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Strategic Transparency: Declassification Politics in United States- Latin American Relations

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Strategic Transparency:
Declassification Politics in United States- Latin American Relations

A Senior Project Submitted to
The Division of Social Studies

By
Isabel Snodgrass

Annandale on Hudson, New York
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Important Dates

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Introduction

On March 11, 2016, a collective of Argentinian human rights groups wrote a letter to the United States Ambassador in Buenos Aires requesting that he solicit the cooperation of the United States government with “the process of Memory, Truth, and Justice concerning the crimes against humanity that were committed in our country during the last civic-military dictatorship.”¹ The request echoed pleas to the United States from governments, human rights organizations, and individuals throughout Latin America. This sentiment, that the United States had the ability, and the obligation, to help in the ongoing reconciliation process for countries in Latin America had a firm foundation in history. By March 2016, it was common knowledge that the United States was deeply connected to the despotic regimes that had traumatized Latin America during the 1970s and 1960s.

United States interference in Latin American affairs dates back to the nineteenth century when the Monroe Doctrine restricted European influence in the region. However, US involvement in Latin American governments spiked after the end of World War II. Socialist and populist leaders in Argentina, Brazil, Chile, Cuba, El Salvador, Venezuela, and other countries throughout the region gained power in a wave of anti-Western, anti-capitalist sentiment that threatened US hegemony. Some countries, like Cuba, aligned themselves with the USSR, while others, like Argentina and Chile, did not directly align themselves with Moscow, but still rejected US imperialism in the region. In an effort to contain the spread of communism, the United States pitted itself against these new leftist governments in a series of both overt and

¹ Abuelas de Plaza de Mayo, Madres de Plaza de Mayo Línea Fundadora, Familiares de Desaparecidos y Detenidos por Razones Políticas, H.I.J.O.S., and Centro de Estudios Legales y Sociales (CELS). Letter to Noah B. Mamet, March 11, 2016. Translated by the Author.

covert operations intended to undermine uncooperative regimes. Most of these actions were successful. Leftist governments were ousted by US backed military regimes, which imposed right wing, authoritarian rule that subjected their countries to horrific human rights abuses. Military dictators throughout Latin America, such as those of Argentina, Brazil, and Chile, worked together to form a covert operation, called Operation Condor, which allowed them to effectively pursue their victims across borders. Thousands of intellectuals, religious leaders, students, leftists, social workers, and members of other demographic groups were targeted and accused of being subversives, leftists, and communists.² Many people who had been tortured and killed were never found, as bodies were disposed of in mass graves or thrown into the ocean. Thus, victims of the US-backed regimes came to be known as *the disappeared*.³

Ultimately, these dictatorships were replaced by democratically elected governments. Domestic politics in Latin America since the end of the Cold War has been characterized by the complicated process of coming to terms with its violent past. This effort is made no easier by the fact that in most cases, the dictators exonerated themselves of all crimes and destroyed evidence of the violence of their regimes before leaving office.⁴ Despite, and in part because of, this adversity, human rights groups, family members of the victims of the regimes, and Latin American governments still struggle to collect enough information to prosecute perpetrators and make sense of their respective national tragedies.

² Evidence that these demographics were targeted can be found in truth commissions reports such as Argentina's report on el Proceso, *Nunca Mas*. "Nunca Más" (Never Again) - Report of Conadep (National Commission on the Disappearance of Persons) - 1984).

³ Ibid.

⁴ See, for example, Neil J. Kritz (ed.), *Transitional Justice: How Emerging Democracies Reckon with Former Regimes* (Washington, DC: U.S. Institute of Peace Press, 1995); Alexandra de Brito (ed), *The Politics of Memory: Transitional Justice in Democratizing Societies* (Oxford, UK: Oxford University Press, 2001); and Jeffrey Davis, *Justice across Borders: The Struggle for Human Rights in U.S. Courts* (New York: Cambridge University Press, 2008).

Truth Commissions, public memorials, and personal testimonies dot the physical and literary landscape of Latin America. In 2005, Argentina's amnesty laws that exonerated the military personnel who aided in the deaths and disappearances of over 30,000 people were ruled unconstitutional, allowing decades-old criminal cases to be re-opened. In November of 2017, fifty four military personnel were indicted for crimes committed during Argentina's dictatorship, twenty nine of whom were eventually sentenced to life in prison.⁵ Likewise, in 2014, Brazil's Truth Commission released a report of over 1,000 pages that detailed crimes committed during its military regime. The report marked the first formal documentation of the repression that lasted from 1964 to 1985.⁶

Obtaining evidence of past crimes is crucial to every country that suffered from the dictatorships of the 1970s and 1980s. Finding evidence means closure for families who lost loved ones; it means gaining the ability to bring perpetrators to justice, and it means allowing a country to reconcile with its dark past, so that history will not repeat itself. Yet for many years, and in some cases to this day, obtaining information about what happened during these dictatorships has been incredibly difficult. Many of the dictators launched widespread misinformation campaigns during their regimes, destroyed evidence of their crimes, and ensured institutional blocks to judicial repercussions before leaving office. In countries that have attempted reconciliation processes after a return to democracy, it has been difficult or impossible to pursue legal justice for decades following the end of the dictatorships.

⁵ Reuters Staff. "Argentine Court Sentences 29 to Life for Dictatorship Crimes." *Reuters*. <https://www.reuters.com/article/us-argentina-rights/argentine-court-sentences-29-to-life-for-dictatorship-crimes-idUSKBN1DU021>.

⁶ National Security Archive. "Brazil Truth Commission Releases Report." News release. December 10, 2014. <https://nsarchive2.gwu.edu/NSAEBB/NSAEBB496/>.

For years, the United States has had the power to aid in these investigations. The country was so deeply involved in the dictatorships that thousands of pages of evidence on the crimes committed during the Latin American military dictatorships are available in CIA, Military, and Presidential archives. Numerous requests have been made by human rights groups, activists, historians, families, and governments through the Freedom of Information Act to declassify these documents. Many of these documents are more than twenty-five years old, which means they should automatically be reviewed for release under US transparency law. Through making these classified documents available, the United States has a unique opportunity to make amends for its involvement in Latin America and to live up to its self-crafted reputation of promoting global democracy and justice. Yet, declassification projects have been limited, drawn out, contentious, and deeply political.

Why has the United States been so reluctant to aid the Latin Americans in the ongoing process of reconciling the difficult and painful history of the Cold War, especially at a time when the U.S. preaches transparency in governance at home and abroad; and what does the process of declassification of documents regarding American influence in Latin America during the Cold War reveal about U.S. declassification politics and U.S.-Latin American relations? These are the core questions animating this study.

I argue that the American resistance to assisting the nations of Latin America in coming to terms with their difficult and painful histories reflects the primacy of political concerns over ethical and legal issues when presidents consider major declassification projects. This behavior reflects a persistent trend in U.S. foreign policy of placing interests ahead of values. US presidential administrations are aware that they hold tremendous political power in the information concerning Cold War-era Latin American dictatorships that exists in classified and

declassified documents in the United States. As this project demonstrates, a president will never offer information to Latin American countries solely for transparency's sake- but will only declassify documents if it is clear that there will be tangible political gains from a declassification project. While declassification projects by predominantly Democratic administrations in the past twenty years have been applauded, both within Latin America and in the broader global community, the influence that the Clinton and Obama were able to wield in Latin America through their efforts of transparency reflects a long history of United States interference and intervention into politics in the region.⁷

Before introducing my case studies, I will first review the technical legal complications of the declassification process. These nuances within United States declassification law could be deemed the intuitive view for why American political administrations have been so slow to respond to the demands by the Latin Americans for greater transparency about the role of the U.S. in Latin America during the Cold War. The project then focuses on two case studies, in Chile and Argentina, to illustrate that the politicization of the declassification process has prevented more active U.S. participation in the process of reconciliation in Latin America. I further use these two cases to explore the term “declassified diplomacy.” Finally, after presenting my two case studies, I explore the broader implications of my arguments to the study of declassification politics and U.S. Latin American relations.

The Conventional Wisdom

⁷Although this project focuses primarily on US facilitation of undemocratic regime change in Latin America, US intervention in the hemisphere has taken on many different forms, from trade deals, to land grabs, to drug wars. A vast array of literature exists concerning the history US intervention into Latin America, much of which is cited in this project. Additional broader works concerning US intervention in Latin America include: Ronning, C. Neale, and Lewis Hanke, eds. *Intervention in Latin America*. New York, NY: Alfred A. Knopf., 1970. and; Martz, John D., ed. *United States Policy in Latin America: A Decade of Crisis and Challenge*. 2nd ed. Lincoln, Neb.: Univ. of Nebraska Pr., 1997.

If there is conventional wisdom for why the U.S. has been so reticent to assist Latin Americans in their reconciliation processes, it is the complications of the declassification politics within the United States. The country's complex story of declassification legislation began in 1966, when Lyndon B Johnson reluctantly signed The Freedom of Information Act (FOIA) after months of congressional hearings concerning the need for a disclosure law. FOIA requires federal agencies to disclose any information requested, unless it falls under one of nine categories of exemption, "which protect interests such as personal privacy, national security, and law enforcement."⁸ For decades, the act has remained a central component of US transparency law, and has been a critical resource for human rights groups and families of victims of Latin American authoritarian regimes as they seek information from the United States. However, FOIA falls short in a variety of ways. Most significantly, FOIA, was and remains, unable to reduce the tremendous backlog of classified information, namely because documents have to be specifically requested in order to be considered for declassification.

It was not until 1995 that automatic declassification of government documents became legally mandated. President Bill Clinton signed Executive Order 12858, which established an automatic declassification program across all federal agencies, expediting the process of releasing thousands of executive branch documents dating back to World War II. The order mandated that all agency records and presidential library records predating 1975, and all classified records over 25 years old (with notable exceptions), be automatically declassified. This order, along with the Clinton Administration's emphasis on timely transparency, had profound consequences on US declassification protocol and covert US operations in Latin America.

⁸ United States Department of Justice. "What is FOIA?" FOIA.gov. <https://www.foia.gov/about.html>.

However, while Executive Order 12858 set an important precedent of transparency, there were two significant flaws in the program which complicated the process of declassification and further frustrated Latin American governments, activists, and human rights organizations as they sought information from the United States. First, the Clinton administration met resistance from other federal agencies. The CIA, in particular, has a history of resisting aggressive declassification, and the agency took several years to initiate declassification programs, even after the order was signed.⁹ Second, the order listed categories of exemption for documents up for automatic declassification, some of which were subjective and broad, and thus open to interpretation. In many cases, these categories of exemption make it easy for federal bureaus to claim that a vast array of documents are not qualified for release.

The Politics of Declassification:

Rather than serving as the sole answer to why the United States is slow to release documents they are legally obliged to disclose, the contentious internal process of declassification in the United States underscores a central reality that will serve as the keystone of this project: While the President of the United States controls classified information, he must exercise tremendous political will to enforce a major declassification project. Thus, I argue that politics are the most powerful influences on secrecy and transparency. While a president has the power to declassify any information across all federal agencies, this power is difficult to enforce. Interagency tensions, nuances in legislation, and limited resources all influence the time it takes

⁹ A speech delivered by former CIA director Michael V. Hayden to the Society for Historians at the American Foreign Relations conference in June of 2007 provides insight into why the CIA tends to delay automatic releases of information. Hayden delineated three main difficulties that arise with the goal of classification: resource management, security of informants, and relationships with foreign partners. Ultimately, Hayden's speech highlights logistical constraints to declassification that may be a legitimate source of CIA resistance to declassification. The speech can be found at: Hayden, Michael V. "Declassification: We Work for and Serve the Interests of the American People." Speech, Society for Historians of American Foreign Relations Conference, Washington, DC, USA, June 21, 2007.

for a document to be declassified. As shown in the case of Latin America, these checks to declassification can be crippling unless the president has enough political will to enforce a declassification effort.

I seek to highlight a powerful, and underestimated, driving force behind whether a president will invest in transparency through enforcing declassification. Peter Kornbluh, senior analyst at the National Security Archive, coined the term “declassified diplomacy” when discussing both the Clinton and Obama administrations’ release of classified information as a means of repairing frayed relationships between the United States and its Latin American allies. According to Kornbluh, the Obama administration in particular declassified information as a sign of political good will, an olive branch as he attempted to rebuild a trust thoroughly eroded by decades of US involvement in undermining democracies and economies in the region. While declassification is a highly effective form of diplomacy, this project will also illustrate how even demonstrations of transparency and good will, such as Obama’s visit to Argentina and Clinton’s Chile Declassification Project can be a coercive means to strip agency away from Latin American countries, especially when these declassification projects are not accompanied by verbal accountability from US presidents.

Latin America provides the ideal stage for an analysis of the way that declassification is wielded as a tool of statecraft by US presidents, first because the United States has exerted more covert influence on the continent than any other place on earth, and second, because the majority of US intrusion on Latin American sovereignty took place more than twenty-five years ago. This project focuses on US relations with Argentina and Chile to highlight presidents’ employment of declassification efforts at particular moments when they can be used as an effective diplomatic tool.

