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## How Did the Shift in Chilean Cultural Memory Between 1988 to 1998 Become Politically Salient for International Human Rights?

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*How did the shift in Chilean cultural memory between 1988 to 1998 become politically salient  
for international human rights?*

**Senior Project submitted to The Division of Social Studies at Bard College**

**by**

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Dedicated to my friends, who are so kind, and my parents and family, who gave so much.

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## **Abstract**

How did the shift in Chilean cultural memory between 1988 to 1998 become politically salient for international human rights? These dates are significant because 1988 was when the Pinochet dictatorship ended, and 1998 is when Pinochet was caught in London, which was a landmark moment for international human rights. Cultural memory as defined here involves how Chileans looked back on the past, individually and collectively, and the cultural productions of that period that represent this remembering.

At the same time, the shift in cultural memory in this period reflects changes occurring in memory at an individual level. Psychological and philosophical models will be used to understand how people cope with the traumas of the past and how this impacts transition. Shifts in cultural memory also reveal the political shifts of the period. What does living together after conflict, or as it was called in Chile, *convivencia*, imply in terms of processing memory on a societal level? How do different narratives of the past gain political salience through democratization post-conflict? This is about what society becomes in light of traumas. This will be measured by evaluating how various significant cultural productions characterized the past and how these frameworks transformed political structures. Of course there are limitations to studying these cultural productions because they cannot reflect the entirety of the cultural landscape in Chile. However, these have been selected based on which have been lauded as significant by the international community and therefore represent the link between changes in Chilean cultural and international human rights as culturally memory became politically salient. The fact that these particular cultural productions were deemed significant by the international community can be evidenced by the discussion of these by commentators from other countries, particularly in the west. These cultural productions also relate to the changes in attitude towards

human rights that occurred internationally. The idea of universal jurisdiction in human rights became more accepted.

Thus, this project is a holistic investigation of how historical shifts occurred at the end of the Pinochet dictatorship insofar as it is an exploration of the psychological, philosophical, cultural, and political elements of these changes. By presenting and analyzing these elements, I hope to demonstrate how these changes came about. Though this is a case study of a particular historical instance, I imagine that holistic approach, if revelatory in this instance, could be a useful way of considering other cases of postdictatorial and transitioning states. Further, some patterns may emerge when criticizing pre-existing psychological, philosophical, cultural, and political models for understanding memory in transitioning states. Though these discoveries will be particular to postdictatorial Chile, it may be instrumental to adapt these modes of understanding more critically to other instances. In a more abstract sense, this is a glimpse of how society comes apart and then together.

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## **Introduction**

The fact that Pinochet was captured in London and tried in Spain for crimes against humanity was immensely important because it was a victory for supporters of universal jurisdiction. There are a few reasons why the Chilean case was significant enough to the international community that changes within Chile became politically salient for international human rights. In order to determine what was so internationally significant about Chile, one must review the history of the country.

Chile's history has been consequential to the international community because its situation resonated with the West and its issues were similar but often more "dramatic" compared to those of the U.S. and other Western countries. In "Reckoning with Pinochet", Stern suggests that Chile resembles Western democracy because it was a long-standing constitutional democracy with right-leaning and left-leaning factions, and a developed economy. While Chilean society was in some senses robust, it was, in other ways, deeply fragmented- even before the violence of the 1970s and 80s. The divisions between classes and political affiliation were similar to the divisions in Western democracies, but often were more precarious- thus, Stern also raises the question of how a country that can be so gifted in many ways (in terms of culture and science) be so barbaric in others- as in Germany during World War II (Stern, 2010). That begs the question of whether Stern considers other cultures wherein extreme violence has occurred systemically to be not so gifted, or just that he intends to highlight a human capacity to propagate good and evil in the same breath. Regardless, democratic institutions degraded by the time of Pinochet's rule, as detailed below- but it is important to remember that they were intact prior to his administration, and this fragmentation was reminiscent of a Western democracy in decline and therefore, its decline was of international concern (Stern, 2010).

Chile was also embroiled in the same conflicts as Western governments. Chile had previously not been so involved in Western conflicts, as it traditionally held a policy of non-intervention in inter-American affairs, but this changed during the Pinochet regime. However, the Cold War had become geopolitically significant for Chile, especially as other Latin American countries- namely, Cuba- turned to socialism as a preferable alternative to capitalism, because they associated capitalism with American interference (Krauze, 2012). Left-leaning intellectuals attributed some of the human rights abuses to American imperialism and to neoliberalism more generally. To these observers, the relationship between Latin America and the U.S. was emblematic of U.S. imperialism and the evils of the Nixon-Kissinger administration's foreign policy (Krauze, 2012). The U.S. had become more concerned with solidifying power in previously stable countries like Chile that had become more divided by leftist and right-wing factions. For this reason, the subject of Chile became all the more contentious and international players began to take sides and get involved in the debate and what it represented for their own internal politics and foreign policy motives. Although the arrest of Pinochet may have seemed to be a triumph for liberals of a certain ilk, and for those who opposed Kissingerian tactics, it more generally was a small victory for human rights activists, as well as moderates and those of any political affiliation who support international justice. Chile was important for the same reasons during the Cold War as it was after- it was a powerful regional player and susceptible to Western influence (Krauze, 2012). Western involvement in Chile during the Pinochet era meant that the wrongs that had occurred were relevant to the international community.

Chile was closely linked to and in many ways similar to the West in terms of its political system and its political divisions, and the West obviously exercises a great degree of power in



the international community. For these reasons, the human rights violations within Chile were particularly influential to the international community.

### **Chapter I: History**

Western political involvement and interest in Chile throughout its dictatorship rendered the region significant for international human rights. Below are the details of the dictatorship and what led up to the dictatorship because the nature of the human rights violations committed is what attracted international attention and led to reforms.

Prior to the right-wing dictatorship, the 1833 constitution of Chile established a strong presidency and following the 1891, a parliamentary system was adopted and the legislative branch had more power than the executive. In 1925, conflict over the welfare system led to a reinstated increase of executive powers. The 1925 Constitution gave the president the power to call a plebiscite, to call for extraordinary Congressional sessions and propose a budget- as well as veto powers. The Chilean president could not succeed himself after a six year term. The legislative process was complex. Still, the Chilean Congress was one of the strongest in Latin America. Congress could remove ministers by withdrawal of confidence. Its powers during ordinary sessions were quite broad, there were regular elections for representatives. Vetoes could be overridden by two-thirds Congressional majority. The Chilean Supreme Court does not have the power of judicial review. These institutions degraded by the time of Pinochet's rule, as detailed below- but it is important to remember that they were intact prior to his administration, so as to investigate the political shifts that occurred afterwards.

Chilean political parties were numerous and significant in their influence, though not mentioned in the Constitution. The political parties in Chile were as follows: The Liberals and

Conservatives on the right, which joined to form the National Party. In the center, the Christian Democratic Party and the Radical Party. On the left, the Communists and the Socialists, both Marxist. According to Paul Sigmund, who wrote “In the Overthrow of Allende and the Politics of Chile”, the difficulty with Chile is that the ideologies that arose to address political problems failed to channel opinion in a proactive manner but rather furthered division through conflicting views (Sigmund, 1980). This is in combination, Sigmund writes, with Chile's attempt to move in an 'accelerated fashion' 'from traditionalism to modernity, from hierarchy to equality, and from elite rule to democracy' that occurred in Europe and then spread globally. Sigmund heavily weights the influence of a failing economy in the political destabilization of Chile (Sigmund, 1980). The coup occurred with the acquiescence of the Congress and the Supreme Court given that Chile was on the verge of economic collapse. Sigmund also attributes this economic collapse to 'a century of inflation, populist programs which favored urban over rural groups, increased government spending, "boom-and-bust cycles" electoral cycles, and the internal divisions accentuated by external factors..' In the early 1970s, Chile had some of the highest inflation in the world (Sigmund, 1980). The copper industry was one of its most important assets, but it was mostly owned by the U.S. through the 1960s. Chile had substantial industrial development in the early 1960s in the communications, steel, cement, chemical, and paper industries especially- but not so much in terms of agriculture. in the 1960s and 70s, agrarian reform was a big issue. There was a relatively large middle class in Chile, but the difference between rich and poor was still very great. The leaders from each side failed to meet the expectations of the citizenry due to the underlying divisions in opinion from each faction (Sigmund, 1980). The fact that Chile was so factionalized, both by class and by political affiliation, is important because it shows that Chile

was not functioning well as a democracy- and in the aftermath of the dictatorship, rebuilding these channels became particularly important for cultural changes to become politically salient.

In "Human Rights in Latin America", Cardenas attributes some of human rights issues to the legacies of colonialism, given its system of social discrimination, especially hierarchies of power, wealth, race, and gender through caudillo rule and pervasive economic inequality (Cardenas, 2011). The dictatorships of the 1970s are far from the beginning of repression in these states- and the political stability is potentially enduring. Class and political divisions that were so deeply embedded in Chile's history since colonialism were not addressed, and these divisions contributed to the destabilization of Chilean democracy (Cardenas, 2011).

It is possible that the factionalization of Chilean politics contributed to the violence and repression of the 1970s and 80s, which in turn, means that the shift in political institutions after 1988 required cooperation and open discourse. That is, Sigmund believes that much of the upheaval of the 1970s can be attributed to the polarization between political parties that occurred during the Christian Democratic government of Eduardo Frei from 1964 to 1970. Allende (on the left) and Alessandri (on the right) had lost to Frei (moderate). Frei attempted to initiate substantial reforms. However, these reforms were limited by a system that was factionalized between left and right. The right was critical of his Marxist tendencies, while the left decried his support of what they deemed imperialist, neo-capitalist economics. Sigmund says that these divisions paved the way to "mass politics"- populist politics that led to greater upheaval and eventually violence and repression (Sigmund, 1980).

Salvador Allende was voted in on September 4, 1970 in a somewhat narrow election- he had run numerous times before. Frei had relied on religious populist nationalism, while Allende used more class-oriented Marxism. Chile captured the international imagination beginning in the

1960s because of its various “utopian political projects”. In 1964, the U.S. had a program called the “Alliance for Progress” which was intended to prevent revolutionary unrest by supporting centrists and the middle class. Allende’s program of peaceful socialist reform, the “Via Chilena” was supported by many leftists around the world, and this caught the attention of the U.S. Kissinger organized cover operations to “at a minimum ensure his failure”. Allende invested in healthcare and education. Americans were concerned about their investments in Chile as it became more socialist. When Allende became president, he nationalized copper, purportedly to alleviate poverty in Chile and school children were granted a daily glass of milk as part of his “Social Revolution”. All of the Chilean parties supported his first move to nationalize copper in an attempt to enrich Chileans. And yet the middle class feared losing their property rights as had happened in similar leftist movements such as Cuba. He was opposed by both extremist leftists and by the right, but the majority of Chileans were not interested in violence. Right wing civilians were known as gremialistas due to their support of Chilean business, or gremios in the struggle against the Allende administration. Chile had a strongly leftist civil society prior to the overthrow of Allende. This included its active trade union movement and tradition of activism. Leftist strongholds included working class populations such as those in the mining towns. Sigmund believes that Allende's attempt to fully transform the country exacerbated class tensions which made it increasingly unlikely that a transition into socialism would be peaceful. The extremism of both the right and left rendered violent confrontation an inevitability. Polarized voices were no longer channeled in a way that preserved the structures of democracy, so the people were not peacefully involved in their own governance (Sigmund, 1980).

In particular, Dinges describes the time period prior to Allende's assassination as tumultuous throughout Latin America, as a surge of populist leftism was met with the threat of

military counterrevolution (Dinges, 2012). Allende's United Party was limited in what it could do because of its minority status in the legislature. The center right coalition blocked most of Allende's agenda so the president increasingly used executive orders which were legitimized by the constitution and obscured Depression-era laws. This resulted in further confrontation, which threatened the stability of the Chilean government. Protesters packed the streets and right and left-wing factions acquired arms and skirmished against one another. The leftist movement, "la lucha armada" or armed struggle, was encouraged by leaders such as Che Guevara and Fidel Castro, who advocated for transnational revolution. The far-left group in Chile was known as the Movement of the Revolutionary Left (MIR). They wanted a "dictatorship of the proletariat", similar to a Leninist model of communism. Allende's nephew was a MIR leader and very vocal about his opposition of his uncle's weakly reformist policies. MIR did not carry out armed insurgency during Allende's presidency, but rather stocked up on weapons, organized, and prepared to resist any attempted military coup. The MIR encouraged members of the military to resist as well, which the right considered extremely threatening sabotage. Though the Chilean military had not been very overtly ideological before, there had been undercurrents for some time of right-wing doctrine. The Cold War intensified anti-Marxist sentiment throughout the Americas. The most anti-Marxist officers had already begun to form a group which would later become National Intelligence Directorate (DINA), a secret police force. DINA was unusual for Chile, it had not had a specific intelligence apparatus, especially one created for political reasons (Dinges, 2012). This demonstrates how the deterioration of democratic channels and increased polarization led to extremism and eventually the rise of the repressive right-wing government and in particular, its paramilitary police force.

According to Jorge Dominguez, the Cold War alone did not significantly alter relations between the U.S. and Latin America, simply because the U.S. had long standing ideological motives in the region prior to that time period (Dominguez, 1978). However, he argues, the Cold War intensified these tensions, and during this time, the “U.S. government often behaved as though it were under the spell of ideological demons”. He wrote specifically about instances when the U.S. sought to overthrow Latin American governments. He outlines two pieces of evidence that demonstrate strong ideological convictions guiding U.S. foreign policy towards its neighbors in the Western Hemisphere: one being the irrational methods used to attain foreign policy objectives, and the other being the great cost of these methods, disproportionate to the objective. During the Cold War, democratic accountability was no longer a priority. Or as Dominguez writes, "a spectre haunted the United States.. a spectre of communism anywhere in the Americas.." (Dominguez, 1978). To prevent a government from becoming communist preemptively through regime change was perceived as easier than potentially enduring the costs of a communist power. “Marxism is like a ghost... impossible to catch..” (Dominguez, 1978). The ideological motivations for American involvement were related to the American grand strategy of maintaining a hold over any future rivals, whether they be the USSR or communism in a Latin American, perhaps Cuban-influenced, form. Still, these transgressions demonstrate a deeper regional instability more pervasive than but still influenced by Cold War ideologies or Marxism.

The U.S. was afraid of Allende's "Chilean road to socialism" (Dominguez, 1978). The CIA director wrote a memo outlining the need to prevent Allende from coming into power and set aside \$10 million for this purpose. A special task force was created and plans discussed with Kissinger. In the 1960s through early 1970s covert operations were implemented by the U.S.

Central Intelligence agency to influence Chileans to plot against Dr. Salvador Allende, Marxists, and those who leaned left. According to Gustafson, however, the U.S. aimed primarily to just have a center-right government in Chile, and only began to support the dictatorship through covert action later on (Gustafson, 2007). “I don't see why we need to stand by and watch a country go communist due to the irresponsibility of its people. The issues are much too important for the Chilean voters to be left to decide for themselves”, Secretary of State Kissinger said. Kissinger would view the actions taken in Latin America as necessary for the purpose of converting the world to American political philosophy for the purpose of ensuring stability in the region and globe (Gustafson, 2007). Chile was deemed of particular significance because it was one of the more stable governments in Latin America, with a democratic system similar to the U.S. and prone to U.S. influence, and therefore an important player in the region during the Cold War. American involvement cost the region its own stability, as it worsened the polarization of political voices and furthered the deterioration of the political system.

Allende intended to have a peaceful revolution through reforms, but his welfare reforms too closely resembled communism for the U.S. to be comfortable (Gustafson, 2007). There are allegations that the U.S. increased poverty in the region by supporting harmful policies put in practice by the IMF, World Bank, and international corporations, which all have exploited natural resources without improving the economic situation for Chileans. In order to ‘protect American investment in Chile’, the State Department and Central Intelligence Agency worked against Allende. The U.S. depended on Chilean copper resources. Chilean President Allende nationalized copper, and ITT manufacturing company CEO was a friend of Nixon's. Other corporations pressured the U.S. government to take action to protect American economic interested in the region. American businesses such as ITT contacted Kissinger and were willing

to help fund any effort to ensure that Chile remained accessible to foreign investment. The World Bank opposed the socialist nationalization as well as international businesses. The U.S. attempted to destabilize the Chilean economy under Allende. Truck drivers went on strike, the CIA helped pay truck owners to go on strike, and industry was halted (Gustafson, 2007). American influence in the region is significant partially because, as mentioned above, it demonstrates how it increased political factionalization and also because it was significant to the international community. Because the U.S. played a role in the political strife in Chile, it also played a role in how Chilean political memory became politically salient in terms of international human rights changes. Given that the U.S. contributed to the ills of the Pinochet regime, American human rights activists were those who dissented with the actions that the U.S. took in Chile. This is important to acknowledge here because it demonstrates that political salience came about through a process of dissent, activism, uncovering, inquiry, and by understanding the roles of major actors in the past.

Documents have shown that the U.S. has not only been publicly complicit, but also privately responsible for supporting authoritarian regimes (Unclassified Report to Congress, 2012). There is also documentation of how responsive Latin American governments have been to this influence (The Pinochet File, 2003). U.S. President Nixon wanted to “smash” Allende. Kissinger asked the CIA head, Helms, to report directly to him and even the U.S. embassy was not informed of the coup plan, which was titled “Track II”. Kissinger was the “general manager” of the operation and ignored the advice of his own staff that a coup may not be possible- or effective(The Pinochet File, 2003). They did not believe that the military would engage in a fight against Allende, or that the people would no longer support Allende’s election. Track II plotters had failed at an attempt to assassinate Allende. Kissinger said that the plot was terminated. But



weapons were still being sent to Chile for the purpose of killing Allende- and the U.S. was determined to avoid displaying the slightest indication of responsibility. The covert operations against Allende were intended to "at a minimum ensure his failure and at a maximum might lead to situations where his collapse or overthrow later may be more feasible" (The Pinochet File, 2003). The fact that the U.S. was so involved in supporting Chilean right-wing leadership meant that it encouraged this polarization in Chilean politics and was to a degree, accountable to members of the international community. When political, cultural, and even psychological shifts took place for Chileans, Americans remained involved in this process and the emergence of these changes in international human rights community. Perhaps one reason American human rights activists were so engaged is because they were attempting to address the wrongs that had been propagated by their own government as well as the Chilean government.

The U.S. had been concerned about the radicalization of Chilean politics since the 1960s (The Pinochet File, 2003). The U.S. government supported those opposed to the left in 1964 and 1970 elections through a sub-cabinet body, the "5412 Panel Special Group." In 1962, they provided financial assistance to the Christian Democratic Party (PDC) to support Eduardo Frei, a candidate in the 1964 election, and also distributed fliers and leaflets as well as other propaganda. The CIA went on to create a propaganda mechanism in 1967 which made placements in radio and news media. In December 1963 the U.S. gave money to the Democratic Front, a coalition of moderate and conservative parties. The "5412 Panel Special Group" became the "303 Committee" which supported the Radical Party in Chile, and provided support to certain candidates in upcoming Congressional elections. The 303 Committee supported moderate candidates running in the 1969 Congressional elections. In 1969 the 303 Committee became the "40 Committee" and a propaganda workshop was created. As the 1970 elections approached, the

40 Committee sought to “spoil operations” to prevent an Allende victory. Project FULBELL was the CIA's covert plan to block Allende from becoming president. The plans to topple Allende were called Track 1 or 2 depending on the level of secrecy. The “Track I” strategy involved influencing the Congressional races so as to ensure that Allende would not receive confirmation in the case of a run-off vote should Allende again not win an absolute majority. Allende’s victory was reaffirmed by the Chilean Congress as Constitutionally required because he won only the plurality of the vote in the September 4 election. All three groups wanted to kidnap Army Commander Rene Schneider, because he was a strong supporter of the idea that the Constitution required that the Army allow Allende to assume power. When Allende was in office, the 40 Committee conducted “Track I” operations that strengthened opposition political parties by sending money to the National Party, Democratic Radical Party, and PDC, as well as militant right-wing groups. The “Track II” strategy was a military coup. CIA supported the 1970 coup against Allende in accordance with “Track II” of the strategy. The CIA worked with three factions plotting against Allende. The CIA agreed and provided weapons to one group, but did not continue to contact the group because it was so extremist. The second group received tear gas, submachine-guns and ammunition. The third group attempted to kidnap Schneider but ended up killing him in the attack. The CIA withdrew support from the third group four days before the attack because they believed that the group would not succeed. On June 29 1973, there was a failed coup attempt. Kissinger wrote that the U.S. "created the conditions as great as possible" for the next coup in September (The Pinochet File, 2003). McSherry refers to American force and influence as "parallel armies" in Latin American 'counterinsurgency' such as Operation Condor (McSherry, 2002). She refers to these organizations composite as the "parallel state".

This demonstrates the depth of American involvement in Chile, as well as how the U.S. government manipulated Chilean factions to achieve American interests.

It is also useful to remember the geopolitics of the Chilean situation, both in terms of illustrating how it initially occurred and how things changed afterwards. The divisions between left and right existed throughout Latin America. The fact that the struggles in Chile were occurring throughout the continent is important because it shows that the political rifts were pervasive. This is in part because of the Cold War and also because of the political climate of Latin America. For instance, Fidel Castro supported Allende, and even helped train his security forces (*Histórico Diálogo Entre Fidel Castro y Salvador Allende*, 2012). He warned of potential threats. When high inflation resulted in economic turmoil, the CIA attempted to bring the situation to a standstill (McSherry, 2002). However, according to Sigmund, the socialist policies of Allende destabilized the economy because they were intended only to stimulate the economy in the short term and did not address long-term needs of banking and industry, as well as agriculture specifically (Sigmund, 1980). Further, there were difficulties because the socialist government could not get foreign investment from the U.S. and the U.S.S.R. was unwilling to support communism in Latin America (Sigmund, 1980). At the U.N., Allende accused the Americans of attempting to stimulate social disorder through economic pressure. He sought Soviet support and he sent one of his generals, Augusto Pinochet, to get weapons from the USSR, but the KGB general Leonov ordered that the weapons be sent elsewhere because the coup was imminent and Russia was already preoccupied with Cuba. Nikolai Leonov said, “Allende tries to pet the leg of the tiger so it doesn’t bite him, but the tiger is going to bite him anyways” (*La Noche Temática*, 1998). The divisions that were occurring within the region, and indeed, the world, during the Cold War, are another part of the equation that is worth recalling.

Because the conflict was one of many in the region, and because it was part of a struggle between two world powers, it became more recognized by the international community. Further, it became one of many Cold War narratives- one of many instances where conflict occurred and people afterwards reconsidered these crimes not merely as acts of war in power politics, but as actions that were no longer deemed acceptable by the international community.

