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## Human Rights Abuses in 1970s Argentina

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Throughout the late twentieth century, the methods implemented in various Latin American countries to oppress citizens gained a high level of international notoriety. The violent regimes garnered international attention not only because the violations were state sponsored, but because they were on such a grand scale. Such acts had not been seen by the global community since WWII by Nazi Germany. The response to the Nazi's concentration camps and human rights violations prompted the creation of various international organizations and many thought this would stop further gross violations from occurring again—unfortunately this was not the case. As a result of the atrocities executed by the dictatorships in Latin America, and specifically Argentina, human rights have been pushed into a state of global consciousness and citizens of every nation have demanded action and accountability. Through domestic grass-roots efforts and the myriad of international and regional organizations that have been created, human rights are now a cause for international policy and trans-national efforts to pressure violators into change.

Juan Peron, a longtime political figure and two time Argentine president through a series of events and sympathizers would leave politics in a state of turmoil that would ultimately force Argentina to suffer through its most violent era. His wife, Isabel Peron, was the following president and created the foundation for broad military instructions combined with the complex violent politics of the time by launching “‘Operation Independence’ against a rural guerilla campaign. . .” (Wright 99).

After Isabel Peron was hospitalized in 1975 and the senate leader Italo Luder took power and human rights violations were furthered (Wright 100). The armed forces were given a sense of hierarchy and grandeur to further compel their violent tendencies and follow orders sans emotion or question. This idea is evident in General Ramon Camps statement: “The disappearance of people was useful. Besides, it wasn't people who disappeared, it was subversives” (qtd in Wright 141).

General Jorge Videla was subsequently named president who initiated his Proceso de Reorganización Nacional (National Reorganization Program). This program turned Argentina into a nation participating in gross human rights violations (Roht-Arriaza and Gibson). General Iberico Saint Jean summarized the goal behind the mass murders: “First we will kill all the ‘subversives’ then . . . those who remain indifferent; and, finally we will kill the timid” (qtd in Wright 107).

The military created a state of chaos with the government acting *against* the people with no means of restriction. As one Argentine put it “Fear is a jail without bars”(qtd in Wright 115). The military also instituted psychological means to keep the society oppressed: “Fear us, fear each other, fear yourselves” and “if we exterminate them all [the subversives], there’ll be fear for several generations” demonstrate the viciousness of the nature of period (qtd in Wright 115). The junta members did not simply torture, their quotes represent a sadistic desire to harm others and psychologically torment the survivors.

In these detention centers, the dissenters, or “subversives” as they were termed, would be cruelly tortured (Wright 115). One prisoner stated: “This was a very sinister place, the walls were so covered with blood and stains that you could barely make out that it had once been painted yellow. The smell of burned flesh, blood, sweat, and excrement . . . made the air heavy, suffocating” (qtd in Wright 111). Argentine torturers were not without their innovations, and because “medical doctors supervised the torture, calling off the session when victims approached death, then reviving them with serums and vitamins to face more torture”, they had plenty of time to devise new machinery to inflict greater amounts of pain on their victims (qtd in Wright 111). “Sadists invented torture instruments of their own, inducing a thick broom handle with 220 volt wires attached called the “Carolina” and a rectal torture device called the *rectoscopio*” (qtd in Wright 111). The prisoners were essentially kept for sport among the soldiers.

If the prisoners were not chosen for torture, but were still deemed subversives, they were forced into exile or “disappeared” as the term came to be known, translated from the Spanish “desaparecidos”. Forcibly exiled turned out to be the most preferable of the two options. Because the military regime utilized a navy base as one of its major detention centers, they made use of the navy planes (Robben 120). Hundreds of prisoners would be taken on the adequately termed “death flights”, and would be stripped of all their clothes and thrown into the Atlantic Ocean (Robben 120). In terms of psychological torture, some prisoners would be allowed visitations by their family members and were even permitted to write letters which facilitated a false sense of hope that the family would one day be reunited (Wright 111). In addition to writing and seeing family members, some were tortured in front of family members, including their children (110).

Furthermore, the military regime created a way to maintain the agony previously caused by other torture sessions until the family members of the prisoners were dead as well: kidnapping the children of the subversives. Of the roughly 30,000 people that were taken during this time, a small percentage of the women were pregnant (Kaiser 180). Naturally, one would think that these women would be given special treatment, and in a sadistic way they were—“Pregnant women received different treatment if they and their fetuses survived the initial torture” (Wright p. 112). Therefore, contingent upon a woman and her child surviving torture, they were held in captivity until the birth of the child (112). Once the woman gave birth, the infant would be taken from her and the military elite ensured that the children would not have the same ideals as their parents or grow up hating the military. The mothers were killed and their children faced one of three solutions: adoption by a high ranking military family, abandoned in an orphanage with no records, or left to die on the street (112). The Argentine military enjoyed a sense of freedom in its abuses until its’ very citizens, rejected the façade of the government and mobilized out of their ignorance and into consciousness.