The case of Chile is used primarily as a means of illuminating why transparency takes special effort from a president, even when a system of automatic declassification review is in place. The Clinton administration's declassification effort on documents concerning the coup in Chile also highlights factors that a president must consider when deciding how much to prioritize transparency. Yet I ultimately show that Clinton used his Chile Declassification Project as a diplomatic tool to ensure the United States' collective legitimization in a global community that sought to establish a precedent against excusing dictators who committed crimes against humanity.

The case study of Argentina references Obama's effort to declassify information held about the Military dictatorship of the 1970s and 1980s as a means of repairing a frayed relationship between the United States and Argentina. Obama's visit to Argentina in 2016 marked the first bilateral visit between the two countries in nearly a decade. Anti-US sentiment in Argentina was strong, and the situation was made more volatile by the fact that the visit was planned on the anniversary of the coup that started the campaign of state terror. Obama arrived in Argentina with the promise of declassifying thousands of military documents, as well as documents from other federal bureaus. This olive branch was almost universally applauded and effectively reversed critical opinions of the visit. Obama's promise of transparency, in combination with the election of Argentine President Mauricio Macri, was seen by the Obama administration as an opportunity to turn around decades of a fraught diplomatic relationship.

Despite the compelling nature of declassification diplomacy, little to no academic literature exists examining its role in the declassification of information.¹⁰ I seek to contribute to

¹⁰ Archivists at the National Security Archive, such as Peter Kornbluh and Carlos Osorio, write extensively on "declassified diplomacy," and much of their work is referenced in this project. However this term is most often employed in press releases or newspaper and magazine articles and is rarely referenced even in their own pieces in academic journals.

the existing literature by drawing from media pieces, historical texts, and declassified documents to prove that the utility of classified information as a tool of statecraft is a powerful determinant of whether a president will exercise enough political will to ensure that documents are declassified.

Other forces, including international pressure, resource management, the potential for embarrassment, incriminating individuals, destroying legacies, or, in some cases, genuine concern that the information released will endanger people, are important to consider when analyzing the declassification process. It is almost impossible for these forces to not affect a president's decision to expedite a declassification effort. However, I argue that these external factors support the importance of diplomacy as a determinant of political will. Outside forces, such as international scrutiny, are essential to the efficacy of declassification as a sufficiently powerful diplomatic playing card. Likewise, a president must be sure that transparency will provide a larger net benefit than loss to the United States reputation.

The process of transparency that repaired the United States' relationship with Argentina and Chile, twenty five years after their return to democracy, demonstrates the ways that political and social environments affect the utility of transparency in statecraft. While this project almost exclusively references events that happened in Latin America and Latin American/US relations, the lessons learned from this case study can provide insight into the role that classified information, or the promise of declassified information, plays in international human rights law, US domestic politics, and the role of the United States as a global actor.

Chile

Bill Clinton's Chile Declassification Project, like Obama's declassification project in Argentina, illustrates that in order to pursue a massive declassification effort, the president needs to be convinced that the reputational gains of transparency outweigh other costs. The case of Chile differs from Argentina in key ways that illuminate the vast array of factors that go into declassification diplomacy. Clinton's motivation to declassify documents was less rooted in a desire to restore a relationship with Chile than it was in an effort to restore the reputation of the United States in a Eurocentric global community. The Chile Declassification Project almost certainly would not have been implemented without European scrutiny. Another singular characteristic of the Chile Declassification Project is that US influence on Chilean politics in the late 1960s and early 1970s was so egregious that it eclipsed even other US interventions in Latin America. As the documents under question would soon reveal, the United States was the most influential actor in the orchestrating the events that lead to the bloody coup of 1973, and the seventeen year-long dictatorship of General Augusto Pinochet. The following section will draw primarily on declassified documents from the 1960s and 1970s, compiled and synthesized by Peter Kornbluh, to articulate US involvement in Chilean politics. The fallout from the

dictatorship, and the publicization of US involvement, expose powerful lessons about the efficacy and pitfalls of declassification diplomacy.

“We can not endeavor to ignite the world if Chile itself is a placid lake”¹¹

The United States began to involve itself in Chilean politics in earnest in 1960, and continued to maintain an insidious and pivotal role in the fate of the country for the next decade. The secretive and delicate nature of US strategies in Chile were based in two historical precedents. First, The United Nations Charter of 1948 prevented overt intervention and demanded respect for national sovereignty, so the United States presidential administrations had long since learned to use the CIA to covertly influence the political climate of Latin America. By 1960, the US had already launched covert operations to unseat the government of Jacobo Arbenz in Guatemala, and Fidel Castro in Cuba. US decisionmakers hoped to contain the spread of leftist, socialist, and communist thought in the region and maintain hegemonic power over the Western Hemisphere through undermining these regimes. However, the second historical precedent for thoughtful and subversive intervention in Chile was rooted in the embarrassing failure of other covert operations in the region. The Bay of Pigs incident in Cuba was both humiliating and counter-productive, and convinced the Kennedy administration that further intervention in Latin America needed to be more subtle. Skillful and undetectable intervention was essential in Chile because the country held a critical strategic role for the success of John F. Kennedy’s brainchild, the Alliance for Progress.¹²

¹¹ CIA, Secret Cable from Headquarters [Blueprint for Fomenting a Coup Climate]. September 27, 1970 1-7. Cited in Kornbluh, Peter. *The Pinochet File: A Declassified Dossier on Atrocity and Accountability*. New York: New Press, 2003. 19.

¹² Kornbluh, Peter. *The Pinochet File*. 3.

Kennedy initiated the Alliance for Progress in 1961. The program marked a change in US Latin America Policy; instead of supporting oligarchs, Kennedy shifted US support to centrist political parties by offering twenty billion dollars in aid for Latin American governments to restart their economies.¹³ Chile was the prototype of this new strategy. The Kennedy administration invested in Eduardo Frei, who led the centrist Partido Demócrata-Cristiano (PDC). For Kennedy, and the next three presidential administrations after him, the PDC was the ideal blueprint for a “middle class revolution.”¹⁴ At first, the strategy worked. Frei won the elections in 1964, leading Lyndon B Johnson to declare Chile “a showcase for the Alliance for Progress.” In an effort to maintain the success of the PDC, Washington increased its foreign aid to Chile so that by 1970, Chile had received over 1.2 billion dollars in grants and loans from the US, making it the leading recipient of US foreign aid in Latin America.

The massive investment of the US in Chile meant that election of Salvador Allende in September of 1970 symbolized a devastating failure of US projects in the region, as much as it symbolized a major victory for peaceful, democratic, socialist reform in the leftist global imagination. The US was infuriated by its own inefficacy. As Kissinger was heard telling one of his staff members after Allende’s election “we set the limits of diversity.”¹⁵ Salvador Allende’s peaceful and democratic ascension to power had undermined those limits.

Allende had been on US radar as a threat since 1958, when his socialist coalition, titled Frente de Acción Popular (FRAP) lost only narrowly to the right wing Partido Nacional in the elections. Yet despite US awareness of Allende and investment in the PDC, Allende beat out the other two top candidates from the National Party and the People’s Democratic party with 36% of

¹³ Department of State, United States of America. “Alliance for Progress and Peace Corps, 1961–1969.” Office of the Historian. <https://history.state.gov/milestones/1961-1968/alliance-for-progress>.

¹⁴ Ibid.

¹⁵ Kornbluh, Peter. *The Pinochet File*. Xiii.

the vote in 1970. Allende's win coincided with a major change in US presidential administrations. As far as Nixon and Kissinger were concerned, Kennedy-era expressions of soft power and aid-based intervention had failed. The focus in Washington shifted from diplomatically promoting centrist politics to covertly preventing the congressional ratification that was necessary for Allende to officially assume the presidency. The clandestine efforts launched by both the Nixon administration and the CIA came to be known as Project FUBELT, and marked the beginning of the most egregious stage of US infiltration into Chilean politics.

Nixon and Kissinger decided that the most effective way to prevent an Allende presidency would be to orchestrate a military coup in Chile. The CIA proposed two different strategies for provoking a coup, so named Track I and Track II. Track I involved colluding with Eduardo Frei to fill his cabinet with members of the military, thereby placing Chile under effective military rule before Allende was able to assume the presidency. However Track I quickly became unfeasible. Frei proved to be unwilling to "betray Chile's long standing tradition of civil, constitutional rule."¹⁶ Unlike Nixon, Frei had resigned himself to the results of the election, and was committed to the preservation of Chilean democratic processes. Thus Track II, which involved an outright military coup without Frei's cooperation, quickly became the only path forward. The plan would take place in three stages, as articulated by Peter Kornbluh:

1. Identify, contact, and collect intelligence on coup-minded officers
2. Inform them that the US was committed to "full support in coup" short of sending the marines
3. Foster the creation of "a coup climate by propaganda, disinformation, and terrorist activities" to provide stimulus and pretext for a military to move.¹⁷

Pursuing a coup in Chile would require a tremendous amount of effort, most significantly because the political climate in Chile was not remotely conducive to a coup. Frei was not the

¹⁶Ibid., 13.

¹⁷ Ibid., 14.

only influential political actor who opposed an unconstitutional shift to military rule. René Schneider, who was Commander-in-Chief of the Military, also opposed unconstitutional regime change. Furthermore, the military, like its commander and chief, was “a-political,” “constitutional oriented,” and reluctant to involve itself in civilian politics.¹⁸ Lastly, public interest in a coup was nonexistent. According to Kornbluh “the vast majority of Chileans were at peace with the outcome of their political process.”¹⁹

In order to implement a coup that nobody in Chile wanted but the US deemed necessary, the CIA isolated two distinct goals. “Neutralize” Schneider, and create a “coup climate,” or “heightening tensions” in Chile. The US used covert operations to quietly wage an economic, psychological, and political war against Chilean democracy. US businesses, the CIA, and the government exacted a variety of measures intended to, in the words of Nixon, “make the economy scream.”²⁰ Meanwhile, the CIA carried out propaganda campaigns against Allende and planted rumors designed to escalate political polarization in the country. Concurrently, Nixon and the CIA supported a plan to kidnap Schneider, and blame the attack on leftist subversives, thus eliminating a vocal opponent of the coup while sowing discord among the left.

The US shared this ambition with an ally in the Chilean military, General Roberto Viaux. The first kidnap attempt failed, and from that moment onward US involvement in direct attacks on Schneider becomes cloudy. On October 22, 1970, Schneider’s car was stopped in Santiago. He was shot, taken to the hospital in critical condition, and eventually died. While it is clear that the CIA and Nixon both were aware of a plan to kidnap Schneider, Nixon and the CIA’s direct involvement in the assassination is still contested. Declassified documents from that moment

¹⁸ Ibid., 16.

¹⁹ Ibid., 16.

²⁰ Ibid., 17

suggest that there was some uncertainty within the CIA about who actually carried out the attack. Eventually, The United States blamed the assassination on an unauthorized initiative of right-wing students who were led by Viaux, yet it seems as though Viaux assumed, reasonably, that he had US support, and possibly used weapons that were supplied by the United States.

Despite the efforts Project FULTBELT, the Chilean Congress ratified Salvador Allende as President on October 24th, 1970. Although the US had failed to prevent the inauguration, the assassination of René Schneider and the economic and political fallout from the operations of project FUBELT set into motion the destabilization and polarization of a political climate that, only a year previously, had been characterized as “a placid lake.”²¹ Nixon, Kissinger, and the CIA maintained their ambitions of orchestrating a coup in Chile, yet Allende’s inauguration raised the stakes of US operations. The Nixon administration knew that openly violating respect for “the outcome of democratic elections” would “reduce our credibility throughout the world...increase nationalism directed against us...be used by the Allende government to consolidate its position...and move the Allende government to seek even closer relations with the USSR.”²² The embarrassment of the Bay of Pigs would pale in comparison to the repercussions if the world got wind of US infiltration into Chilean political life.

Thus, the United States continued to undermine Allende “from a low key posture,” feigning neutrality while continuing to quietly undermine economic, political, and psychological life in Chile. Nixon proposed that the United States dump copper holdings into the international market to undermine Chile’s newly nationalized copper mines, the White House worked with the World Bank to delay loans to Chile and prevent Allende from restructuring Chilean debt to the United States, and virtually all aid to Chile, with the notable exception of military aid, was cut

²¹ Ibid., 9

²² Ibid., 81.

off. Meanwhile, The US government also continued to covertly fund the PDC, transforming it into a “pro coup force.”²³

Covert operations lead by the CIA also increased. In fact, the CIA considered Allende a far easier target as a sitting president than as President Elect. In a special report titled “Allende after the Inauguration,” it was noted that the potential for a military coup was more likely in the post inaugural period as Allende dealt with “tremendous administrative and governmental problems brought on by a continued economic decline and by an increase in political infighting within his coalition.”²⁴ The *El Mercurio* Project marked a key example of blatant CIA infiltration into the political climate in Chile. *El Mercurio* was a prominent right wing Chilean Newspaper that the CIA had been funding since the 1960s. After the election, Nixon authorized \$700,000 in funds to the newspaper, ensuring that it would continue to run stories that would exacerbate the destabilization of Allende’s regime.