On Sept 11, 1973, assault began on the presidential palace with Pinochet leading the army. The coup was conducted by the armed forces, including the national police, the Carabineros. The palace was bombed eighteen times with rocket bombers. President Allende's Ministry of Defense attempted surrender negotiations. Allende allegedly shot himself during the coup- he had told other members of the administration to leave and surrender first. Allende broadcast a message to the nation. He announced, "Workers of my country, I have faith in Chile and its destiny. Other men will overcome this dark and bitter moment when treason seeks to prevail. Keep in mind that, much sooner than later, the great avenues will again be opened through which will pass free men to construct a better society. Long live Chile! Long live the people! Long live the workers!" With that, forty-one years of democratic rule in Chile came to an end. 'The 9/11 coup was the failure of Chile's attempt at democracy', writes Dinges (Dinges, 2012). The factionalization of Chilean politics resulted in the collapse of the democracy, and in order for pluralism to work in the aftermath, cultural shifts had to become politically salient through the transformation of divisions into viable political channels.

Wright mentions that the Chilean military did not even attempt to create a facade of a democratic government, and yet the military announced that they had rescued the country from chaos by ensuring stability (Wright, 2007). The junta stated that they would only keep power so long as was necessary to ensure stability. They released a book, "White Book of the Change of

Government in Chile", which detailed alleged efforts of the leftists, including Allende supporters, to destabilize Chile. The explanations for the coup 'tend to be ideological and polarized', Sigmund writes (Sigmund, 1980). In the dictatorship, democratic channels had collapsed, and the repression of political opinion meant that past divisions turned violent.

The military was afraid that the U.S. would fail to aid them effectively, as they had failed in many ways in Vietnam against the guerillas. But the U.S. government sent secret communications to Pinochet stating that they would "cooperate with the military Junta and assist in any appropriate way." Some believed Pinochet heroic for "for having overthrown international Marxism on the 11 September 1973 and today on his sickbed and for having given us a protected Democracy" (Tanner, 2001). Dinges writes of Pinochet's reputation as "an anti-communist avenging angel" following the death of Allende (Dinges, 2012). In this sense, he was a key player in the Cold War, and therefore, of international concern. To this end, the assassination of President Allende and the coup in Chile represent a necessary geopolitical move for the purpose of converting that region to American interests, and thereby cementing American influence in South America while ensuring American economic gain. As a result, international players were influential both in dividing Chile and in eventually addressing their combined human rights failures.

Hopkins concludes that Pinochet's use of hard power was effective in terms of reshaping the state, especially his use of "transnationally-dependent capitalist development" (Hopkins, 2012). American free market economists known as the "Chicago boys" flew in to advise (Quereshi, 2008). Martin Friedman and others proposed a "shock treatment". Economists like Friedman believed in unrestrained capitalism. They sought key posts in several Latin American dictatorships. Milton Friedman, who won a Nobel Prize for economics, said he had no

connection to the newly repressive regime in Chile and did not endorse it though he advocated for free market policies, which the CIA had planned out for Chile. Friedman later ascribed a causal relationship between Chile becoming capitalist and its rapid economic growth, known as the “Miracle of Chile”. They advocated for economic reform as well as social reform because some believed that ‘you cannot have a repressive government for long within a genuinely free economic system.’ They argued that free market economics went hand and hand with freedoms of democracy. Even Allende’s old ambassador to Washington was sent to one of Pinochet’s prisons and he was exiled back to America afterwards. The Chicago boys’ plan benefited the wealthy at the expense of the poor. Pinochet removed price controls, import limits, and he capped government expenditure as well as sold government-owned companies. It didn’t work and inflation was 375% per year (Quereshi, 2008). Pinochet got rid of free education and milk in school and staples became luxury goods: those with low income had to spend about 75% of their income on basic necessities such as bread. Pinochet broke Allende's support for institutions such as unions and universities. The Chilean poor also suffered greatly because they were targeted by the regime as they were suspected of being socialists. Later, they were targeted because of their unrest because they had less economic opportunities under Pinochet's deregulated system. Former processes of nationalizing industry or land redistribution to campesinos were halted and the resources privatized once more, which greatly affected the poor (Quereshi, 2008). Thus, Pinochet’s policies, aided as they were by the U.S., only worsened class divisions and political disagreement.

‘The experience of a state turning against its own population is always dramatic’, Stern writes (Stern, 2010). The divisions that had become so pervasive in Chilean society intensified as the powerful right-wing used its power to crush any opposition. Those who had supported

Allende had originally turned themselves in with a professional military pride, Stern describes this initial phase as one of "gentlemanly repression". But Pinochet and his fellow officers intended to deter any future leftist uprising. Leaders in Allende's administration were imprisoned on Dawson Island. About forty thousand people were detained in the national stadium in Santiago. Music was played on the loudspeakers to block out the noise of prisoners' screams. Locker rooms and the stadium interior were where the torturing and killing occurred while the rest of the prisoners were held in the center. Chile played against the USSR in the football world championship in that same stadium but USSR refused to play there so the Chilean team scored into an empty goal and went onto international finals (Stern, 2010).

After the coup, there was little resistance but still, Pinochet led a brutal crackdown. This entailed an orchestrated disappearance of human beings and the displacement of children demonstrative of the militarization of society. In 1973, Chile had a population of about 10 million. There is estimated to be about 3,000 disappearances or deaths minimum committed by those affiliated with the state, there were dozens of thousands of torture cases, and over 82,000 political arrests, and about 200,000 exiles. In particular, many prominent intellectuals and former officials were exiled or escaped abroad. Sometime DINA seized people in broad daylight and then denied that it ever happened. Unmarked cars and plainly dressed men came to arrest people according to their political convictions. People would be disappeared without warning and would never return. There is the example of a young doctor who disappeared on his way to work and his wife and children waited for his return for years and years. Sometimes, the killings were excused as failed escape attempts. There were thousands disappeared, and many bodies uncovered in unmarked plots, abandoned mines and wells, but many were never found (Stern, 2010). The violent human rights crimes committed by Pinochet and his leadership became

traumatic cultural memories for the surviving people of Chile, and future political shifts after his ousting required the processing of these memories through political channels.

Pinochet gave General Sergio Arellano Stark the job of ensuring the similar repressive violence was implemented throughout Chile. DINA had "practically unlimited power". Stark travelled the country and killed 100 political prisoners in only 3 weeks in what became known as "the Caravan of Death". General Stark began the Caravan of Death by killing constitutionalist general Carlos Prats, who had been army commander during the Allende administration. Prats and his wife were car bombed. The U.S. military intelligence characterized DINA as a "KGB-like organization" or a "modern-day Gestapo". Pinochet was cast as an embodiment of the "patria", fatherland. Contreras was seen as more polite, unimposing, and yet, as Dinges writes in "The Condor Years", poised to commit "an orgy of mass murder". This was unconcealed from the public eye: bodies floated down the Mapocho River in Santiago. Contreras himself acknowledged the death toll, and believed that it was his duty to kill "terrorists". DINA claimed to be fighting a war against the violent left, which they believed was conspiring to take over ("Plan Z"). These tactics were used on any who opposed the regime, including union members and students. Jews were also persecuted. The violent atmosphere of war served to elevate the status of the intelligence agencies and military and repress the rest of society. Political violence was considered necessary to retaining stability by the right and center-right. Though there were the most human rights violations in the period just following the coup, the DINA continued 'a relatively high level of abuse' (Dinges, 2012).

By 1974, public assassinations had become less common- instead from 1974-1977, there were more disappearances. This was likely due to the advanced internal organization of DINA- though some people were still killed publicly when more covert plans failed. Repression in Chile



was 'large in scale and layered in its implementation' (Stern, 2010). Power was centralized in Chile, with all lines of communication leading to Pinochet. Pinochet said that not a leaf moved in Chile without his knowledge. McSherry also writes of how the systems of terror were well-known but also deniable. The support of elitist military factions further established their legitimacy. Beyond the counterinsurgency efforts of Operation Condor, repressive tactics were used for the purpose of ensuring "national security"(Stern, 2010). The right's total control of the state meant that all other viewpoints were suppressed, it was no longer a democracy but a dictatorship, multiple points of view could not flourish and therefore, there was limited potential for cultural or political expression. Thus, it was not until after that people began to process the extreme violence that had occurred and thereby attempt to transition from those traumas into a viable democracy.

Leftist insurgency groups from Bolivia, Argentina, and Uruguay, as well as the Chilean MIR, met in Argentina to discuss plans for a continent-wide guerilla war. They called the network the Junta Coordinadora (JCR), but it was essentially ineffective. Meanwhile, the military groups used the threat of the JCR to legitimize their brutality against citizens and leaders that they believed were insurgents, though many were not. Further, some people suggest that Condor was an appropriate response to leftist violence, but how can this really be argued given that it was disproportionate in targeting large groups of the population- and it did little to ensure real stability as rights were violated and there was no due process of law- the stability that ensued was merely the deadlock of factionalization and fear. The JCR agreement existed before Pinochet took over. The JCR did have some splits in terms of opinions of how the communist revolution should come about. Cuba was to provide military aid and training. Some of the groups raised money through kidnapping and demanding ransoms. JRC also sought to influence public

opinion and political parties. Dinges suggests that leftists were seeking human rights protections. The violent suppression of perceived leftist thought, or indeed, any belief system alternative to the ruling party's demonstrates how political polarization becomes violent conflict. In this case, it was an asymmetrical conflict as the ruling party sought to cement power over potential threats from those known or thought to have opposing political views. The democratic channels from open dialogue between opposing factions had been, at the same time, collapsed, and the result was a systemized massacre by the right-wing government of any who were believed to have resisted their rule, particularly members of the JCR and MIR (Dinges, 2012).

Though the JCR was transnational- organized in various Latin American countries, it was effective only in igniting little more than "brush fires" rather than revolution. The fact that Enriquez and his lieutenants fought back was used as justification for DINA's continued mobilization against the "terrorist threat". When this threat waned, Contreras assumed that this was because the left was only mobilizing deeper underground, perhaps outside of the country- which meant that it was time to discuss matters with the U.S. and other Latin American intelligence agencies. Agents sought out people who had any connection to the MIR or Socialist Party. Contreras considered himself the focal point of 'capo' of the worldwide anti-Marxist movement. This corresponds with the Cold War mentality that had involved and also divided international actors including the U.S. and regional actors along political lines (Dinges, 2012).

Though the conflict was asymmetrical, Pinochet's government was mercilessly violent. The MIR had the most military force of the leftist insurgents with the exception of those in Argentina. The Malloco Raid on the MIR's most important underground leaders, including Andres Pascal, meant that DINA had not only profoundly damaged its leadership but also gained information on the international operations of the JCR. DINA killed the leader of the MIR,

Miguel Enriquez, and wounded his pregnant wife. Only about 10-15% of the MIR survived DINA's purges, and about 900 militants were arrested, killed, or disappeared. The violence of this period meant that Chilean society was divided into perpetrators and victims of human rights atrocities. Because there was such limited potential for resistance, these divisions solidified and became an inescapable reality for survivors (Dinges, 2012).

This was the case throughout the region. The FBI aided DINA against the JCR in the arrest of two men chosen to spread the JCR beyond the Southern Cone, Amilcar Santucho and Jorge Funetes- "the organization and money men of the JCR". The place where they were imprisoned exemplifies some of the conditions that political prisoners were subject to by DINA. They were whipped, shackled, shocked, submerged in water, and forced to pee in tin cans. They were hanged, asphyxiated, beaten, raped, and executed- sometimes for real, and other times in staged mockeries. They were stripped of their clothes, they were humiliated. The torture, Dinges writes, was 'unscientific'. Like the cells that they were kept in- a puzzling maze of dead ends and haphazard construction- there was little reason behind what they were subjected to (Dinges, 2012). Pinochet's administration had destroyed virtually all opposition as well as any semblance of a democratic society through violence felt on an individual as well as cultural and political levels.

One Chilean human rights organization categorized about 17 kinds of torture used by DINA, the most popular of which are the application of an electric cattle prod to sensitive areas, electric shock, application of loud noise to the ear, hanging prisoners by wrists and ankles, near drowning in toilet water, near suffocation, prolonged beatings, repeat rape, drugs, and psychological torture such as forcing prisoners to hear the cries of loved ones in pain. Sometimes medical doctors helped ensure that prisoners were in maximum pain but not yet dead. A woman

forced to hear the agony of her brother said it was "the most profound terror that a human being can feel". Torture was used to extract information or was performed for the sake of sadism.

Some Condor prisoners were run over with trucks. Others were taken out on "death flights" in which they were thrown out of airplanes into the ocean (McSherry, 2002).

Pregnant women were captured and had to give birth manacled and blindfolded before being murdered. There were five hundred or so children taken in this way, according to one such child, now an adult. These children were raised by those affiliated with the military regime as it was a way for the leaders to recreate the society as they saw fit (McSherry, 2002). The violence of these years would have repercussions for future generations and the cultural and political landscape that they would play a role in creating.

Pinochet began to create an international network after his 9/11 coup because he knew that many of his enemies would have fled abroad, where they would continue to organize against him. Military dictators initially met in Santiago, Chile to plan out Operation Condor. Condor was named after a Chilean bird of prey. The meeting was led by Contreras. DINA worked with other right-wing intelligentsia in Latin America through a transnational network known as Operation Condor, created to suppress and terrorize any who did not conform with the interests of the military regimes. The heads of Condor are known as Jorge Casas (Navy Captain, chief of delegation, of Argentina), Carlos Mena (Army Major, chief of delegation, of Bolivia), Manuel Contreras Sepúlveda (Army Colonel, Director of National Intelligence, of Chile), José Fons (Army Colonel, chief of delegation, of Uruguay), and Benito Guanes Serrano (Army Colonel, chief of second department, Armed Forces Staff, of Paraguay), as well as delegate from Brazil, though Brazil did not join officially until 1976- this is according to the one official agreement of the November 28, 1975. Peru joined Condor later, in 1978. The heads of Condor agreed to work

together by sharing intelligence information as well as working together to capture leftists in Latin America- and torture or kill prisoners (Dinges, 2012).

Dinges writes that 'The forces now united to preserve the vaguely defined "Western way of life" were prepared to go even to the European and American capitals to root out the subversive cells there that those governments, softened by democracy, were unwilling to eradicate.' Colonel Jahn was Contreras' 'internationalization man'. He requested 600,000 dollars from the U.S. to neutralize enemies abroad. 'We will go to Australia if necessary to get our enemies.' Contreras said. Chile's dictatorship had become an international issue, and the divisions within represented Cold War divisions without (Dinges, 2012).

Even some top members of Operation Condor were surprised by Contreras' plan to eliminate enemies in other countries. Pinochet ordered the assassination of General Carlos Prats though Prats had left the country. Prats had resigned when the coup occurred because of this sense of duty towards the military and determination not to split the armed forces, though he had been loyal to Allende. The Prats assassination was the start of Contreras' international movements. It had been ultimately successful, though there had been many factors that had gone wrong- a strange combination of civilian and military agents, wasted funds, and intelligence leaks, and failed starts (Dinges, 2012).

Kissinger himself approved a Condor station in Paris. Condor was also targeting exiles in Portugal. To some extent, European intelligence agencies attempted to move against Condor to prevent assassinations and the like. Condor agents were supported by Italian and German fascists. DINA had a close relationship with Colonia Dignidad, a German enclave where former Nazis lived in secrecy. The Germans there helped them communicate intelligence with other European operatives and some prisoners were kept in the colony. Even the CIA documented this.

Of course, Chilean exiles and leftists throughout Latin America- especially in Cuba, attempted to move against Condor operatives. Dinges describes this as somewhat 'spy against spy'. Operation Condor even included a data bank using computers, which were very new. There was also extensive telex and radio communication- radio provided by the U.S. Operation Condor also relied on close personal relationships between operatives (Kornbluh, 2003). The international nature of Operation Condor rendered the human rights abuses it committed even more of a concern for the international community.

The declassification of U.S. secret documents on Chile reveal that the State Department and intelligence agencies had an incredibly in-depth knowledge of what was transpiring in Chile and cooperated with Condor agents. Some members of Operation Condor were speaking rather openly about the operations to U.S. agents. The CIA viewed the Condor system as legitimate in its language in discussions and briefings on the subject, despite the methods of torture and killings (Central Intelligence Agency, 2013). Military leaders of Operation Condor said that the U.S. was "our leader" in the whole affair. Contreras even attempted to create a base in Miami, but there was a diplomatic objection raised by U.S. agents, and Kissinger turned him down. Kissinger met personally with Pinochet to assure him of U.S. support. The U.S. government sent secret communications to Pinochet stating that they would 'cooperate with the military Junta and assist in any appropriate way.' 'We are behind you. You are the leader,' said Pinochet to Kissinger. The CIA knew that their involvement in Chile was "unlikely to be bloodless" (Kornbluh, 2003). Dinges writes that the CIA helped provide training to DINA, but documentation of this remains unavailable to the public (Dinges, 2012). The CIA had a School of the Americas to teach the secret police of Latin American regimes strategies for violence including but not limited to torture and rape. Even American military officials have confirmed

this. U.S. military used procedures practiced in other Cold War proxy conflicts to combat "subversion". Contreras was even placed on CIA payroll. It was never acknowledged by officials. Meanwhile, the U.S. was combatting its own "subversives" during the McCarthy era- blacklisting citizens and compiling intelligence reports on groups such as black power organization (Kornbluh, 2003). The fact that the repression in Chile was connected to Cold War-era conflicts in other countries, and related to American involvement, demonstrates that it was an international issue that remained relevant to the international human rights community. Political and cultural shifts during Chile's transition were perhaps more politically salient because of this fact.

The U.S. was so deeply entrenched in the regime that two U.S. citizens were killed, Charles Horman and Frank Terrugi. Horman was a leftist journalist who "knew too much" and "had to disappear". They were abducted and killed by the Pinochet administration. They had previously been under U.S. surveillance for their leftist views. A DINA agent who defected, Rafael Gonzalez, begged asylum from the Italians. He said that the Horman's killing had been orchestrated by the CIA and local Chilean officials, specifically the army intelligence director, General Lutz, who later also died under suspicious circumstances. Horman had known too much (Dinges, 2012). When the State Department finally carried out an internal investigation, it admitted that it "may have played an unfortunate part in Horman's death" but little more. Meanwhile, a Chilean former socialist, Juan Munoz Alarcon, changed sides and became a DINA agent. He later named several CIA officers who had worked with Condor, including "James John Blaayton"- his actual name was James John Blystone. Munoz was murdered for confessing (Kornbluh, 2003).

Allende's former ambassador to the U.S., Orlando Letelier, had been imprisoned by Pinochet and then exiled to Washington, DC. Orlando Letelier was Allende's ambassador to the U.S. and he had helped fight against Pinochet by both supporting the passage of legislation in Congress that made aid conditional on human rights, and by canceling large Dutch investments in Chile (Montgomery, 2016). Letelier wrote about how Pinochet created concentration camps, killed thousands, and imprisoned more than 100,000 people in three years to achieve his economic plan. Letelier died almost instantly in the remote controlled bomb that exploded from the under driver's seat as he was driven through Washington's Sheridan Circle near Massachusetts Ave, near the Chilean embassy. An American couple, the Moffitts, were also injured in the blast, and Ronni Moffitt died. All three had worked for Institute for Policy Studies, where they had been working on a project to promote democracy in Chile (Walker, 2011). Letelier's assassination was the most infamous act by Condor, though the group also assassinated a former president, a dissident military chief, and moderate political leaders with, Dinges writes, 'impeccable democratic credentials'. Dinges has an interesting statement regarding Condor's victims: 'Letelier was the most typical victim- targeted as a dangerous democrat rather than a violent terrorist, a man who worked against Pinochet not in secret but in public corridors of power in the United States and Europe' (Dinges, 2012). The fact that killings occurred blatantly to any that opposed the Pinochet regime illustrates that administration's brutality as a result of the political divisions that had existed so long in Chilean society. The administration was perhaps so threatened by imagined threats because of the polarization of political factions. The transition to democracy would only occur when these factions began to communicate through democratic channels once more, and the political repression of the Pinochet period rendered this



difficult if not impossible due to the targeted killings and other violence, which sent a clear message to anyone who thought of detracting or even expressing dissatisfaction with the regime.

In late July 1976, a CIA agent overheard a Condor agent discussing a plot to assassinate a U.S. senator. The U.S. knew many of the details of Condor's plans and yet failed to act, as shown especially by the Letelier assassination. It is alleged that American officials put out misleading information in order to direct attention away from what they knew of the plot to assassinate Letelier. In late July 1976, the CIA learned that Condor would be taking operations abroad: assassinations in countries including European cities, which the State Department found alarming. Kissinger sent an urgent and top-secret cable to ambassadors to tell the Chilean government that they knew what was being planned and would take action against it. The Latin American governments continued planning Operation Condor, however, and strangely, no ambassador delivered the message. A cabled warning had been sent prior to the Letelier assassination. It is still not understood why this cable was not heeded, as many surmise that sending a clear warning to the Pinochet regime would have prevented an assassination on American soil. Meanwhile, Dinges believes it important however to investigate the climate that Condor was created in, and in response to, not to excuse the human rights violations but to show that there was violence occurring at the behest of Marxist revolutionaries as well. Though these groups were generally more talk than violent action, they had managed to assassinate a former cabinet minister, Edmundo Zucovic (Dinges, 2012). This corresponds with the notion that the polarization of Chilean politics had led to the deterioration of democratic channels, which in turn, led to further polarization, and eventually extreme repression and violence. Also, the fact that Pinochet could assassinate Letelier on American soil demonstrates that the conflict that

Chile was embroiled in had international effects, international involvement- especially the American involvement- and therefore was of international significance.

Though it is not clear to what extent U.S. was not aware of the mass killings committed by the Condor organization, they had known of these later assassinations. The U.S. eventually learned of Condor's phase three assassination plans. They had about 37 documents that were released only much later- all of these were prior to the Letelier assassination and demonstrate their knowledge of Condor's international assassination plans. After the cable was sent to Pinochet regarding U.S. knowledge of further assassinations after the Letelier assassination, the other assassinations were not carried out. They had sent a previous warning prior to the Letelier assassinations and knew that Condor was not just a network of information exchange but also a system of agents plotting and executing assassinations. The ambiguity of the U.S. response, Dinges writes, was not nefarious but indicative of both support and lack of support for Condor and Pinochet. The U.S. signaled a green light insofar as they had worked with Condor before and took no direct action against the assassinations, and they sent a red light insofar as they cabled their awareness and disapproval of these, though Contreras officially denied Condor involvement in the assassinations. Kissinger was often responsible for the green light signals. The opposing signs demonstrated the internal hesitation and disagreement within the U.S. government, as well as conflict and lack of communication between agencies- and finally, a reluctance to confront Pinochet for fear of causing diplomatic strife. This internal division represents a failure of Washington's decision-making process for those who wanted to take action against Pinochet. Kissinger, and other anti-communist officials, however, had manipulated the system successfully, and herein one can see how Cold War divisions meant that people of different convictions attempted to alter foreign policy even within the same government agencies. The fact

that the divisions in Chile were being played out to an extent also in the State Department demonstrates how pervasive this polarization had become and how it led to the breakdown of democratic institutions on various levels (Kornbluh, 2003).

