the former juntas as culprits and the disappeared and their families as victims. Also, the military dictatorship is seen as a repressive regime that was wrong in their approach to the domestic crisis Argentina faced in the late seventies. However, these similarities are along broad lines and do not seem to be more in-depth. This was to be expected as we are currently researching how much the chosen truth of the HROs influences the hegemonic collective memory. If the variable of truth would be more or less the same in both perspectives, then it would be reasonable to assume beforehand that the HROs would have an enormous influence on the hegemonic collective memory. We would also see an entirely different situation in Argentina today; a situation where the former juntas would be mostly behind bars and society would be preoccupied with Argentina's recent history. This is clearly not the case at the moment, as we have seen in chapter 3; Historical Background.

The influence of the chosen truth of the HROs on the hegemonic collective memory is probably limited because of the ferociousness with which the HROs present their 'true version of history'. According to the HROs, this can only be constructed trough justice, which means that only trials can decide the definitive version about Argentina's troubled history. This implies that they leave no room for other interpretations of history. After all, once a trial has decided something, it is supposedly brought under heavy consideration and eventually finalized as a legalized decision.

The ferociousness of the HROs can be explained by the history of Argentina. Since the dictatorial regime was never overthrown, the CONADEP failed to initiate the construction of an official factual framework. Following this, the theory of the two demons implemented politics of oblivion and ignorance that impeded the acknowledgement of the facts of the atrocities committed by the former juntas. According to Rosoux, 'the acknowledgement of facts by all sides is probably even more important for a process of reconciliation than simply revealing the past by telling the truth.'<sup>440</sup> In Argentina the facts are all known, however, they have never been revealed or acknowledged by official institutions. This impedes Argentinean society to further process the past and eventually turns the conflictive past into a burden.

#### Reconciliation

During this research, an important finding came to light. The connotation of the word 'reconciliation' itself varies between the meaning it has in a modern scientific discourse and in Argentinean society. In Argentina, the word reconciliation is often met with distrust and aversion. People associate reconciliation with impunity and therefore perceive it as something negative. According to Lessa, impunity is something that can impede a process of reconciliation. Impunity can be seen as the denial of truth and the absence of justice and Lessa defines it as "a lack of and exemption from punishment or accountability for a crime." Looking at the history of Argentina, it is not surprising

<sup>&</sup>lt;sup>439</sup> (Lambourne 2009, p. 39)

<sup>&</sup>lt;sup>440</sup> (Rosoux 2009)

<sup>&</sup>lt;sup>441</sup> (Lessa 2011, p. 30)

that people associate reconciliation with impunity. It has characterized the country for many years, first with the atrocities of the military regime and later impunity was sustained by the policies of president Alfonsín and president Menem. President Alfonsín adopted the two amnesty laws, which made it impossible to prosecute more culprits of the dictatorial regime. Subsequently, president Menem granted several presidential pardons to high ranked officers who were accused of human rights violations. At the same time he tried to promote a process of reconciliation using these presidential pardons. He believed that the pardons he granted were necessary "to heal the wounds of the past, to generate national reconciliation and pacify the country", while demands for truth and justice from the victims of the disappeared were "manifestations of revenge and resentment." 442 Due to the amnesty laws implemented by president Alfonsín and the presidential pardons granted by president Menem reconciliation became synonymous to impunity. As stated above by Lessa, impunity can be seen as the denial of truth and the absence of justice. Therefore, in Argentina reconciliation is associated with the denial of truth and the absence of justice. Furthermore, the actions of both presidents have enabled a culture of impunity in Argentina, which is a key factor in the continuity of human rights abuses, sustains cycles of violence and impedes a process of reconciliation.

In the hegemonic collective memory as well as in the chosen truth of the HROs, justice and truth are seen as conditions for reconciliation. The fact that only a small percentage of the perpetrators have been prosecuted and that there exists a lack of formulation of an official factual framework contributes to the negativity about reconciliation. This is only emphasized by the constant demands of the HROs for memory, justice and truth. According to Rosoux<sup>443</sup>, the concepts of justice and truth are, among pardoning and forgiving, often linked with reconciliation. Many historical cases show that these concepts are deeply interconnected. It cannot be said, however, that there exists a linear correlation between these concepts and reconciliation, and therefore they cannot be seen as preconditions for reconciliation. Although justice is required in the aftermath of a conflict, it can hardly provide the only basis for reconciliation. Moreover, truth-telling processes can be a condition as well as a potential impediment to achieve reconciliation. Although truth-finding and truth-telling are vital steps in a reconciliation process, truth in itself does not bring reconciliation. Thus, a postconflict society must look at all of these components when it is striving for reconciliation. The focus in Argentinean society is only on the concepts of justice and truth, but not with the goal to develop a process of reconciliation. Therefore, Argentinean society is not yet ready for a process of reconciliation.

The interchangeability of reconciliation and impunity is a product of Argentina's history. Argentinean society does not perceive justice and truth as preconditions for a process of reconciliation and there does not exist a holistic comprehensive approach or effort to develop a process of reconciliation. Although this negative connotation of reconciliation is created by Argentina's history, it is emphasized and maintained by the HROs. Their demands for truth and justice do not serve an ultimate goal of reconciliation, but a goal of achieving acknowledgement of the state and society. Furthermore, as reconciliation in Argentina is associated with the absence of truth and the denial of justice, the HROs are opposing a process of reconciliation by demanding truth and justice. Although the HROs have thus not inflicted the negative connotation of reconciliation upon society, they are enforcing it with their demands for truth and justice.