Although international pressure has an impact on affecting human rights abuses, it is consistently understood that domestic human rights groups have the most direct effect on substantial changes in their nation. Through grass-roots efforts, specialized activist groups are present in nearly every nation in the world. Domestic groups such as aboriginal groups in Australia and The Iranian Human Rights Working Group are only two examples of the many organizations that exist. Among Argentine domestic human rights organizations, one group rose to international prominence and managed to directly affect the creation of the International Convention for the Protection of All Persons from Enforced Disappearance.

The Abuelas de Plaza de Mayo were a direct product of the tactics implemented by the regime. Due to the unusual situation of kidnapping children, surviving family members had to deal with the loss of two generations, their children and their grandchildren. The grandmothers believed that “their children were alive and suffering, so that any human rights activism they undertook could make the difference between life and death for their children.” (qtd in Sikkink 18). They used various forms of protests to keep themselves in the view of the regime and to keep the open wound exposed in blatant sight of the government. Not only was this display an embarrassment for the government, but it also demonstrated the will of society through the determination of the Abuela’s.

Domestic groups are not the only major players that have been used to affect domestic policy. Economic aid and even more specifically, economic sanctions have been used to pressure governments into moralistic governance and upholding basic human rights. In the case of Argentina, the sanction came under the Carter administration and was composed of two separate issues. Congress released the Argentina: Human Rights and Bilateral Relations which stipulated: “Argentine access to all US Security assistance and military sales will be terminated on September 30 on human rights grounds (Project par. 1). This is mandated by the Kennedy-Humphrey amendment to the current International Security Assistance Act”. In one of the clauses of the article

it is further defined why aid is being denied: “There is no consistent movement toward human rights compliance or any real prospect for a rapid return to the rule of law”(par. 3). Moreover, Argentina later asked for U.S.-made equipment for a dam project but was subsequently denied these materials because of the human rights violations (Wright 123). A compromise was established, in exchange for the parts, that the Argentine regime would allow a visit by the Inter-American Commission on Human Rights (123). This would set the foundation for international recognition of the regimes tactics and provide useful evidence to disseminate worldwide. The regime attempted to keep their operation as covert as possible by closing detention centers and destroying documents. Responding to further pressure, or perhaps paranoia, the regime created a commission entitled: ‘Evolution of Terrorist Delinquency in Argentina’ which served to prove legal basis for the war and justify all actions taken (123). The attempts by the military seemed futile and the visit proved successful because the visitors identified victims and interviewed them.

Due to globalization and the increased transparency it creates between nations, it is advantageous for nations to maintain a sense of balance and calm within to avoid any unwanted negative international attention, intervention, or protesting. Although a realist would argue that economics takes precedence over human rights issues, recently it has become increasingly popular for grass-roots effort to point to the opposite.

Through the inter-connectedness of the world, nations have begun to recognize its citizens advocating their opinions on international affairs. A current example was in the Beijing Olympics. At the time of the games, human rights were being violated in Tibet as murders and religious persecution were largely abundant in the nation (boycott). China did its best to cover up such incidences but, the fact that a website exists entitled [www.beijingolympicsboycott.com](http://www.beijingolympicsboycott.com) is a clear indication that human rights violations are becoming part of grassroots efforts internationally. The Argentine regime exemplified its need to maintain secrecy and a superior international image during

the 1978 economic sanction when documents were destroyed and efforts were made to keep the operations below view of the IACHR visitors (Wright 123).

A nation reeling from turbulent political trauma and obscene human rights violations tends to regress into further turmoil before progress is reached, if it is at all feasible. Cases of continued political unrest include Russia and Germany, both of which spent years rebuilding their respective countries to a level of functionality. Post-dictatorship Argentina in 1983 provided the world with an example of how a nation can progress despite decades of conflict.

The wounds of Argentina's society were far from healed and the end of military regime would not be heralded as the end of the era. The legacy of the time was characterized as an open wound and the dictatorship left society in an uneasy psychological predicament. The regime created a culture of victims and violators living together with the past existing in the present. Victims would have to live their day to day lives knowing that they could live next door to torturers and see military leaders on the streets which served as a constant reminder of the pain of those lost (Kaiser 177). Between the various human rights organizations that were created and the military trials that began, many felt that to keep the memory alive would keep the pain alive as well, while others wanted to keep the pain alive and keep the human rights violations on a national consciousness so that justice would be assured and violators incarcerated. The end of the regime did not mean the conclusion of the impact of the coup, the nation was divided: to remember or to forget?