Diplomatic officials at the U.S. embassy had learned that there was little that they could say against Pinochet to Kissinger, who admonished them for speaking out. Officials in the U.S. government were divided between anti-communist war hawks and those who were in touch with the Catholic Church and decried the human rights abuses of the Pinochet regime. When news of the Letelier assassination came to the State Department, these officials were reluctant to confront Kissinger for fear that he would dismiss or criticize them for their human rights concerns. And further, they were afraid that the CIA might be involved in the plot but had not conveyed sensitive information to them. If it was something that the CIA was supporting, they were worried about interfering. Ambassadors within the State Department argued about whether it was best to support Operation Condor as an anti-terrorism apparatus and ally in the Cold War, or if it should be considered a human rights threat constructed by military dictatorships. U.S. Ambassador Robert Hill was one of the few human rights heroes for his attempts to end U.S. support for Condor initiatives. There was 'deep ambivalence' among career diplomats. When they heard details from the CIA that Operation Condor had begun to conduct assassinations in countries outside the Southern Cone, in France, for instance- an American ally- some State Department officials began to question their support for Condor. Henry Shluademan was among those diplomats who believed that the international assassinations were a step too far. He advocated for a "moderating influence" but the U.S.'s anti-communist policy still took priority over human right concerns. He and Philip Habib, among others, sought to at least warn Chile and other Latin American governments that they knew of the plans: a "demarche". Kissinger agreed

to issue the warning, the "demarche" to the Latin American governments involved in Condor, but the language was non-threatening- it merely worked as an admonishment. Kissinger's policies had won out (Kornbluh, 2003).

By 1976, however, Kissinger's denial of Pinochet's human rights abuses was being contested by senators such as Ted Kennedy, Donald Fraser, Alan Cranston, Edward Koch, and Tom Harkin. They were putting pressure to halt plans to sell U.S. F-5E fighter planes to Chile, which Pinochet planned to use in a border dispute against Peru. Kissinger privately thought of Latin America as economically and culturally unimportant, according to Dinges- only significant in the war against communism. Kissinger went to Chile to smooth over some of the allegations of human rights abuses during an annual meeting of the Organization of American States. He spoke with Pinochet prior to addressing the assembly as a whole and he encouraged him to release more prisoners and enact more constitutional reforms. However, Kissinger only really asked Pinochet to do these things and continued to offer his admiration to him, while publicly advocating for greater human rights protections (Kornbluh, 2003). It was clear to the Pinochet regime that they continued to have U.S. support, even though there was disagreement within U.S. institutions. This also demonstrates that the Chilean conflict had gained salience in American, and thus, international politics.

Contreras met with the head of deputy director of central intelligence, General Vernon Walters, who "took the opportunity to express concern over the human rights situation in Chile". This was a problem because the U.N. might threaten to expel Chile because the Chilean government had not allowed a U.N. delegation in to investigate allegations of human rights abuses in the country. Monroe Doctrine was used to justify the pursuit of American interests in Latin America and prevent European involvement. After the U.N. was created, it became

necessary for the U.S. to be more secretive regarding their involvement in the Southern hemisphere. Their anti-communist stance was useful, McSherry writes, to securing global hegemony. Kissinger and others in the U.S. government hoped to prevent Chile's expulsion from the U.N. and some even considered paying off U.S. senators so that they would continue supporting the Pinochet regime without sounding the alarm (Dinges, 2012). Then they continued plotting to fight alleged JCR terrorists. There is a clear connection here between the political polarization of the Cold War and the violence of the Pinochet regime, and its repercussions for international human rights.

Pinochet opposed international pressure- particularly as he had been aided by the U.S. and other Western governments often aided him. The U.N. and Amnesty International were putting pressure on the Pinochet regime to account for the missing. Residents of shanty towns had spoken to Pope Francis about the state-sanctioned violence upon his visit to Chile during the Pinochet era, which had caused "scandal". The assassination of Letelier made Washington more hostile and Jimmy Carter's election also changed the U.S.'s stance to an extent. Those who came from abroad to monitor human rights in Chile were escorted to various prisons where they were shown controlled changes, rather than the realities of any true transformation. Though disappearances in Chile decreased, torture did not. Local protests in 1983 and 1984 were repressed. However, the Carter and Reagan administrations advocated for human rights unlike the Nixon administration, so international pressure mounted. Jimmy Carter tried to pressure the CIA to no longer support or aid in assassinations through Condor, but the CIA was not accountable and continued to cooperate with Condor, particularly in the disappearances of lesser-known activists. It would take time before the conflict of the Cold War and of Chilean domestic

politics dissipated as violence and repression were overcome by organized democratic political involvement on a grassroots and cultural level (Dinges, 2012).

The new constitution that Pinochet issued at least had some provisions addressing human rights. Pinochet was forced to dissolve DINA. He reformed it as National Information Center however. Civil society organized, and Pinochet was eventually pressured into having a referendum in 1988. He was confident of retaining power, but it did not work out in his favor as 57% of Chileans voted him out. Pinochet finally held the plebiscite after rewriting the constitution in his favor. He had granted himself amnesty however. Communist party operatives returned to Chile as more civil opposition emerged and there were protests in the early 80s. Even so, Pinochet remained in control during the transition. It is interesting that only 57% voted him out given his human rights record. Pinochet still had the support of "Pinochetistas" in the military, and others believed that he was a stabilizing force. Pinochet was a controversial figure, whom many Chileans supported for various reasons. Many top Condor officials, who had been responsible for torture and extermination camps, were retired with full honors, and Pinochet himself was hailed for bringing order and economic prosperity. When Patricio Aylwin became president in March 1990 there remained restrictions on democratic rule (Dinges, 2012). Though Pinochet had prevented conflict between factions, his repressive and violent tactics could not hold the country together indefinitely because the opposition had resurfaced in the form of a people's vote. At the same time, Chile was still deeply divided and stability required robust democratic institutions for peaceful dialogue between opposing voices.

When Pinochet traveled to London, with his wife Lucia, and among other things, had tea with Margaret Thatcher, human rights groups such as Amnesty International were actively protesting in the area. Judge Baltasar Garzon had previously investigated the Argentine

involvement in Operation Condor, and Garcés filed a criminal complaint accusing Pinochet in Garzon's case. They added 34 cases to strengthen the case for extradition. Scotland Yard wouldn't move to detain Pinochet until Garzon wrote up the arrest warrant for Pinochet, who was in hospital, preventing him from taking a flight early the next morning. Pinochet was arrested in a London hotel room and a Spanish court sought to try him under universal jurisdiction for crimes against Spanish citizens (those who had been in Chile at the time of his rule) (Dinges, 2012). What had begun as a political and cultural shift away from Pinochet by way of the plebiscite and the instatement of President Aylwin was now also a change in international norms.

Joan Garcés was one of Allende's closest confidants, and he had left the presidential palace on 9/11 at Allende's request because "someone has to recount what happened here and only you can do it." He helped initiate the case against Pinochet in Spain. Dinges seems to suggest the Cold War was an obstacle in human rights cases because of the focus on anti-communism took precedence for the U.S. Garcés collaborated with people in Washington who opposed the dictatorship, including Saul Landau, a fellow at the Institute for Policy Studies, a moderate left organization that opposed U.S. alliances with Latin American dictatorships. Those who had formerly been suppressed during the Cold War period were now getting involved in organizations and cultural demonstrations that functioned as mechanisms for increased democratic dialogue, and eventually laid the foundations for a transformation in international legal frameworks and Chilean government institutions, and even some changes in governments abroad, namely the U.S (Dinges, 2012).

The U.S. Department of Justice had conducted a limited investigation which had resulted in the conviction of several Chilean exiles who had aided in the Letelier assassination. DINA

officers, including Contreras, were indicted but not extradited until much later, when the dictatorship ended and Chile began its own investigations into Condor (Dinges, 2012).

Former Assistant U.S. Attorney E. Lawrence Barcella and lead FBI investigator Carter Cornick spoke with Garcés who announced his intention to pursue the case. The goal was to secure an order of arrest for Pinochet who would then not be able to travel abroad without the threat of arrest. The Spanish judge for the case was Garcia-Castellon, and he called for U.S. cooperation with the investigation based on the Mutual Legal Assistance Treaty. He especially sought out the CIA files on Condor (Dinges, 2012).

The U.S. did not move to reveal any information, but did not take any action to resist the trial either. With some help with Congressman John Conyers, they were able to convince the Justice Department to cooperate "to the extent required by law". The Spanish judge was then able to obtain the testimony from the Department of Justice investigation into the Letelier case. Garcés found evidence of over 3,000 cases of torture, killings, and disappearances (Dinges, 2012).

Pinochet had a degree of immunity as a head of state according to British law, though according to the Genocide Convention, he had none. Unfortunately, this principle of the Genocide Convention had not been translated into British law. Pinochet did not have diplomatic immunity as he was in London on a private visit. The warrant of arrest was for "the murder of Spanish citizens in Chile, within the jurisdiction of the government of Spain". When Pinochet was arrested, he replied with, "I'm a head of state, I'm a diplomat, I'm not a criminal or a terrorist. I know who is behind this- that communist Garcés" (Dinges, 2012). Pinochet still existed in the dimension wherein politics was about succeeding against the opponent, in his case, the communists, but the rest of the world was beginning to move on, to open up dialogue, and to



resist restraints on human rights which had been used so frequently to prevent dissent in the Cold War era. His administration's mode of repression ultimately failed to manage opposition because in any society there will exist some questioning or alternative opinions contrary to the regime's status quo, and if alternative lines of thinking are suppressed, they are likely to reemerge in some cultural or political context. The interesting thing about Chile is that voices that had been suppressed did not reemerge violently, in which case civil war would likely have erupted. Instead, the transition was delicate and fraught with perils. Shifts in cultural memory became politically salient gradually, perhaps in part because the repression of before had wiped out so much of the extreme opposition, or perhaps because the right's continued hold on power meant that the people proceeded cautiously. Perhaps it was the tension between the different factions in Chile and the history of democratic government prior to Pinochet that led to this caution. Years of political conflict between left and right extremes meant that people sought a stable democracy in order to contain political dramas and end prolonged violence. Further, the international relevance of Chilean politics, due to the involvements that foreign governments had in it during the Cold War, and the relatability of the Chilean instance to Western democratic systems, meant that international actors such as the U.N., and activists in the U.S., Spain, and the U.K. became interlocutors. This meant that there was further mediation and a more complex balancing of power dynamics which pacified the transition while illuminating the importance of pluralism and cooperation both within Chile and in the international community.

The "legal drama" as Dinges calls it, lasted sixteen months. The Convention on the Prevention and Punishment of Genocide had involved numerous countries signing on to a treaty that agreed to punish genocide in the states it had occurred or at an international tribunal, though the definition of both genocide and torture had been argued. The issue of jurisdiction was

therefore a complicated one. The British House of Lords as well as the Spanish court were involved. The House of Lords were conflicted, but eventually determined that Pinochet did not have immunity and therefore could be extradited. In particular, though a head of state might have immunity when it came to official acts, torture and the like could not be considered an official act. The House of Lords seemed responsive to the public opinion on the matter. The Spanish judge determined that there was jurisdiction for the case in Spain even though the human rights crimes occurred in Chile (Dinges, 2012).

However, the British government had the last word regarding extradition, and they decided to send him back to Chile in 2000 as he claimed ill health. The House of Lords eventually decided that Pinochet should not be extradited not because he was not responsible for his crimes, and not because universal jurisdiction did not apply- but out of pity for his health condition and old age. It was a politically influenced decision (Dinges, 2012).

When Pinochet was arrested, a coalition of centrist and leftist parties, including Allende's former party, were in charge, and yet, they protested against the violation of state sovereignty. Pinochet was returned to Chile as people continued to protest and file cases against him. Pinochet was served with a warrant from INTERPOL. He was detained for six months, kept under house arrest but then released on "humanitarian grounds". The Chilean courts did pursue prosecution but then ruled that due to age-related dementia, he would not be put to trial. He was kept under house arrest on and off and release from jail numerous times due to bail or ill health. Pinochet's parliamentary immunity and title of senator were removed. Though Pinochet was never extradited to Spain or even sentenced, the case against him empowered human rights groups and opened up the discussion on the crimes of the past. Hundreds of charges had been

filed against him including for torture and killings, as well as tax fraud and embezzlement. He died in 2006 (Dinges, 2012).

## **Chapter II: Effects on the Mind**

### **Section I: Psychological and Philosophical Models**

In order to establish some means of analyzing the transitional period from 1989 until 1998, it is important to consider the manner by which the human mind copes with transition, and more specifically, deals with trauma and the shifts of national identity that occur. By outlining philosophical and psychological models of this, we may investigate how the individual transitions and connect this to the issue of collective memory in the instance of post-Pinochet Chile. To begin, I will consider some theories that are meant to better understand the conditions under which mass violence occurs in order to understand how society can transition from those conditions. I consider how it is that evil becomes systematized in a society according to cognitive scientists and how it becomes part of the political framework according to philosophers. I attempt to understand how these are socially linked and also how this relates to memory on an individual and then collective level. Afterwards I consider how treatments for trauma can be realized through social mobilization.

In his article on what he names “the human domain”, Sands writes of the importance of evaluating behavior in understanding conflicts: ‘the defining variables of the human domain critical to the management of it are behavioral and based on constructs such as worldviews and underlying cultural lattices of belief systems and values of the actors (including military and/or intelligence personnel); in other words, these underlying cultural systems greatly influence the behavior that is observable in the human domain’ (Sands, 2013). It will be a useful analysis to

determine 'the human domain' within the political, thereby deepening our understanding of how transition occurred in Chile- and how it became politically salient. However, given that many of these studies and theories are not specific to Chile, the application of these ideas is limited but still fruitful, as the Chilean case is particular but not dissimilar to other histories, and psychology and philosophy are meant to encapsulate some universal aspects of human nature. I might mention here that these psychological and philosophical models are generalizable but limited and therefore not absolute. The psychological experiments mentioned generally occurred in clinical settings with trauma survivors, though the traumas they suffered were not on the scale of human rights violations like in Chile, there is limited application for the findings of the effects of trauma on the brain more generally. The philosophical models are also constrained by the contexts that the philosophers were observing, but their observations on mass violence and memory in society remain useful in a broader sense.

Historically, philosophers have had various perspectives on how it is that mass violence occurs. In the previous section, I attributed much of the violence in Chile to political polarization which led to harsh repression when Pinochet came into power. They feared any uprising from the opposition so they acted brutally even when none emerged. There are many political philosophers who have commented on what leads to violence, and their observations have frequently been applied to human rights conflicts. Reicher, Spears, and Haslam cite Hannah Arendt's observation that 'the problem of evil will be the fundamental question of post-war intellectual life in Europe' (Reicher, Spears, and Haslam, 2010). This question has been a universal one in human rights, psychology, and philosophy. Though Nazi Germany is often cited as a pivotal moment for persecuting crimes under international rather than national law, human rights history has expounded upon this exploration by investigating the wrongs of conflicts in

South Africa, Serbia-Bosnia, Chile, and many other cases. The question is as old as human life itself, and in its many iterations, one must use a careful eye to discern the particulars of each case as well as the profundity of the question itself: is mass violence of this type instituted by malevolent, aggressive, perhaps even “evil” individuals or does it stem from something else? In Sherif's 'boys camp studies' between 1949 and 1954, it was shown how intergroup relations can be manipulated to induce extreme hostility (Sherif, et al., 1954-1961). When divided into social groups, people begin to develop ties with others in their group while developing hostility towards those in the other group. Meanwhile, Hannah Arendt discussed the “banality of evil”. She wrote of how evil becomes banal because it is systematized. That is, people begin to adhere to group norms and follow orders even when these are morally repugnant (Arendt, 1994).

In psychology, the social identity theory and self-categorization theory comprise the social identity approach, which refers to the field that concerns how people define themselves as members of a social group. This construct is based on the following assumptions. First, social identity is understood to be relative to one's social group. Reicher, Spears, and Haslam stress the importance of this relativism in terms of similarities and differences that one might imagine when comparing oneself to others (Reicher, Spears, & Haslam, 2012). However, I wonder if this is too binary an approach, as often one might begin to reimagine oneself in terms of the relationships that one experiences with others in a social group rather than merely comparing oneself to the others. According to social identity theory, in Chile after Pinochet, former victims and perpetrators began to think of themselves according to their relationships with one another, which becomes important because through these relationships, they continued to take on the same roles as before until society began to reorganize, and people began to take on different roles. Then, social identity can become grounds for shared social action, such as after the regime,

when people began to mobilize and create human rights groups. The third construct that Reicher, Spears, and Haslam discuss relates to this- they acknowledge that social identity is affected by collective history (Haslam, 2010). That is to say, the social landscape of Chile at the time prior to, during, and after Pinochet's ascension into power provided a context to the key actors in Operation Condor. The perpetrators, survivors, relatives, and witnesses took on different social identities based on this context as well as the social groups that they identified and engaged in social action with. Reicher, Spears, and Haslam also warn against overuse of social identity theory- in some cases, they write, the construct becomes overused and other factors, such as politics, are not adequately considered (Haslam, 2010). I wonder however, if social identity is not embedded in politics. A theory in psychology as generalized as social identity could be applied most anywhere, but this being said, the constructs of such a theory always imply limitations. Therefore, one must weigh the effectiveness of social theories within this context. Social identity theory is useful in explaining the divisions between groups and how groups solidify, but it does not explain how these groups began to transform during the period of transition. I think it is important to consider how people begin to reconsider these relationships for themselves after witnessing the violence that occurred when groups were extremely polarized. Though the transition involved forming new groups centered around the process of recovery and political action, nonprofits and church groups for instance, new groups only solidified after people began to rework their identities and reconsider the factions of the past. Though social identity theory offers a glimpse into why these groupings of victims and perpetrators are so persistent, it does not account for how these groups began to fall apart as people began to reconsider and transition.

Further studies in the 1960s were conducted to determine the conditions as might produce such malevolence. It was concluded that social identity is at the root of these behaviors because people identify with the norms of the group they are in and alienate those who are outside of that group. Reicher, Spears, and Haslam discuss this at length, suggesting that 'social identity provides a conduit through which society inhabits the subject.' Social identities encompass not only self-perception but also self-worth and emotional meaning through differentiation and shared traits with the group. However, I think it is more complex than self-categorization (Haslam, 2016). Emerson's definition of national identity suggests that a nation is merely a body of people who think they are a nation (Emerson, 1960). This would correspond with violence in Chile being related to factionalization and eventually polarization as those of different political beliefs organized into extremist groups that committed violent acts against one another.

In his book, "The Nervous System", Taussig writes of how the social system is like a nervous system insofar as it is reactionary- highly responsive, then, to terror and repression. He thinks that political institutions are masks for the social group which is made up of humans, and is thus, biological- but in a natural rather than clinical sense. He thinks the structures of society as we understand them are not as real as the human element (Taussig, 1992). I would imagine that the reality is that the human element is what forms the political, through social groups. In the Chilean case, those who were victimized by the regime, and were rendered powerless by being enemies of the dominant group.

Within Chile, groups remained divided between the right-wing military leaders who had once held power, and the those who had been victimized by them, including the left. The armed forces 'left behind profoundly divided societies.. deep fissures separated the armed forces and the

groups that had supported their rule from the individuals and groups who had suffered the wrath of state terrorism and who were backed by human rights movements that had been formed during the period of repression' (Wright, 2007). This was problematic because it means that the in-groups and out-groups of the past remained fixed. And the military continued to be a powerful, threatening presence in Chile. Reparations and truth investigations were limited. However, during the transitional period, regrouping began to occur as nonprofits began to initiate a dialogue around issues of the past, which was necessarily inclusive because victims were forced to interact with their torturers and murderers who had been granted amnesty. Though this was limited by impunity and issue fatigue, the opening of the discussion at least required that former perpetrator-victim relationships be cast in a new light and the former group divisions addressed as victims were empowered in political settings, including but not limited to trial settings.

When the conflict became asymmetrical due to Pinochet's ruthless extermination of leftists, social identity theory also explains how it is that the intragroup mentality within the right-wing government condoned violence. Social identity theorists have considered how social identity operates in national contexts. Thus, when considering the transition after violence, it is important to consider how behavioral changes might alter national identity. When national identity or security are threatened, there are often greater human rights violations as the regime pursues repressive tactics to "control" a segment of the population- those who are different or considered a political threat. National security and antiterrorism can become a means of justifying human rights violations, particularly in times of political instability. Further, if there is a culture of impunity, wrongs may be committed without fear of repercussion, and perpetrators may commit further crimes to ensure continued secrecy.



As demonstrated by the infamous Zimbardo prison experiment and Milgram's shock experiments, there is psychological evidence that corresponds with the thinking of philosophers like Arendt that demonstrate that in-group relationships and roles have a significant impact on the likelihood of human beings to perpetrate violence. An in-group relationship is with someone of the same group, while someone of an out-group is someone outside of one's own group. In his book, "Humanity: A Moral History of the Twentieth Century", Jonathan Glover writes about how he believes that war involves overcoming a moral revulsion to killing, which is overcome more easily when the enemy is dehumanized. Glover notes that often commanders have to attempt to repress the moral convictions of their men (Glover, 2000). However, according to Milgram and Zimbardo's famous experiments, atrocity does not arise from just obedience, but a willingness to participate in harming others. In the Milgram experiment, it was shown that people will electric shock others if ordered to do so (Milgram, 1963). In Zimbardo's prison experiment, it was shown that people will act antagonistically towards those they perceive as prisoners even if the prison was not a real prison, but rather, an experiment (Zimbardo, 1971). Haslam writes that 'People harm outgroups when they identify with a virtuous ingroup cause'. This observation was corroborated with historical evidence of Nazis. In Zimbardo's prison experiment, prisoners and guards were assigned arbitrarily from a group of subjects but began to take on these roles seriously. The guards treated the prisoners in dehumanizing ways. One subject said:

"I knew it was an experiment but it honestly felt like a real jail. We prisoners quickly struck up a friendship and turned it into a them-and-us situation. We used to whistle to annoy the guards and when we were talking to them we'd look over their left ear, which always put them off slightly. They were stupid little things, but we felt it united us against them (Murfitt, 2002)."

In-group, out-group judgments are important psychologically as people assign varying degrees of humanity accordingly. After violence occurs, in instances of transition, psychologists have determined that the same in-group and out-group relationships continue to have an effect on national identity. Haslam writes that 'powerlessness and the failure of groups that makes tyranny psychologically acceptable' (Haslam, 2004). Studies by Reicher, Levine, and others emphasize how in-groups and out-groups function to create environments where violence and dehumanization of the "other" is legitimized (Levine, M., Prosser, A., Evans, D. & Reicher, S. D., 2005). This is what happened when Pinochet's government, especially DINA, committed human rights crimes. In particular, the strength of disappearing people reinforced the powerlessness of those affected by breaking apart communities so people could not organize against the secret police.