#### How does the chosen truth of the HROs in Rosario influence the hegemonic collective memory?

In this research project the concept of hegemonic collective memory was decomposed into the variables memory, justice, truth and reconciliation. When looking at these variables, it can be concluded that the HROs do partially influence the hegemonic collective memory in Argentina. They influence the way people perceive and use the hegemonic collective memory with their active and strategic use of memory. The dichotomy the HROs have created between remembering and

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<sup>&</sup>lt;sup>442</sup> (van Drunen 2010, p. 85)

<sup>&</sup>lt;sup>443</sup> (Rosoux 2009, p. 553-555)

forgetting can also be found in the hegemonic collective memory. This dichotomy leads to compulsive remembering in the chosen truth of the HROs. Although this compulsive remembering is not as strong in the hegemonic collective memory as it is with the HROs, the influence is clearly noticeably in Argentinean daily life. Furthermore, this remembering is directed against the former juntas, something that is to a lesser extent, present in the hegemonic collective memory as well.

With their determination to pursue with prosecutions, they influence the hegemonic collective memory in part with regard to the subject of retributive justice. However, in regard to legal justice the chosen truth of the HROs reflects no confidence in the judicial system, whereas the hegemonic collective memory seems to have more faith. Something that is striking is the absence of political and socioeconomic justice in both perspectives.

Although the HROs pursue the construction of a 'true version of history', they only influence the hegemonic collective memory, in the form of the existence of an unofficial factual framework and even so, only to a certain extent. The hegemonic collective memory only shows a partial unofficial factual framework that consists with the chosen truth of the HROs in the sense that it has only demarcation criteria between victims and culprits. If the variable truth would have been similar in both the chosen truth as well as the hegemonic collective memory, the other variables would have also shown more similarities. After all, if both truths would be similar it would be only logical that society would broadly support the HROs and, as a consequence, their views on memory, justice and reconciliation. The cries of the HROs regarding truth mostly fall on the deaf ears of society.

Finally, with their constant demands for justice and truth the HROs influence the hegemonic collective memory with regard to a process of reconciliation. This is of course due to the negative connotation that exists around the word reconciliation in Argentinean society. Although history is to blame here, the HROs are guilty of perpetuating the aversion towards reconciliation. This being said, the first hypothesis, which expected that the HROs would be more influential on the variables of memory, truth and reconciliation than on the variable justice, can be partially confirmed and partially disproved. The question remains; how do they influence the hegemonic collective memory?

By portraying themselves as the victims of the horrors committed by the dictatorial regime, the HROs assign the right to themselves to determine how the violent past should be processed. They are actively and strategically using memory to impose their perspectives, norms and values on society and with that they are actively conducting a campaign against the former juntas. They organize countless protests, discussions and social events to keep the issue alive in Argentina. Protest graffiti paints the streetscape, newspapers are filled with articles about the work of the HROs and one cannot turn on the TV without seeing a reference to the HROs, juntas or the repression. They even managed to create a national day of memory for truth and justice on the 24<sup>th</sup> of March. On this day the victims of the dictatorial regime are commemorated by what is now almost a national holiday of some sorts. The HROs say that they do all this in order to prevent repetitions of the atrocities of the former juntas in the future and the effect of this strategy is the prosecution and demonization of the former juntas.

The influence of the HROs on the hegemonic collective memory can be divided into two types; 'positive' and 'negative' influence. The 'positive' influence can be described as the influence they achieve with their behavior. This influence is described above using the four variables. It can be concluded that the 'positive' influence of the chosen truth of the HROs on the hegemonic collective memory varies per variable, but is overall moderate. The 'negative' influence can be described as side effects of the HROs' chosen truth. Since the HROs are so ferociously imposing their interpretation of history on society they are acting as a jammer for other interpretations of history to influence the hegemonic collective memory. Furthermore, society seems to grow tired of the story of the HROs, which hinders any outside influence on the hegemonic collective memory. This 'negative' influence of the HROs constrains the development of the hegemonic collective memory, because it constrains the influence of other interpretations of history.

It can be concluded that although the HROs have a moderate influence on the hegemonic collective memory they are not the most powerful catalyst that influences the hegemonic collective memory. Further research is needed to determine what or who has the most influence on collective

memory. To venture an educated guess; due to the negative influence of the behavior of the HROs, it could very well be that no single group or institution has the most influence on the hegemonic collective memory.

#### Does the chosen truth of the HROs influence a process of reconciliation and why?

This research question is posited because of the effect the HROs might have on a process of reconciliation. By answering the previous question, we learned which influence exists between the chosen truth of the HROs and the hegemonic collective memory. Following simple logic dictates that we must now focus on the question whether this chosen truth is actually contributing to a process of reconciliation or if they in fact accomplish the opposite. The HROs claim that they use the past to learn from it, in order to prevent the repetition of the horrors committed by the dictatorial regime. But does this modus operandi actually contribute to a process of reconciliation, which implies accepting the past, or does it contribute to lingering in the past?

The active and strategic use of memory of the HROs leads to a compulsive remembering and is based on events that have happened in the past. The goals they want to achieve with the use of memory is sentencing the former juntas by trial and finding out the truth about what has happened to the disappeared. The HROs have created a backward-looking narrative that keeps them lingering in the past. By doing this they are unable to aim their efforts towards the future, which impedes a process of reconciliation.

The focus on retributive justice, which exists in the chosen truth of the HROs, also prevents a process of reconciliation. Since every effort is put in retribution, other forms of justice – like political and socioeconomic justice – remain in the background. This is even more harrowing, because these other forms of justice form the bulk for a process of reconciliation. Although the HROs do not trust the institutional legal system, they do use legal justice when prosecuting a culprit. This shows that they are willing to invest their hopes in one of the preconditions for a process of reconciliation.

When looking at the variable of truth, we see that the HROs only paint their own rigid version of history. This leaves no room for other interpretations to exist. This also impedes a process of reconciliation, in which it is important that different interpretations of the past can coexist within a factual framework. Reconciliation is also not benefitted by a situation in which there is no room for a debate regarding different interpretations of history.