The public sentiment was at variance in terms of how to cope with the era of the past. Some opinions were for the human rights groups as well as the trials and pushed for more accountability on all parts (Kaiser 180). Other factions of society wanted to oppress the memories and move forward with all elements of the past locked up and not spoken about, it is fair to say that the former took precedence (180). The idea that torturers could be walking the streets, free, with no guilt or accountability was seen as a travesty to the people to allow the violators walk the street unashamed.

Literature written on the social psychology of the nation has found that some Argentinians constantly question: “How many ‘repressores’ do people meet every day without being aware of it?” as well kinetic sentiments of accountability “those responsible have to be in jail” (Kaiser 177) Others felt that the time for violence and upheaval was behind them and those who hold on to feelings of hate are stuck in the past:

I see that the [children of the disappeared] are obsessed and might waste their youth. I feel pity in seeing 20-year-old kids who are blinded by hate. Take a guy from HIJOS . He has a terrible need for justice. He wants to capture the guilty. Someone like me wants to live in peace, as detached as possible from any confrontation or argument. (Kaiser 180)

Children had been living with military families and had formed close personal bonds, the revelation that they were part of such a dirty history was equivalent to ripping them apart and shattering their family which would be another form of kidnapping—an emotional theft (Arditti 13). However, because “continued criminal prosecution prevented closure” and individuals refused to give up, the country had another layer of confusion and understanding to work through: it was no longer violators and their victims but victims and the realization that they now had two families (Robben 141).

For its part, the military continued to peddle the idea that it had stopped an insurgency of guerillas and the war was just and necessary. The military also “argued that international human rights pressures were a violation of sovereignty and a form of moral imperialism” (Sikkink Law 639). Unfortunately for them, this idea was not going to work—the damage was done and was inflicted on a large segment of the population. Society would not allow itself to be oppressed any longer and in 1985 the trials against the nine commanders in chief of the military (Sikkink 7). The hearings were open to the public and the testimonies reproduced in mass quantities throughout the



nation (135). Massera was quoted as saying: “I have not come to defend myself. Nobody has to defend himself for having won a just war. And the war against terrorism was a just war” (Robben 136). The trials of the two major conspirators of the coup, Massera and Videla ended in life imprisonment for both and lesser sentences for leaders of lesser rank (Robben 136).

Although the implementation of trials and accountability was a huge step toward progress, it was counter-balanced by the Due Obedience and Final Stop Laws which served a giant step back in the will of the people (Robben 140). These laws attempted to stop any further accountability for the acts committed under the military coup including those relating to kidnapping, torture, and murder. However, instead of having their desired effect and bringing an end to the process of investigating and trying violators, Argentine society “renewed efforts, led groups to renew their strength to continue their struggle” (Sikkink Pariah 11).

Various positive effects were solidified by the government in due time. A major proclamation in recent time was the statement made by President Kirchner in 2005, “We are all Mothers of the Plaza de Mayo” which demonstrated “the symbol of their doggedness and courage spans thirty years of activity” (Cleary 17). Human rights violators were put on trial, a national Day of Memory (Dia de la Memoria) was instated in remembrance of the coup, and educational programs are conducted and ceremonies are performed (Robben 151). Parque de Memoria (Memory Park) was created along the Rio de Plata in Buenos Aires and is a “Monument to the Victims of State Terror (Robben 152). However, like other gestures, the park was seen as both a step forward by those who wanted to move on and step back by those who deemed it another way to reinstate that the situation has ended and must be forgotten. Of the famous detention centers, the two largest the Club Atletico and ESMA, were returned to the people of Argentina at which point exhumations were ordered and investigators sent in (152).

Another area of progress that was instantly recognizable was when the Argentine Congress declared the amnesty laws, also known as the 'Full Stop and Due Obedience Laws', null and void. The decision was supported by President Nestor Kirchner and the Inter-American Court on Human Rights Barrios Altos case was used as precedence "which limited the ability of member-state legislation to enact amnesty laws for crimes against humanity" (Sikkink Pariah 14). A direct result of the ruling was the reopening of the hundreds of human rights cases that had been closed because of the laws (14). Although it took fifteen years to revoke those laws it was nonetheless a victory for the victims. Not only were the laws revoked but new developments in the government structure by creating a sub secretariat for human rights with the Ministry of Government and Justice (Cleary 17) The court cited the Inter-American Court of Human Rights jurisprudence in the Barrios Altos case, The Supreme Court also decided that the crime of disappearance was a crime against humanity for which no statutes of limitations applied (Sikkink Pariah 14). The effect of the court's decision was to permit the reopening of hundreds of human rights cases that had been closed for 15 years (14).