On the other hand, a study by Drury and Reicher reveals how collective action can be empowering for individuals and lead to greater future engagement (Drury, J. & Reicher, S. D., 2001). According to a study by Tim Wildschut and others, members of an in-group who experience nostalgia together are more likely to approach members of that in-group compared to when they experienced something nostalgic on their own or had a lucky experience with others, or were with others who had no recall of an event. There was also greater likelihood that people experiencing a nostalgic event with others will behaviorally support them as compared to when they experience an ordinary event with them. Further, people may be more willing to punish a transgression when social identification with other ingroup members was high. High group self-esteem also had an effect. The public disappearances of neighbors and community members represented changes in the fabric of society, wherein people assumed roles in a hostile environment as either victims, perpetrators, protesters, or complicit observers. Many torturers

have not been convicted and live in the same neighborhoods as their former victims. Thus, the same group relationships continue to have an effect on cultural memory. Nostalgia fosters social identity and therefore politicizes spaces (Wildschut, Tim, et al., 2006). Thus, it becomes important for the transitioning society to alter past group relationships in order to form new groups and end the divisions that persist due to past notions of national identity. This is evident from how group dynamics changed during and after the Pinochet era. The political organization and cultural collective action after the Pinochet dictatorship, including the Truth and Reconciliation Commission, reflect changes in group dynamics as new groups began to form around different perspectives on the past.

In past studies, it has been shown that patriots who glorified a nationalist war suffer from less guilt than those who criticized it but still identified with the group. I wonder, however, if it was more complex. In a study by Reicher and others it was shown that in other cases, critics, regardless of their attachment to the group, are alienated. They concluded that a nation's tendency to marginalize critics is variable and based on sociopolitical factors such as '(1) a monolithic construction of the nation, which sacralizes particular elements and places them beyond discussion, and (2) a construction of the international context as too threatening to permit any dissent' (Reicher, 2004). Thus, social identity theory is more applicable in contexts where people are alienated if they do not conform to a political standpoint. I imagine then, that socio-political environments wherein people feel more insecure about themselves especially in relation to others, are more susceptible to in-group, out-group mentalities wherein extreme violence between factions becomes more likely. The factionalization and class division in Chile prior and during the Pinochet years was an example of this, and it carries repercussions for how people began to transform these groups and their self identification in the wake of conflict- through the

process of remembering, which- to an extent- liberated people from the former group identifications of victim and perpetrator, leftist and Pinochetista, poor and rich, and resulted in the reformation of social and political groups and identities as reflected in non-profit organization, cultural reinvention, and political change.

## **Section II: Memory Problem**

Halbwachs wrote of how social memory is a collective process linked to collective identity- given that memory shapes identity and is shaped by relationships with oneself and others. Narratives of the past are defining to who we are in relation to social groups (Halbwachs, 1992). Forming these narratives becomes cultural as well as psychological, and in Chile, the body, and the social body in particular became representative of the symbols of the past.

Social epistemology offers various models by which to consider how social divisions impact the politics of Chile- and offers an important connection to the memory problem. Social epistemology is the study of how social relationships impact knowing. A primary way that this occurs is through the testimony of others, which requires some justification through independent observation. However, the independent observation that people do to confirm what they have been told by others is often insufficient to really offer proof, which is one reason why social knowing may be inaccurate. Tyler Borge writes that '[A] person is entitled to accept as true something that is presented as true and that is intelligible to him, unless there are stronger reasons not to do so' (Goldman, Alvin, & Blanchard, 2001). Another aspect of social epistemology is that when people disagree on something, they often disagree on a number of things because they have underlying differences in thought. Also, of course there are limitations

to what people believe due to social testimony, as many form independent judgments that are justifiable and chose to disagree with social testimony. At the same time, others suggest that even scientific knowledge is heavily influenced by social norms. The relationship of social epistemology to governance is particularly important to this investigation. According to the Stanford Encyclopedia of Philosophy, 'In political matters, group deliberation can be seen as occupying a stage prior to that of voting, a stage at which voters form their personal opinions by conversing or otherwise exchanging perspectives and arguments with other voters. This is thought by many theorists to be of fundamental importance to democracy.' This can lead to inaccurate mass conclusions, and this is problematic for democracies both for policy decisions and especially in legal systems (Goldman, Alvin, & Blanchard, 2001). Elizabeth Anderson discusses the moral issues with social epistemology: 'it is extraordinarily difficult for social groups that exercise unaccountable power over other groups to distinguish what they want subordinate groups to do for them from what those groups are obligated to do.' Miranda Fricker also discusses how social understandings may lack truth because people may not be granted credibility- notably in cases where victims' testimonies are not heard (Goldman, Alvin, & Blanchard, 2001). Haddock, Miller, and Pritchard are particularly concerned with how silence impacts testimony, as truths that are not spoken in social contexts may be overlooked. Alvin Goldman considers "systems-related epistemology" which is a consideration of how communities form knowledge. This was problematic in Chile because the different factions in Chilean society reinforced separate versions of remembering the past (Goldman, Alvin, & Blanchard, 2001). During the period of transition, people attempted to create dialogue between these factions both through increased freedoms of speech which naturally allowed for this to occur, and in more formal settings like the truth commission and Pinochet's trial.

Stern contends that Chile was held in a very particular space in the very transitional years between the plebiscite in 1988 and the arrest of Pinochet in 1998. He writes that the impasse occurred between 'memory politics', which were 'intractable and debilitating' and the fact that the past 'could not really be buried in oblivion' given that 'memory of horror and rupture proved so unforgettable'. The intractable nature of memory politics is largely due to the instability that could ensue. Even following the plebiscite, Pinochet and the right wing military remained powerful- enough even to grant themselves impunity: 'Touch only one of my men, and forget about the rule of law', Pinochet said in 1989. In "Between Vengeance and Forgiveness", Minow writes that the goal of the perpetrators was to destroy even remembrance of the victims. Minow believes that all attempts at responding to these atrocities are inadequate but that it is important to never forget- because to her, that is an affirmation of collective violence and therefore, unacceptable. There are two reasons, Minow writes, for why her conclusions on the matter will remain inadequate: first, each situation varies by context, and second, see above: there are 'no words' for the horrors committed by humanity. On the other hand, the memory question remained intractable, or perhaps a better word would be unanswerable, because there was really no what does healing mean to the dead anyway? Minow quotes psychiatrist Dori Laub, who writes, 'You build your life around something that cannot be healed,.. something for which there are no words. Andrea Barnes writes that 'The problem is that in our efforts to make this event "logical", we must maintain our role as victim (i.e., there was some reason why this terrible event was supposed to happen).' Minow believes that therapy is a 'process of reinterpretation' (Minow, 1998). Minow believes that there is a need for cultural and political transformation to ensure that the wrongs are processed holistically, and that change occurs at a societal level. Though this

makes sense, Minow was a third-party researcher who developed her opinions without a first-hand understanding of what such a transformation would look like in Chile.

Thus, the memory question becomes- how did different factions in Chile remember the past differently and how did these memories become somewhat integrated during the period of transition? There are different models by which cognitive scientists and philosophers believe that people process memory. Some take the position that it can be harmful to "live in the past" or "enshrine grievances"- and that amnesia and amnesty can be useful to stability. But others see remembering as necessary to healing and to ensuring that history changes course for the better. Others suggest that memory is an ethical need, in order to honor those who have suffered or passed on. And also of course memory is a political tool. Methods by which societies attempt to restore "normality" or respond to the past, including: 1. public memory, art, and cultural responses, 2. formal commissions and the naming of names 3. reparations, financial assistance, & mental health, 4. legal persecutions & retribution, 5. amnesty or immunity from charges (sometimes in an attempt to hear confessions from perpetrators) (Minow, 1998). Some of these perspectives and methods will be explored in the following section.

### **Section III: Trauma**

In order to consider how the transition occurs from traumas of the past, one is forced to consider those things for which there are no words. DINA, the perpetrators of these crimes against humanity, operated out of a nightclub called Villa Grimaldi. Diaz Gladys, who was kept in Villa Grimaldi the longest said, "The ways that one finds to defend oneself are unlimited. I sometimes dreamed about beautiful things.." She believed that the worst part of the torture was not the pain

itself but witnessing the brutality that humans are capable of. She knew her torturers' identities and saw them after the end of the dictatorship (Dinges, 2012). How were people who had been so profoundly divided, those who had tortured and killed and those who had been victimized, able to process their memories of what had happened to the extent that they were able to live together in a democratic society?

A first-hand account of political internment is related in "Predatory States" by McSherry. The narrator describes being abducted by the political police in the fall of 1974 in Paraguay. Although the police were working on the orders of the Paraguayan dictator, Alfredo Stroessner, the tribunal had forces from Argentina, Brazil, Bolivia, Chile, and Uruguay. He was questioned and tortured because he had been affiliated with a Chilean university and had studied education science. His wife was forced to listen to his torture over a telephone and the psychologically torture eventually resulted in her heart attack. The narrator was taken to various police stations and then a concentration camp known as Emboscada. Needless to say, victims and their friends and family members underwent intense trauma and loss (McSherry, 2002).

Within Chile and throughout Latin America, agents of Operation Condor kidnapped people without warning, and their relatives and friends never heard what happened to them. One source mentions a young doctor who disappeared on his way to work and his wife and children waited for his return for years and years. There was an atmosphere of terror during the time of the disappearances. Everyone knew that people were being killed, but they did not know how many. Sometimes, people were taken in broad daylight and the government did not admit to the abduction nor notify anyone as to where the person was taken or what had happened to them. There were thousands disappeared, and many bodies uncovered in unmarked plots, abandoned mines and wells, but many were never found. According to cognitive scientists and philosophers,



there are various ways that people experience trauma. Understanding the manner by which trauma is experienced is helpful for understanding how trauma can be treated. Collective memory began to shift in Chile because of how people processed traumas (McSherry, 2002).

Arrigo, Maria and Pezdek discuss how people who experience trauma often have difficulty retrieving those memories for a period of time, which is known as memory repression or psychogenic amnesia. They attribute the memory deficit to the psychological stressors of trauma rather than structural brain damage, though this can eventually occur. They showed that traumatic stress is linked to a deficit in associative episodic memory, which means that related memories are influenced by stress induced by the traumatic event. They note that there is a more general link between memory disturbance and emotional trauma. Some examples of memory disturbance include misperceptions, hallucinations, and of course amnesia, as well as depersonalization, derealization, intrusive thoughts, magical fantasies and strange dreams, as well as troubling emotions related to the event (Arrigo, Maria, and Pezdek, 1997). Chileans who underwent traumatic experiences due to the violence committed by DINA likely experienced emotional trauma in these ways.

They also probably continued to experience emotional trauma through ongoing symptoms when considering these past events. People with Acute Stress Disorder (ASD) often develop the condition as a result of a maladaptive stress response following traumatic life events. Most patients with ASD have deficits in their associative memory for emotionally neutral material (Streb, 2016). When ASD symptoms were resolved over a period of ten weeks, patients' associative recognition of verbal stimuli improved, but their recognition of visual stimuli did not change. They hypothesize that this is because visual stimuli are more directly meaningful or perhaps more directly felt by the body and thus not so easily influenced by cognitive alterations,

specifically the cognitive changes that occur when accessing and then disengaging from memories selectively (Ehlers, Anke, and Steil, 1995). Overall, the study examines the idea that maladaptive stress responses affect associative memory and may result in memory deficits. Thus, Chileans who were victims of torture and other ordeals during this period probably had trouble remembering those traumatic experiences and yet continued to experience emotional stress as a result of those memories (Mecklinger et al., 2016).

There are various aspects of trauma that affect how it is recalled. Traumatic experiences would often be remembered as flashbulb memories, which are defined as memories that are autobiographical, vivid, and shocking. In a study by Talarico and Rubin, it was shown that though people believe that flashbulb memories are more accurate than everyday memories, the accuracy of the memories decline over time in the same fashion (Talarico & Rubin, 2004). Meanwhile, Blix and Brennen examine how emotion can influence memory retrieval and they discovered that people who have suffered from trauma are often able to selectively remember emotionally neutral material but not emotionally sensitive material. The retrieval of traumatic memories also impairs the retrieval of related memories. They also demonstrated that related memories compete with one another but unrelated memories do not. For instance, retrieving memories related to fruit may cause other memories related to fruit to be suppressed but likely would not have an impact on memories related to furniture (Brennen, et al., 2004). In the time after Pinochet, Chileans likely had difficulty recalling memories that related to their traumatic experiences and may not remember them accurately even if they do think they recall them accurately.

A cognitive approach to reckoning with trauma impairments involves the use of the retrieval practice paradigm. Retrieval-induced forgetting involves changing the original memory

through the process of retrieving it. The simplest example of this, I think, is the one referenced by Barber and Mather, which is when one memory essentially inhibits another through what is called the retrieval practice paradigm. This is because in the process of remembering, one retrieves certain details over and over- these are the ones which become ingrained in the memory, while those details that are not consistently recalled may be left out. I imagine that this paradigm of selective memory retrieval could be expanded somewhat. People may not only strengthen the associations that they have formed of memories through recall- they might also somehow characterize them so that certain emotions are formed surrounding the memory. That is, various emotions may color those memories and cause people to emphasize certain details (Barber and Mather, 2018). In this sense, I hypothesize that memories might become qualified by how they are retrieved- and that this process may be more complex than just having some memories "stick" and others not. In another study, Anderson suggests that forgetting is not passive at all but that memories are overridden using cognitive control (Anderson, 2003), which suggests that processing and forgetting can indeed achieve a purpose. This means that Chileans who suffered from trauma might have had difficulty expressing what they had gone through even in the period of transition, and they might stick to narratives that are not necessarily accurate while forgetting details that could support other versions of events.

Cognitive scientists analyzed how a negative memory can affect associated memories by strengthening negative associations and weakening positive ones (Barber and Mather, 2018). This occurs through amygdala up-modulation and the down-modulation of hippocampal contextual binding. That is, synapses in the hippocampus related to those memories are strengthened in relation to signals from the amygdala. The stress system responses enhance emotional memories, sensitization, and fear conditioning. Stress can cause dysfunction in the

hippocampus, which can hinder declarative memory processing (declarative memories are those that are consciously, intentionally recalled, and include memories of facts and events). It can also lead to deficits in the medial prefrontal cortex, which usually can inhibit the amygdala. Inhibition is when memories are overridden through cognitive control, and therefore, not retrieved. Given the amygdala's role in emotion, lack of inhibition can increase the emotional intensity of these memories. These two hindrances combined result in emotional reactions coupled with memory problems when attempting to recall the emotional event (Barber and Mather, 2018). This could result in increased differences in memory processing and greater division between victim and perpetrator groups because of the increased intensity of emotional reactions

Previous studies have shown that there is a relationship between memory control and emotional control (Ortner, 2013; Depue, Payne, and Marx 2007). Emotional suppression is related to reduced activity in the right hippocampus and in the connections between the hippocampus and the right dorsolateral prefrontal cortex, evidence of a link between emotional suppression and memory suppression (Depue, Payne, and Marx 2007). Depue also found a neural link between emotional and memory control, which could be important for people who try to overcome trauma through processing or accepting emotional experiences. He discovered that the right inferior temporal gyrus supports sensory aspects of memory while the right medial frontal gyrus deals with multimodal and emotional components of memory in the hippocampus and amygdala, which are affected by activity in the prefrontal regions (2007). Amygdala activation has been shown to be important to memory recall of emotionally sensitive material through brain imaging (Canli, 2000). In a study by Cahill, it was shown that the amygdala influences other regions important to memory-storage processes in the hippocampus, striatum and neocortex (Cahill, 1998). In particular, stress hormones and the amygdaloid complex are

important to modulating key memory consolidation for emotional events. Further, they discovered that trauma history led to overgeneral memory, associated with depression (Cahill, 1998). Again, this shows that victims of violence in Chile might have increased intensity of emotional reactions.

Meanwhile, Bomyea and Lang investigated the link between post-traumatic stress disorder (PTSD) and cognitive regulation in regards to coping with intrusive thoughts. They showed that participants' cognitive regulation ability was the primary determinant in preventing intrusive thoughts, especially so if they had originally had good cognitive regulation skills. It also means that Chileans' ability to cope with trauma differed on a case by case basis according to cognitive regulation ability (Bomyea, 2016). Bottoms and others determined that there are vast individual differences in how prone people are to trauma and whether they report forgetting of severe abuse (Bottoms, 2012). However, the fact that Chileans likely had difficulty expressing their traumas and also responded to them differently on an individual basis means that it probably would have been hard for society as a whole to represent those traumas and discuss them.

Garcia-Bajos and Migueles examined how selective retrieval differs based on how often an everyday event recalled occurs. Events that occur less typically are more likely to be selected for retrieval in a manner that results in the suppression of other low-typicality actions. On the other hand, events that occur more typically are less likely to be selected for in a manner that results in the suppression of other low or high typicality actions (Garcia-Bajos & Migueles, 2007). Geraerts and others determined that people are more likely to overestimate their ability to forget memories from when they were in the same emotional frame of mind. That is, they are more likely to remember memories from when they were in the same emotional frame of mind

than they think they would be. They were more prone to this overestimation when they had recovered long forgotten memories rather than ones that they recalled continuously (Geraerts & McNally, 2008). Thus, Chileans attempting to come to terms with experiences such as torture might not be able to recall as clearly as they think they are. Based on these models, those who survived violence during the Condor years would likely have emotional and memory disturbances which could result in greater difficulty overcoming traumas and a greater tendency to have different narratives than others. This could result in greater social stagnation and polarization in Chilean society. However, it is clear that some of these issues were overcome in years of transition after Pinochet. In the next section, I will explore some models of treating trauma in order to consider how these psychological obstacles were- to some extent- alleviated.

#### **Section IV: Treatment**

When a memory is stored, it goes through a consolidation process, when it is retrieved, it undergoes a reconsolidation process. Quirk and Milad suggest that people suffering from trauma extinguish memories during the period of reconsolidation (Quirk and Milad, 2002). Holmes and others conducted a study in which they established that non-invasive cognitive intervention strategies can be useful for coping with trauma, especially immediately after the traumatic event. There is some disagreement about how memory should be processed or reconsolidated in treatment settings. Some studies demonstrate that suppression may be more helpful while others show that "working through" memories and accepting them is more helpful (Holmes, 2012). The reality is that during the Pinochet regime, people were not able to express what was happening to them, and it is likely that most people tended to repress rather than "work through" traumas.

Most people continued to live in an atmosphere of fear and violence and therefore would not have felt safe expressing the traumas that they were going through or had gone through.

Further, not only did Chileans experience trauma directly due to the disappearances, they were also forced to suppress memories due to the repressive dictatorship. Another study explored the retrieval strategy disruption hypothesis that is based on the idea that collective memory is inferior due to collaborative inhibition. That is to say, when discussing memories, groups select particular ones while inhibiting the retrieval of others. This effect occurs more in larger groups, when material was uncategorized, and when discussion was freely ordered and free-flowing, and when group members didn't know one another. According to another study, group collaboration affects individuals' recall performance by enhancing those memories discussed by the group and filtering out others (Reicher, 2010). In dictatorships, people collaboratively inhibit their memories due to political repression. But in the period of transition, people began to express their memories, through political organizations intended to bring perpetrators to justice and honor victims, and through increased cultural expression brought on by increased freedom of speech. Though their memories were likely inhibited even during the transitional years, Chileans might have formed closer ties with one another and processed memories more categorically through democratic channels, which would have reduced inhibitory effects (Reicher, 2010).

Though Dunn, Billotti, Murphy, and Dalgleish discovered that memory suppression can lead to successful down-regulation of emotion and memory, this contradicts many of the previous studies and clinical literature. Hulbert and others explore how the intention to suppress a particular memory may have farther reaching consequences based on the functional modulations that occur within the hippocampal memory system that can affect recall of unrelated events. Recalling unrelated events can be useful to forgetting, while the trauma that is forgotten

may cause general memory deficits unrelated to the forgotten material- an amnesic shadow. In short, neurocognitive strategies are highly influential to memory modulation. Thus, even if memory suppression works, it may cause long-lasting damage due to forgetting related memories (Dalgleish 2008; 2015).

However, Dalgleish, Hauer, and Kuyken determined that when people try to suppress trauma they often recall it even more, and access related negative memories more strongly as well. Meanwhile, they do not remember other aspects of their personal past as clearly. Thus, it is often more effective for trauma survivors to engage with distressing memories rather than suppressing them (Dalgleish 2008; 2015). DePrince and Freyd discovered that people who have suffered trauma often continue to disassociate and keep threatening information out of their awareness (DePrince et al., 2004). Depue, Banich, and Curran discovered that cognitive control of memories was based on emotional content. That is, when confronted with negative material, individuals demonstrated greater selective recall ability (Depue, 2006). Steil wrote a paper discussing how safety behaviors may perpetuate intrusive recollections long after trauma has occurred (Steil, 1995). These safety behaviors include disassociation, rumination, suppression, selective information processing, and suppression of anything related to the traumatic event. In another study, Stone discovered that silences that are intended to promote forgetting or more likely to do so than unintentional silences. This further demonstrates some of the problems associated with suppressing traumas that likely occurred during the Pinochet years. People likely suffered from memory problems and emotional issues as a result of suppressing their memories during this period. In the period of transition, it was important that people began to process their memories, on an individual basis but also through democratic organization and cultural expression.



Arruti discusses how 'certainly practice (in this case frequent re-evocation) keeps memorize fresh and alive in the same manner in which the muscle often used remain efficient, but it is also true that a memory evoked too often, and expressed in the effort of a party tends to become fixed in a stereotype, in a form tested by experience, crystallized, perfect, adorned, installing itself in the place of the ram memory and growing at its expense', as Levi writes (Arruti, 2007). In clinical practice, acceptance involves processing the emotions that the memory elicits and allowing the memory to pass through the subject's mind, as exemplified in Acceptance and Commitment Therapy and Re-exposure Therapy (Jaycox, 1998; Baer, 2006). If the acceptance strategy can be learned successfully, the subject will no longer have an adverse reaction to the memory, if they are able to recall it at all. Minow believes that therapy is a 'process of reinterpretation' (Minow, 1998).

Dalgleish determined that memory suppression can exacerbate the emotional consequences of trauma (2015). As noted above, mindfulness towards feared or avoided memories has been a strategy advocated by clinicians who practice Acceptance and Commitment Therapy and Re-exposure Therapy (Jaycox, 1998; Baer, 2006). Generally, individuals who have experienced trauma are encouraged to overcome their negative emotions towards these memories by exposing themselves to these memories and then confronting the related emotions in a safe and mindful way, typically with the help of a mental health professional. In a study by Dunn, it was shown that processing traumatic events by developing accepting responses rather than through emotional suppression has an effect on whether trauma continues to have negative impacts on the sufferer (2009). This means that accepting the traumas of the past through discussion of them can be useful for trauma victims. In the Chilean case, it is likely that trauma

survivors benefited from increased freedoms of speech after the Pinochet regime as they found different ways of attempting to express themselves and come to terms with what happened.