In Argentinean society, as well as in the chosen truth of the HROs, there exists a negative connotation regarding the concept of reconciliation. This impedes any and all forms of a debate regarding a process of reconciliation. Albeit one of the most simplistic reasons, it is also one of the most important ones, because if even the word 'reconciliation' is laced with negativity there will never be a serious effort from the HROs to initiate a process of reconciliation.

According to Ignatieff, political reconciliation means, "accepting the world as it actually is, instead of fighting or opposing it." This process of acceptance implies three forms of reassessment: reassessment of the representation that each party has about the other, reassessment of the self-image and reassessment of the common past. In conflicts, the demonization and dehumanization of the enemy will prevail and dominate the perceptions of groups. The denial of 'the other' as a human being will even become a central element of the identity of a group. This makes the reassessment of the other and the self-image difficult, because the recognition of the other's identity means the destruction of its own identity. Therefore, no group will be expected to make a move, unless it develops a sense of assurance of the existence of its own identity. Obviously, the recognition of the enemy is a long and slow process. Losses need to be mourned in order for groups to alter their position and develop a kind of empathy. It requires a change of attitude, from backward-looking to forward-looking, which can only be achieved when coexistence appears to be a necessity for each party. Therefore, the pursuit of common goals and the establishment of personal

<sup>444 (</sup>Ignatieff in Rosoux 2009, p. 549)

<sup>&</sup>lt;sup>445</sup> (Rosoux 2009, p. 550)

relationships between parties are very important for the mitigation of the impact of dehumanization. 446

It can be concluded that the three forms of reassessment are not present in Argentina. Although the HROs claim that they have a forward-looking attitude, they actually direct their chosen truth against the former juntas. This standpoint impedes their reassessment of the representation of the former juntas, the reassessment of the self-image and the reassessment of the common past. When looking at the four variables described above, it is clear that demonizing the former juntas is a large part of the identity of the HROs. By directing their chosen truth against the former juntas, they attach themselves to the former juntas, since the HROs are not able to develop a sense of assurance of the existence of their own identity, without the demonization of the former juntas. Thus, the attitude of the HROs does in fact impede a process of reconciliation. This conclusion confirms the second hypothesis, which expected that the chosen truth of the HROs would impede a process of reconciliation through the hegemonic collective memory.

Looking at the history of Argentina it is not surprising that the HROs have adapted such an attitude. They represent a group of direct victims and the relatives of direct victims of the dictatorial regime. Therefore, they form a group that has, more than other groups in society, the right to know what has happened to their beloved ones. Because the former juntas remain their silence and only a small percentage of them have been prosecuted, due to culture of impunity in the country, they manage to keep on tormenting the HROs. Of course, this attitude of the former juntas feeds the behavior of the HROs and thus the situation in the country remains the same. In order to stop this cycle, a basic level of trust between the parties must be created. Both parties need to make compromises in order to start looking forward and to overcome this conflict. An important first step could be breaking the silence by the former juntas. In exchange, the HROs could reduce their demands for prosecutions. A form of public acknowledgement of the crimes by the perpetrators or the representatives of the state might be achieved. In the end, this is what the HROs are looking for. Eventually, it is important that both parties find a way together to change the feelings about the past. Because, "new historical processes and new political or social circumstances can influence the interpretations of past experiences and construct new expectations of the future."447 Perhaps then an Argentina can be constructed, in which the past remains in the past.

And where does this leave the Madres de Plaza de Mayo? Are these elderly ladies stuck in the past and indeed opposing a process of reconciliation? Or do they simply need answers in order to move on? With this thesis, it is easy to advance the theory that the HROs need to be less in the past and more oriented towards the future. However, this thesis was never there when military power ruled the streets, innocents were tortured or people pulled from their home and families. It might be wise to conclude this thesis with the knowledge that grief is nature's way to heal a broken heart. As statistics mean nothing to the individual, so does scientific knowledge mean nothing to those who have experienced a loss too heavy for their heart. And so, every Thursday on the Plaza de 25 de Mayo in all the large cities in Argentina at 6 pm, the Madres gather to walk their rounds, commemorating their lost sons and daughters and protesting the still lingering ghosts of the former dictatorial regime.

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<sup>&</sup>lt;sup>446</sup> (Rosoux 2009, p. 550)

<sup>447 (</sup>Jelin 2002, p. 13 own translation)

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## **Appendices**

## Appendix I: Hotspot calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
	3	4	5	6	7	8
967; 1 OTAL 1	1967; 1 - desaparecido; 1 TOTAL 2					1976; 1 TOTAL 1
	10	11	12	13	14	15
	1976; 1 TOTAL 1					desaparecido; 1 TOTAL 1
6	17	18	19	20	21	22
	1976; 1 - CONADEP; 1 - desaparecido; 2 TOTAL 4		1976; 1 TOTAL 1	1976; 1 TOTAL 1	1976; 1 - desaparecido; 1 TOTAL 2	
3	24	25	26	27	28	29
	1976; 1 TOTAL 1	1976; 1 - desaparecido; 1 TOTAL 2		1976; 1 TOTAL 1	1976; 1 TOTAL 1	
0	31	Notes:				