Concurrent with the idea of a divided nation was the Madres and Abuelas of Plaza de Mayo and their unwavering demands of justice. Segments of the population continued to move forward and those desiring to forget the past, or at the very least accept it, were growing larger and larger as time passed. As a nation: "Argentine society wanted to lift them out of their melancholic defiance and enter mourning, while they wanted Argentine society to incorporate the ideal image of the disappeared into its collective self" (Robben 144). But the women would not desist, the president of the Abuelas stated: "They want to stop us by frightening us, but if we did not stop even one second under the dictatorship, even less are we going to stop now" (Arditti 14) Many felt that the time for action had passed and because large groups were moving on so should the women. They were unwavering and proclaimed their resolve:

Many want the wound to dry so that we will forget. We want it to continue bleeding, because this is the only way that one continues to have strength to fight. . . . But, above all, it is necessary that this wound bleeds so that the assassins will be condemned, as they deserve, and that what has happened will not happen again (Robben 144).

Due to the Madres and Abuelas refusal to move on and their continued protest to this day, they have also affected international policy. Throughout the construction of the Convention on the Rights of the Child, they persuaded the “right to identity” and the final draft includes their provisions in articles 7 and 8, which are informally regarded as the “Argentine Articles” (Sikkink Pariah 14). In addition to aiding in the creation of the convention, the Argentine constitution also integrates international laws into the legislature and as such, the passing of the convention gave the Madres and Abuelas the legal basis to argue their points(14). Through the convention and persistence of the grandmothers, judges could demand blood tests even if the adoptive parents of the child were opposed as a means to gather information and find as many of the adopted as possible (14). In addition to their influence on international policy, nationally, the Abuelas established a national identity archive so that matches could be found for several generations (Arditti 13).

What began with mothers and later grandmothers, continued into the next generation and the H.I.J.O.S organization began to continue the work of the grandmothers as many are in their late 70s and 80s and unable to continue their fight (Kaiser 174). The group, which literally translates to ‘Daughters and Sons for Identity and Justice against Forgetting and Silence’, found an interesting way to protest—direct confrontation with violators (174). “They traced the address of a pardoned officer or former torturer, spray-painted his house with slogans, and divulged his dark past by megaphone to shame the perpetrator publicly and ostracize him from Argentine society (Robben 121). They also began keeping various items such as pictures and diaries of the Abuelas who died to

ensure that if their relatives were found they would somehow be connected to their true past (Arditti 13). Their existence ensures that the Argentine legacy will not be one clouded by inactivity of the citizenry or oppression of the truth but one of demonstration and honesty.

The contributions that Argentina made to the global fight against human rights violations is undeniable, but the contributions of Argentina were not directly responsible for all actions. In the latter half of the twentieth century, the Argentine Dirty War was not the only human rights situation evident in the area. Other nations had state-terrorism and guerrilla skirmishes that ravaged nations and helped bring human rights to the forefront of global consciousness. Among these nations were Chile, Brazil, Nicaragua, and Honduras. However, Argentina suffered large amounts of deaths, created new techniques, and had the victims of state-terrorism enter international organizations and directly aid in the formation of human rights legislation on a global scale.

As mentioned previously, the work of human rights activists through groups that demanded international acknowledgement helped distinguish the victims of the Argentine state sponsored terrorism from victims of other nations. The work of the Abuelas de Plaza de Mayo helped incorporate the informally named “Argentine Articles into the United Nations Convention on the Rights of the Child”, but this would not complete their international contributions (Sikkink 14). Although they were grandmothers, these women were surprisingly progressive; not only in their creation, but also in the tools they used to reverberate their cause through society. They effectively used media sources to blast their ‘¿Vos sabes quien sos?’ (Do You Know Who You Are?) slogan on television, radio, and public protests (Arditti 13). They held ‘Tango for Identity’ and ‘Graphic Arts for Identity’ programs to inform anyone who would listen about the stolen identities of the youth of the nation (Arditti 13). The play ‘Teatro por la Identidad’ (Theater for Identity) was performed by young artists who would dramatize the issues of their generation. Their audience has surpassed 40,000 and has spread to Europe as well as translated to Spanish, French, and English (Arditti 13)