Perhaps acceptance or suppression strategies are only useful because of the emotions and cognitive strategies that they rely on. Guthrie and Bryant demonstrated that cognitive strategies and social control can be useful to managing and resolving traumatic memories. However, anxious thought patterns are often associated with dysfunctional avoidant control strategies. Perhaps these strategies are most useful when positive emotions and directed cognitive control is used. In sum, good memory control is important for trauma survivors so that they can suppress unwanted memories, and poor retrieval skills were linked to recurrence of traumatic memories (Streb, 2016; Catarino, 2015). If this is the case, Chileans did best by intentionally processing their memories of the past in a directed and positive fashion, which was possible through political organization and cultural expression during the period of transition.

Positive remembering, or nostalgia, has been shown to buffer existential threats. In a series of three studies, it was shown first that those experiencing mortal salience had a more negative response to identity threat. Secondly, it was shown that individuals less prone to nostalgia have greater anxiety about death. One might imagine that trauma has the opposite effect. Therefore, it becomes all the more important in human rights settings to attend to the psychological obstacles that result from traumatic situations. Axmacher and others write of the constructivist memory concept which deals with how people construct their personal pasts in order to represent the self. They critique the idea that memory is a storage device and instead believe that memory is self-referential. Thus, when people suffer from trauma, this is not only the result of internal conflicts in response to the external traumas, but also demonstrates an inhibition in terms of integrating past occurrences into one's sense of self. This results in ongoing

repression and dissociation (Axmacher, 2010). This corresponds with Dahlstrom, Elpidorou, and Hopp's consideration of trauma through the lens of Heidegger's philosophy (Dahlstrom, 2016). They suggest that trauma is a fundamental attunement, a connection and perception of something that happened that ultimately changes the structure of ourselves. Ye, Ngan, and Hui present nostalgia as a way of using emotional recall to reconstruct memories, and as such it is associated with greater creativity (Ye, 2013). Thus, in the period of transition, people began to reconstruct not only their memories of the past but also the social, cultural, and political structure of their society.

Suleiman writes about contemporary philosophical theories surrounding trauma, specifically in cases of PTSD as arise in the aftermath of historical violence. Suleiman mentions the work of Judith Herman, who has written about trauma and described it as resulting from the mind's inability to process something horrific. Some theorists even believe that this causes some rupture of not only memory, but also the self. She calls trauma "a drama of survival" in moving beyond what happened and continuing to live despite, or in response to, past violence and death. She mentions that there are two distinct ways by which trauma is studied- empirically and clinically. Both, however, generally support the paradigm that resolving trauma requires processing what happened in a positive way in order to make meaning of what happened and reintegrate oneself emotionally (Suleiman, 2008) In the years after the Pinochet regime, it was likely was useful for survivors to attempt to engage in this process of self-reflection and meaning-making in political and cultural settings as well.

All of these aspects of memory processing are useful to the future not just in terms of creating the narratives of the past but also because the same skills are useful for imagining future events and being open to these. Curiosity about the future is eradicated by self-protective

behaviors that persist in response to past traumas. This further limits the world of the trauma sufferer and renders them more isolated in the space of memory. Campbell and others hypothesized that there might be parallels between remembering and imagining future events and they determined that related concepts are not inhibited by future imagining but are actually automatically primed (Campbell, 2017). Autobiographically significant concepts are more episodic (memories of events) than semantic (memories of ideas and concepts) so that these details can be flexibly incorporated in mental renderings of future events. That is to say, future imagining uses subjects' associations between autobiographical memories, which makes it similar to episodic memory. Another study shows that nostalgia helps buffer threatening cognitions about the self, as well as data that shows that nostalgia helps people self-actualize by seeking growth-promoting experiences. Baldwin integrates these two concepts by applying Fredrickson's broaden-and-built theory that individuals use positive emotions about themselves to seek growth-promoting experiences. Baldwin thus suggests that nostalgia-induced positive emotions promote growth-oriented behaviors (Baldwin, 2014). Thus, it became important for Chileans to process negative memories of the past in order to shape the future of Chilean society.

For instance, after Pinochet's arrest, people began to feel as though they could process their negative memories of the dictatorship, and even U.S. news publications reported the increased number of people who sought out mental health treatment:

“One group of torture victims said 500 people sought its help this year, three times as many as last year. A mental health program sponsored by several Christian churches reported that monthly demand had climbed from 60 patients a month before General Pinochet's arrest to 90, and was still rising. Of 300 torture victims interviewed for testimony by the Group of the Families of the Disappeared, for instance, at least 100 have sought or plan to seek therapy. In the

small agricultural center of Rancagua, 50 miles south of Santiago, newly organized torture victims recently held meetings with 3,000 people who were fired from their jobs for political reasons after the 1973 coup. They have identified 200 who suffer various physical and psychological problems from torture, and who have now said they are willing to give testimony and seek help for themselves. (Clifford, 2000).

### **Section V: Collective Memory**

Collective memory played an important role in Chile's cultural and political shifts after Pinochet as individuals began to reconstruct their memories, social identities, and thus, the relationships that form society itself (Stern, 2010). According to Coman, Manier, and Hirst, the social sharing of memories also has the same selective memory effect wherein people are more likely to recall the mentioned related material rather than the unmentioned related material. This is similar to retrieval-induced forgetting, but in group contexts. The retrieval of memories in social settings alters the memories in various ways even when the memories of the two conversing differ. Cue, Koppel, and Hirst also discovered that socially shared selective retrieval not only is affected by telling the other about one's own memories selectively but also by listening to the other person retrieving memories. Coman, Manier, and Hirst consider the implications for collective memory. They discovered that members of a community will remember the past in comparative ways because they are more likely to recall the memories that they have shared. Coman and Hirst did a follow-up study in which they found that this effect continues transitively in situations where there are a series of sequential conversations. In another study by Coman, Coman, and Hirst, it was shown that this occurs in medical treatment settings which can impact decision-making- so perhaps it may impact political decision-making as well (Coman, Manier, and Hirst, 2012). In

Chile, it was likely useful for survivors to have a voice in politics in culture in order to discuss their memories of the past and process them in a productive and positive way. If Chileans conversed with others in a manner that was inhibitory, it would be inhibitory for society as a whole, but if they discussed memories and retrieved them together, they might process them in a more positive manner while integrating as a group.

Stern writes that what followed the plebiscite was impasse, and that this only ‘unraveled substantially after 1998’, the date of Pinochet’s capture. He writes that the impasse occurred between ‘memory politics’, which were ‘intractable and debilitating’ and the fact that the past ‘could not really be buried in oblivion’ given that ‘memory of horror and rupture proved so unforgettable’. The intractable nature of memory politics is largely due to the instability that could ensue. Even following the plebiscite, Pinochet and the right wing military remained powerful- enough even to grant themselves impunity: ‘Touch only one of my men, and forget about the rule of law’, Pinochet said in 1989 (Stern, 2010). Minow writes that the goal of the perpetrators was to destroy even remembrance of the victims. Minow believes that all attempts at responding to these atrocities are inadequate but that it is important to never forget- because to her, that is an affirmation of collective violence and therefore, unacceptable. There are two reasons, Minow writes, for why her conclusions on the matter will remain inadequate: first, each situation varies by context, and second, see above: there are 'no words' for the horrors committed by humanity (Minow, 1998). On the other hand, the memory question remained intractable, or perhaps a better word would be unanswerable, because what does healing mean to the dead anyway?

But memory is important to establishing a sense of identity for people individually as well as collectively. Stern uses the metaphor of a "memory box" to describe coming to terms

with Pinochet's Chile. Stern argues that it is not so simple as this, and that what is more important is determining what is significant about these collective memories, and therefore, he encourages a more selective remembering. How memory is historicized is political. The memories chosen therein are those that will characterize the future society and thus this memory box is foundational. This box contains the fragments of memory as selected by various factions in society, it also represents the friction between those who wish to remember and those who wish to forget. Stern says that this impasse has not resulted in the erasure of memory, as those who would struggle against this may suggest, but rather, an obstacle in taking further steps to moving forward (Stern, 2010).

Memory is something that ties together a personal practice, behavior, or sentiment that has cultural and political significance. Wildschut defines nostalgia as remembering past experiences that are relevant to the self, involve closeness to others, and are primarily regarded in a positive light (Wildschut, 2016). Pierro analyzes this through regulatory mode theory, which is the theory that there are two modes of self-regulation, assessment, which is performed through evaluation, and locomotion, which is focused on goal progress. The author predicted that the assessment mode would promote nostalgia while the progress mode would inhibit it, and these predictions were corroborated through two studies- one that assessed regulatory modes as individual difference factors, and another that induced them experimentally. This demonstrates that social behaviors surrounding memory impact the decisions people make for the future. This means that memory played a role in fostering national identity through memory processing and social interrelationships in Chile's transitioning society (Pierro 2006; 2013). In his book, "Cultural Trauma and Collective Identity", Alexander offers a constructivist philosophy of trauma as something that requires a meaning-making process to resolve (Alexander, 2010). In a

collective, societal context, this occurs through open-ended social dialogue- pluralistic democratization. Memory has cultural and political implications given how national narratives are often reconstructed in order to redefine societies after conflicts.

When human rights violations occur on a national or international scale, trauma exists within all social frameworks including individually, collectively, and politically. Given this, transitional justice must be holistic. Trials are important to ensure that perpetrators do not reemerge and for the purpose of establishing accountability. They can also be retributive or reconciliatory and so produce results in social and individual contexts. Further, they can be used as a precedent for future justice mechanisms. In some cases, they are ceremonial and represent desired political outcomes (Minow, 1998).

However, the social changes were not represented by political shifts until these were channeled through institutional changes. Study of organization culture sets to ascertain meaning of behavior and to interact within this domain with pertinent actors is tantamount to success and requires mastering thinking strategies and interpersonal skills and abilities not traditionally a part of military operations or learning programs.’ This was important as NGOs began to form and advocate for changes in governance. According to Duelfer and Dyson: ‘States send each other signals as to their thinking and likely behavior both intentionally and unwittingly. At the same time, they are receiving signals and attempting to make sense of them...The consequence is that international politics is characterized by incomplete, often contradictory, information concerning interaction with multiple international actors where the payoffs for each side are constantly shifting’ (Duelfer and Dyson, 2011).



Stern writes that the events of 1998 altered this memory impasse significantly, and he even seems to imply that oblivion would be the indifference of those who no longer encounter this memory question- such as future generations. Stern's book, then, is an inquiry as to what the effect of addressing this question will be for the future. Le Goff refers to collective memory- and the ability to shift the narrative history, as having transformative power for a society (Stern, 2010). Given the importance of directed and positive processing of trauma on an individual level, Chileans' ability to discuss and openly process memory was transformative for Chilean society.

## **Section VI: Truth Commission**

The irreparable and nearly impossible to come to terms with truth of the testimonies during the Truth and Reconciliation Commission resulted in strange catharses among those who spoke and those who listened. The effects of the losses were often complicated and confusing for those who remained, as families and friends had been torn apart in strange ways. For instance, one woman had been so dedicated to seeking her lost husband that she had lost valuable time with her children, who had been brought up by their grandparents. The personal became public where these expressions of sentiment and loss were brought to the surface in the exposure of the crimes against humanity- and their profoundly wide-reaching effects. For some, it was similar to a collective sort of re-exposure therapy because people had the opportunity to process their traumatic experiences in a controlled and collective setting- though not an entirely safe one perhaps given that many repressors were never entirely held accountable. Many repressors are dying of old age now but would not tell the families of the victims what happened to the disappeared. Though the Truth Commission was limited in terms of what it could provide people psychologically, it at least created a space for official acknowledgement of trauma which was

useful for psychological processing on an individual level (Minow, 1998), given the importance of processing trauma, especially in group environments, as noted by the studies in the previous section.

Healing is the connection between the death of before and the life of after. Although some say that the truths revealed by these commissions are significant for survivors, putting forth facts, even broadcasting these is not the same as processing, and the connotations and meanings that those who have survived will develop through different narratives may diverge from these. Yet, the Chilean Truth Commission was very exacting in terms of establishing the facts of what happened, so in this sense, some agreement or resolution was reached at least in terms of narrative (Minow, 1998; Hayner, 2011).

Minow writes of truth commissions as being a symbolic mechanism for reconciliation and accountability. In a sense, the truth commission in Chile reflected some of the ideas that I have mentioned regarding processing psychological traumas. The truth commission was a symbolic forum wherein individual processing of trauma became a collective processing of trauma. In this way, individual processing became political as previously private accounts were witnessed by the nation, thereby altering the culture of silence that had existed before into a culture wherein stories of the past were sometimes voiced (Minow, 1998).

Minow considers whether the public nature of the truth commission subtracts from its potential to be a therapeutic space because people might require more private settings to deal with grief and other negative feelings, such as in clinical settings or groups. But on the other hand, many want healing to be a truly collective "societal" experience, given how social support can be useful for processing trauma (Minow, 1998).

One of the issues raised is incentivizing truth-telling by granting amnesty, which makes it seem as though wrong-doing is not being condemned to the full extent. Part of this is the requirement that those in the commission must act neutral towards those who are telling of their crimes. But what does it mean to be neutral towards people telling of crimes, given that these have been deemed crimes, and that at the same time, there is no punishment? Further, truth commissions may reflect some of the ongoing systemic problems in the society. For instance, gender violence may prove particularly difficult for people to discuss (Hayner, 2011; United States Institute of Peace, 2014).

Meanwhile, there are further logistical problems, and the issue of whether children should be able to testify or if adults should on their behalf. The current political dialogues surrounding human rights have fabricated binaries. The simplistic reiteration of trials as adequately representing a response to the needs of the people in the wake of tragedy and division is a reductionist viewpoint. What is most evocative about transitional justice is the revelations that it contains regarding the human psyche and potential for resilience. It is necessary to improvise some form of transitional justice in order to assist the people in overcoming the wounds of the past, but it is also based on limited paradigm. It is from a clarification of the true complexities that a clearer solution emerges (Hayner, 2011; United States Institute of Peace, 2014; Stern, 2010).

It is significant how the public chooses or chooses not to participate in truth commissions and trials, including people who are not victims or perpetrators but as members of that society are enmeshed and perhaps accountable and affected to varying degrees. There is also the issue of persecuting only a small number of perpetrators which would seem to scapegoat just because there are limitations in the investigation. One of the possibilities of truth commissions is their

potential to publicly condone what happened while attempting to not demonize many within the society that either participated or were complacent (Grandin, 2005; 2007).

Some of these issues represented further divisions between Chileans, while others demonstrate the simple fact of individual differences and how these play a role in processing of traumas. However, collective remembering ideally involves dynamic conversation between individual of different convictions, and therefore a peaceful and democratic interplay between narratives in order to reestablish stability and reinstate human rights norms.

### **Chapter III: Cultural Impact**

#### **Section I: General Shifts**

To begin, it is necessary to examine the politically transformative qualities of these cultural productions, through both their content and their reception. I have considered some of the most significant works, and a few of the lesser known ones. These cultural productions are chosen on the basis of what both reflects the cultural upheaval while influencing the political landscape. Many commentators argue that Chile has a 'culture of oblivion' because the middle and upper classes that had benefited economically from the military regime were too uncomfortable to confront the past. Forgetting is complacency, these commentators say, remembering is a "struggle against oblivion" (Stern, 2010).

Some warn against the overuse of memory, as it can be troublesome to "live in the past" or 'enshrine grievances'- and that amnesia and amnesty can be useful to stability. Others see remembering as necessary to healing and to ensuring that history changes course for the better. One is reminded of the tendency of totalitarian regimes to suppress memory. Others suggest that memory is an ethical need, in order to honor those who have suffered or passed on. And also of

course memory is a political tool. Sigmund writes that 'in the complex patterns of this hyperpoliticized country one could find confirmation of almost any theory and left and right could produce completely consistent- and totally contradictory- interpretations of recent Chilean history' (Sigmund, 1980). Resolving some of the divisions in society required open and peaceful dialogue by which to hear out conflicting narratives. Methods by which societies attempt to restore "normality" or respond to the past through open dialogue include: 1. public memory, art, and cultural responses, 2. formal commissions and the naming of names 3. reparations, financial assistance, & mental health, 4. legal persecutions & retribution, 5. amnesty or immunity from charges (sometimes in an attempt to hear confessions from perpetrators) (Minow, 1998; Stern, 2010).

There is a sleepiness in the arts, literature, and intellectual material of the period due to political repression. Perhaps some of the cultural passivity is revealed by the linguistic difference between: 'disappeared' and 'was disappeared'. This mirrors the loss of agency that many victims experience when subjected to torture, and their continued feeling of helplessness even long afterwards due to post-traumatic stress (Stern, 2010).

There is a need for cultural and political transformation to ensure that the wrongs are processed holistically, and that change occurs at a societal level. Each of the following cultural productions was chosen based on the cultural impact, and its critique therefore includes an analysis of the limitations of its influence and therefore a qualification of the knowledge to be gained from it. One key element here is that many of the artists and cultural figures of influence had been exiled during the Pinochet regime and therefore their responses likely reflect a degree of dissociation from the horrors of the past- though of course, they are still tied to the past society in various ways. I will consider the ramifications of this and how it further qualifies my

analysis. Finally, these selections are all distinguished by their being influential to the international realm of human rights, not just Chile, and are selected based on that criteria, so it is important to remember that they might not have been as noteworthy in Chile.

## **Section II: Film Cultural Productions: The Works of Guzmán and Littin**

The filmmaker Miguel Littin was also in exile during Pinochet's regime, but he returned in secret to attempt to expose some of the horrors of the dictatorship through his film, "Acta General de Chile" (Littin, 1986). His film challenges the repression of the time period, and this boldness was celebrated domestically and internationally- Gabriel Garcia Marquez wrote a book about Littin's journey (Marquez, 1986). The book and film were reviewed by a few international publications, like the New York Times, but the New York Times at least criticized the cartoonish quality of the book (Wood, 1987). Both the book and the film involve making fun of the dictatorship, but even in mockery, the seriousness of the suffering of the Chilean people during that period cannot be avoided. These accounts seem like a first attempt to illuminate a devastating subject, wherein humor becomes a form of hysteria in coping with the incomprehensible. However, this might be considered a reflection of the first attempts to voice interpretations of traumas in that period of transition. However, Littin's scope is limited by his experience, as he is not the average Chilean and his interpretations are but one voice of many in the processing of collective traumas (Littin, 1986; Marquez, 1986).

A significant film of the period is "Obstinate Memory" by Patricio Guzmán. Guzmán filmed "In Chile: Obstinate Memory" in 1996 after returning from exile. The film includes various impressions of the opposition to and coup against Allende. As Chilean filmmaker

Patricio Guzmán notes, 'That's why I don't like that the Human Rights Film Festivals have become popular...because they compartmentalize the common problems of society, which can't be separated..' *Obstinate Memory* is a film that engages with activists to tell the story of the violence and repression. There are color interviews of those who are interviewed by Guzmán, as well as symbolic black and white footage of the presidential palace, the National Soccer Stadium and other national iconography. It is a public story, but one that necessarily invokes the personal, given the firsthand accounts, including that of the formerly exiled filmmaker himself (Guzmán, 1997; 2011). Katherine Bliss names the film an 'essay on memory, grief, and hope that deals less with the events of 1973 than with the nation's effort to come to terms with its past'. In one scene in the film, those of Allende's bodyguards who survived look at photographs of those who were disappeared. He interviews schoolgirls, and the continued split in political opinion is evident from this encounter- as many believe that the military coup was justified to prevent civil war, whereas others- those who lost relatives especially- respond with great sadness and anger when asked about legitimacy the military regime. *Obstinate Memory* highlights the class struggles, and Guzmán is clearly sympathetic with the working class and the left. Margaret Power wrote that '*Obstinate Memory* reveals what seventeen years of military dictatorship does to a nation's psyche' (Bliss, 1999).

According to Guzmán, Chile is a country suspended, without a past. He says that Chilean historians have been very conservative and have covered up the troubles of the past. During this time period, it was impossible for Chile to avoid American influence and it is only now that America has been distracted by other conflicts such as in the Middle East, that countries in Latin America have had more freedom to experiment. Guzmán's films engaged with Chilean voices and spoke out about the Pinochet's repression in conjunction with Cold War divisions (Guzmán,

1997; 2011). As a result, his work reflects some of the cultural and political shifts of the period by touching on individuals' narratives of the past.

### **Section III: Literary Cultural Productions: The Works of Bolaño**

The literature in Chile, according to Nelly Richard, a cultural theorist who organized a literary festival in Chile during the Pinochet era, has suffered from "semantic rupture" as a result of the fracturing of society. The following is an assessment of the cultural meanings reflected within the works of one of more influential authors from Chile, Roberto Bolaño. His works garnered international attention, and judging by reviews in the New York Times and the Guardian, this recognition brought with it greater awareness of the plight of Chile during the Pinochet period as American readers picked up his work (Richards, 2003; Eder, 2004). Bolaño writes of a sleepiness in the arts, literature, and intellectual material of the period. Perhaps it is too much to compare this to a gap in recall experience by many who suffer from post-traumatic stress. "Bolaño uses this to illustrate the supine nature of the Chilean literary establishment under the dictatorship", writes Ben Richards in a review for the Guardian (Richards, 2003). In various works, including "Distant Star" (1996) and "By Night in Chile" (2000), Roberto Bolaño is critical of the complicity of artists and writers in Chile during the Pinochet era. He illustrates the inherently political nature of artistic discourse by describing a scene in which many artists and intellectuals hold a party while political prisoners are being tortured in the basement of the same house. Distant Star also follows members of the literary and artistic establishment who have become implicated in the political horrors of the Pinochet regime (Bolaño, 2000).

The rambling, stream of conscious style of Bolaño's writing betrays the deep self-absorption of the main character. By emphasizing this, Bolaño demonstrates the faultiness of the



narration and reveals that circumstances are not really as the narrator has related them, but rather that the narrator's guilt and shame have shaped his memory of the past. On a larger level, this reveals the importance of processing the past, but it also shows that he is aware of his complicity. By dwelling in the fictions that the regime has created, Bolaño illuminates and somewhat clears this narrational fog, revealing the humanistic responsibility of people, especially intellectuals and artists, in questioning totalitarianism and asking for a degree of accountability from others as well as themselves (Bolaño, 1996; 2000). How memory is historicized through culture is political.

The rambling, stream of conscious style of Bolaño's writing betrays the deep self-absorption of the main character. By emphasizing this, Bolaño demonstrates the faultiness of the narration and reveals that circumstances are not really as the narrator has related them, but rather that the narrator's guilt and shame have shaped his memory of the past. On a larger level, this reveals the importance of processing the past, but it also shows that he is aware of his complicity. By dwelling in the fictions that the regime has created, Bolaño illuminates and somewhat clears this narrational fog, revealing the humanistic responsibility of people, especially intellectuals and artists, in questioning totalitarianism and asking for a degree of accountability from others as well as themselves (Bolaño, 1996; 2000).