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
		desaparecido; 2 TOTAL 2	1976; 1 - desaparecido; 2 TOTAL 3	1976; 1 - desaparecido; 2 - genocidio; 1 TOTAL 4	1976; 1 - desaparecido; 2 - genocidio; 1 TOTAL 4	desaparecido; 2 TOTAL 2
5	7	8	9	10	11	12
1976; 1 - desaparecido; 1 TOTAL 2	1976; 2 - desaparecido; 1 - genocidio; 2 TOTAL 5	desaparecido; 1 - genocidio; 1 TOTAL 2		1976; 2 TOTAL 2	1976; 3 - genocidio; 1 TOTAL 4	1976; 2 TOTAL 2
13	14	15	16	17	18	19
	desaparecido; 1 TOTAL 1	desaparecido; 1 TOTAL 1	1976; 3 - desaparecido; 1 TOTAL 4	1976; 2 - genocidio; 2 TOTAL 4		1976; 1 TOTAL 1
20	21	22	23	24	25	26
1976; 1 TOTAL 1	1976; 3 TOTAL 3	1976; 2 TOTAL 2	1976; 1 TOTAL 1	1976; 1 TOTAL 1		
27	28					
desaparecido; 1 TOTAL 1						
tes:						

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
		1976; 2 - desaparecido; 1 TOTAL 3	1976; 2 TOTAL 2	CONADEP; 1 TOTAL 1	1976; 1 TOTAL 1	
6	7	8	9	10	11	12
		1976; 1 TOTAL 1		1976; 4 TOTAL 4	1976; 3 TOTAL 3	
13	14	15	16	17	18	19
	1976; 1 TOTAL 1	1976; 1 TOTAL 1	1976; 1 TOTAL 1		1976; 2 - desaparecido; 1 TOTAL 3	
20	21	22	23	24	25	26
1976; 2 TOTAL 2	1976; 1 TOTAL 1	1976; 1 - desaparecido; 1 - genocidio; 1 TOTAL 3	1976; 3 - CONADEP; 1 - genocidio; 1 TOTAL 5			1976; 1 - CONADER TOTAL 2
27	28	29	30	31		
	1976; 2 TOTAL 2	1976; 3 - genocidio; 1 TOTAL 4	1976; 2 TOTAL 2	1976; 2 - desaparecido; 1 - genocidio; 1 TOTAL 4		
		Notes:				

			April 2011	l		
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
					1976; 1 TOTAL 1	genocidio; 1 TOTAL 1
3	4	5	6	7	8	9
1976; 2 - desaparecido; 1 - genocidio; 1 TOTAL 4	1976; 2 - desaparecido; 1 TOTAL 3	1976; 1 - desaparecido; 1 TOTAL 2	1976; 4 - desaparecido; 3 TOTAL 7	1976; 2 - desaparecido; 1 TOTAL 3	1976; 2 - desaparecido; 1 TOTAL 3	1976; 1 TOTAL 1
10	11	12	13	14	15	16
1976; 2 TOTAL 2		1976; 2 - CONADEP; 1 - genocidio; 1 TOTAL 4	CONADEP; 1 TOTAL 1	1976; 1 - desaparecido; 1 TOTAL 2	1976; 4 - desaparecido; 1 - genocidio; 1 TOTAL 6	1976; 1 TOTAL 1
17	18	19	20	21	22	23
1976; 1 TOTAL 1	1976; 4 TOTAL 4	1976; 4 - desaparecido; 1 TOTAL 5	1976; 1 - desaparecido; 2 TOTAL 3	desaparecido; 1 - genocidio; 1 TOTAL 2		
24	25	26	27	28	29	30
	1976; 1 - CONADEP; 1 TOTAL 2	1976; 2 - desaparecido; 1 TOTAL 3	1976; 2 - desaparecido; 1 TOTAL 3	1976; 1 - genocidio; 1 TOTAL 2	1976; 3 TOTAL 3	1976; 2 TOTAL 2
	Notes:					

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
	1976; 1 - genocidio; 1 TOTAL 2	desaparecido; 1 - genocidio; 1 TOTAL 2	1976; 1 TOTAL 1	genocidio; 1 TOTAL 1	desaparecido; 1 - genocidio; 1 TOTAL 2	1976; 1 - genocidio TOTAL 2
8	9	10	11	12	13	14
		1976; 2 TOTAL 2	1976; 2 TOTAL 2	1976; 2 - desaparecido; 1 - genocidio; 1 TOTAL 4	1976; 1 - genocidio; 1 TOTAL 2	1976; 2 - desaparecido; 1 TOTAL 3
15	16	17	18	19	20	21
	1976; 6 - CONADEP; 1 - desaparecido; 2 TOTAL 9	1976; 5 - desaparecido; 1 TOTAL 6	1976; 3 - desaparecido; 1 TOTAL 4	1976; 1 - genocidio; 2 TOTAL 3	desaparecido; 1 - genocidio; 1 TOTAL 2	
22	23	24	25	26	27	28
1976; 2 TOTAL 2		desaparecido; 1 TOTAL 1		1976; 1 TOTAL 1	1976; 2 - desaparecido; 1 TOTAL 3	
29	30	31				
CONADEP; 1 FOTAL 1						
		Notes:				

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
			1976; 1 - desaparecido; 1 - genocidio; 1 TOTAL 3	1976; 1 - CONADEP; 1 TOTAL 2	1976; 3 - genocidio; 1 TOTAL 4	1976; 1 TOTAL 1
5	6	7	8	9	10	11
1976; 2 - desaparecido; 2 OTAL 4	desaparecido; 1 TOTAL 1	1976; 2 TOTAL 2	1976; 1 - desaparecido; 1 TOTAL 2		1976; 1 TOTAL 1	
12	13	14	15	16	17	18
genocidio; 3 'OTAL 3	1976; 1 - desaparecido; 1 - genocidio; 1 TOTAL 3			1976; 1 TOTAL 1		
9	20	21	22	23	24	25
	1976; 1 TOTAL 1	1976; 1 TOTAL 1		1976; 2 TOTAL 2	1976; 2 - desaparecido; 2 TOTAL 4	1976; 1 - desaparecido; 1 TOTAL 2
26	27	28	29	30		
desaparecido; 1 OTAL 1		1976; 3 TOTAL 3	1976; 2 - desaparecido; 1 TOTAL 3	1976; 1 TOTAL 1		
	Notes:					