Argentina, through the chaos of the Dirty War, produced a generation of activists that surpassed national issues and moved to the international system of human rights legislation. By giving a face to the violations of their nation, they helped to further garner support for the human rights movement. Juan Mendez, a labor lawyer and prisoner in the Dirty War, has held the most prominent positions in the most international and nongovernmental organization than any other activist including: Human Rights Watch, International Center for Transitional Justice, First Special Advisor on Genocide to the United Nations Secretary General (Sikkink Pariah 15). Silvia Fernandez and Luis Ocampo were both integral and prestigious members of the International Criminal Court, serving as VP of the Plenary Committee and assistant prosecutor, respectively (15). Patricia Valdez, used her expertise and personal experience to bring change to other nations by becoming the Coordinadora de Derechos Humanos (The Coordinator of Human Rights) in Peru and later went on to become the executive secretary to the UN Truth Commission on El Salvador (15).

International human rights legislation was not limited to the aforementioned accomplishments. The institutions of various international agreements created after the 1970s have undeniable connections to the human rights situations in Latin America. Prior to the wave of violations and mobilization of human rights in the 1970s there existed a package of bills and covenants written for the purpose of human rights acknowledgement and cessation. These are known collectively as 'The International Bill of Rights' which include: The Universal Declaration of Human Rights, The International Covenant on Economic, Social and Cultural Rights, The International Covenant on Civil and Political Rights and The Optional Protocol to the International Covenant on Civil and Political Rights (Wright 125).

These rights, taken from the texts, include articles proclaiming: "Human rights should be protected by the rule of law," "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment", "No one shall be subjected to arbitrary arrest, detention or

exile” and “All peoples have the right of self-determination” (qtd in Joyce Articles: Preamble, 5, 9, 1 ). Although they establish barriers against nearly every form of violation against a person, they fail in that they are unenforceable and non-binding. They served as a precedent for the documents that would come later with enforcement built into the articles and in the acceptance of them.

The agreements in order of creation were: The 1984 United Nations Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment; the 1985 Inter-American convention to Prevent and Punish Torture; the 1992 United Nations Declaration on the Protection of All Persons from Enforced Disappearance; and the 1994 Inter-American Convention on Forced Disappearances of Persons. Contrary to their predecessors, these documents forced accountability for any violations that member states agreed to upon ratification: In Article I of the 1994 Inter-American Convention on Forced Disappearances of Persons the States Parties to this Convention undertake:

Not to practice, permit, or tolerate the forced disappearance of persons, even in states of emergency or suspension of individual guarantees; To punish within their jurisdictions, those persons who commit or attempt to commit the crime of forced disappearance of persons and their accomplices and accessories; To cooperate with one another in helping to prevent, punish, and eliminate the forced disappearance of persons; To take legislative, administrative, judicial, and any other measures necessary to comply with the commitments undertaken in this Convention.

These provisions guarantee that if any individuals have had their human rights violated and have exhausted all national legal means for accountability, they are able to submit complaints to IACHR, UN Human Rights Committee, and Committee Against Torture (Sikkink Law, 634). The highest level of authority is the International Criminal Court, of which Argentina became a member

of in 1999 (ICC). Even though this provides protection against possible abuses in the future, it does not force the governments to accept legal responsibility for past actions.

Regardless of how benevolent an act may seem, or how obvious the progress, no achievement is without its critics, and the globalization of human rights is no exception. Critics site various examples to prove their theory that human rights advances have been negligible. One of the principal arguments against progress is the fact that some of the earlier declarations signed were not legally enforceable. However, what the critics fail to point to is the new wave of monitoring and policing. An example of these new enforcements would be the International Criminal Court, of which Argentina is a member state. Presidential pardons, such as those given by President Menem to three major violators were naturally received with disgust and opposition. However, the pardons were overturned and violators were tried (Robben 135)

The combination of the human rights situations of the time helped garner a higher intolerance for violations, and bring principles of the earlier human rights declarations into practice rather than just principle. Less dictatorships and more accountability began to transform the region and set precedent for nations around the world with similar human rights violations. Human rights abuses exist in every nation and corner of the world, but significant efforts have been made to address the future of these acts and acknowledgement is the first step. While all the violators may never be brought to justice and so many lives have been ruined, progress has been made and will continue to be made. The theory of idealism adequately describes the reaction to the human rights violations; international justice and peace were sought through norm creation and the utilization of international organizations. Through the creation of organizations dedicated solely to the issue of human rights abuses and individuals spanning international barriers to see an end to the violations, tolerance has decreased and human rights is no longer a small domestic issue but has created a trans-national socially pragmatic revolution.