In societies that experience- and arguably all societies experience this to a degree- systematized oppression and violence, all members could be implicated, though perhaps to a very insignificant extent, due to the complex interrelationships that exist within societies. Father Urrutia's confession does not so much openly address this as sociological problem, but rather, utilizes literary devices to make a poignant statement regarding the very nature of society. The mood of passivity throughout the piece is instrumental in suggesting an inherent limitation to the

human condition, and thus the difficulty in addressing those corrosive elements of society that lead to systematized violence. The book reveals that these elements are as much sociological as psychological, and that the psyche can be wooed through language, through the poignancy of literary expression, including that of the book itself. However, in Father Urrutia's confession, he manages to both give an admittance of guilt and an affirmation of human dignity. The interplay, or duality, between the text as a confession and as an affirmation is what exposes the central message as being one of acceptance of the entirety of the human spirit, including its limitations. Bolaño imagines human power within society as being nothing beyond what it is. He accepts the flaws of the human spirit, and how these flaws are reflected through social roles and consequences. Bolaño accepts the limitations of the individual in his portrayal of himself, the "wizened youth", as well as implicitly and explicitly through figurative and literal anecdotes regarding individuals' roles in society (Bolaño, 1996; 2000).

The best examples of a more literal anecdote are those of Maria Canales and, of course, Father Urrutia's work teaching for Pinochet, both of which contain explicit statements about individuals' social roles. By the time Pinochet has seized power, Father Urrutia seems incapable of not doing what is asked of him by Mr. Raef and Mr. Etah. These shady figures have always appeared to have muddled intentions that he was disinterested in questioning, but their now definite role in the oppressive regime makes him so fearful he does not consider opposing them. During his meeting with them, he is nearly paralyzed by fear, as shown by statements and phrases such as 'feeling increasingly nervous', 'I almost jumped out of my skin', and 'I felt the danger was past'. His passive attitude, dulled by this fear, causes him to acquiesce unthinkingly, attributing his action to 'patriotic duty' and a 'calm, dreamy feeling', an absence of memorable thought, thus negating responsibility. However, the narrator's need to bring this meeting to light

reveals Father Urrutia's realization of his guilt, but also his acceptance of the weakness in his action. This personal conclusion could be extrapolated to apply to all individuals in a social context, whereupon it might be taken to realize the limitations but also the power of individuals to influence their society (Bolaño, 1996).

The jarring story of Maria Canales follows a similar vein. In this story, the complete entanglement of the dark and light sides of a society are presented through the lens of the Maria Canales' gatherings, where as artists congregate to discuss their art and other revolutionary and humanistic ideas, her husband holds captured civilians in the basement for torture. As Maria Canales says of the basement it's where 'Jimmy [her husband] killed that Cecilia Sanchez Poblete woman' and where 'one of Jimmy's men killed the Spanish UNESCO official', while upstairs, Canales held her literary parties. That human rights violations can occur at such close proximity to the easy social conference of ideas is an explicit statement about how inseparably strength and weakness can be perceived to reside with individuals, and how this entanglement of vice and virtue is reflected in the most inimitable institutions of society. Bolaño's presentation of this implies his acceptance of the apparent weaknesses of the human spirit (Bolaño, 1996).

The figurative anecdotes, such as Heroes' Hill, Rodrigo the falcon, and the starving Guatemalan artist, contain implicit statements about human nature and, thus, the human role in society. Heroes' Hill is a story intended to eradicate human idealism, and so come to terms with the weaknesses of human nature. In the story, a civilian asks the king for a grant to erect a monument to the heroes of the society, but in the end, Heroes' Hill merely becomes a site of 'neither statues nor tombs but only desolation and neglect', a testament to the impermanence of human ideals. Thus, Bolaño shows how there are no immutable ideals of character inherent to the human psyche, but that all people are susceptible to the world's effect (Bolaño, 1996).

Rodrigo the falcon seems to personify Father Urrutia's feelings of vulnerability and guilt. Father Urrutia releases the bird for some reason and has mixed feelings as to why he did it for the remainder of the book: 'that was the last I saw of Rodrigo, he disappeared into the sky over Burgos, where there are rumored to be other falcons who prey on small birds, and perhaps it was my fault, perhaps I should have stayed out on the patio calling him, maybe he would have come back..' His letting go of the bird seems to him to have been an irredeemable mistake, as by so doing, he abandoned it to its fate. The bird then seems to be symbolic of firstly, the condemnable nature of his actions, and secondly, if one were to think of him as the bird, his own feelings of abandonment and directionlessness (Bolaño, 1996).

The anecdote of the starving Guatemalan artist is a confrontation of social expectations regarding to what extent people should help one another. The Guatemalan artist, who they try to spend time with and offer food to, as they pity his condition, seems 'determined to let himself waste away while contemplating the street plan of Paris from his window, stricken with what in those days certain physicians described as melancholia'. There is an assumption, on one hand, that members of society should be able to fend for themselves, while, on the other hand, if someone is in danger, he ought to be helped. Where, then, is the line drawn regarding involvement in the affairs of the needy, particularly those who, like the Guatemalan, don't seem to want help? The story addresses this dichotomy by revealing the weakness in our ability to truly change that state of affairs that society places us in, even when some among us- the starving artist- suffer. It is a realization of the weaknesses implied by being individuals, as there is no getting around the limitations of identity, there is no means by which to surmount personal boundaries and convince another of how he might overcome his fundamental unhappiness.

Instead, one can only exercise all the compassion rooted within his own identity in order to help those around him (Bolaño, 1996).

Father Urrutia's self-portrayal can be divined from his self-characterization, his confessional narrative regarding his true intentions, and especially from how he presents himself in the beginning and end of the novel. Much of Father Urrutia's self-characterization revolves around the actions he tells of taking as well as his described appearance. Many of his actions are in emulation with those around him. 'It's good to love. It's bad to be impressionable', he writes. Yet again and again, throughout the narrative, Father Urrutia is undeniably impressionable. He fits easily in the fabric of a society that is becoming increasingly corruptive. In the beginning, his emulation of others is shown through his idealization of the poets, artists and intellectuals he surrounds himself with, while he is predominantly only a commentator on their works. This idealization is obvious from how he initially regards Farewell as being 'Chile's greatest literary critic', and his difficulty in even coming close to describing the renowned Pablo Neruda, whom he greatly admires: Neruda's 'essential nature', Father Urrutia says, 'spoke to me deeply from the very first moment'. As time continues, Father Urrutia's tendency to follow those around him is only exacerbated by the culture of fear instilled by the political instability, whereupon the passivity was so overwhelming it seemed that 'nobody gave a damn', while he himself was in a metaphorical "black hole". He realizes his passivity, and his guilt in participating in this society so senselessly. His susceptibility to the world is also shown in his physical description, particularly his feeling of estrangement from his corporeal form. For example, he is constantly questioning his adornment, the cassock of his occupation and Christian faith. In one passage, he writes that his cassock 'felt several sizes too big, like a cathedral in which I was living naked and wide-eyed', while in another passage he agonizes over whether wearing the cassock will make

‘the wrong impression’. His displacement from his physical form throughout the book serves also as a distancing from his occupation and role in society as a religious figure, as symbolized by the cassock. Thus, Father Urrutia’s described appearance reveals his feeling of vulnerability in that he is both extremely susceptible to the decision-making of those around him and he is insecure with his role in society (Bolaño, 1996).

Father Urrutia’s confessional tone throughout the novel reveals the depth of his self-awareness. In accepting the vulnerability of the human spirit, there is not an absolution, but an acceptance of, responsibility. This Bolaño states rather directly as ‘one has a moral obligation to take responsibility for one’s actions, and that includes one’s words and silences, yes, one’s silences, because silences rise to heaven too, and God hears them, and only God understands and judges them, so one must be very careful with one’s silences.’ This quote of course is very applicable to the societal ramifications of his portrayal of humanity. His tone of acceptance towards his human identity, including its seeming flaws as well as its apparent strengths, does not imply passivity towards the consequences of this identity. Instead, Bolaño accepts these also, as further evidence of humanity (Bolaño, 1996).

The key factor of how the narrator presents himself in the exposition and conclusion of the text is in his presentation of the “wizened youth”. The “wizened youth” is first, a paradox, as “wizened” suggests old age, which is contrary to the idea of youth. And indeed, it is a paradox that Bolaño intends, as again, here is the duality of his portrayal of humanity as being both limited, by age among other things, one might suppose, as well as possessing inherent dignity. Thus, there is his self-portrayal as being vulnerable, or somehow limited and flawed, full of pathos, such as in the section where he tells of him crying, displaying susceptibility to the whims of the world. ‘The real story’ he says, ‘...is simple and cruel and true and it should make us

laugh, it should make us die laughing. But we only know how to cry, the only thing we do wholeheartedly is cry.’ The distancing of Father Urrutia from himself through his characterization as both an ambiguous narrator, eternally ‘propped up on one elbow’, as well as, as we later discover, the wizened youth, serves to address the splintering of his person due to guilt. But in the end, he surmounts his ‘supreme terror’, ‘to discover that I am the wizened youth’, and so reconciles the two characterizations, thus forgoing guilt through acceptance of his own limitation, his own emotional vulnerability shown by his ‘cries no one can hear’ (Bolaño, 1996).

Bolaño’s novel is an acceptance of human vulnerability and an acknowledgement of the susceptibility of human beings to participate in socially systematized human rights violations. Accordingly, the narrator’s self portrayal as a guilty person, as well as the implicit and explicit conveyances of the author’s anecdotes regarding the people living in Chile during an oppressive regime, all are used to expose the human psyche in an honest light, and to accept to weaknesses of the human spirit. Psychological processing of the wrongs of the past required accepting these weaknesses and coming together as a society. His works reflect an analogous sort of processing. Meanwhile, the fact that he was so critical of those who did not speak out against the regime demonstrates his message that Chileans ought to be engaged in political dialogue. The fact that he, an internationally acclaimed writer, seems to be advocating for greater democratic involvement through his texts likely was significant to the shift in human rights norms in international settings (Bolaño, 1996).

#### **Section IV: Other Literature**

The publication of books like "Los Zarpazos" by Verdugo reflected a greater openness to discussing the crimes of the past. In "Narrating History through Memory in Three Novels of Post-Pinochet Chile", O'Connell writes of how three authors use the subjective accounts of fictional characters to reinvent the cultural narrative of what happened in Chile's past. This corresponds with the legacy of postmodern literature, which 'regards history as a discursive medium'. O'Connell references Chilean writer Jaime Collyer, who believes history moves in many directions at once. Some would say that the fictionalization of history through literature renders it historical, to others this is a null point because the importance of the past is how it influences the present. O'Connell writes of how Chilean memory is represented through the characters in Jose Rodriguez Elizondo's "La pasion de Inaki" (1996), Jose Leandro Urbina's "Cobro revertido" (1992), and Alberto Fuguet's "Por favor, rebobinar" (1994). "La pasion de Inaki" is written in medias res, O'Connell says because it is meant to show 'that history, at any point in time, will be only half-made, because it will always be in the process of being made'. This is intended to illustrate the tension between past and present. Fuguet, meanwhile, writes of characters who personify aspects of Chile's cultural struggle between memory and oblivion. Urbina restructures memory through his characters' experiences of exile and places them in situations where they can do 'little more than reminiscence'- temporal claustrophobia. There is no true catharsis in Urbina's work, the characters never fully reconcile themselves with the past, and so his narrative concludes rather with resignation. At the same time, the yearning for resolution in these literary works demonstrates the need for processing, and therefore, the importance of cultural expression in creating a more democratic political discourse (O'Connell, 2001).



The censorship effect is evident even in children's books. In "Representations of Dictatorship in Contemporary Chilean Children's Literature", Muñoz-Chereau discusses how the Pinochet dictatorship is ignored by Chilean children's books. She examines how the Pinochet dictatorship is just now being addressed by some narratives for youth. Two decades have passed since the end of regime, and freedoms of speech have just begun to allow for a more public processing of memory. Even these recent attempts to discuss the subject in children's literature have been very limited. Only about 0.3% of children's books have broached the issue. There has been some cover-up: the Ministry of Education attempted to replace the word "dictatorship" with "regime" when referring to Pinochet's rule (Muñoz-Chereau, 2017). As Huber notes in "Children's Books Vs. the Dictators", however, books on authoritarian regimes or human rights atrocities are often uncommon for children. Others argue that it is vital that children learn about how to understand and cope with these events (Huber, 2012).

### **Section V: Literary & Performance Cultural Productions: The Work of Dorfman**

Meanwhile, Dorfman's play "Death and the Maiden" is considered one of the most significant performance and literary works of cultural criticism in the region, according to George Yudice and other scholars and commentators. His work is further contextualized as pivotal given his activity as a journalist and an culturally engaged figure, according to McClennen (McClennen, 2010; Dorfman, 1991; 2004). In "Death and the Maiden", a victim considers conducting an unofficial trial and even killing her torturer, who has been granted impunity under Chilean law and continues to lead a normal life in the community.

Aritzia suggests the play is also dependent on 'a given context. It is historically specific. It is a "situated response to a particular political and epistemic situation.' The truth of what

happened is based on how the narrative is constructed, and Dorfman problematizes both victim and perpetrator accounts through their inaccuracies, perhaps as a result of the emotions that both are experiencing. As a result, the work considers the issues that people have in overcoming traumas and living together in “convivencia”. It reflects the difficulties that people had in attempting to reintegrate into a democratic society and the important role that processing and expression play in this process (Aritzia, 1996). Though it is more focused on the impossibility of justice, and the desire for revenge, I think that the very fact that this play was produced demonstrates that the emotions of victims throughout Chile could now be expressed nonviolently, which was the mark of a society that had begun to transition to democracy.

## **Section VI: Media Cultural Productions**

In 1975, the Chilean government created a false story about leftists killing leftists in Operation Colombo, as they termed it, and even created fake documents and planted mutilated bodies on the street to substantiate the claim of leftists inciting violence. The Pinochet regime utilized propaganda as a tool of suppression, and controlled all official newspapers, television, and radio outlets (Stern, 2012).

During the trial of Pinochet, Spanish and Latin American presses were keen in covering the trial, while American presses were more divided as to whether Pinochet was a heroic statesman or bloody killer. Though the media had been not as tightly controlled by the government, state media sources had been granted significant funds by the outgoing administration which made it difficult for the opposition's media to flourish economically. Prior to this, during Pinochet's regime, freedom of speech and assembly had been supervised (Stern, 2012).

Television Nacional was intended to be the new independent government media station, modeled after BBC, and intended to build a new credibility of news media and democratic channels for political opinion. Stern suggests that this was successful as early as 1990. They also had to contend with alleviating the 'crushing debt structure left by the military regime'. The excavation of bodies on former army property near Colina and also in Pisagua had enormous cultural impact. This was in part because of the incontrovertible truth of what had happened, and because of the visceral impact of the findings: the bodies had been preserved such that the mutilations caused by torture were evident- as were the agonized expressions of the victims. The cultural shift after these discoveries so soon after the beginning of the new regime was clear from the discussion on the nightly news program on Television Nacional. General Horacio Toro brought forward the idea that Pinochet and the military was indeed accountable for this. The military responded with threats of trying Toros at a military tribunal for "defamation" of Pinochet and others. Television Nacional stood its ground, and its investigative journalism program, "Informe Especial", focused on the detained and disappeared. This sent the message that ignoring the turmoil of the past would prove more deeply problematic than uncovering the truths of that era (Stern, 2012).

And yet Aylwin did not want to cause the military and right-wing faction to instigate another coup or destabilize his agenda of "convivencia". He worked to create workable accords with the right wing faction, including the Center Right. Aylwin greeted Pinochet with a smile and handshake, civil gestures intended to pacify the awkward transition. There are documents showing Pinochet's attempt to prevent a transition to democracy. The idea behind this was that each faction- left, right, and center, represented about a third of Chileans and therefore the key to

representing all voices, and therefore, successful democracy, was to balance each of these (Stern, 2012).

Cultural studies critics often considered how Latin American cultural realities represented a 'struggle between imperialism.. and within the nation itself, between capitalism and socialism.' In "Cultural Residues" and "The Insubordination of Signs", Richard is concerned about how the mass media and capitalist system make mockery of human memory, thereby fragmenting transitions and the healing process, especially for those most vulnerable. Many scholars consider how communication cheapens human rights through a "memory market" catering to academics and tourists, and that this public exposure can even limit awareness to a degree. Media of this sort includes books, films, music, theater, and television. Another writer says, 'Commerce and economy give a transactional character to the psyche; traffic on the other hand, is much more accurate, because it captures the confused, back-and-forth, up-and-around, congested nature of ambivalence, of love, and of nostalgia. Traffic captures the bizarre nature of the psyche..' (Richard, 2004).

But while "consensus is the highest form of forgetting" (Tomás Moulian) in cases of whitewashing, it is not so in all cases. The dissemination of memory represents a different interpretation of it, whether diversified or homogenized, the meaning of the memory remains cohesive, though perhaps reinvented in forms that could be deemed counterproductive to beneficial transition. However, does this dissemination simplify memory in a manner counterproductive to the Chilean public? That is feasible but requires empirical justification. A study of the impact of cultural transition on those who inhabit the residual spaces of society might demonstrate some of its cracks and weaknesses but does not necessarily identify the whole- still this perspective is useful just as it is useful to investigate transitioning societies

themselves with the intent of determining some of the vulnerabilities of society itself. In this, the role of pluralism is of neutralizing differences, Richard writes. But I disagree- I think that the democratization was made of the opportunities for Chileans had to voice their differences. Of course, discussion of differences can be counterproductive and even unhelpful, but pluralism was at least a more manageable and peaceful system than repression (Richard, 2004).

## **Section VII: Cultural Productions Criticism & Conclusions**

Richard acknowledges globalization as having an erasing effect due to the commercialization of these symbols. She aims to demonstrate that we have oversimplified the complexities of our world. But when we simplify the past do we not make new meanings from it? Whatever the impact of the new meanings we might create, Richard isn't buying it- literally or figuratively. If Richard's book is an attack on "the productivist language of social modernization", this let this paper serve as an attempt to at least listen in to the discordant rhythms both inside and outside of what Richard would deem homogenized "mass culture" as a testament to the interrelationships that continue to exist despite the perversion of form (Richard, 2004). The liminal is not required to be an isolate and to embrace any one interpretation remains inadequate or at worst, ideological. Though there remains a nod to the inherent subjectivity of the political climate of Chile, I will offer no pretense that I have the ability to codify the unknown. The scope of this work is then on the holistic understandings that can be developed regarding post-Pinochet Chile with an awareness of their limitations but also a cognizance of the importance of developing solid discourse on the subject because effective analysis is crucial for realistic policy-making in the future. Instead of merely emphasizing the poetic grey areas of the study of Chile in this time period, this paper acknowledges these and focuses on how both

limitations and advantages of analysis of Chile can be useful to transitioning societies in the future. A practical focus is imperative as a foundation for meaningful analysis given the subjective nature of any interpretation.

Richard is committed to erasure, not to undoing or circumventing, or (she thinks) to altering erasure. She is obliquely attempting to explore a realm of (she thinks) opacity. Is it working? Who can tell if a thing is working if it lives and dies without any record of existing? There is poetry, one imagines, in seeking the lost thing, but it is an elusive politics. The main purpose here is of manipulation of signs. It is something about the space between the symbolism and processing of "transition" and the space it actually occupies. The author then focuses quite intentionally on the maladjustments in order to widen and reconsider this subjective space. That is, the author's concern is with the minority (Richard, 2004).

Richard's assumption is that literature and culture mimic the fragmentation of society, specifically in the post-Pinochet case. Richard identifies three examples of ways by which remembering is further ruptured to prevent healing:

1. Commercialization & globalization which she believes have diluted the symbolism of the Chilean case, rendering it difficult to create a fixed and meaningful narrative of events. Is this the case or is there something changing about the actual landscape of transition, i.e., the mode and the manner by which transitions occur, are the upheavals less dramatic post-Cold War? Or is the analysis not independent of the events of these periods?
2. Richard is also interested in the "dissonances" in the peripheries, that are not accurately depicted by mainstream analysis if at all, she says.

3. She is also interested in the significance of interpretive analysis, specifically in academia. This reinforces this idea that her writing is not about the Chilean case so much as about the about-ness of the Chilean case (Richard, 2004).

Richard is interested in the cracks in systemic logic, the overlooked things, etc., the identity, reconstruction of normalcy Chilean government in transition: "democracy of agreements" from antagonism to transaction- Richard believes that the normalization process has "controlled" or potentially erased the heterogenous plurality. The use of language in this context has become fractured, and therefore, it is necessary to reinvent language so as to speak again.. according to Richard- and those words which survived this fracturing are those with the most "resilient" or "rebellious" connotations, Richard says. But it may be that there other other paradigms through which to frame this. Yes, I am attracted to language as a medium because of perhaps the intuitiveness or propensity for symbolism and altered manifested meanings, etc., Though Richard also lives in this world of language mostly, and other cultural mediums somewhat (Richard, 2004).

Richard suggests that the left is not as powerful as it once was due to fear of harsher retribution from the military right. But she more strongly implies that this reticence from leftists arises as a result of the numbing effect of redemocratization. Her analysis of Chilean culture post-Pinochet rests on the changing dynamics of political symbolism and representation. In the foreword of "Cultural Residues", Jean Franco goes so far as to suggest that Richard's conclusions on the Chilean case "extends beyond the Chile of the transition to our own realities". Franco thereby suggests a universal applicability of the Chilean example, and through various comparisons between the Chilean situation and comparative political cases, she attempts to demonstrate this applicability. Though it is obvious that the Chilean transition is unique in detail,

transition reveals elements at the heart of the society as the skeleton of the political system and the musculature and organs of civil society are changed so as to revive something of the pulse of the people by connecting individual voices to appropriate channels. That is not to say that transitions reveal some absolute about society and governance, but rather they can illuminate some meaningful aspects in the moments of political and social vulnerability. Richard's work verges on the poetic, it uses figurative, aesthetic, and other less than concrete forms to examine the very real adjustments of a place and people. As such, it is a liminal study, not necessarily embraced by the empirically-minded mainstream of social science. This is an arguable point, because all worthwhile poetry is constructed from the visceral and requires the greatest analytical attention to the realities of the world in order to ascribe any cohesively valuable meaning from them. At the same time, the vagaries of this discourse that may exist so evidently may resist this codification and yet codification, interpretation, assessment, all these secondary tools of meaning-making, are necessary in order to have any sort of discourse at all. Because of the liminal nature of Richard's work, she often strays into this very subjective territory wherein the reader may get lost and suffer from an apprehension that she is not writing about Chile at all, or anything necessarily, and that they may have encountered a book not on politics, culture, and history, but a text in between art history, post-modern literature, and philosophy. That is to say, perhaps Richard is too careful to renounce any sort of objectivity for fear of ignoring the awesome ambiguity of the political situation- or perhaps she should be hailed for her sensitivity towards the unknown (Richard, 2004).

#### **Chapter IV: Effect on Human Rights**

##### **Section I: Political Shifts**



Arruti writes that trauma cannot really be represented, only distilled and reinterpreted through cultural productions and eventually, political shifts (Arruti, 2007). Within Chile, numerous changes occurred in the political structures. These changes were significant because they paralleled the shifts that would occur in international human rights following the arrest of Pinochet in London. The cultural productions during the period between the plebiscite and the arrest of Pinochet in London reflected changes in the national “psyche” of Chileans. These productions, as a reflection of the cultural and social mobilization occurring through grassroots movements and nonprofits, catalyzed international human rights reforms as well as internal constitutional, legal, and policy changes that influenced Chilean party politics.