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
					1076; 1 - desaparecido; 2 TOTAL 3	
	4	5	6	7	8	9
976; 2 DTAL 2	1976; 2 TOTAL 2		1976; 2 TOTAL 2	1976; 1 - desaparecido; 1 TOTAL 2	1976; 2 TOTAL 2	
)	11	12	13	14	15	16
976; 1 DTAL 1	1976; 1 TOTAL 1	1976; 2 - desaparecido; 1 TOTAL 3		1976; 1 TOTAL 1	1976; 2 - desaparecido; 1 TOTAL 3	1976; 3 TOTAL 3
7	18	19	20	21	22	23
976; 1 DTAL 1	1976; 3 - desaparecido; 1 TOTAL 4	1976; 2 TOTAL 2	1976; 2 - genocidio; 1 TOTAL 3	1976; 2 TOTAL 2	desaparecido; 1 - genocidio; 1 TOTAL 2	
4	25	26	27	28	29	30
776; 1 DTAL 1			1976; 3 TOTAL 3		1976; 2 - CONADEP; 1 TOTAL 3	
		Notes:				
enocidio; 1						

August 2011							
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
	1	2	3	4	5	6	
	1976; 1 - desaparecido; 1 TOTAL 2	desaparecido; 1 TOTAL 1	1976; 1 TOTAL 1	1976; 2 TOTAL 2	1976; 2 TOTAL 2	1976; 1 - genocidio; TOTAL 2	
7	8	9	10	11	12	13	
1976; 1 - CONADEP; 1 TOTAL 2	1976; 2 - genocidio; 1 TOTAL 3		1976; 3 - CONADEP; 1 - desaparecido; 1 - genocidio; 2 TOTAL 7	1976; 3 TOTAL 3			
14	15	16	17	18	19	20	
				1976; 2 TOTAAL 2	1976; 1 TOTAAL 1		
21	22	23	24	25	26	27	
1976; 1 TOTAL 1	1976; 1 - desaparecido; 1 TOTAL 2	1976; 2 - CONADEP; 1 - desaparecido; 1 TOTAL 4	1976; 2 - desaparecido; 1 TOTAL 3	desaparecido; 2 - genocidio; 1 TOTAL 3	1976; 1 TOTAL 1	1976; 1 - desaparecido; 1 TOTAL 2	
28	29	30	31				
1976; 1 - desaparecido; 1 TOTAL 2		1976; 1 - desaparecido; 1 - genocidio; 1 TOTAL 3	1976; 1 - desaparecido; 1 TOTAL 2				
		Notes:					

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
ļ	5	6	7	8	9	10
	desaparecido; 2 TOTAL 2	desaparecido; 1 - genocidio; 1 TOTAL 2		1976; 1 - desaparecido; 3 TOTAL 4	1976; 2 - desaparecido; 1 TOTAL 3	1976; 1 TOTAL 1
11	12	13	14	15	16	17
	1976; 4 - desaparecido; 2 - genocidio; 2 TOTAL 8	1976; 2 - desaparecido; 1 TOTAL 3	1976; 2 - desaparecido; 1 TOTAL 3	1976; 2 - desaparecido; 1 TOTAL 3	1976; 1 TOTAL 1	1976; 3 - genocidio TOTAL 4
18	19	20	21	22	23	24
1976; 1 - desaparecido; 1 TOTAL 2	1976; 1 - CONADEP; 1 - desaparecido; 2 TOTAL 4	1976; 1 - desaparecido; 2 TOTAL 3	1976; 1 TOTAL 1	1976; 1 - genocidio; 1 TOTAL 2	desaparecido; 2 TOTAL 2	1976; 1 TOTAL 1
25	26	27	28	29	30	
1976; 1 TOTAL 1	1976; 1 - desaparecido; 1 TOTAL 2	1976; 1 - desaparecido; 1 TOTAL 2	1976; 1 TOTAL 1	1976; 1 TOTAL 1	1976; 1 - desaparecido; 2 - genocidio; 1 TOTAL 4	
	Notes:					

		0	ctober 20	011		
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
						1976; 1 TOTAL 1
2	3	4	5	6	7	8
1976; 2 - genocidio; 1 TOTAL 3	1976; 2 - desaparecido; 1 TOTAL 3	1976; 4 - desaparecido; 1 TOTAL 5	1976; 3 TOTAL 3	1976; 2 - desaparecido; 1 - genocidio; 1 TOTAL 4	1976; 2 - CONADEP; 1 - desaparecido; 1 TOTAL 4	
9	10	11	12	13	14	15
	CONADEP; 1 - desaparecido; 1 TOTAL 2	1976' 3 - desaparecido; 3 TOTAL 6	1976; 4 - desaparecido; 2 - genocidio; 1 TOTAL 7	1976; 1 - desaparecido; 1 TOTAL 2	1976; 1 - genocidio; 1 TOTAL 2	1976; 2 - CONADE - desaparecido; 2 TOTAL 5
16	17	18	19	20	21	22
	1976; 2 - desaparecido; 1 TOTAL 3	1976; 1 TOTAL 1	1976; 1 TOTAL 1	1976; 2 - desaparecido; 2 - genocidio; 1 TOTAL 5		1976; 1 TOTAL 1
23	24	25	26	27	28	29
CONADEP; 1 TOTAL 1	1976; 1 TOTAL 1	1976; 1 TOTAL 1		desaparecido; 1 - genocidio; 1 TOTAL 2	1976; 2 TOTAL 2	1976; 2 TOTAL 2
30	31	Notes:				
1976; 1 TOTAL 1	1976; 1 - desaparecido; 2 - genocidio; 1 TOTAL 4					