Nixon, Kissinger, and the CIA were so careful to maintain a face of neutrality that the US Congress did not even know about covert operations in Chile. The operations remained successfully secret until March of 1972, when information was leaked that the International Telephone and Telegraph Company worked directly with the CIA to attempt to trigger a military coup. The revelation was met with outrage. *The Washington Post* released an editorial stating “How could it be...that in 1970 an American president could consider the possibility of acting to prevent the democratically elected president of a supposedly friendly country from taking office?”²⁵ Former CIA director Richard Helms explicitly denied allegations that the CIA worked to overthrow the government in Chile when he was questioned by the Senate. The leak

²³ Ibid., 88.

²⁴ Ibid., 87.

²⁵ Cited in Kornbluh, Peter. *The Pinochet File*. 97.

crystallized the necessity for secrecy far more than it catalyzed a shift to transparency, and US covert intervention continued.

While the United States was primarily responsible for the creation of a coup climate in Chile, the Allende government, the Unidad Popular (UP) was internally fragmented and ill equipped to cope with adversity that had been introduced by the United States. Unidad Popular consisted of a coalition of six parties, the Radical Party, the Socialist Party, MAPU, Izquierda Cristiana, Acción Popular Independiente, and the Partido Comunista Chileno (PCCh). Its platform was to “search for a replacement of the present economic structure, doing away with the power of foreign and national monopoly capital and of the latifundio in order to initiate the construction of socialism.”²⁶ The UP government struggled with a rivalry between the Socialist party and the PCCh, and internal strife was exacerbated by the reality that the UP did not have a congressional majority. Antagonized by an opposition-led congress and international forces, the UP had the odds stacked against it from its inception.

Despite overwhelming opposition, the UP’s plans to nationalize the economy and implement widespread income redistribution were successful for its first year of governance. Allende’s nationalization of the copper mines was widely applauded and supported by the political opposition, unemployment fell from 8.3% to 3.8%, GDP increased by 7.7% overall, and wages and salaries rose to 61.7% of income. However, even before Allende’s first year in office came to a close, political polarization within Chile continued to escalate and the economic situation began to crumble. Inflation spiked, copper prices fell, (due mainly to US intervention in the global market,) and government deficit rose to 22% of GDP by 1973.

²⁶ Bethell, Leslie. *Chile since Independence*. New York City, USA: Cambridge University Press, 1993.

Unlike the military in Argentina, the Chilean military was hesitant to involve itself in politics. However several incidents lead the military to become alienated from the UP. The military resented Fidel Castro's visit to Chile in 1971, and was alarmed by rumors that workers were beginning to be armed. As economic tensions spiked, political tensions worsened and "the political centre disappeared in Allende's Chile."²⁷ The government's encouragement of workers to take over factories heightened animosity, and when the elections in March 1973 lead to ambiguous results, rumors of a coup became more pronounced. General Augusto Pinochet, who had been largely dismissed by the US as unlikely to support a coup, led the Chilean military in a coup in September of 1973. The violence of the coup matched the political temperature in Chile. At first, Allende refused to hand over the government, saying "The president elected by the people doesn't surrender."²⁸ But as the Army fought snipers in Santiago, Allende, hidden in the presidential palace of Modena, was abandoned by his military guards as they learned of their commander's rebellion. The palace was bombarded with rocket attacks, and later that same afternoon, Salvador Allende killed himself.

The Coup and the Pinochet Regime

The coup in Chile carried several similar characteristics to the Coup in Argentina. It came in the wake of political polarization and economic instability, it was performed by a military that enjoyed significant political trust and credibility in the years leading up to the coup, and, once instated, the Junta lead by General Augusto Pinochet was determined to annihilate not only direct opposition, but all political parties, and all dissenting thought and opinion in defense of

²⁷ Ibid.

²⁸ O'Shaughnessy, Hugh. "Chilean coup: 40 years ago I watched Pinochet crush a democratic dream." *The Guardian*, September 7, 2013. <https://www.theguardian.com/world/2013/sep/07/chile-coup-pinochet-allende>.

“Western, Christian civilization.”²⁹ Despite these similarities, the coup that took place in 1973 looked vastly different from the coup in Argentina. While the coup in Argentina was relatively peaceful and the violence of the regime emerged after it had established a quasi-legitimate power, the coup in Chile was excessively bloody. In fact, the human rights abuses that earned the regime international notoriety were initiated during the coup itself.

Immediately following the coup, congress was closed and the parties that had made up the UP were banned. A 6PM night time curfew was imposed, left wing periodicals disappeared, and virtually all governmental institutions were brought under military control. Although Pinochet presented himself initially as an institutionalist, he quickly abandoned all reference to the Constitution as his government sought to establish a permanent rule. In the days following the Coup, the CIA tallied death figures to be between 2,000 and 10,000, although the Junta government announced only 244 deaths. The violence did not abate in the months and years that followed. In the following seventeen years, 3,197 citizens would be killed and thousands more would be tortured at prison camps that opened around the country. Two sports arenas in Santiago were converted into detention centers. The bodies of those killed by the regime were buried in mass graves, thrown into the Mapocho River, dropped into the ocean, or simply dumped on city streets.

The United States maintained scrupulous records of these human rights abuses, and kept up friendly relations with Pinochet as he moved to consolidate his personal power. In June of 1974, Pinochet pressured the Junta to sign into law his status as “Supreme Chief of the Nation,” and by December he assumed his final title as “President of the Republic.” Pinochet established and closely oversaw a secret police agency called Dirección de Inteligencia Nacional (DINA,)

²⁹ Ibid.

which carried out thousands of arrests and murders. 1,100 prisoners of detention camps were disappeared, much like their counterparts in Argentina, at the hands of DINA. For the majority of Pinochet's rule, the US was careful not to endorse the violence in Chile. However, as noted by Kissinger in a staff meeting on October of 1973, "we should not support moves against them by seeming to disassociate ourselves from the Chileans. I think we should understand our policy- that however unpleasant they act, this government is better for us than Allende was."³⁰ Unlike Allende, Pinochet's financial policies were deferential to the United States, while his ideological policies staunchly marginalized the leftist voice in Chile. The US initiated a debt restructuring program, continued to arm the military, and granted 24 million dollars through the US department of agriculture in commodity credits to alleviate food shortages. The CIA continued to fund *El Mercurio*, which ran pro-military propaganda.

The event that marked the turning point in US-Chilean relations, and in US support for the regime, took place on September 21, 1976, when a car bomb exploded in downtown Washington DC, killing former Chilean ambassador Orlando Letelier and his colleague, Ronni Moffitt. Until September 11, 2001, this assassination was the most significant act of international terrorism ever committed in the US capital. The Moffitt and Letelier assassination corresponded with the election of President Jimmy Carter, who criticized President Gerald Ford for "helping to establish a military dictatorship" during his campaign. Although Reagan later tried to reverse Carter's stance against Pinochet, the terrorist attack prevented any real reconciliation between the two countries. Congress proposed spending cuts to Chile, and the terrorist attack, combined with increasing international pressure to condemn the human rights abuses in Chile, forced Reagan to continue to distance himself from Pinochet. Finally, the murder of a nineteen year old

³⁰ Kornbluh, Peter. *The Pinochet File*. 203

American citizen, Rodrigo Rojas, a young activist and photographer who came to Chile to document human rights abuses, drove the final wedge between the US and the Pinochet regime.

Meanwhile, the Junta's free market policies lead to a recession in Chile, which reignited political opposition, not just from leftists, but from elites who sustained losses due to the recession. The US once again began discussing supporting a centrist political party in Chile, and mounting external and internal pressure forced Pinochet to hold elections. Although the Junta attempted to quell the overwhelming opposition, ultimately Pinochet was forced to step down in March of 1981. However, like many other dictators throughout Latin America, he ensured his total immunity before leaving office. Pinochet's initial evasion of justice would give the US a rare opportunity to make up for its involvement years later.

Legacies of Scandal

Repercussions from the US involvement in Chile began to take shape even before Pinochet left office. In July of 1975, CIA director William Colby testified in a closed session before a special senate panel that the CIA had not condoned the assassination of General René Schneider, but been involved in orchestrating the Coup. The testimony was leaked to the *New York Times*, and on September 8th, 1974, the newspaper published a front page story titled "CIA Chief tells House of 8 Million Campaign against Allende in 70-73."³¹ The report detailed Colby's testimony and referenced Nixon's claim the previous year that the CIA had nothing to do with the coup.³²

³¹ Ibid., 218.

³² Hersh, Seymour M. "C.I.A. Chief Tells House of \$8 Million Campaign against Allende in 70-73." *New York Times* (New York City, NY), September 8, 1974. <https://www.nytimes.com/1974/09/08/archives/cia-chief-tells-house-of-8million-campaign-against-allende-in-7073.html>

While Colby's admissions were only partial, they lead to immediate uproar because they proved that Nixon, Kissinger, and other government officials had lied to Congress. The fallout from this scandal is essential to an analysis of declassification in foreign policy. The *New York Times* report forced the United States to reconcile with major aspects of its mechanisms of foreign policy. First, the words of Kornbluh, "CIA intervention became subject to public debate...a debate that would endure and influence US operations in countries from Angola to Nicaragua to Iraq in the last quarter of the twentieth century."³³ In addition to CIA involvement, the case of Chile marked a "the first major fight between the executive branch and Congress over human rights and US foreign policy."³⁴ The debates in Washington mobilized a human rights based political movement within a country that was fresh from its fury at the Vietnam War. The US Citizenry was fed up with government intervention in distant countries, and Congress was compelled to pass unprecedented human rights legislation as a result. The legislation included the "Harkin Amendment" which bound US economic assistance to the human rights record of other governments. Additionally, Congress put a 25 million dollar cap on aid to Chile until Pinochet turned around his human rights abuses.³⁵

While this legislation was unprecedented, it was completely ignored by the executive branch. President Gerald Ford's ability to ignore the newly drafted legislation, and the ability of successive presidential administrations to drastically affect the fate of another country without the knowledge or consent of Congress, much less the American public, demonstrates the power of the executive branch in matters of foreign policy and transparency. This power is the central

³³ Kornbluh, Peter. *The Pinochet File*. 222.

³⁴ *Ibid.*, 223.

³⁵ *Ibid.*, 224.

reason why declassification can and should be analyzed through the lens of presidential administrations.

Finally, it is important to bear in mind that, years later, when the Clinton Administration initiated the Chile Declassification project, it was already widely known that the US had participated in the coup. Potential embarrassment was less of a consideration than further incrimination of individuals like Kissinger. Ultimately, the scandal defined Chile as a key case study in government transparency since the 1960s.

Information and Justice

The Chile Declassification Project exemplifies the forces that both hinder and expedite declassification of documents about military dictatorships in Latin America. As the following sections will illustrate, Clinton's decision to launch the project was based in his belief that the United States' self-proclaimed international reputation for promoting democracy, human rights, and justice would suffer far more if he withheld information about US covert actions in Chile than if he was transparent about his country's insidious past. The story of the Chile Declassification Project and of Pinochet's arrest in London highlight that FOIA, and Executive Order 12658, which imposed the twenty five year limit on classified documents, do not necessarily ensure timely freedom of information. Additionally, this story illustrates that a president must have significant political incentive to expedite a declassification process. The Project also highlights considerable pitfalls of declassifying documents concerning US involvement in Latin America. Although, ultimately, Clinton had no other option than to initiate the project, the scandal that followed exemplifies that transparency can have serious negative consequences. Clinton initiated the project under intense international scrutiny, and his insistence

that the project be carried out illustrates the power of transparency and declassification in collective legitimization within the global community.

Pinochet's dictatorship lasted for seventeen years, which means that many of the documents concerning the dictator's rule were not qualified for release under the twenty five year mark. Nevertheless, the coup that brought Pinochet to power predated the 1975 deadline delineated by Executive Order 12958. Yet in the twenty five year period after the coup, very few secret documents concerning the dictatorship were released, and many of the documents that were declassified were so heavily censored that only their titles were made available, rendering them almost useless for both judicial and historical analysis. The global need for more information grew, however, when Pinochet was detained in London in 1998.

Pinochet initially enjoyed immunity from the crimes that he committed while in power. Like many other Latin American dictators, Pinochet "created for himself, and most of his accomplices, a legal structure of absolute impunity"³⁶ that he thought would protect him from criminal investigation once he left office. Pinochet continued to maintain his position as commander and chief of the military, and named himself senator for life, which guaranteed him parliamentary immunity. Additionally, Pinochet enacted an amnesty law for crimes committed during the 1973 coup while he was in power in the 1980s.³⁷

Nevertheless, in 1996, Spanish lawyer and former Allende aid Joan Garcés initiated an effort to hold Pinochet and his government accountable for the crimes committed during and after the coup. In 1997, Garcés came to Washington DC to request classified documents through

³⁶ "The Pinochet Precedent: How Victims Can Pursue Human Rights Criminals Abroad." Human Rights Watch. Last modified November 1, 1998. <https://www.hrw.org/report/1998/11/01/pinochet-precedent/how-victims-can-pursue-human-rights-criminals-abroad>.