The suppression of civil society had made it incredibly difficult for Chileans to organize against the regime. Religious institutions became important to this mission- the National Committee for Aid to Refugees was established to help leftists who were being persecuted by the government. This changed as repression lessened and people organized. Grassroots organizations who spoke out about the necessity of real change and attention to memory included the Association of Relatives of the Detained and Disappeared (Agrupacion). Groups like this ensured that the memory question was addressed- there was no ignoring the atrocities of the past when relatives still mourned the missing. The Committee for Cooperation for Peace in Chile also provided legal, spiritual, and practical assistance. There was also the very pivotal “No” grassroots campaign. The Medical Foundation for the Care of Victims of Torture also assisted in raising public support, as they had worked with numerous torture victims. The networking of human rights groups also lends itself to a host of issues as NGOs are associated with foreign governments and many different interests come into play (Dinges, 2012).

Grassroots organizations who spoke out about the necessity of real change and attention to memory included the Association of Relatives of the Detained and Disappeared (Agrupacion). The Medical Foundation for the Care of Victims of Torture also assisted in raising public support, as they had worked with numerous torture victims. The churches sheltered a number of niche human rights groups as well. Church-based human rights organizations included the Social Aid Foundation of the Christian Churches and Vicariate of Solidarity, supported by the Catholic Church. The Social Aid Foundation of the Christian Churches maintained a lower profile because it lacked the protection of the Catholic Church. The Chilean exile community was strong and well-organized, and they helped raise public support. They had creative ways of communicating with political leaders to attempt to sway the government (Dinges, 2012).

The 1978 Amnesty Law, which signified impunity, had been difficult to reckon with. There were issues regarding exiles who wanted to return, political prisoners who had not yet been freed, and of course the families who lost loved ones who wanted justice. The issue of impunity could not be entirely dealt with unless the Judiciary itself were reformed. The Agrupacion pressured the courts to end the amnesty law that guaranteed perpetrators impunity. In the book, “Shifting Legal Visions Judicial Change and Human Rights Trials in Latin America” Ezequiel A. González-Ocantos writes that there were remarkable shifts in Latin American judicial responses to human rights transgressions, conjunction with changes in international ideas on human rights. The shifts occurring internationally reflected shifts within Chile, and vice versa. González-Ocantos frames these judicial institutions as being formerly conservative in their legal interpretations, and thus, demonstrates their new interpretations of the law as being deeply transformative due to increased receptiveness to human rights law. Aylwin believed that the Concertacion and Renovacion Nacional (Congress) would aid in eliminating

shackles of authoritarianism (González-Ocantos, 2017) The path to a better society and government would be achieved, he believed, through increased freedom- the deconstruction of authoritarianism.

Failure to address the memory question could threaten the legitimacy of the new democracy. The transition government was not free of the restrictions of the Pinochet era, however. It was a restricted democracy that granted special powers to the military and limited the powers of left-wing parties. Not only was the new constitution designed as such, there were also many laws passed late in the regime to ensure that the military and right retained as much power as they possibly could. And there were laws passed to cover up the crimes of the past. The Ministry of Defense would not have to turn over documentation, DINA attempted to build over grave sites, and Presidential power was significant, however, as it had been assumed that Pinochet would win the plebiscite. He had the power to hold elections for instance. After further negotiations, the military's power was decreased. Only about 40% of the country had supported the right wing, a minority. The increased grassroots mobilization of the post-Pinochet period was useful insofar as there was greater political involvement and transformation, but there was continued friction between bottom-up pressure and that of elites, between left and right. In order to prevent the violent repression and conflict that had resulted from the factionalization of the past, Chile needed stable democracy. Stern writes of memory as being emblematic, a cultural symbol as well as an individualized one. On an individual basis, when individuals processed the traumas of the past, their processing helped in the process of democratization as they formed channels through which to discuss past repression. This includes the ways that individuals personalized Chilean culture through newfound cultural modes of reflecting on the past (Stern, 2006).

During Pinochet's regime, when the Supreme Court of Chile was presented with habeas corpus petitions for the disappeared, they just accepted the word of the military that denied that those individuals were being detained. Despite the fact that these killings were common knowledge, the regime continued to deny them- though they apparently had the authority to control unrest in any case. When there was overwhelming evidence of human rights crimes, the Supreme Court passed the case along to a military court, which disposed of the case accordingly. The National Commission on Truth and Reconciliation later commented on the ineffectiveness of the court system to respond to these violations. Aylwin requested that perpetrators be at least identified before they were pardoned. The courts have varied in their responses in accordance to the political climate. About 170 victims' cases were dismissed due to amnesty laws (Dinges, 2012). However, in 1997, there were reforms in the structure of the Supreme Court of Chile which resulted in changes in the judges attitudes towards the amnesty law as judges were now democratic appointees. They invoked the Geneva Convention for the first time and began to persecute those who had previously been protected by the amnesty law, beginning with General Stark. However, the military faction responded by saying that this infringed upon the lawmaking capacity of the Concertacion and threatened the military's power to enforce the laws because of the trials of so many of its members. The military's protest proved difficult for the judiciary to withstand despite international support from the judges and the persecution of the Pinochet trial in Spain. Human Rights Watch advocated for constitutional reforms to restrict military power in order to pursue proper trials without, I imagine, threatening the stability of the state. However, when the Presidents Aylwin and Frei attempted constitutional reforms, these were generally blocked by pro-military members of the Concertacion, with the primary exception of the 1997 reform of the appointment procedure for the Supreme Court. Defense Minister Pérez Yoma

proposed that there be meetings between perpetrators and victims with human rights attorneys, civil society members, and delegates for the military in attendance (Stern, 2006).

However, Aylwin did not want to cause the military and right-wing faction to instigate another coup or destabilize his agenda of "convivencia". He worked to create workable accords with the right wing faction, including the Center Right. Aylwin greeted Pinochet with a smile and handshake, civil gestures intended to pacify the awkward transition (Stern, 2006). The idea behind this was that each faction- left, right, and center, represented about a third of Chileans and therefore the key to representing all voices, and therefore, successful democracy, was to balance each of these.

And yet the continued role of Pinochet as head of the military resulted in a paradox for both him and Aylwin given that Aylwin wielded moral legitimacy and Pinochet wielded military and investor power. Stern believes that this resulted in a more constrained but continuing struggle over the boundaries of transition. For instance, Pinochet attempted to convince Aylwin that he ought to retain military cabinet members for presidential security, but Aylwin refused. Members of the military proclaimed that they had been successful in ensuring that the state was stable and functional. In keeping with this narrative, they distributed medallions with the words "Mission Accomplished" to various higher-level members of the military. Pinochet even went on tour to remind Chileans of his sustained presence in a place of power. His slogan was: "Thanks General. Mission Accomplished." Stern writes that it was the right wing's view that 'Pinochet and the junta had- after arduous work to tackle problems at the root- chosen to give the country back to civilians, in excellent working order'. Pinochet twice threatened to organize another coup if the Chilean government attempted to try him (Stern, 2006).

Stern writes: 'Democracy as acknowledgement and expression could not be disentangled from democracy as dilemma.' Pinochet had twice threatened to organize another coup if the Chilean government attempted to try him. There was an uncertain cooperation between the elites and the grassroots left. There was tension, in particular, between political elites of the Center Left Concertation and their grassroots base. The government relied on freedom of expression but also feared breaking apart the "convivencia"- they advocated for a delicate transition, a moderate transformation guided by elites. Aylwin attempted to reassure the military faction by saluting them in his speech and stating that they had the government's continued respect and further, that the removal of military leaders from positions of political power did not imply disrespect. Stern says that 'Aylwin's stance on Pinochet as army commander in chief was , therefore, subtle and fraught with ambivalence' (Stern, 2006). He did suggest that Pinochet ought to resign but it was subtle, and it was clear that Aylwin was far more interested in peaceful transition.

Those in support of democratic institutions increasingly rejected Pinochet and his loyalists. Aylwin vetoed some of his appointments, and the comptroller general approved his decision. Some former military leaders were moved into military attache positions abroad or retired. This demonstrated that the military, which during the Pinochet era, retained dictatorial power, was subordinate to the state. The conflict between the military and democratic institutions was especially pronounced when the Minister of Defense and the head of Pinochet's advisory committee reached an impasse regarding his potential resignation. They negotiated potentially ending the investigation of Pinochet's money laundering (the so-called "Pinocheques" case) in exchange for his resignation. Aylwin did not even seem too interested in the case for fear of undermining his own legitimacy. Pinochet and Aylwin met but neither would bring it up. However, soon after, Pinochet ordered the troops into emergency alert mode. The military still

had the power to destabilize Chile, and the threat was obvious. Pinochet remained commander-in-chief and the ultimatum was retracted. Chile returned to apparent normalcy and both sides cloaked their intentions in polite language. Stern mentions that this sort of "arrangement" had a history in Chile, where elites often came to agreements in an attempt to restore at least surface-level stability. Though increased democratization had increased stability and balanced different factions so as to prevent violence, there was still a threat of conflict (Stern, 2006).

Aylwin was president 1990 through 1994. Stern writes of Aylwin as having a "frank style" as paving the way to "anti-demagoguery". Aylwin had an image of competence, calm and stability that proved useful in this period of transition and extreme tension. Stern describes Chile's conflictive energy as 'mutually sympathetic and dependent, yet also beset by friction and frustration' in terms of the interplay between civilian and military power as well as political elites of the Center Left Concertacion and activists. There was a televised inauguration by Aylwin in which he acknowledged the crimes of the past. The speech took place in the National Stadium, a former prison and torture site. Aylwin said, 'Never again trappings of human dignity! Never again fratricidal hate!' This was the public interpretation of memory, conducted through a "reformed" government, and in consultation with the human rights commission. There were also economic and political constraints. He also said: 'Chile is one only! The guilt of individual persons cannot apply to everyone! We have to be capable of rebuilding the unity of the Chilean family!' In 1990, Allende was celebrated once more with a dignified official funeral and Aylwin used the occasion to honor him and speak about convivencia. At the funeral of Allende, human rights dignitaries, and supporters of socialism, and members of the Agrupacion of relatives of those who had been killed or disappeared paid their respects. They left wreaths and notes of appreciation. Most people left flowers, especially carnations. This public acknowledgement is

analogous to the acceptance of trauma occurring on an individual level and increased expression through cultural productions, which reflect transformation in social, political, and cultural dimensions (Stern, 2006).

In 1990, Allende was restored as a national symbol of what was honorable, and there was celebration on the anniversary of his election from both the state and the people, who chanted, paraded, and held up signs. Aylwin spoke at the event. The new president sought to create a new "convivencia"- living together in peace. In particular, he sought to address both elites and the left, and to ensure the stability of the neoliberal economic system despite the terrors that had coincided with or even aided in its creation. In order to do so, Aylwin believed that establishing a human rights commission would be valuable to building confidence/good faith: "confianza". At the same time, this commission threatened stability if the trial questioned the legitimacy of the former dictatorship or persecuted members of the military. In 1989, Pinochet said "If they want to go to the homes of officers looking to jail them, submit them to trial, one can also put an end to Rule of Law." The Concertacion's human rights and justice advisory committee considered this issue. Some things changed with the return of lawyer activist Jose Zalaquett, who had been exiled, but returned. He collaborated with Amnesty International, and he began to consider comparative frameworks by which to address the memory question of post-Pinochet Chile. The courts had been affiliated with the dictatorship and the legislative branch had a majority of right-leaning officials, so any sort of rigorous punishment for human rights perpetrators would probably not be enacted or passed. At the same time, future policies would seem unsound if the problems of the past were left unresolved or even ignored. It was for these reasons that Aylwin moved to create a commission for truth rather than punishment, and that he decided to include right-leaning as well as leftist members on its board (Dinges, 2012; Stern, 2006). The political



shifts due to the right to vote and organize as well as the cultural changes after Pinochet meant that past political divisions that had culminated in violence were being balanced through more democratic processes. At the same time, these channels reflected the Chileans' narratives on trauma, allowing for more freedom to express and so process these traumas in a more collective, and thus, integrative, fashion.

However, the incident that finally cracked the image of Pinochet as leader and strongman was the discovery of \$3 million that he had stored away after financial laundering from the state. This was because this was in contradiction even to the values of the right and the notion that his crimes were committed in the ultimate interest of the stability of the state. Also, Pinochet used his old age to avoid being persecuted because he appeared too infirm to be tried. It is interesting that Pinochet had to betray his own image as powerful dictator in order to portray his infirmity for the sake of avoiding justice. His eventual house arrest in Chile ensured that he no longer occupied a position of power. Pinochet's parliamentary immunity and title of senator were removed (Dinges, 2012). The violence of the past was gradually but eventually acknowledged by Chileans as the strongman's image broke apart, and the narratives that had long been repressed were gradually publicly acknowledged.

The attempted trial of Pinochet was monumental because many hundreds of similar cases opened against other perpetrators of crimes against humanity and opened up discussion regarding the past that for long had been kept secret. Contreras, former head of DINA, was tried in Chile and eventually went to jail because of his ordering the murder of Letelier. Contreras said, "I will only ask forgiveness from God. From no one else." Contreras was convicted to serve hundreds of years for war crimes. Even though Pinochet and Contreras did not admit to guilt or apologize for

their actions, the public acknowledgement that their attempted and actual trials represented was important for collective processing of traumas.

Alywin created the National Office of Return to handle the 200,000 to 400,000 or so exiles. He also had about 400 political prisoners from the past regime. This was cause for further contentious debate and division, considering that some of these prisoners had attempted an assassination of Pinochet and his generals- and had killed some of Pinochet's bodyguards in the process. All of the prisoners were tried case by case, and the would-be assassins were exiled but not imprisoned (Dinges, 2012). Cardenas attributes some of human rights issues to the legacies of colonialism, given its system of social discrimination, especially hierarchies of power, wealth, race, and gender. In the Latin American case, this can be seen in caudillo rule and pervasive economic inequality. The dictatorships of the 1970s are far from the beginning of repression in these states- and the political stability is potentially enduring (Cardenas, 2010). Alywin attempted social reforms including institutions intended to provide support for women and indigenous people. The government raised \$600 million for social spending- reforms that were intended to balance the wrongs of the past (Stern, 2012). Wright emphasizes the needs of the most vulnerable, and is critical of systems of inequality as he believes that these systems lead to the deterioration of human rights frameworks until they are only enacted in principle but not in actuality (Wright, 2007). There is also the issue of complicity, as many institutions and individuals allowed these mass crimes to be committed. By balancing different voices together in a unifying fashion, democratic institutions and legal frameworks granted Chileans channels through which to process the past and make necessary changes. This was a somewhat inclusive process in the sense that those with different experiences and the marginalized were also

included in some of Alywin's reforms. Some victims were even compensated, but compensation was limited and of course deeply inadequate given the losses they had suffered (Minow, 1998).

After the attempted extradition of Pinochet, the grassroots movement became less focused on providing services to supplement that of the government's and more an organization to encourage subtler forms of government-citizen engagement. This is very important insofar as it demonstrates how democratic channels transformed and emerged where there was only dictatorial repression. A Mapuche activist was quoted in Stern's book as saying 'Before struggle was about taking over a road, writing up a list of demands. Now struggle is about writing grants' (Stern, 2012).

## **Section II: Truth Commission**

The new president established a commission: National Commission on Truth and Reconciliation and appointed four supporters of Pinochet and four detractors to eliminate the perception of political bias. Former senator Raul Rettig was the chair. The commission investigated the deaths caused by "government agents or people in their service, as well as attempts on life of persons carried out by private citizens for political reasons.' It had limited cases, but its investigations of these were thorough and its term was 9 months. Ninety-five percent of the cases it investigated were by state agents, and it completed an eighteen hundred page report. The armed left had been responsible for only 4% of cases. However, according to Hayner, the report had limited public attention and the past continued to be a source of discomfort. Yet Stern thinks of the Truth and Reconciliation Commission as "centerpiece" for the transition. Alywin pressured the Commission to avoid a split though he required that political

figures from each faction be represented. Latin America has the highest concentration of human rights commissions, yet: "politics explain why accountability has been so elusive". And justice is nearly always contentious. Chile's truth commission, National Commission for Truth and Reconciliation, was created in 1990, had 8 members, and its report was released in 1993 regarding abuses documented from 1973 to 1990. The truth commission was designed to attempt to create a dialogue between the different factions of post-Pinochet Chile, namely between victims and perpetrators (Stern, 2012).

The Truth Commission began in 1990 and lasted until 1991. Members of the military often refused to participate and the commission had no power to subpoena them. A few retired officers were willing to testify, especially those who had been impacted by the "Caravan of Death". Of course the primary people who were testifying were surviving prisoners and the relatives and friends of those who had died. The friends and relatives formed the Agrupacion while the survivors formed the Group of Survivor-Witnesses. Together, they meticulously considered their memories in order to reconstruct all that had happened. Some revisited sites where they had once been tortured. They attempted to work through their trauma for both personal benefit as well as to create a public history- and in particular, identify both victims and perpetrators (Stern, 2012).

Stern mentions that the survivor and victim family member groups had their own agendas in regards to the Rettig Commission, of course, and that this "frictional energy" - arguably the thing which fuels a healthy democracy, was what shaped the transition. Even within survivor and victim communities there were tensions, especially within the small subset of prisoners that had begun to cooperate with members of DINA, such as Luz Arce and Marcia Merino- Arce had had sexual relationships with some of the guards and she had at times, taken a proactive role in

helping DINA get more information on leftists. Both went on missions to identify people for detention and helped with administrative and information-gathering tasks. Merino suffered from symptoms of trauma when forced to recall experiences, while Arce was considered more controversial because she failed to exude 'neat victim imagery' (Stern, 2012).

The Rettig Commission seems to have considered them as victims and conducted a comprehensive examination of their involvements. Some objected to this because they believed that this treatment robbed them of their accountability. The Rettig Commission required sufficient evidence for hearings in order to uphold their integrity and ensure that regime loyalists could not undermine their legitimacy. Of course, this meant that cases without substantial evidence might not have been properly heard. Some influential conservatives agreed that the law and judiciary had failed Chileans. Some believed that the crisis of a potential leftist uprising still did not justify the human rights violations. Other conservatives supported the Commission in part because it was bipartisan and also because it also examined the violence of the left. The Commission found 2,115 cases of death and disappearances and 641 cases that warranted further investigation but could not be concluded by the Commission's deadline. On March 4, 1991, President Aylwin presented the Rettig Commission's report, in a definitive and emotional manner (Cadena Informe Rettig, 1991; Stern, 2012).

As mentioned above, there were still many controversies surrounding the truth commission. There were still divisions between the various factions involved in the Commission, although victim groups had organized, there were many opinions within these as well as conflicts with perpetrators who refused to appear or did not take responsibility. Further, only a certain number of cases were heard, so other stories were not publically aired. There is the fact that many in the military still had impunity, and those perpetrators who spoke were granted amnesty.

Amnesties granted were in no way blanket amnesties, but specific, which meant that they required a degree of specificity- and accountability. Truth-telling in itself becomes a mechanism through which to address societal wrongs but many still deem it second-best by comparison to criminal prosecution- in terms of accountability, at any rate. The tone of the commission can act as a form of validation for victims. It is a commission for the victims, not the ones they persecute, and as such, only barely attempted to bridge divisions between the factions of Chilean society. The symbolic importance of the Truth Commission is in the fact that these divisions could be discussed at all. It represented the shift from repression from pluralism, and the gradual democratization of society.

### **Part III: Spanish Extradition Attempt**

Amnesty International notified Garcés when Pinochet was in London in October 1998. The U.K. chapter of Amnesty International had sought to arrest Pinochet multiple times but he had always stayed too briefly- "before we could get authorities to act", the chair said. They attempted to use the Convention Against Torture in the Criminal Justice Act but it required the Attorney General's approval and the compliance of the police. A standing joke among human rights advocates: "here comes Pinochet again.." They determined that involving the Spanish courts would place more pressure on British police. There was a case regarding the human rights crimes in Argentina and these were tied together by Operation Condor. Pinochet did not have diplomatic immunity as he was in London on a private visit. Amnesty International reminded the British government that it was a breach of international law to shelter those who had committed crimes against humanity and that Pinochet therefore had to be prosecuted or extradited to a country that would (Dinges, 2012). This is interesting in that there is an assumption that his trial

would confirm these crimes and also because it shows the flaws of implementation of international law within the framework of national interests.

There were trials regarding human rights abuses in Argentina as well as Chile. The Spanish government was distracted by its own politics and so did not, apparently, seriously think to intercede and stop the trials, which could have become a diplomatic nightmare, according to Roht-Arriaza. Also, officials, lawyers, and academics did not expect the case to succeed. However, eventually the activists and lawyers gained more support, with letters coming in even from notable figures such as Desmond Tutu and the Dalai Lama. Pinochet had a degree of impunity as a head of state according to British law, though according to the Genocide Convention, he had no impunity. Unfortunately, this principle of the Genocide Convention had not been translated into British law (Dinges, 2012).

Garzon noticed that many cases were transnational due to the cooperation between intelligence services. Some of the most interesting of the documentation from the Paraguayan "Archives of Terror" were regarding these bilateral and multilateral meetings of Operation Condor. This implicated not only the Chilean government but that of six Latin American countries (not to mention the U.S.) (Slack, 1996; Dinges, 2012).

Interesting that to get the Spanish court to try Pinochet, they had to base the case on universal jurisdiction, which would apply if the crimes were heinous enough. Some wanted to create a evocative public record to increase the odds of the trial being held. They also needed political will, and therefore the involvement of a Spanish political party. They also sought to focus the investigation on the military strategy as criminal conspiracy, and to seek details regarding a limited number of crimes to ensure that their case was as strong as possible. This is

interesting because it demonstrates something of how the trial itself warps the narrative because of its framework.

The Convention on the Prevention and Punishment of Genocide had involved numerous countries signing on to a treaty that agreed to punish genocide in the states it had occurred or at an international tribunal, though the definition of both genocide and torture had been argued. The issue of jurisdiction was therefore a complicated one. The British House of Lords as well as the Spanish court were involved. The House of Lords were conflicted, but eventually determined that Pinochet did not have immunity and therefore could be extradited. In particular, though a head of state might have immunity when it came to official acts, torture and the like could not be considered an official act. The House of Lords seemed responsive to the public opinion on the matter (Dinges, 2012).