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
			1976; 1 - desaparecido; 1 TOTAL 2	1976; 1 - CONADEP; 1 TOTAL 2		1976; 2 - desaparecido; 1 TOTAL 3
6	7	8	9	10	11	12
	1976; 2 TOTAL 2	1976; 3 - desaparecido; 1 TOTAL 4	1976; 1 - desaparecido; 1 TOTAL 2	1976; 4 - desaparecido; 2 TOTAL 6		CONADEP; 1 TOTAL 1
13	14	15	16	17	18	19
	1976; 1 TOTAL 1	1976; 3 - desaparecido 1 TOTAL 4	1976; 1 - desaparecido; 2 TOTAL 3	1976; 1 TOTAL 1	desaparecido; 1 TOTAL 1	
20	21	22	23	24	25	26
	1976; 3 - genocido; 1 TOTAL 4		1976; 1 - desaparecido; 1 TOTAL 2	1976; 2 TOTAL 2	1976; 5 - desaparecido; 1 - genocidio; 1 TOTAL 7	1976; 1 - desaparecido; 2 TOTAL 3
27	28	29	30			
	1976; 1 - desaparecido; 2 TOTAL 3	1976; 1 TOTAL 1	desaparecido; 1 TOTAL 1			
	Notes:					

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
					1976; 2 - desaparecido; 1 TOTAL 3	1976; 1 TOTAL 1
	5	6	7	8	9	10
	desaparecido; 1 - genocidio; 1 TOTAL 2	1976; 1 - desaparecido; 1 - genocidio; 1 TOTAL 3		1976; 1 - desaparecido; 2 TOTAL 3	desaparecido; 1 TOTAL 1	1976; 1 - desaparecido; 1 TOTAL 2
1	12	13	14	15	16	17
			1976; 2 - desaparecido; 1 - genocidio; 1 TOTAL 4	1976; 2 - desaparecido; 1 TOTAL 3	1976; 2 - desaparecido; 1 TOTAL 3	desaparecido; 1 TOTAL 1
8	19	20	21	22	23	24
	1976; 1 TOTAL 1	1976; 3 TOTAL 3	1976; 1 TOTAL 1	1976; 1 TOTAL 1	1976; 2 - desaparecido; 1 TOTAL 3	
25	26	27	28	29	30	31
		1976; 2 TOTAL 2	1976; 1 TOTAL 1	1976; 1 - desaparecido; 1 TOTAL 2	1976; 1 - desaparecido; 1 TOTAL 2	
		Notes:				

## Appendix II: Structure nodes newspaper articles

\*these nodes are translated from Spanish

				Sources	References
Justice				33	87
	trial			35	90
		the case		29	61
		judicial process		21	46
		the sentence		19	38
		kidnapping		21	33
			the	15	23
			kidnapped	13	23
		the accused	Кішпаррец	24	33
				13	31
		witness			
		to judge		19	24
		testimony		15	23
		defendent		15	23
		imprisonment		15	21
		statements		12	15
		oral trial		12	14
		penalty		10	11
		the allegations		7	10
		proof		7	10
		punishment		2	3
		guilty persons		2	3
	detainees	guilty persons		18	28
	prison			14	21
	prison	prican		9	
	11	prison			10
	the crime			11	16
		crimes against		29	49
		humanity			
		murdered		20	41
		torture		24	35
		homicide		12	17
		crime		13	16
		stolen babies		9	14
			appropriation	8	17
		genocide	' ' '	9	12
	the law	genesias		7	9
	judicials			6	7
	Judiciais	judge		22	50
		the federal court		25	38
				12	
		the lawyer			19
		complainant		10	15
		the prosecutor		9	11
		Supreme Court		7	9
		judiciary		3	6
		jury		4	5
Dictatorship				33	78
•	the missing			34	90
	oppressor			35	87

1	1	Migueal Etchecolatz	11	20
		Luis Patti	6	17
		Menéndez	7	14
		Rafael Videla	7	12
		Diaz Bessone	7	9
		Acosta	5	9
		Harguindeguy	4	9
		Bignone	3	7
		Astiz	3	7
		The dictator	4	5
		Luis Miret	3	4
		Martínez de Hoz	3	4
		Bussi	2	3
	clandestine		22	33
	detention			
	centre			
		La ESMA	13	22
		Pozo de Banfield	3	3
	the police		19	28
	the coup		9	27
	the victims		14	25
	state terrorism		11	19
	soldiers		13	18
	violaitons		9	12
	Violations	violators	2	3
	accomplicat	Violators	6	11
	accomplices			
	responsible		9	11
	survivor		8	11
	the army		8	10
		the armed forces	5	7
		the military junta	3	5
	repression		10	10
	militant		10	10
		Montoneros	4	4
	instigators		1	4
	the flight of		2	4
	death			
	terrorists		2	3
	terror		3	3
Memory			26	60
	memories		10	15
	tribute		4	10
	comrads		3	4
	pardon		3	4
	oblivion		2	3
	commemorate		2	3
	monument		2	2
Truth			23	33
	identity		10	18
	,	recover	8	11
		return	4	5
	1	-	1	

impunity		8	13
	final point	3	4
	due obedience	3	4
democracy		7	12
political		7	11
prisoners			
the human		6	7
rights			
movement			
	Abuelas	16	29
	march	8	19
	human rights	11	15
	Madres	6	12
	the secretariat of	8	11
	human rights		
	struggle	5	11
	HIJOS	3	6
	claim	3	5
	Familiares	3	3
the		3	3
anthropological			
forensic team			

## Appendix III: Interview guide Interview guide in English

Interview guide					
		Date:			
Name:					
Age:					
Gender:					
Organization:					
Function:					
Hometown:					

#### Introduction of interviewer:

Time in Rosario:

My name is Marije Oudshoorn and I am a master student Conflict Studies at the Radboud University in Nijmegen, Holland. The research project is about collective memory in Rosario and aims at gaining more insight into how the HRO's in Rosario influence the collective memory. The interview will take 60-90 minutes and I will ask you some questions about how subjects like collective memory, truth and justice can be found in the policy of your organization. The information gathered with this interview will only be used for my investigation and will be handled so as to protect its confidentiality. At any time you are free to refuse to give an answer or to stop the interview.