³⁷ Hilton, Isabel. "Pinochet's Last Legal Ramparts Crumble." *The Guardian*, December 2, 2000, World News. <https://www.theguardian.com/world/2000/dec/02/chile.pinochet>.

the Mutual Legal Assistance Treaty (MLAT.) The treaty enables information sharing on criminal investigations between signatory governments, but the US was extremely unhelpful. Garcés was granted a few newspaper clippings, none of which contained information that could be put to use in a trial.

Garcés' case finally started to gain momentum when Spanish magistrate Carlos Castresana expanded Spanish law to include human rights crimes committed outside Spain, allowing Garcés to broaden his investigation to include Chilean as well as Spanish victims of the Pinochet regime. Finally, Garcés was able to convince a Spanish judge to issue a detention request through Interpol when Pinochet arrived in London in 1998. Upon his arrest in London, Pinochet claimed immunity, stating that heads of states could not be arrested and extradited. However, the House of Lords held that international crimes, including torture, were none 'functions' of a head of state and that, given that Chile had ratified the UN Convention against torture, Pinochet had broken international law.

Pinochet's detention marked the first time that a former head of state was detained outside his home country for extradition to a third country. In the words of a *Guardian* article from 2000, "A precedent has been set that no putative dictator can ignore. If you shoot, kidnap and torture your own people...you cannot escape prosecution. The Chileans should be congratulated. They have struck a blow for persecuted people everywhere - past, present and future."³⁸ Another *Guardian* article from 2000 exclaimed, "The judgment, probably the most momentous Britain's highest court has ever delivered, now stands as a key precedent in

³⁸ *The Guardian*. "Dictators Beware: Chile Is Right to Prosecute Pinochet. Special Report: Pinochet on Trial." December 3, 2000, Americas. <https://www.theguardian.com/news/2000/dec/03/leaders.chile>.

international law throughout the world.”³⁹ Human rights activists were thrilled, and former allies of Pinochet, like Margaret Thatcher and Henry Kissinger, were disgusted.⁴⁰

The international nature of Pinochet’s case was a major indicator of why Clinton chose to launch the Chile Declassification Project. England, Spain, and Chile were directly involved in Pinochet’s arrest, and the rest of Europe watched the process carefully. According to a *Guardian* article from 1998, “France, Switzerland and Belgium...joined Spain in seeking General Pinochet’s extradition for crimes committed against their citizens.”⁴¹ It seemed as though the majority of activists and governments were eager to aid in the process of Justice. Human Rights Watch referred to Pinochet’s arrest as a “wake up call to tyrants everywhere” and stated that “an equally important effect of the case has been to give hope to other victims that they can bring their tormentors to justice abroad.”⁴² Support for Pinochet’s arrest set an important precedent of universal jurisdiction for human rights and torture related crimes which, fittingly, would come to be known as “The Pinochet Precedent.” The Pinochet Precedent would go on to play an integral role in international prosecution of dictators worldwide, including in the prosecution of Hissene Habre, former dictator of Chad, who came to be known as an “African Pinochet” when Senegal successfully tried him for human rights crimes in 2000.⁴³

With Pinochet detained in London, scrutiny of governments and human rights groups alike turned to the United States. In the immediate aftermath of the arrest, the Clinton administration was careful not to take a stance on the case, claiming that to do so would be

³⁹ Dyer, Clare. “No Hiding Place for Tyrants.” *The Guardian*, March 3, 2000, Americas. <https://www.theguardian.com/world/2000/mar/03/pinochet.chile7>.

⁴⁰ For information on Margaret Thatcher’s response to the arrest, see: *The Guardian*. “Pinochet Was This Country’s Staunch, True Friend: Full Text of Margaret Thatcher’s Speech to the Blackpool Fringe.” October 6, 1999, Americas. <https://www.theguardian.com/world/1999/oct/06/pinochet.chile>.

⁴¹ Weiner, Tim. “U.S. Will Release Files on Crimes under Pinochet.” *The New York Times*, December 2, 1998, World. <https://www.nytimes.com/1998/12/02/world/us-will-release-files-on-crimes-under-pinochet.html>.

⁴² *The Pinochet Precedent*. Human Rights Watch

⁴³ *Ibid*.

“inappropriate.”⁴⁴ Perhaps more insidiously, rumors that the United States had quietly attempted to dissuade Britain from extraditing Pinochet to Spain were aired in major Newspapers.⁴⁵ Yet the global community, particularly human rights organizations, demanded US support for the case. On October 22, 1998, Executive Director of Human Rights Watch, Kenneth Roth, wrote an open letter to Bill Clinton, urging him to “help promote judicial accountability for crimes committed during the military rule of Augusto Pinochet.”⁴⁶

In his open letter, Roth pointed out the hypocrisy that remains rooted in United States hesitancy to aid in investigations in Latin America; he referenced the United States’ active involvement earlier in the year in attempting to bring Cambodian Dictator Pol Pot to trial in Canada: “The U.S.’s muted position on the need to bring Pinochet to justice contrasts with its active attempts earlier this year to seek to bring Pol Pot to trial in Canada...The U.S. should be at least as supportive of Spain’s assertion of jurisdiction over Pinochet as it was of attempts to try Pol Pot in Canada.”⁴⁷ Roth was clear about the enormous weight of the Pinochet case, saying “Future tyrants must understand that punishment awaits those who commit crimes against humanity, internationally if not domestically.”⁴⁸ Roth also referenced the three US citizens that were killed in Chile by the regime, and the car bombing that killed Letelier and Moffitt in Washington DC as further reason why the US had a responsibility to aid in the investigation. Roth criticized the United States for its lack of transparency, saying “We are concerned...by

⁴⁴ Human Rights Watch. “U.S. Urged to Get Involved in Pinochet Case.” Human Rights Watch. Last modified October 22, 1998. <https://www.hrw.org/news/1998/10/22/us-urged-get-involved-pinochet-case>.

⁴⁵ Campbell, Duncan, Nick Hopkins, Ian Black, and Ewen MacAskill. “Diplomatic Crisis over Pinochet.” *The Guardian*, October 20, 1999, Americas. <https://www.theguardian.com/world/1998/oct/20/pinochet.chile>.

⁴⁶ Roth, Kenneth. Letter to William Jefferson Clinton, “Letter to President Clinton Urging U.S. Involvement in Pinochet Case Print,” October 22, 1998. <https://www.hrw.org/news/1998/10/22/letter-president-clinton-urging-us-involvement-pinochet-case>.

⁴⁷ Ibid.

⁴⁸ Ibid.

reports that the U.S. has been stingy in its cooperation with requests made by Spanish law enforcement authorities acting under the Mutual Legal Assistance Treaty between the U.S. and Spain.” Lastly, Roth’s letter suggests that engagement in the Pinochet case could repair the United States’ damaged reputation in international human rights. The summer previously, the United States had joined seven other nations to vote against an international criminal court to investigate and prosecute cases of Genocide. In the words of Roth, “Washington has to get back on the right side of issues of international Justice.”⁴⁹

The Chile Declassification Project

Roth’s argument, that the United States had an obligation to involve itself, for the justice of its own murdered citizens, to redeem its shoddy human rights record, and to back up its self-proclaimed active involvement in bringing other dictators to justice, were all major considerations of the Clinton administration as it launched the Chile Declassification Project. Yet before ultimately deciding that “the benefits of openness in human rights cases outweighed the risks to national security in this case,”⁵⁰ Clinton was forced to consider the many possible pitfalls of backing up his administration’s reputation for transparency.

The Pinochet Precedent was hailed by human rights activists around the world as a major step forward for justice. It also was the main reason why Clinton was hesitant to support Pinochet’s detention. Peter Kornbluh described the Pinochet Precedent in relation to the United States, calling it “the globalization of justice on human rights and war crimes that carried

⁴⁹ Ibid.

⁵⁰ Weiner, Tim. “U.S. Will Release Files on Crimes Under Pinochet.” *The New York Times*, December 2, 1998, World. <https://www.nytimes.com/1998/12/02/world/us-will-release-files-on-crimes-under-pinochet.html>.

implications for current and future US leaders.”⁵¹ In other words, the Pinochet Precedent established that other countries were responsible for prosecuting violators of international human rights law. This was a risky precedent for the United States to buy into. A 1998 article in the *New York Times* articulates one reason why:

Senior United States officials, speaking on the condition that they would not be quoted directly or by name, said they had deep concerns about the idea that a Spanish judge could reach across borders and try a former foreign leader. They said the United States had opposed the idea of a permanent international tribunal for crimes against humanity for the same reasons that officials are queasy about the Pinochet case. They said they feared that foreign judges might accuse United States officials in the deaths of citizens in nations where American policy had violent consequences.⁵²

Additionally, future US leaders could be criticized for not holding other violators accountable. Thus, the Pinochet Precedent serves as an example of why analysis of the role that the US can play in prosecution of Latin American dictators has important implications to global human rights law enforcement.

Although at first the Clinton administration was reluctant to aid in the effort, and the CIA was even more vocal about its resistance to the project, Clinton launched the Chile Declassification Project in 1999. Clinton’s investment in the project demonstrates the power of collective legitimization in international politics. By releasing the documents, Clinton ran the risk of “opening a can of worms,”⁵³ yet the international nature of the case, the fact that Pinochet was detained in Europe, and the need for the United States to make up for its inconsistent human rights record, meant that to not declassify the documents would be far worse for the Clinton administration. Furthermore, by aiding in the investigation early on, Clinton hoped to ensure that

⁵¹ Kornbluh, Peter. "The Declassified Pinochet File: Delivering the Verdict of History." *Radical History Review* 2016, no. 124 (January 1, 2016): 203-15. 204

⁵² Weiner, Tim. *New York Times*

⁵³ *Ibid.*

the case was not heard in an international criminal court: “The declassification allows the US to help Mr. Garzon and makes it less likely that an international court will be established to judge the issue.”⁵⁴ Establishing an international court meant that the United States and its allies who did not prioritize human rights could be held accountable in inconvenient ways. Thus, Clinton was forced to tread “into a political and diplomatic confrontation it tried to avoid”⁵⁵ and launch the Declassification Project.

The stated goal of the project was to “make public as much information as possible” and to “assist in encouraging a consensus within Chile on reinvigorating its truth and reconciliation process to address such questions as the fate of the disappeared.” Additionally, the project was intended to “respond to the expressed wishes of the families of American victims of human rights abuse, and to the requests of numerous members of congress.”⁵⁶ Ultimately, Clinton ensured the release of 23,000 documents, including 2,000 CIA operational and analytical records, 3,800 White House, NSC, Pentagon and FBI records, and 16,000 State Department documents. Despite the wealth of information, the documents did not ensure Pinochet’s incarceration.⁵⁷

In 2000, Pinochet was released and sent back to Chile when medical tests revealed that he did not have the mental capacity to stand trial. Nevertheless, the documents released by the Chile Declassification Project shed important light on a dark period of Chilean history, brought dignity, information, and closure to victims of the regime, and aided in establishing a precedent that would be utilized in international human rights cases worldwide. Likewise, Clinton’s

⁵⁴ Franklin, Jonathan. “Files Show Chilean Blood on US Hands.” *The Guardian*, October 11, 1999, Americas. <https://www.theguardian.com/world/1999/oct/11/pinochet.chile>.

⁵⁵ Ibid.

⁵⁶ Kornbluh, Peter. “The Declassified Pinochet File: Delivering the Verdict of History.” 205

⁵⁷ Ibid.

participation in the project gave the United States a, perhaps undeserved, leadership role in the promotion of global human rights.

Problems with the Process- Nuances of Declassification

The difficulties that the Clinton Administration faced when implementing the Chile Declassification Project are a clear manifestation of the deceptive complexity of declassification. First, the CIA took issue with the declassification of operational records on covert actions in Chile. CIA lawyers fought to ensure a caveat to the NSC directive that tasked the declassification project. They wanted to add that agencies “should retrieve and review all documents that are subject to disclosure under the Freedom of Information Act.”⁵⁸ This sentence would prevent the CIA from being forced to search essential operational files. The CIA’s resistance to the project eventually became clear to the public and was met with outrage. In the words of Kornbluh, “The agency’s recalcitrant attitude toward the project threatened to transform a precedent-setting exercise in openness into another classic CIA cover-up.”⁵⁹ The director of the National Security Archive wrote to the White House, saying “The failure to release these records will be immediately viewed, nationally and internationally, as a cover-up of the past and an effort by Washington to shield itself from any historical accountability for events in Chile in the early 1970s.”⁶⁰ Blanton’s statement alludes to the wider public perception that resistance to declassification reflects a desire to avoid accountability.