“The idea of justice is a wily and slippery thing. Remember, if Augusto Pinochet had stood trial after he was arrested in London [in 1998], we would have put an 83-year-old man inside a cell. And if anyone thinks that that creates justice and closure, they should revisit the situation and think about it. Prisons are the awkward and clumsy vehicle that we have. What’s more important for me is to dismantle the myth of Pinochet and to clarify the history. ... It has been a long, long arc towards justice over many years.” The attempted trial was monumental because many hundreds of similar cases opened against other perpetrators of crimes against humanity and opened up discussion regarding the past that for long had been kept secret (Dinges, 2012; Stern, 2010)

#### **Part IV: Italian Trials**



These trials in Italy were held for nine years, from 2008 to 2017. The investigation was opened by Italian attorney Giancarlo Capaldo. Some twenty-eight officers were sentenced from from Uruguay, Bolivia, Chile and Peru- 27 were sentenced to life, and Eliseo Chavez Dominguez was acquitted. There had initially been one hundred and forty people tried for human rights abuses, but many were too old or had already died, and so were not tried (TeleSUR, 2017).

The trials were held as the result of advocacy efforts driven by the families of the “desaparecidos” (the disappeared). It was held in Italy due to the international law that allows for people to be tried outside of the country where the crime was committed if the crime is considered “a crime against humanity”. This provision in international law is the result of a history of human rights struggles. Additionally, there must be some connection between the crimes and the country trying the offenders. In this case, some of the victims were Italian citizens, which makes sense given the number of Italian migrants who settled in Latin America (TeleSUR, 2017).

The condemned are as follows:

“Luis Garcia Meda was the president of Bolivia between 1980 and 1981; Luis Arce Gomez was Bolivia's head of the Department of the Intelligence and, later, minister of the interior; Juan Carlos Blanco was minister of foreign affairs of Uruguay; Hernan Ramirez had a very important office in Chili; Valderrama Ahumada was a colonel of the Chilean Army; Francisco Rafael Cerruti Bermudez was president of Peru from 1975 to 1980; Pedro Richter Prada was a general and the former prime minister of Peru; German Luis Figueroa was the head of the secret services of Peru.” Jorge Nestor Troccoli Fernandez was among those acquitted (TeleSUR, 2017).

Those persecuting those who had been involved in the Dirty Wars were supported by an Italian NGO, Coalition for Civil Rights and Freedoms (CILD). Even though many high ranking

officials involved in Condor were condemned, many observers were still upset by the results of the trials because many key executors of the crimes were not persecuted. The trials in Italy, like the attempted extradition of Pinochet, only gained traction because of the increased political organization of Latin Americans and the international relevance of the cases (TeleSUR, 2017). As a result, Chilean culture memory become politically salient through increased public conversation brought about by grassroots and nonprofit organization in international forums.

### **Part V: The U.S. Connection**

“It is not a part of American history that we are proud of,” said Secretary of State Colin Powell regarding Operation Condor when questioned. The Pinochet coup had a wide-reaching effect on other countries as they perceived it as a signal that the U.S. would support the emergence of other right-wing dictatorships. "In the minds of the world at large, we are closely associated with this junta, ergo with fascists and torturers", stated a member of the U.S. embassy staff, Richard Bloomfield.

In 1973, Sen. Frank Church was among the members of Congress who spoke out against Operation Condor and a Senate subcommittee investigated the ties between the CIA and the International Telephone and Telegraph Company, a company that Allende had intended to nationalize- which of course would have been at odds with American economic interests. Sen. Church later led another hearing, this one more public, which also produced a negative report on the covert operations in Chile. In the mid 70s, Congressional investigation, known as the Church committee (lead by Senator Church, the Senate Select Committee to Study Government Operations with Respect to Intelligence Activities) was created to "debate and decide the merits of future use of covert action as an instrument of U.S. foreign policy". The Senator Church

investigation resulted in no charges or indictments. Kissinger was present at the trial but his presence was not meant to be a confirmation of any involvement in the assassination plot (Kornbluh, 2003).

Kissinger spoke to his editor Michael Korda and seemed “anxious” after the arrest of Pinochet (Kornbluh, 2003). There are many who harbor fascination as to whether Kissinger has any regrets, guilt, or perhaps a conscience. But all people in power have great responsibility and especially those who entertain particular ideologies regarding how power should be balanced and an international order maintained may play factions against one another in a way that can be severely damaging as well as potentially beneficial to human rights. Whether Kissinger was desensitized to his impact, I am not sure. All the same, it does not erase his responsibility for the unconscionable suffering that he has helped cause in many cases.

Dinges thinks of the U.S.'s lack of guilt over its role as sort of 'de facto amnesty' that the U.S. granted itself for winning the Cold War. At the same time, Kissinger and the U.S. government were aware that they faced the scrutiny of the international community especially given that "Chile had long been viewed universally as a demonstration area for economic and social experimentation" (Kornbluh, 2003).

The arrest of Pinochet in 1998 was transformative. Dinges concludes by stating that the U.S. was responsible for cooperating with Latin American military dictatorships because Condor agents assumed that as allies, they had American support even in international assassinations. Dinges refers to American support for the Condor system through the Spanish phrase: 'raise a flock of crows and they will pluck out your eyes', which is to say that the whole situation resulted in adverse consequences that the U.S. was never truly accountable for (Dinges, 2012).

In the mid 70s, Congressional investigation, known as the Church committee (lead by Senator Church, the Senate Select Committee to Study Government Operations with Respect to Intelligence Activities) was created to "debate and decide the merits of future use of covert action as an instrument of U.S. foreign policy". The Senator Church investigation resulted in no charges or indictments. Kissinger was present at the trial but his presence was not meant to be a confirmation of any involvement in the assassination plot. Kissinger and the U.S. government were aware that they faced the scrutiny of the international community especially given that "Chile had long been viewed universally as a demonstration area for economic and social experimentation." "In the minds of the world at large, we are closely associated with this junta, ergo with fascists and torturers", stated a member of the U.S. embassy staff, Richard Bloomfield. The U.S. government refused to release many of the classified files in full even to the Church committee. They had about 37 documents that were released only much later- all of these were prior to the Letelier assassination and demonstrate their knowledge of Condor's international assassination plans. According to the declassified dossier released under the title "The Pinochet File", documents were stamped as: Top Secret/Sensitive, Eyes Only, NODIS (No Distribution to Other Agencies), NOFORN (No Foreign Distribution), and Roger Channel (High Urgency, Restricted Dissemination). These documents included White House memos, transcripts of conversations, briefing papers for various presidents and high-level advisors, and minutes of strategy meetings, and CIA communications (Kornbluh, 2003; Central Intelligence Agency, 2013). CIA has acknowledged over a dozen covert operations, but the attempt to sway the election in Chile has raised the most controversy and scholarship, as noted on the CIA site- it has blighted the reputation of the CIA for decades especially because Allende's rule had been relatively peaceful compared to Pinochet's (Kornbluh, 2003; Central Intelligence Agency, 2013).

Peter Kornbluh, director of the Chile declassification project at the National Security Archive, said ‘The sharp contrast between the peaceful nature of Allende’s program for change, and the violent coup that left him dead and Chile’s long-standing democratic institutions destroyed, truly shocked the world.... In the United States, Chile joined Vietnam on the front line of the national conflict over the corruption of American values in the making and exercise of US foreign policy.’ The CIA wrote in an official statement afterward that the most outspoken critics have been ‘a community of human rights activists, left-wing scholars and intellectuals, and antisecrecy advocates’ in an attempt, I imagine to compartmentalize these views as belonging to a certain subset of people, though in fact human rights are a universal issue even when not codified by human rights doctrines, activism, and the vocabulary of human rights movements. There is no way of getting around the brutal nature of Pinochet’s 17 years in power. For this purpose, the National Security Archive has used the Freedom of Information Act to request that information held by the CIA and other agencies be publicized: “force more of the still-buried record into the public domain—providing evidence for future judicial and historical accountability (Kornbluh, 2003; Central Intelligence Agency, 2013).

In 1973, Senator Frank Church was among the members of Congress who spoke out against Operation Condor and a Senate subcommittee investigated the ties between the CIA and the International Telephone and Telegraph Company, a company that Allende had intended to nationalize. Sen. Church later led another hearing, this one more public, which also produced a negative report on the covert operations in Chile. The CIA interventions in Chile were subject to much debate, especially partisan debate, within the agency for years after. The official CIA position as of 2000, as written out in the Hinchey Report is as follows: "Although the CIA did not instigate the coup that ended in Allende's government on 11 September 1973, it was aware of

coup plotting by the military, had ongoing intelligence collection relationships with some plotters, and- because CIA did not discourage the takeover and had sought to instigate a coup in 1970- probably appeared to condone it." Kissinger had been fully informed of the Schneider situation, the CIA testified, but Kissinger insisted that all coup plotting had been halted after October 15. He made it seem as though it had been a misunderstanding between the CIA and the White House, and that the actions taken by the CIA had not been ordered by Kissinger because the plot had been formally called off. Though Kissinger said that the plot was terminated, weapons were still being sent to Chile for the purpose of killing Allende- and the U.S. was determined to avoid displaying the slightest indication of responsibility. Civil lawsuits filed by families of Pinochet's victims requested further documentation, but the government did not acquiesce. This changed around the time of the Pinochet trial, when the Clinton administration began to release documents through the Chile Declassification Project (Kornbluh, 2003; Central Intelligence Agency, 2013).

Those who had been involved in Chile prior to Pinochet's summons were held accountable more often but with mixed results. Kissinger was subpoenaed but avoided the summons and has limited his international travel. Meanwhile, Ed Koch, an American Congressman, sought to expose the horrors of Condor to prevent further U.S. involvement. There was finally an FBI investigation of the Letelier assassination. Milton Friedman, who won a Nobel Prize for economics, said he had no connection to the repressive regime of Chile and did not endorse it though he advocated for free market policies, which the CIA had planned out for Chile. Friedman later ascribed a causal relationship between Chile becoming capitalist and its rapid economic growth, known as the "Miracle of Chile". Brazil and Uruguay, as well as Chile, sought advice from the Chicago School, comprised of economists like Friedman who believed in

unrestrained capitalism. They sought key posts in the new dictatorships. They had advocated for economic reform as well as social reform because some believed that ‘you cannot have a repressive government for long within a genuinely free economic system’ (Kornbluh, 2003; Central Intelligence Agency, 2013). “Usually, the official storytellers of neoliberalism do not even mention Chile, they start the story with Thatcher and Reagan because it’s much more flattering that way..”

Jimmy Carter in particular had sought to end Cold War-era anti-communist alliances. Secretary of State Madeleine Albright wrote out a statement that broadly supported the pursuit of justice for human rights crimes in Chile, but the government did not explicitly call for his extradition to Spain. In order to appease human rights supporters, the government decided to declassify about 60,000 documents, some with portions blacked out, but many without omissions. Dinges writes that the ambitions of the prosecution in regards to bringing Pinochet to justice exceeded what was legally possible (Dinges, 2012).

Garcés collaborated with people in Washington who opposed the dictatorship, including Saul Landau, a fellow at the Institute for Policy Studies, a moderate left organization that opposed U.S. alliances with Latin American dictatorships. The U.S. Department of Justice had conducted a limited investigation which had resulted in the conviction of several Chilean exiles who had aided in the Letelier assassination. DINA officers, including Contreras, were indicted but not extradited until much later, when the dictatorship ended and Chile began its own investigations into Condor (Dinges, 2012).

That the U.S. was responsible for aiding the crimes of the dirty wars further created a negative image of the U.S. in the Southern hemisphere. This was despite attempts by Jimmy Carter to improve this relationship, and Kennedy's Alliance for Progress. The anti-American

sentiment, according to Krauze, has somewhat faded due to increased democratic regimes in Latin America and the U.S.'s increased willingness to trade with Cuba and renounce imperialistic practices. The U.S. has had a long reputation of capitalizing on divisions in Latin America for their own national interest. However, after the trial of Pinochet, and due to the advocacy of people within Chile and the U.S., American foreign policy and attitude towards the region has been slightly more accountable. Given the large role that the U.S. played in Chile and in the international community, this shift has been important because it has impacted the international shift in human rights. For instance, activists in the U.S. helped support the Pinochet trial which represented a major turning point for international human rights. The trials within the U.S. demonstrate a similar desire for increased accountability. The fact that the CIA and other organizations have been more transparent about their involvement shows that the period of repression that pervaded Chile and even influenced how the U.S. conducted foreign policy has given way to a period of more transparent discussion, which is important for more peaceful conflict resolution and prevention in international forums (Dinges, 2012).

## **Part VI: International Shifts**

After Pinochet's arrest, one advocate said: "We finally felt free to discuss and say things that were considered taboo even after years of civilian rule." This set a precedent for future human rights cases. The U.S. and Europe in particular have been involved in more international human rights cases. Domestic law such as the Alien Tort Claims Act in the U.S. have been used to allow foreign nationals to make claims in U.S. courts for violations of international law. The 1991 Torture Victim Protection Act requires extradition or prosecution of torturers, even those who are foreigners. Some of these international cases, especially in the U.S., have involved Latin



America, especially when governments in those regions have not been receptive. Obviously, different sorts of justice are attained through different settings. That is, a case settled in an international court may not be as focused on the needs of local communities or victims so much as international norms. In 2001, the Inter-American Court of Human Rights ruled that national amnesties are not legal when victims have been disappeared and prosecutors have sought other loopholes in amnesty laws when attempting to try perpetrators (Stern, 2010; Dinges, 2012).

When human rights violations occur on a national or international scale, trauma exists within all social frameworks including individually, collectively, and politically. Given this, transition must be holistic. Trials are important to ensure that perpetrators do not reemerge and for the purpose of establishing accountability. They can also be retributive or reconciliatory and so produce results in social and individual contexts. Further, they can be used as a precedent for future justice mechanisms. In some cases, they are ceremonial and represent desired political outcomes (Stern, 2010; Dinges, 2012).

Reforms are integral to transitioning from human rights abuses, and these include institutional, political, educational, economic and other types of systemic change. Now, Cardenas writes, Latin American is characterized by greater leftism and populism among democratic leadership. Issues of inequality are still pervasive. Meanwhile, militaries do not have the strength they once did, but are still a political influence. Political and economic divisions could potentially wreak further instability unless democratic institutions are successful in channelling unrest in a constructive manner. Cardenas discusses some of the issues that may arise due to neoliberalism in a more leftist society such as Chile, where labor groups often organize to demand greater regulation. There are also historical examples of how communist and other economic systems can go awry. According to Cardenas, neoliberal economic systems require

privatization, free trade, significant exports, and foreign investment. This, he says, can cause social discontent because it requires cuts for social services. Cardenas writes that neoliberalism requires social stability in order to endure this, and that military oppression is sometimes considered a tool to this end, resulting in human rights abuses (Cardenas, 2010). However, I can think of ways that even this short term oppression have hurt future economic growth even in a neoliberal context.

In terms of reform, there are international and transnational forums such as the U.N., transnational alliances, and NGOs that can exert pressure, and various applicable human rights treaties. This includes local activists, especially relatives of those who have been killed or disappeared, as well as survivors of torture. Some have helped create organizations such as Argentina's Madres de Plaza de Mayo and Abuelas de Plaza de Mayo. Efforts such as these have been useful in the formation of transnational organizations such as the Latin American Federation of Associations for Relatives of the Detained-Disappeared, which presented a draft of a treaty on disappearances, which was eventually passed in the U.N. (Dinges, 2012).

The shift in international human rights only gained political salience when there were ways for people to organize and voice their narratives of the past. The transmission of testimonies to Spain was facilitated by the Association of Family Members of the Disappeared and other grassroots organizations. Chilean lawyers had support from CODEPU, FASIC, and other legal groups (Stern, 2010; Dinges, 2012).

It was not so much that there weren't laws in place for the international persecution of torturers- the United Nations Convention against Torture, for instance, required that states prosecute torturers or extradite them to countries that would. It was that state sovereignty was often upheld despite the existence of human rights conventions. As Human Rights Watch wrote

regarding the Chilean government at the time of Pinochet's arrest in London, 'The government has, however, drawn an artificial line between international justice exercised by a recognized international court like the ICC and justice delivered by a domestic court exercising extraterritorial jurisdiction. It maintains this objection even though extraterritorial jurisdiction is provided for in international law, expressly so in the Convention Against Torture, which the Pinochet government ratified in 1988' (Stern, 2010; Dinges, 2012).

Though the concept of universal jurisdiction had become more acceptable since the Nuremberg trials in 1945, nations were still more likely to follow domestic laws rather than comply with international conventions. Dinges calls this a "nationalist argument" that had already been defeated by the Nuremberg trials. One might suggest that this stems from national interest, or perhaps just the legitimacy of the state as compared to a more ambiguous international body. The culture and principles that strengthen the legitimacy of a state are of such historical significance that politically speaking, officials may find it easier to respond to the national or public will rather than become entangled in matters of international ethical import. But what drives the shift to a greater respect for international institutions of human rights is compliance from within these national communities and an increased understanding of global interdependence which has become all the more crucial given globalization, macroeconomics, and environmental, nuclear, terrorism, and other large-scale threats. As technology links the world together in increasingly complex ways, national communities are often marginalized or diminished and the stability of the international system requires a careful regard for the interests of various peoples. In the Pinochet case, it was grassroots organization, human rights champions, and cultural shifts that lead to changes in political consciousness. By representing the needs of the people from a national context, the international dialogue surrounding human rights was

transformed. In the U.K., the Law Lords of the House of Lords discussed the torture convention before deciding to comply with it and to overturn, in this case, the immunity granted to heads of state (Stern, 2010; Dinges, 2012).

Inter-American Convention on Forced Disappearance of Persons (1996) defined a disappearance as:

'the act of depriving a person or persons of his or their freedom, in whatever way, perpetrated by persons or groups of persons acting with the authorization, support, or acquiescence of the state, followed by an absence of information or a refusal to acknowledge that deprivation of freedom or to give information on the whereabouts of that person, thereby impeding his or her recourse to the applicable legal remedies and procedural guarantees.'

This is in particular interesting because the lack of information on what has happened serves to further obscure justice. Torture is defined by the Convention Against Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment (1984), and includes torture of the physical and psychological kinds. Some forms that occurred in Latin America include electric shock, beating, starvation, forced chemical ingestion, sexual assault, sleep deprivation, and suspension of the body. This is in addition to practices such as threats, solitary confinement, and forcing prisoners to observe the (mock or real) torture or killing of others, sometimes loved ones (Dinges, 2012).

The human rights struggle in Latin America would become significant for human rights the world over. The idea of impunity in particular, would 'begin to crack', as Wright writes: 'a human rights revolution'. In some ways, the biggest obstacle to human rights monitoring has been state sovereignty. The Cold War was had been an enormous obstacle for human rights: 'ideological and military rivalry that polarized' through "state terrorism". But Wright believes

that 'the international constellation of treaties, institutions, jurisprudence, and practice.. along with domestic human rights movements around the world' eroded impunity significantly (Wright, 2007).

### **Conclusion**

Memory is at the heart of global affairs, especially in the tradition of transitional justice. Human rights has become intellectualized as a field in the wake of Third Reich and the Holocaust as people attempt to study what went wrong and how to prevent further atrocities. The concept of a human rights trial has developed since then as means of *vergangenheitsbewältigung* (German for “coming to terms with the past”). But transitional justice and the nature of responsibility and the meaning of reconciliation has been explored socially and politically as well. Public recognition of collective responsibility through transitional justice mechanisms has been a recurring response manifested in various forms throughout the world in the wake of crimes against humanity, including in South Africa through the Truth and Reconciliation Commission and through the International Criminal Tribunal created in the former Yugoslavia. These commissions have been established to respond to different conflicts and in different cultural settings, and yet each was intended as a mechanism for international justice. Thus, each was created with the intention to build upon this precedent. This paper focuses on the very particular features of one incarnation of this model: those trials which followed the events of the 1970s and 1990s in certain regions of Latin America.

The shift in Chilean cultural memory between 1988 to 1998 become politically salient for international human rights by providing a channel between the human psyche and political institutions. The traumas of the past could then be expressed through the organization of what

was once emotion on an individual scale into grassroots movements which then became as nonprofits and other institutions. Newfound freedoms of expression and assembly were important for Chileans recovering from trauma because philosophers and psychologists generally suggest that processing trauma or at least reflecting on it with positive intentions can be most useful to coping with it. And if trauma is felt in the body, nostalgia and memory are like healing, connective tissue. This processing also occurred through increased cultural expression of remembering past events. As Chilean cultural norms shifted, the formation of these political groups also influenced the governance of Chile as well as international human rights bodies (as well as within countries that had been affected by the Chilean case). This significantly altered the policies and laws of Chile and international realm.

The paradigm of processing trauma, as portrayed through various cultural productions, was useful to the development of transitional justice mechanisms after Operation Condor insofar as it established a framework for people to process, establish meaning, and illuminate transitioning societies. This processing resulted in systemic changes that occurred so that the conditions in which the violations happened do not recur. Though the potential for violence might be considered an intrinsic aspect of the human psyche, it is important for the sake of society to minimize wrongdoings so that the rights of all people can be protected even in the midst of complex sociopolitical factors, which in many cases, may easily promote strife. In particular, factors that exist in the modern age represent a complex dilemma for those hoping to solve human rights challenges. Globalization has altered the means of information dissemination and resulted in new forms of disassociation from the phenomenons of mass suffering and mass reconciliation and transition. 'Globalization has indeed proved to be a double-edged sword for human rights. On the one hand, it has given local actors the tools to connect with sympathizers

and allies in far-flung places. On the other hand, critics assert that it has led to exploitation of the poor and erosion of local cultures..'

This could be somewhat of a commentary on the realities of a pluralist system because without proper channels between cultural production and political institutions, democracy fails. Instead of productive public discourse, fabricated information generated through mass media and other institutions leads to political disenfranchisement and disassociation. Aside from all the inherent disadvantages of democracy in regards to attempting to represent so many voices at once (and the issue of still protecting minority groups in this process), there are further complications due to media and how interests are represented. The many powerful interest groups that are represented in today's complex and global society have the ability to utterly transform information and disseminate it in unrecognizable ways for their own purposes. Though this is not truly comparable to the repression of Pinochet's Chile, in both cases, fabrications take on such a life of their own. Liberation comes with its own injustices. In order to continue to legitimize our government and function as a society, we require channels for open and peaceful political and cultural conversation.

Trauma stimulates awareness of connectivity and collectivity of society by illustrating how individual and collective wounds embody political mourning- or at least by establishing continuity in a society through response to past, present, and future realities. It is only human to construct narratives however, as processing the past is a natural process of our brains and discussion of these narratives is necessary for democratic society to function. The ability of peoples to respond to conflict so as to ensure a more stable, peaceful, and prosperous future is a key element in the shifting world of international affairs. Globalization has resulted in complex changes for many nations and national movements wherein the tendency to identify with various

constructs, however artificial, may only result in deeper alienation than the disempowerment that results from such an immense system.

The Dirty Wars and resulting disappearances in Latin America and the aftermath of this reveals the complicated impact of proxy Cold War conflict, U.S. influence and covert operations in Latin America, and particular revelations on the legacy of transitional justice/collective memory for human rights. Transition requires a consideration of how sociopolitical fragmentation that lead to mass human rights violations are counteracted or responded to in a reconciliatory manner by processing memory through democratic channels. Of course there is always the potential for human rights abuses and there is no erasing the harm that was caused but the enduring question remains- how can society can process these to recreate itself more peacefully? The decisions we make about past conflict determine how we create our society today.



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