Do you mind if this interview will be recorded? Do you have any questions?

Introduction	Main questions	Additional questions	Clarifying questions
	<ul> <li>Can you tell me something about the goal of this organization?</li> <li>In what way are you trying to reach this goal?</li> </ul>	<ul> <li>Can you tell me something about your job within the organization?</li> </ul>	Can you give an example?
The role the human rights movement has played in Argentina in the past three decades can also be referred to as 'the struggle for collective memory.'	Can you tell me something about this role?	<ul> <li>What significance has collective memory for this organization?</li> <li>Can you describe what kind of position this organization has</li> </ul>	<ul> <li>Can you give an example?</li> <li>Can you give an example?</li> <li>Why?</li> </ul>

		within this struggle for collective memory?  • What is the goal of this political play?	• How?
A lot has been written on the subject of transitional	Can you tell me more about the role justice has	<ul><li>What is your opinion about this?</li></ul>	• Why?
justice. From this results a discussion on the significance of the role justice plays during a period of transition to a democracy	played in Argentina in the last 30 years?  Do you think the pursuit of justice has an influence on the political role of the HRO's in Argentina?	<ul> <li>Can you tell me something about the role justice plays within this organization?</li> <li>Why?</li> </ul>	Can you give me an example?
	OR:  • How are the pursuit of justice and the role of the HRO's in Argentina related?	<ul> <li>What is your opinion about this?</li> </ul>	<ul> <li>Can you give an example?</li> </ul>
Also there has a lot been written on the role of	<ul> <li>Can you tell me more about the role truth has</li> </ul>	<ul> <li>What is your opinion about this?</li> </ul>	• Why?
truth during a period of transition to a democracy	played in Argentina in the last 30 years?  Do you think the pursuit of truth has an influence on the political	<ul> <li>Can you tell me something about the role justice plays within this organization?</li> <li>Why?</li> </ul>	<ul> <li>Can you give me an example?</li> </ul>
	role of the HRO's in Argentina?  OR:  • How are the	<ul> <li>What is your opinion about this?</li> </ul>	<ul><li>Can you give an</li></ul>

	pursuit of truth and the role of the HRO's in Argentina related?		example?
Critics say that the role the HRO's play with reference to collective memory in Argentina is compulsive, that people, because of this, cannot stand back from the past and are unable to process their trauma	What is your opinion about this?	• Why?	<ul> <li>Can you give an example?</li> <li>Could you explain that a bit more?</li> </ul>
In the literature on transitional justice also exist a lot of debate about the concept of reconciliation.	<ul> <li>Can you tell me more about the role reconciliation has played in the last three decades in Argentina?</li> <li>What do you think about the word 'reconciliation'?</li> </ul>	<ul> <li>What does reconciliation mean to you?</li> <li>What do you think of the next definition of reconciliation? 'Reconciliation is associated with the long term aspiration for democracy, political community and consensus, and it includes tolerance of political and ethnic diversity and respect for human rights.'</li> </ul>	<ul><li>Why is that?</li><li>Why?</li></ul>
Lately 12 officers of the dictatorial regime have been sentenced to life imprisonment	What does this mean for collective memory in	<ul><li>Why?</li><li>What is your opinion about</li></ul>	<ul> <li>Can you tell me a bit more?</li> </ul>

during the 'juicios de la ESMA'	Argentina?  • How does this sentencing affect the work of your HRO?	this?	
	<ul> <li>Does this sentencing have an effect on how people remember the past?</li> </ul>	• How?	<ul> <li>Can you give an example?</li> <li>Can you tell me more about that?</li> </ul>
Conclusion of inter	view		
<ul> <li>Is there any</li> </ul>	thing I didn't ask about		
which you	think is important		
regarding t	his topic?		
<ul> <li>Is there anything I have overlooked that you think is important for me to understand?</li> </ul>			
<ul> <li>Is there anything else you would like to add?</li> </ul>			
<ul> <li>May I contact you when I need some extra information?</li> </ul>			

#### Interview guide in Spanish

	Guía de entrevista
	Fecha:
Nombre:	
Edad:	
Género:	
Organización:	
Función:	

#### Introdución de entrevista:

Mi nombre es Marije Oudshoorn y estoy una estudiante de estudio de Conflictos a la Universidad de Radboud en Nijmegen, Holanda. Esta investigación es sobre la lucha por memoria colectiva en Rosario y se dirige a obtener más comprensión de cómo las organizaciones de derechos humanos en Rosario influye la memoria colectiva. La entrevista dure 60 hasta 90 minutos y voy a preguntar cuestiones sobre/de cómo se pueden encontrar sujetos como memoria colectiva, verdad y justicia en la política de su organización. La información recogida con estas entrevistas sola voy a usar para mi tesis y voy a tratarla con el fin de proteger su confidencialidad. En cada momento usted se puede negar para responder a una pregunta o parar la entrevista.

¿Te importa cuándo grabe esta entrevista?

¿ Usted tiene preguntas?