The battle between the public, the White House, and the CIA continued until November 13th, 2000, when the final set of records, containing over one thousand formerly top secret CIA

⁵⁸ Ibid., 206.

⁵⁹ Ibid.

⁶⁰ Ibid.

cables, meeting minutes, reports, budget proposals, and memoranda on covert operations in Chile was released. The tension between the White House and the CIA, as well as CIA director of operations James Pavitt's ability to directly contradict presidential orders, has important implications. Although executive powers allow the president total authority in the declassification of information across federal agencies, enforcing that authority remains complicated and requires time and resources that a president may choose to employ elsewhere.

The Chile Declassification Project was applauded throughout Europe and Latin America, and ultimately was essential in the US maintaining a positive international reputation while the Pinochet case was in the international spotlight. However, the fallout from the release of documents concerning US covert action in Chile displays that the concerns of CIA and other government agencies were not unfounded. The documents incriminated Henry Kissinger as a "Chief architect of US policy towards Chile."⁶¹ They also revealed that Kissinger had extensive knowledge of Operation Condor and resisted pressuring leaders in Chile, Argentina and Uruguay to halt acts of international terrorism and political assassination. This exposure meant that, in the words of Kornbluh, "More than any other official, Kissinger would bear the burden of the unresolved and ongoing controversies relating to the coup and the aftermath."⁶² Ironically, (and appropriately,) Kissinger became the first US official to be "Penocheyed," or threatened with legal proceedings in multiple countries. The sons of General René Schneider used declassified US documents to file a wrongful death lawsuit against Kissinger and Former CIA director Richard Helms.

In response to this fallout, the State Department recommended that the Clinton administration issue a formal apology. However, White House officials avoided official

⁶¹ Ibid., 214.

⁶² Ibid., 215.

acknowledgement of US responsibility for the Coup. Instead, the White House released the following statement:

One goal of the project is to put original documents before the public so that it may judge for itself the extent to which US actions undercut the cause of democracy and human rights in Chile. Actions approved by the US government aggravated political polarization and affected Chile's long tradition of democratic elections and respect for constitutional order and the rule of law.⁶³

Kornbluh criticized this "contorted press statement," claiming that it "fell far short of acknowledging the contribution that US foreign policy had made to the national and human horror experienced in Chile- an acknowledgement needed for Chileans to gain closure on a painful history." Kornbluh's issue with the White House press statement highlights a wider question of US accountability. In cases where the US actively aides in undermining democracy, is transparency strong enough to heal diplomatic relations? Or is a more explicit admission of accountability necessary to alleviate the anti-US sentiment that is still fervently expressed throughout Latin America?

Regardless, the negative consequences of the Project demonstrate clearly that transparency can never be lightly offered by presidential administrations. Clinton was fully aware that the evidence of the documents would incriminate Kissinger and Nixon, and place the United States under an embarrassing microscope. He chose to release those documents anyway, because he knew that a much more relevant and enduring international reputation was at stake. The Pinochet case constituted a major turning point in the way that the world views human rights cases. Clinton's declassification project was rooted in his desire to be on the right side of history. Former reluctance to release documents about the dictatorship, and Garcés' initial failure to find information when he first looked to the US for assistance, proves that the Declassification

⁶³ Ibid 214-215.

Project would not have been carried out without international scrutiny. Clinton recognized the necessity for transparency as the most effective tool available to avoid international condemnation, even when the documents would reveal that the United States was involved in Pinochet's success. Thus, the Chile Declassification Project demonstrates the way that transparency is only employed when absolutely necessary, and when a President believes that he has something to gain through his effort.

The necessity of the project does not mean that Clinton's motives do not deserve scrutiny. In addition to being a precedent-setting example of declassification diplomacy, the Pinochet case and the Chile Declassification Project demonstrate the way that institutional, bureaucratic, and imperialist forces strip away the agency of Chilean people in their reconciliation of their own national tragedy. Institutional and bureaucratic forces within Chile made it impossible for Pinochet to be brought to justice in his own country. Thus, Spain, England, and the United States took on an active role in the judicial process and subsequently the reconciliation process for Chile. Clinton assumed his leadership role in promoting global human rights without acknowledging that the United States had undermined a previously healthy Chilean democracy, and supported a dictator who enacted laws that preemptively halted any judicial investigations. Likewise, Britain was able to maintain a face of humanitarianism, without acknowledging that it had been a longtime ally of the Pinochet government. The ability of Britain and the United States to dictate process of Justice for Chile is heavy with irony and hypocrisy, that was not missed by Chileans, or other witnesses in Latin America. *The Guardian* cited Argentine Newspaper *La Nación*, as it spoke of British Home Secretary Jack Straw's

decision to let Pinochet go. “Straw’s decision, whether or not Pinochet now returns, ruffles the sheets of bygone phantoms. It’s the past returning.”⁶⁴

Meanwhile, Chilean activists used the power of international attention to their advantage, reclaiming their role in the story. *The Guardian* quoted Chilean Newspaper *La Tercera*, saying “Augusto Pinochet will walk directly onto the judicial stage when he returns to Chile.”⁶⁵ Another article from October of 1999 states “The fact that Gen Pinochet was arrested abroad has forced Chileans to admit how far they have to go to wrest their democratic tradition away from the grip of the Chilean military.”⁶⁶ In the words of a Chilean photojournalist, “The curtain has opened on Chilean society. There is now a movement of identification, Chileans are searching for what their history meant.”⁶⁷ The international condemnation of Pinochet meant that in Chile, “newspapers and television news programmes lost their timidity.” Perhaps Britain did not fulfill its duty of bringing Pinochet to justice. Yet the silver lining is that, once the documents from the United States were shared, autonomy over justice, democracy building, and reconciliation was placed back into Chilean hands. Although Pinochet was never tried, the precedent that his arrest set was still seen as a victory in Chile and around the world.

Argentina

The following section will use the case study of Argentina to illustrate how declassification is used as a tool of diplomacy. Barack Obama’s visit to Argentina in 2016 was colored by nearly a century of fraught diplomacy, and yet the rocky history between the two countries had become all the more volatile in the aftermath of La Guerra Sucia, or the Dirty

⁶⁴ *The Guardian*. “Press Reaction from Spain, Chile and Argentina.” January 12, 2000, Americas. <https://www.theguardian.com/world/2000/jan/12/pinochet.chile14>.

⁶⁵ *Ibid*.

⁶⁶ Franklin, Jonathan. “People Find the Confidence to Face the Truth but Fear the General’s Last Laugh.” *The Guardian*, October 16, 2000, Americas. <https://www.theguardian.com/world/1999/oct/16/pinochet.chile1>.

⁶⁷ *Ibid*.

War⁶⁸- a period of military dictatorship between 1976 and 1983. Although the Junta that was in charge of the government during the Dirty War undermined democracy and committed horrific human rights crimes, the United States enjoyed a close diplomatic relationship with the country during this time period- capitalizing on the regime's anti-communist, pro-Western, pro-capitalist policies. As Argentina reinstated a democratically elected government and began the recovery process, the United States was further regarded as a greedy antagonist that was complicit in Argentina's national tragedy. This section will provide historical context for the Dirty War and a brief summary of US-Argentine relations, before illustrating that secrecy played an intimate role in both the fracturing and the mending of the relationship between Argentina and the United States.

United States-Argentina Relations Leading up to the Coup

While Argentina has both passively and actively resisted US influence almost since its inception, the history of the relationship between the two countries is essential to the legacy of the Dirty War. Furthermore, historical context of US-Argentine relations supports the analysis that declassification diplomacy is both an effective tool and difficult to use successfully. The

⁶⁸ Naming this period of violence in Argentina is deceptively complicated. Referring to this time period as the Dirty War, or La Guerra Sucia, is hazardous because it promotes the false narrative of violence on two sides and erases a massive power differential. In reality, the Junta had a complete monopoly on violence and power, and waged a campaign of State terror against their citizenry. This time period has also been referred to in Argentina as *El Proceso*, referring to *Proceso de Reorganización Nacional*, which was the name the Junta leaders used to refer to their campaign of violence. While I acknowledge the problems inherent to the term, I have chosen refer to this time period as the Dirty War, simply because it was the term employed by the majority of sources referenced in this section. Literature that expands on the issues with the term Dirty War includes: Feierstein, Daniel. *Genocide as Social Practice: Reorganizing Society under the Nazis and Argentina's Military Juntas (Genocide, Political Violence, Human Rights)*. Translated by Douglas Andrew Town. New Brunswick, USA: Rutgers University Press, 2014.

diplomatic relationship between Argentina and the United States dates back to 1823, when the US granted diplomatic recognition to Argentina. At first, the relationship between the two countries was expected to be profitable; Argentina was one of the first democracies established in Latin America and was rich in natural resources. Yet Argentina modeled itself after European countries economically, culturally, and demographically. Additionally, Argentina supported a massive influx of European migrants from Italy, Spain, and Germany, from the middle of the 19th century through the end of World War I, and thus developed an identity as a “European Society in Exile.” By 1914, nearly one third of Argentina's population of 8 million was foreign born, and US hopes that Argentina would act as a counterbalance to European influence in the region had long since been dashed.⁶⁹ In fact, Argentina’s stable democracy and healthy economy made the country a significant threat to US imperialist ambitions in Latin America. Argentina openly opposed the Monroe Doctrine, an American policy that obstructed European colonialism in Latin America, and interpreted Woodrow Wilson's attempt to encourage pan-Americanism as a ploy to gain economic power over the region.

The already tense relationship between the two countries was further strained during World War II. The US broke diplomatic relations with Argentina in response to the country’s neutrality in the War and Juan Perón’s early admiration for Hitler and Mussolini. US Secretary of State Cordell Hull referred to the government of Buenos Aires as a “pro-Axis, fascist clique,” an impression that was exacerbated after the War, when Argentina became a refuge for Nazis like Adolf Eichmann and Josef Mengele as they fled prosecution. After tentatively being admitted to the United Nations, Argentina expressed open disdain for US foreign policy during the Cold War and refused to support the US-lead trade embargo on grain against the Soviet

⁶⁹Encarnación, Omar. "The Argentine Thorn in Obama's Side." *Foreign Affairs*, March 16, 2016. <https://www.foreignaffairs.com/articles/argentina/2016-03-16/argentine-thorn-obamas-side>.

Union. Argentina benefited significantly from their refusal, as they became a leading trade partner with the Soviets. Argentine exports expanded fourfold after 1980, and the Soviets had developed a 50-1 trade deficit with Argentina by the end of the Cold War. The United States continued to guess wrong in its assumptions about the internal affairs of Argentina when it tacitly supported the Military Dictatorship of the late 1970's and Early 1980's.

State Terror

Argentina's military dictatorship was perhaps the most catastrophic of all the authoritarian regimes in Latin America during latter half of the twentieth century. In 1976, the military staged a coup that ousted the Peronist government and instated a succession of four Junta that would rule until 1983. For eight years, the Junta launched a campaign of terror against the Argentine population in an effort to weed out leftist, subversive thought from the country's landscape. This period of violence came to be known as La Guerra Sucia, or the Dirty War, and resulted in the deaths of 30,000 individuals, as well as a collective national trauma that Argentina struggles to understand and recover from to this day.

The Junta's justification for state terror was rooted in a leftist guerrilla movement that began in 1955, when populist president Juan Perón was forced out of office by the Argentine military. Perón's supporters, now stripped of political representation and a legal outlet for their demands, committed themselves to armed resistance as a means of exerting political influence. The guerillas took inspiration from Fidel Castro and the Cuban revolution, as well as Che Guevara as he attempted to export his revolutionary models to the rest of Latin America.⁷⁰ The Montoneros, the Movimiento Revolucionario Peronista, and the Ejército Revolucionario del

⁷⁰Lewis, Daniel K. *The History of Argentina*. October 2003 ed. New York, NY: Palgrave Macmillan, 2001. 122-138

Pueblo (ERP) became the largest and most notorious guerilla groups of the 1960s and 1970s, yet even at the height of their influence, these groups consisted of no more than 2000 individuals, of which only 400 had access to arms.⁷¹ Perón encouraged this form of leftist activism while in exile, however as the political violence in Argentina continued to escalate, Perón publicly condemned the guerilla movement and the main guerilla organizations broke ties with the Peronists.