Introduction	Main questions	Additional questions	Clarifying questions
	<ul> <li>Usted podría contarme algo sobre la meta de esta organización?</li> <li>En qué manera ustedes prueban lograr esta meta?</li> </ul>	<ul> <li>Usted podría contarme algo sobre su función adentro esta organización?</li> </ul>	<ul> <li>Usted podría darme un ejemplo?</li> </ul>
El rol el movimiento de los derechos humanos jugaron/jugaban en Argentina por las tres últimas décadas, también puede ser referido como 'la lucha por memoria colectiva'	Usted podría contarme algo sobre esta lucha por memoria colectiva?	<ul> <li>Que significa tiene memoria colectiva por esta organización?</li> <li>Usted podría describir que tipo de rol esta organización está jugando adentro esta lucha por memoria colectiva?</li> <li>Cuándo se</li> </ul>	<ul> <li>Usted podría darme un ejemplo?</li> <li>Usted podría darme un ejemplo?</li> <li>Usted piense</li> </ul>

		termine esta lucha por esta organización?  O:  Cuándo se logre las metas?	que es posible para lograrla?  • Porque? • Cómo?
Se escribo mucho sobre el sujeto de justicia transicional. De ahí resulta una discusión sobre la significación del rol de la verdad y justicia en un periodo de una transición a una democracia.	<ul> <li>Usted podría contarme más sobre el rol de verdad jugó/jugaba en Argentina en las tres últimas décadas?</li> <li>Usted podría contarme más sobre el rol de justicia jugó/jugaba en Argentina en las tres últimas décadas?</li> <li>Usted piense que los conceptos de verdad y justicia están importante</li> </ul>	<ul> <li>Que es su opinión sobre este?</li> <li>Usted podría contarme algo sobre el rol la verdad/justicia está jugando adentro esta organización?</li> <li>Porque?</li> <li>Que rol los están jugando en esta lucha?</li> <li>Que es su opinión sobre este?</li> </ul>	<ul> <li>Porque?</li> <li>Usted podría darme un ejemplo?</li> <li>Usted podría darme un ejemplo?</li> </ul>
	por/en la lucha por memoria colectiva?		
Critico dicen que la lucha por memoria colectiva en Argentina es compulsivo, que la gente, por eso, no pueden tomar distancia del pasado y no pueden superar su trauma	• Que es su opinión sobre este?	• Porque?	<ul> <li>Usted podría darme un ejemplo?</li> <li>Usted podría explicar más?</li> </ul>
Durante mi estado en Rosario observé que la palabra 'reconciliación' tiene una connotación bastante	Usted podría contarme más sobre eso/este?	<ul> <li>Que significa reconciliación por usted?</li> <li>Que piense usted sobre la siguiente definición de reconciliación?</li> <li>'Reconciliación es</li> </ul>	<ul><li>Porque?</li><li>Porque?</li></ul>

Recientemente 12 oficiales del régimen militar han sentenciado por reclusión perpetua durante los juicios de la ESMA  Conclusion of inter	• Puedo concluir que las organizaciones de derechos humanos han ganado otra batalla en la lucha por memoria colectiva?	asociado con una aspiración  • 'Reconciliation is associated with the long term aspiration for democracy, political community and consensus, and it includes tolerance of political and ethnic diversity and respect for human rights.'  • Porque?  • Que es su opinión sobre este?	•	Usted podría contarme más sobre eso/este?
<ul> <li>Esta algo más que usted quería adjuntar?</li> <li>Pueda contactarse cuando necesite más información?</li> </ul>				

## Appendix IV: Overview informants interviews

Name*	Age	Gender	Date of	Function	Location	Organization	Place of birth	Time in Rosario
			interview	informant	interview	informant		(in years)
Christian	36	Male	27-01-2012	Coordinator	Office of	Abuelas de	Rosario	36
					informant	plaza de Mayo	(Santa Fe)	
Elena	28	Female	23-01-2012	Representative	Office of	Abuelas de	Rosario	28
					informant	plaza de Mayo	(Santa Fe)	
Marite	29	Female	23-01-2012	Representative	Office of	APDH	Rosario	29
					informant		(Santa Fe)	
Sofía	60	Female	22-02-2012	President	Office of	APDH	Rosario	60
					informant		(Santa Fe)	
Jorge	53	Male	06-12-2011	Representative	Office of	Familiares	Santa Elena	41
					informant		(Entre Ríos)	
Maria	62	Female	12-01-2012	President	Café	Familiares	Rufino	Inapplicable
							(Santa Fe)	
Felipe	34	Male	25-01-2012	Representative	Office of	HIJOS	Rosario	16
					informant		(Santa Fe)	
Laura	29	Female	20-02-2012	Representative	Café	HIJOS	Rosario	29
							(Santa Fe)	
Débora	81	Female	24-02-2012	Representative	Home of	Madres de plaza	Rosario	81
					informant	de Mayo	(Santa Fe)	
Liliana	25	Female	12-12-2011	Representative	Café	Support group	Rosario	25
						of de Madres	(Santa Fe)	
Anahí	45	Female	24-11-2011	Inapplicable	Café	Other	Rosario	45
							(Santa Fe)	
Carmen	53	Female	25-11-2011	Inapplicable	Home of	Other	Rosario	53
					informant		(Santa Fe)	
Claudia	35	Female	21-11-2012	Inapplicable	Café	Other	Rosario	35
							(Santa Fe)	
Julieta	58	Female	02-02-2012	Representative	Office of	Secretary of	San Lorenzo	36
					informant	human rights	(Sante Fe)	
Soledad	60	Female	02-02-2012	Representative	Office of	Secretary of	Casilda	9
					informant	human rights	(Santa Fe)	
Susana	76	Female	17-01-2012	Representative	Café	SERPAJ	Small town	74
							(Córdoba)	

<sup>\*</sup> The names used in this thesis are not the real names of the informants, but pseudonyms given by the author