Perón briefly regained office in 1973, but died in 1974, leaving his wife and vice president, Isabel Perón, in charge of a volatile political climate. Isabel turned out to be a thoroughly incompetent politician. Her attempts to follow conflicting advice from different factions within her government lead to confusing and inconsistent policy decisions that plunged Argentina into economic crisis. By 1975, inflation was mounting by thirty percent every month, earnings from exports were depressed by twenty five percent, and the country was buried in a one billion dollar deficit.⁷² As the economic situation in Argentina deteriorated, the influence of the guerillas peaked. In an attempt to salvage credibility, the government labeled the guerrillas as terrorists in 1975, and authorized a campaign of counter terror.⁷³ Isabel's government established the Argentine Anticommunist Alliance, or the AAA, which kidnapped or assassinated leftist militants. These counterterror operations were met with increased resistance from the guerillas, as the ERP attempted to establish a revolutionary state in Tucuman, and The Montoneros initiated operations against government and military sites. Both groups increased kidnappings and used the ransoms to support their military and political campaigns. The AAA responded with even more repression and violence while the government attempted to make Peronism the sole

⁷¹ Feitlowitz, Marguerite. *A Lexicon of Terror: Argentina and the Legacies of Torture*. Rev. and updated, with a new epilogue. ed. Oxford, England: Oxford University Press, 2011. 7.

⁷² Ibid.

⁷³ Ibid., 6.

political force in the country. Isabel's government became a "hard right, authoritarian regime," and finally, by the end of 1975, the AAA was able to neutralize the guerilla threat.⁷⁴

Nevertheless, a crumbling economy and massive political polarization kept Argentina in a state of chaos. The military already had a legacy of political intervention in Argentina, and thus the coup in 1976 was not only expected, but welcomed.

In addition to the initial support of the Argentinian public, the coup was also applauded in the United States. The US was supportive of the dictatorship in part because the Junta's policies catered to US interests, and in part because the Junta's rhetoric about the West was vastly different from that of its Peronist predecessors. Perón had been explicit in his disdain for the United States and had used anti-Western rhetoric as a tool for winning support, but the Junta, like other Authoritarian regimes in Latin America, were fiercely anti-communist and pro-Western. Thus, in the interest of exerting power and influence over the region, the US turned a blind eye to the abysmal human rights record of the new regime.⁷⁵ The Junta in Argentina became just one of the repressive dictatorships that the United States supported in Latin America, in an attempt to maintain hegemony and contain the spread of communism.

The Military took power easily and named General Rafael Videla its de-facto president. Even before taking office, Videla explicitly alluded to the Junta's campaign against subversion. In a speech that supported the AAA and referenced his own plans to enter politics, Videla said "As many people as necessary must die in Argentina so that the country will again be secure."⁷⁶ However, by the time the Junta took control, the guerilla threat had been all but eradicated by the AAA. Without a clear military threat to the regime, the Junta shifted its target from the guerillas

⁷⁴ Lewis, Daniel *A History of Argentina*. 140.

⁷⁵ Ibid.

⁷⁶ Feitlowitz, Marguerite, *A Lexicon of Terror*. 7.

to all dissenting social and political thought. They framed their rule in Argentina as a precursor to a World War III, which would re-establish “Christian Civilization” and wipe subversive influence from the earth. Argentina’s best educated generation was all but annihilated during the Dirty War, as union and student activists, leaders of community aid groups, social workers, teachers, and other members of the intellectual class were targeted.

Three hundred and forty secret death camps were erected throughout the country as suspected enemies of the state were kidnapped, tortured, and eventually executed. Most victims of the regime vanished without a trace. Victims were often shot and buried in mass graves, or drugged and thrown, naked and unconscious, out of planes into the Río de la Plata. Many prisoners were young parents and pregnant mothers. Children of the accused were stolen from their parents and adopted by military families or other families that supported the regime. Many of these children to this day do not know their true identity, and activist groups in Argentina are still conducting investigations that aim to find children of the disappeared and reunite them with their original families. The government often denied that the victims had ever been prisoners when their families came looking for them, instead claiming that their prisoners had fled the country and were abroad. This assertion was ironic, given that many people who did manage to escape Argentina were tracked down anyway; Operation Condor allowed the Junta to pursue fleeing activists across Argentina’s borders. Ultimately, the Junta wiped 30,000 people from the face of the earth, erasing their identities through torture and denial, and thus victims of the regime came to be known as “los desaparecidos,” or the disappeared.⁷⁷

While the US did not actively participate in the coup in Argentina as it had in Chile and other countries in the region, it still played an influential role in the Dirty War. Reagan honored

⁷⁷ Ibid.

Videla with an official visit to the White House in 1980, and Secretary of State Henry Kissinger actively encouraged the Junta to take whatever means were necessary to crackdown on subversives. In a memorandum of a conversation between Henry Kissinger and Argentine Admiral Guzzetti in Santiago in 1976, Kissinger said to Guzzetti, "If there are things that have to be done, you should do them quickly. But then you should get back quickly to normal procedures." Later in that same conversation, Kissinger stated "We are aware you are in a difficult period. It is a curious time, when political, criminal and terrorist activities tend to merge without any clear separation. We understand you must establish authority."⁷⁸ Even as the violence of the Junta became more expansive and explicit, the US continued to passively support the regime by maintaining positive trade relations with Argentina. This brief reconciliation between the two countries would serve to further the gap in their relationship after Argentina restored democratic rule.

In addition to Kissinger's verbal legitimization of the regime's human rights abuses, The United States aided the Junta in honing its tools of oppression. The School of the Americas, a prestigious military training institution located in Fort Benning, Georgia, was the site of more insidious US involvement in Argentina. The SOA was founded for the express purpose of training Latin American military leaders in methods of counter subversion. In 1996, the Pentagon released an SOA training manual that outlined methods of interrogation and counter-subversion, which included psychological warfare, torture, and arresting family members of suspects. Many of the most notorious participants in the Dirty War graduated from the School of the Americas. Alumni included Sergeant Elpidio Rosario Tejeda, who was known for his brutal methods of torture at the detention camp La Perla. According to later testimonies, the SOA was

⁷⁸ Henry Kissinger to Admiral Guzzetti June 6, 1976, *Memorandum of Conversation*. The National Security Archive. August 27, 2004.

considered to be such a prestigious institution that officers in the regime would brag openly about attending the school.⁷⁹

The Fall of the Junta and the Rise of Las Madres

Virtually all military and political challenges to the regime were silenced by 1979, but the Junta was unable to deliver on its promise of stability. The regime's economic policy of maximizing agricultural exports and industrial imports began to crumble, and by 1980 inflation spiked again. Videla handed the presidency over to General Roberto Viola, who hoped to facilitate a return to civilian rule. However, ultranationalist and conservative factions in the army wanted to completely block a return to civilian rule and pushed Viola out of the presidency. On December 12, 1981, General Leopoldo Galtieri took office, and, hoping to distract from the catastrophic failure of Junta economic policy and a human rights crisis that was facing increasing international scrutiny, promised to focus his presidency on "issues of national honor and concern."⁸⁰ Galteri approved a plan to invade the Falkland Islands, which lie 300 miles of the coast of Argentina and had been occupied by the British since 1833. This decision would be the catalyst that ultimately brought about the end of the dictatorship.

Galtieri assumed that the Islands were of no real importance to the British forces and did not expect major resistance to his military initiative. However, Margaret Thatcher demanded Argentina's immediate withdrawal from the Falklands, and when Argentina failed to respond, launched a counter invasion. Galtieri expected US support or neutrality, as the US had been a passive supporter of the Junta. However, when the US sided with its longtime ally, Argentine

⁷⁹ Ibid.

⁸⁰ Lewis, Daniel K. *A History of Argentina* 146-149.

forces were compelled to surrender in a humiliating defeat that sealed the fate of the regime. The decision of the US to support Britain is one reason why relations between Argentina and the US remained constrained for years after the end of the Dirty War. The Argentine military was shocked and felt betrayed by the US support of Britain in the Falklands War. Not only had the two countries recently begun to have a positive diplomatic relationship, but in 1948 the US had signed an inter-American security accord which held that signatories would defend each other against external aggression. Reagan disregarded both the accord and the US relationship with Argentina when he sided Britain.

In addition to the Falklands, an unexpected group of activists began to successfully resist the Junta. A group of women, mothers of those who had been disappeared, gathered on the Plaza de Mayo on April 30, 1977 to silently march and demonstrate. Their message was simple: Tell us where our children are. Perhaps the Junta did not perceive a group of housewives to be a sufficient threat to warrant an immediate and aggressive response, because Las Madres de Plaza De Mayo quickly gained influence and momentum. Las Madres immunized themselves against repression by making international connections that protected them from arrest, and by the time the Junta realized the danger of Las Madres, the activists were entrenched in Argentine Civil Society.⁸¹

In her book on the legacy of the dictatorship in Argentina, Marguerite Feitlowitz claims that “the regime was eventually brought down, but not because of its record on human rights. Rather, it crumbled under the weight of its own corruption, economic mismanagement, and military incompetence.”⁸² In an attempt to salvage their political standing, the military announced that the war against subversives had been won, and confirmed its plans to turn

⁸¹ Ibid.

⁸² Ibid.

Argentina over to civilian rule. In a report released on April 28, 1983, the government proclaimed itself victorious in the war against subversion and expressed “genuine christian pain over any errors that might have been committed in the fulfillment of its assigned mission.”⁸³

Doctor Raul Alfonsín won the first election after the Dirty War and became Argentina's first democratically elected president since the Coup.

Alfonsín’s position demanded that he facilitate a reconciliation process for Argentina. Shortly after taking office, he established the National Commission on the Disappeared, which attempted to promote healing and pursue justice by taking testimony from those who had been affected by the War. The report that the Commission released, titled Nunca Más! provided evidence to prosecute nine commanders of the first three Junta, in the most extensive and public trials of their kind since Nuremberg. Additionally, the report documented 8,960 desaparecidos. Despite the initial success of the Commission, Alfonsín’s fear of alienating a military that remained influential in Argentine politics, and of destabilizing Argentina by enacting widespread prosecutions, impeded further investigations. The Commission was only designed to function for six months, and ultimately its term extended only to one year. Additionally, Alfonsín enacted two pieces of legislation that would essentially halt a justice and reconciliation process. The Due Obedience Law granted immunity to lower ranking military personnel, while the Punto Final Date imposed a sixty day deadline on new prosecutions. These laws remained in place until 2005, when they were ruled unconstitutional by the Argentine Supreme Court. Thus, the struggle to bring perpetrators to justice, reunite estranged families, and heal from the collective trauma of the Dirty War remains salient in Argentina to this day.

⁸³ Ibid.

Las Madres de Plaza de Mayo are a powerful manifestation of the way that the quest for reconciliation and justice has continued. The group remained active even after democratic rule was restored to Argentina. To this day, members of the organization return to the Plaza every Thursday to demonstrate. Wrapped in their signature white headscarves, Las Madres continue to demand answers that they feel were never given to them. While Thursdays at the Plaza remain consistent, the group has evolved significantly over the years. In 1986, the organization split into two groups. The first, led by Hebe de Bonafini, is now known as Asociación Madres de Plaza de Mayo. The other is called Madres de Plaza de Mayo Línea Fundadora. The distinction between the two groups is important, given that they split down ideological lines. Bonafini was against the prospect of receiving compensation of \$275,000 for each child that was disappeared, saying “You cannot put a price on life. Also, to accept this compensation you have to sign a death certificate saying your child died. I cannot sign this as it is the people who took them who know, not me.”⁸⁴ Bonafini’s statement alludes to the second ideological difference between the two groups; Bonafini is against forensic work to identify remains of victims; instead she wants to invest resources into bringing perpetrators to justice. Uranga Almeida, a member of Línea Fundadora, however, disagrees with this stance. She says “I respect Ms. de Bonafini’s opinion, but I need closure. I would like to touch Alejandro’s bones before I die.”⁸⁵

The historical narrative of Las Madres, and the wider historical narrative of the Dirty War, is essential to bear in mind throughout an analysis of declassification diplomacy. Despite the violent, traumatic, and deeply personal nature of the Process, families of the victims have not been able to access details of what happened to their loved ones. While this project analyzes the

⁸⁴ Hernandez, Vladimir. "Argentine Mothers mark 35 years marching for justice." BBC Mundo. Last modified April 29, 2012.

⁸⁵ Ibid.

utility of declassification from an international perspective, it is essential to remember that nuances within Argentina's domestic history and activist community remain at the forefront of the narrative of the State terror. The reality that The United States has information that could shed light on the dictatorship in a way that Argentina has not been able to do by itself, precisely because the US knew about, and was complicit in, the Junta's crimes against humanity, should therefore be recognized with a degree of incredulity.

A Rocky Relationship- the United States and Argentina After the Return to Democracy

Since its inception, the relationship between the United States and Argentina could perhaps be summed up as Argentina pushing back against US attempts to exert power in Argentina and the region as a whole. Relations between the two countries became even rockier in 2001, when Argentina suffered a massive economic meltdown and defaulted on 104 billion dollars in debt. Argentine President Kirchner would later blame the United States for this meltdown, an accusation that was not altogether unfounded. Leading explanations for the meltdown include Washington-backed neoliberal reforms during the 1990s, and the decision to bind the Argentine peso to the US dollar in an attempt to quell hyperinflation. Whatever the causes, it was the Bush Administration's response to the desperate economic situation in Argentina that deepened anti US-sentiment in the country. As unemployment rose to 25%, GDP shrunk by almost a third, and the savings accounts and pensions of millions of citizens were destroyed, Argentine leaders pleaded with the US for an economic bailout.⁸⁶ The Bush Administration, determined to end the Clinton Administration's tradition of bailing out struggling Latin American economies, reacted sourly. In an interview with CNN, treasury

⁸⁶ Encarnación, Omar. "The Argentine Thorn in Obama's Side."

secretary Paul O'Neill said "We are working to find a way to create a sustainable Argentina, not just one that continues to consume the money of plumbers and carpenters in the United States who make \$50,000 a year and wonder what in the world we are doing with their money."⁸⁷ Eventually, Bush agreed to an eight billion dollar bailout in exchange for the promise that Argentina would impose austerity measures and work with the IMF to restructure its debt.⁸⁸ The agreement was too little, too late however, and at the end of 2001 the Argentina made the biggest default by any country in history and unlinked the peso from the dollar, devaluing it by 25%.

Although the default alienated the United States as well as many other European lenders and foreign investors, it completely restarted the Argentine economy. Argentina's exports were boosted by a trade relationship with a quickly expanding China that paid high prices for Argentine resources. The devalued Peso made Argentina one of Latin America's most sought after and affordable tourist destinations, and by 2007 the economy had almost fully recovered. President Nestor Kirchner, and later his successor Cristina Fernandez de Kirchner, were credited for the economic recovery and cultivated even more political support by encouraging anti-American sentiment in Argentina- a tactic that has rarely failed to gain Latin American leaders political clout.⁸⁹

Ironically, given Bush's contentious relationship to Argentina, the only other significant effort to declassify documents concerning the Dirty War took place during his presidency. Over 4,000 documents were released in a declassification project that had spilled over from the Clinton Administration, yet this development did little to endear Bush, and by extension the United States, to the Kirchners. Activists in Argentina had asked for documents from the

⁸⁷ Ibid.

⁸⁸ Kahn, Joseph. "From No Aid to a Bailout." *New York Times* (New York City, NY), August 23, 2001, World.

⁸⁹ Encarnación, Omar. "The Argentine Thorn in Obama's Side."

Department of Defense and the CIA, believing that these departments had the most detailed knowledge of the crimes of the Junta. Yet the documents ended up being sourced exclusively from the State Department. Thus, Argentine activists were unsatisfied and there was no suggestion that these documents constituted a US attempt to take accountability for its role in the Dirty War. The documents did reveal significant and disturbing information, including that the US embassy in Argentina had carefully documented over 10,000 human rights abuses during that time period, and a testimony from a US citizen who had been subjected to horrific torture in an Argentine detention center, yet they did not have a major effect on the justice process in Argentina because the Due Obedience Law and the Final Point law had not yet been struck down by the Supreme Court.⁹⁰ Additionally, any remaining hope for reconciliation between the two countries as a result of these documents was lost in the wake of the financial crisis.

Bush's disastrous visit to Argentina in 2005 is a clear manifestation of the climate between the two countries at the time. The visit sparked riots and protests throughout Argentina, Kirchner co-sponsored Hugo Chavez's counter summit, and publicly accused Washington of driving Argentina into its economic crisis of 2001. Bush was humiliated and did not return to Argentina for the remainder of his presidency.⁹¹ The inefficacy of the declassified documents in improving the relationship between the two countries underscores the reality that declassification does not automatically mean declassification diplomacy. Declassification is only an effective political tool if the circumstances allow it to be used as such, and if it is wielded conscientiously and in conjunction with other methods of outreach. Unlike Obama, Bush made no effort to cozy up to Argentina- and his attitude towards Argentine debt further alienated a country that was ill

⁹⁰ Osario, Carlos. "State Department Opens Files on Argentina's Dirty War." News release. August 20, 2002. <https://nsarchive2.gwu.edu/NSAEBB/NSAEBB73/index.htm>.

⁹¹ Encarnación, Omar. "The Argentine Thorn in Obama's Side."

disposed to feel sympathetic towards the US. The vast difference in both circumstance and attitude between Obama-era declassification and Bush-era declassification highlights the nuance required to make transparency an effective tool of statecraft.

Obama avoided visiting Argentina through his entire first term in office, and well into his second term. His announcement that he would visit in Argentina in 2016 marked “the first bilateral visit to Argentina by a U.S. President in almost two decades.”⁹² The newly elected Argentine president, Mauricio Macri was far less openly hostile to the US than the Kirchners during his campaign. However, the loaded diplomatic history between the two nations, combined with the unfortunate timing of Obama’s visit with the 40th anniversary of the Coup that started the Dirty War, necessitated a major diplomatic olive branch if Obama’s visit was to be successful. Obama’s promise to declassify thousands of documents on the Dirty War marked the clearest case of declassification diplomacy in Latin America.

Declassification Diplomacy and Obama’s visit to Argentina

The announcement that Obama would visit Argentina on the anniversary of the coup was, predictably, met with criticism bordering on outrage by activists inside and outside Argentina. The comments of Hebe de Bonafini, head of Asociación Las Madres De Plaza de Mayo, in the Argentine news outlet *Telesur* exemplifies how closely the United States was associated with human rights abuses in Latin America. “I began to think about what country Obama represents and immediately Operation Condor jumped into my head. An operation that was designed,

⁹² US State Department. “U.S. Relations with Argentina: Bureau of Western Hemisphere Affairs Fact Sheet.” US Department of State. Last modified April 2, 2018. <https://www.state.gov/r/pa/ei/bgn/26516.htm>.

orchestrated, and conceived by the United States.”⁹³ Bonafi went on to say that Obama’s plan to visit the country on the anniversary of the coup was “Like a slap in the face to the history of the Argentines” and that “this man has hands that are stained with blood and we don’t want him here. Our organization, the Association of Madres de Plaza de Mayo, condemns with all its force the arrival of Obama to the country.”⁹⁴

While Bonifini’s contingent expressed rage in response to Obama’s visit, Las Madres De Plaza de Mayo, Línea Fundadora, along with other human rights and advocacy groups, seized the opportunity to make demands of the US. Línea Fundadora co-signed an open letter to the US embassy, along with Abuelas de Plaza De Mayo, Centros Estudios Legales y Sociales, HIJOS, and Familiares de Desaparecidos y Detenidos por Razones Políticas, all organizations dedicated to promoting justice in the wake of the dictatorship.⁹⁵ The letter acknowledged the 2002 release of 4,705 documents concerning the dictatorship, and demanded more. The signatories attested that while the documents that had been released held both judicial and historical value, they exclusively came from the State Department. The groups requested documentation from the Military, the FBI, the CIA, and other federal Bureaus, because they expected that information from these Bureaus would provide more information about the detention centers.⁹⁶ The advocacy groups that cosigned the letter to the Embassy were joined by Human Rights groups in the United States; Human Rights First drafted an open letter to the president that outlined the responsibility of the United States to declassify documents to make up for the role it played in

⁹³ Translated by author. “Madres de Plaza de Mayo rechazan visita de Obama a Argentina.” *Telesur*. Last modified February 22, 2016 .<https://www.telesurtv.net/news/Madres-de-Plaza-de-Mayo-rechazan-visita-de-Obama-a-Argentina-2016022-0060.html>.

⁹⁴ Ibid.

⁹⁵ Abuelas de Plaza de Mayo, Madres de Plaza de Mayo Línea Fundadora, Familiares de Desaparecidos y Detenidos por Razones Políticas, H.I.J.O.S., and Centro de Estudios Legales y Sociales (CELS). Letter to Noah B. Mamet, March 11, 2016.

⁹⁶ Translated by author.

the dictatorship. The letter also explicitly referenced the diplomatic rewards that could come from heeding the requests of Argentine and American activists.

The United States is in a unique position to assist the survivors of this brutal period in Argentina's history by releasing government documents that pertain to it...The Abuelas de Plaza de Mayo... in coordination with other human rights organizations in Argentina, have been seeking documentation of what happened to their children and grandchildren for many years...We ask you now to assist the people of Argentina in their efforts to cast light on the human rights abuses that occurred during the dictatorship there. Declassified U.S. documents will help the people of Argentina understand the scope and consequences of the regime's abuses, while also helping them acknowledge, mourn, and recover from that troubling and traumatic period...Argentina has a new, democratically-elected government that appears eager to work with and develop strong ties to the United States. An announcement from you that the United States, on the 40th anniversary of the onset of these atrocities...would represent a strong gesture of support for the new government, for the people of Argentina, and for the cause of human rights around the world.⁹⁷

This direct request for transparency underscores the reality that declassification of US government documents would be far more than a symbolic gesture. The United States would play a concrete and meaningful role in a major reconciliation process for Argentina. The letter from Human Rights First reveals that activists were aware of the impact that a declassification effort could have not just on human rights but on international politics. In addition to highlighting the diplomatic rewards of transparency, the letter suggests that the political climate in Argentina was conducive to accepting this sort of olive branch. Human Rights First references the election of centrist president Mauricio Macri, saying "Argentina's new, democratically-elected government that appears eager to work with and develop strong ties to the United States."⁹⁸ This astute observation highlights that Macri's election was critical to the success of Obama's declassification effort in Argentina.

⁹⁷Massimino, Elisa. Letter to Barack Obama, March 11, 2016.
<http://www.humanrightsfirst.org/sites/default/files/HRFLetterArgentinaDeclassification.pdf>.

⁹⁸ Ibid.

The election of President Mauricio Macri illuminates why more radical advocacy groups, such as La Asociación de Las Madres, were so infuriated by the visit, and why the Obama Administration was willing to exercise the political will necessary to use declassification as a political tool to repair a relationship with Argentina. Macri's predecessors included Nestor Kirchner and Cristina Fernandez de Kirchner, both of whom consolidated executive power when in office and were known for their nationalist, anti-US rhetoric.⁹⁹ Both Kirchners were wildly popular, and while domestically they promoted human rights and restored public trust in government, internationally they distanced themselves from the West, which eventually stagnated the economy.¹⁰⁰ Mauricio Macri's election symbolized a political shift toward the center. From the first hundred days of his presidency, Macri sought to restart the economy by softening Argentina's stance towards potential foreign partners, namely the US. Obama's visit exemplified this shift in Argentine foreign policy. In addition to the declassified documents, the two presidents discussed partnering to integrate Argentina back into the global market, Macri's signing of the Paris Accords, and plans to combat drug trafficking in Argentina. The subject of the global threat of terrorism also occupied a prominent portion of a visit that was partially overshadowed by the terror attacks in Brussels on March 22. Macri's policy goals of reconnecting to the global market and softening rhetoric concerning the United States complimented key characteristics of the Obama administration. First, like the Clinton administration, Obama's presidency was marked by a more aggressive move towards transparency. Shortly after taking office, Obama signed Executive Order 13489, which rescinded some of the restrictions on transparency that had been imposed during the Bush presidency. On

⁹⁹ Levitsky, Steven, and María Victoria Murillo. "Argentina: From Kirchner to Kirchner." *Journal of Democracy* 19, no. 2 (April 2008): 16-30.

¹⁰⁰ *Ibid.*

his very first day in office, Obama declared, “For a long time now, there has been too much secrecy in this city. This administration stands on the side not of those who seek to withhold information but those who seek to make it known.”¹⁰¹ In addition to transparency, Obama sought to re-open the relationship not just with Argentina, but the region as a whole. Obama came to Argentina directly from a historic visit to Cuba, where he continued to promote opening ties between the two countries.

Obama was open about the unique role that Argentina played in his efforts to strengthen US relations throughout Latin America. In the press conference with the two presidents, Obama said “We seek good relations with all the countries in the hemisphere but obviously Argentina historically as one of the most powerful largest countries in the hemisphere needs to be a critical partner with us.”¹⁰² Obama’s stance on transparency and Latin America combined to make the perfect incentive to use declassification as a form of diplomacy, while the drastic shift from the Bush to Obama aligned conveniently with the shift from Kirchner to Macri.

The desire for connection between the two presidents was crucial to the success of the visit, and the declassification of documents facilitated the connection. Obama himself directly references the importance that physical action from the United States to aid in investigations had to rebuilding its ties in the region. At the press conference, he said:

I do recognize that this week marks the 40th anniversary of the military coup. And tomorrow to underscore our shared commitment to human rights I'll visit the memorial of the victims... and recognize Argentina's historic and continuing efforts to make things right... And to prove that this is more than just a symbolic gesture on my part... I'm launching a new effort to open additional documents from that dark period. We previously declassified thousands of records from that era, but for the first time

¹⁰¹ Kornbluh, Peter. "Why the Obama Administration is Giving Old State Secrets to Latin American Allies." *Washington Post*, September 16, 2016. https://www.washingtonpost.com/opinions/why-the-obama-administration-is-giving-old-statesecrets-to-latin-american-allies/2016/09/16/e84db81a-7aad-11e6-bd86-b7bbd53d2b5d_story.html?utm_term=.73b4b05655c0.

¹⁰² *The President and the President of Argentina Hold a Joint Press Conference*. Obama White House, 2016. <https://www.youtube.com/watch?v=phzMxGDDYGA>.

now we will declassify military and intelligence record as well...I hope that this gesture also helps to rebuild trust that may have been lost between our two countries. That's a principal gesture that I have not just for Argentina, but for the entire hemisphere. I came here from Cuba and we have put a great emphasis on making sure that some of the ideologies the disputes of past that they are frankly acknowledged, but we are also able to look for the future and not just behind us. And that's why this visit for me is so important.¹⁰³

By mentioning Cuba and Argentina's influence in the region in direct connection to the dictatorship and his plan to declassify documents, Obama explicitly tied his mission of transparency to his mission to reconnect to Latin America. This move required tremendous nuance; Obama used the promise of transparency to take responsibility for the past actions of the United States without actually apologizing. By refusing to condemn US actions in the region, Obama avoided apologizing and met Argentina halfway by acknowledging their national outrage.

Obama's use of declassification as diplomacy was not foolproof, and Macri's impulse to repair ties with the US was not uncontroversial. A Pew Research Study released in 2015 revealed that only 43% of Argentinians had a favorable view of the United States, and this percentage has dropped 6-9 percent since 2015.¹⁰⁴ Argentines who supported the Kirchners worried that improved relations between the two countries would mean that the US could exert too much influence over Argentina. *The New York Times* quoted a 28 year old music teacher named Elena Pensa, who disparaged the renewed positive relations between the US and Argentina, saying "It's the same imperialist manual as always. We'll lose sovereignty. They're giving away our

¹⁰³ Ibid.

¹⁰⁴ Wike, Richard, Bruce Stokes, and Jacob Poushter. "America's Global Image." Pew Research Center, Global Attitudes and Trends. Last modified June 23, 2015. <http://www.pewglobal.org/2015/06/23/1-americas-global-image/>.

country.”¹⁰⁵ Likewise, Axel Kicillof, former economy minister to Cristina Fernandez de Kirchner, said “We hope the government of Macri knows to serve the permanent interests of our country, not govern according to ideological criteria.”¹⁰⁶ Thus, the diplomatic success of the visit did not carry through the whole country. While perhaps a closer relationship between the two countries was inevitable with the two presidents, the declassification of documents answered the demands of those who were far more skeptical about US involvement. It symbolized Obama’s integrity in his attempts to reinvigorate a relationship with the region, and it saved Macri from further criticism as he hosted the president on the anniversary of the coup.

The Aftermath of Declassification

Obama authorized the declassification of thousands of CIA and Defense Department documents in 2002. The documents were expected “to shed significant light on the detailed U.S. knowledge of the repression during the dictatorship.”¹⁰⁷ The project, which remains ongoing to this day, is being facilitated by the White House records management office and the Office of the Director of National intelligence. The full impact of these releases remains unclear, in part because the declassification effort is incomplete. Thousands of documents continue to be reviewed for release under the Trump administration. Documents that have been released thus far include 1,078 pages primarily from the Jimmy Carter presidential library. They reveal internal disagreements within the administration, particularly between the NSC and the State Department

¹⁰⁵Gilbert, Jonathan. “Obama Visit Affirms Argentina’s Shift toward Center.” *New York Times* (New York City, NY), March 23, 2016, Americas. <https://www.nytimes.com/2016/03/24/world/americas/obama-visit-affirms-argentinas-shift-toward-center.html>.

¹⁰⁶ Ibid.

¹⁰⁷Osario, Carlos, and Peter Kornbluh, eds. “Obama Brings ‘Declassified Diplomacy’ to Argentina.” National Security Archive. Last modified March 18, 2016. <https://nsarchive.gwu.edu/briefing-book/southern-cone/2016-03-18/obama-brings-declassified-diplomacy-argentina>.

on how to carry out Jimmy Carter's ultimately unsuccessful ambitions to prioritize human rights in the region, including Kissinger's efforts to challenge Carter's human rights based policy, and Carter's personal intervention to attempt to release a famous political prisoner in Argentina.¹⁰⁸ *The Washington Post* went so far as to say "The Argentina documents released so far indicate far less direct U.S. involvement and knowledge of the events leading up to the coup and subsequent developments, although previous releases, from the Ford administration, showed significant U.S. sympathy for the Junta."¹⁰⁹

However, while the content of much of the documentation remains to be analyzed, the impact that the declassification effort had on the relationship with Argentina, and the implications of declassification diplomacy, remain salient. Obama milked the diplomatic tool of declassification beyond his initial visit. The first major release of documents in August of 2016 was delivered personally to Macri by John Kerry when he visited Argentina and met with the president. Kerry promised "more to come in future." Transparency organizations and media outlets applauded the diplomatic nature of the release. The National Security Archive in particular was vocal about its assessment of declassification diplomacy. Carlos Osorio, who directs the NSA's southern cone project said "This release on Argentina marks an important step forward in the quest for truth, justice and historical accountability."¹¹⁰ In regard to the timing of the announcement, Osorio said that the Obama administration demonstrated "tangible and concrete U.S. support for the pursuit of human rights and justice in Argentina." Osorio framed Obama's use of "declassified diplomacy" as a way to reach out to human rights victims in

¹⁰⁸ Ibid.

¹⁰⁹ DeYoung, Karen. "Newly Declassified Papers Reveal U.S. Tensions Regarding Argentina's 'Dirty War'." *The Washington Post*, August 8, 2016, National Security. https://www.washingtonpost.com/world/national-security/newly-declassified-papers-reveal-us-tensions-regarding-argentinass-dirty-war/2016/08/08/4227fbee-5db1-11e6-af8e-54aa2e849447_story.html?utm_term=.bd0a8fafa727.

¹¹⁰ Osario, Carlos, and Peter Kornbluh, eds. "Obama Brings 'Declassified Diplomacy' to Argentina."

particular, saying that the effort “would be received as a gesture that opens paths of friendship and respect in the heart of Argentina.”¹¹¹ Senior analyst Peter Kornbluh remarked, “The Obama administration has established a precedent and a pattern of using declassified diplomacy. Obama’s legacy, will include making the declassification of secret government records a creative component of U.S. policy to advance human rights.”¹¹²

Kornbluh wrote an article for the *Washington Post*, titled “Why the Obama Administration is giving old State Secrets to Latin American Allies,” which framed Obama’s actions in Argentina in the context of declassification efforts of the Clinton and Bush administrations, as well as other declassification efforts of the Obama administration in Latin America. In addition to reducing tensions in Argentina, Obama used transparency to facilitate a growing trust between other countries in the hemisphere. In 2005 he acquiesced to a formal government request for records that remained secret and concerned Pinochet’s role in the car bombing of 1976, which killed two Allende aids in Washington DC. Vice President Biden offered a disc of declassified documents about repression in Brazil as a “peace offering” after President Rousseff canceled her visit to DC when she discovered that the United States had tapped her cellphone.¹¹³

Despite the efficacy of declassification as a method of statecraft, the internal politics of declassification show that transparency is not a straightforward tool to use. Peter Kornbluh, though unequivocal in his praise of the effort, qualified his expectations for the Argentina declassification project in his article in the *Post*, saying,

The impact of this new diplomatic tool depends partly on the keepers of secrets in the U.S. intelligence community. Because the CIA cares more about protecting the covert nature of its operations than about diplomacy and the

¹¹¹ Ibid.

¹¹² Ibid.

¹¹³ Kornbluh, Peter. “Why the Obama Administration is Giving Old State Secrets to Latin American Allies.”

accuracy of the historical record, the agency has not been eager to cooperate in these declassification projects...The CIA seems not to have gotten Obama's directive that 'no information may remain classified indefinitely.' That position will be tested by Obama's special declassification project on Argentina.¹¹⁴

In addition to unavoidable resistance from federal bureaus, Obama's strategy, like all presidential decisions, invited political backlash. *The Economist* released an article in September of 2016 that articulated controversies about declassification diplomacy. The article suggested that "People who regard Mr. Obama as the United States' "apologist-in-chief" think it strengthens their case."¹¹⁵ A more nuanced criticism articulates hazards of politicized transparency: "Ironically, 'here the US is intervening again, this time with a moral heavy hand,' says Christopher Sabatini, a lecturer at Columbia University in New York. 'That can reopen old wounds.'"¹¹⁶ By reopening past records, the US runs the risk of both "reopening old wounds" and exerting influence on the politics of the region. Sabatini referenced this concern in regard to Colombia, where a peace agreement between the government and FARC rebels held that fighters who confessed to human rights crimes would not serve jail time. Sabatini worried that secrets the US could release about FARC would disrupt a peace agreement that was essential to returning stability to the Colombia.¹¹⁷

The United States has firsthand experience with the way that exposing information, or even opening an investigation, can drastically disrupt politics. Hillary Clinton herself claims that the announcement that the FBI was reopening an investigation into her emails had a major effect on the outcome of the 2016 Presidential election. Although nothing incriminating was found, the

¹¹⁴ Ibid.

¹¹⁵ "Declassifying Documents, Sunlight Diplomacy: The United States Tries to Win Friends by Revealing past Misdeeds." *The Economist*, September 24, 2016. <https://www.economist.com/news/americas/21707587-united-states-tries-win-friends-revealing-past-misdeeds-sunlight-diplomacy>.

¹¹⁶ Ibid.

¹¹⁷ Ibid.

email “scandal” highlights how even the mention of a possible investigation can drastically alter the political climate of a country. Given how complex and charged transparency can be in domestic politics, it follows that the repercussions of transparency in international affairs are not only difficult to predict, but also could give the United States significant influence over another country's domestic politics- an outcome that would be begrudged particularly in Latin America.

These complications, rather than refuting the efficacy of declassification diplomacy, underscore its utility as a diplomatic tool, and the political skill needed to wield that tool effectively. Obama could not have released these records on a whim. He needed to withstand criticism, both from those who thought the transparency effort is far too little, far too late, and those who considered him to be “apologist in chief.” He had to exercise his authority over the CIA, and to weigh the potential positive impact of declassification against potential political fallout between the US and Argentina, as well as disruptions to Argentina’s domestic political processes. Obama’s judgement that declassification would constitute a positive net benefit seems to have been correct; reestablishing a relationship with many countries in Latin America remains an essential, and underappreciated, legacy of Obama’s presidency. Obama’s effort to reach out to Latin America could be interpreted as a pursuit of international integrity, human rights, and mutually beneficial diplomatic relationships, or it could be considered a backhanded means of continuing to exert unwarranted power and influence in the region. Declassified diplomacy is either a weapon of coercion or an olive branch; both perspectives are essential to thinking critically about transparency as a political strategy.

Obama’s visit to Argentina marked a massive turning point for the country as it reintegrated itself into the mainstream global community. Macri was clearly pleased by the visit, and even other government officials who had more Peronist views accepted Obama’s visit to the

country. Politicians from a vast array of political perspectives attended the state dinner in Buenos Aires at which Obama danced the Tango.¹¹⁸ Likewise, US-based human rights and transparency groups, including Human Rights First and the National Security Archive, considered the visit to be a success. However NGOs within Argentina continued to take umbrage with Obama's visit, even after the declassification effort was announced. For groups like La Asociación de las Madres, transparency wasn't enough, given that their objective remains focused on bringing perpetrators to justice, not merely historical reconciliation. Their viewpoint certainly has merit. During the press conference with Macri, a reporter from Argentine Newspaper, *La Nación*, asked Obama, "we would like to ask you what you think was the role of the US during the dictatorships...and whether you think there should be some self-criticism on the United States with regards to that role."¹¹⁹ Obama's meandering, indirect answer dodged the question as well as any suggestion of an apology. His answer, or lack thereof, challenges the assumption that Obama released the documents to make amends for US involvement in the dictatorship. Perhaps his initiation of a declassification process constituted a way for him to make up for past misdeeds without forfeiting power, yet it also seems that by releasing this information, Obama was able to gain influence without being held accountable as a representative of the United States. This perspective opens the possibility that declassification diplomacy could in part be a tool of coercion. It is perhaps not entirely justified to say that Obama used it as such, yet activists are certainly entitled to feel skeptical.

¹¹⁸ Davis, Julie Hirschfield, and Jonathan Gilbert. "Obama Declares a New Partnership After Talks With Argentine Leader." *The New York Times*, March 23, 2016, Americas. <https://www.nytimes.com/2016/03/24/world/americas/obama-argentina-president-mauricio-macri-brussels-attacks.html>.

¹¹⁹ *The President and the President of Argentina Hold a Joint Press Conference.*

The darker side of this use of classified information is exposed when we consider who has control over the narrative of state terrorism in Argentina. Unlike in Chile, the history of Argentina and the United States can perhaps be summed up as the Argentina actively, and for the most part successfully, challenging US influence and hegemony. Despite the obstacles of lack of evidence, amnesty laws, and a military that remained entrenched in politics, a vast amount of art and literature has been written and made by Argentinians as the country reconciles with its period of state terror. Argentina has been able to maintain its agency in the narrative of the Dirty War. Thus, Obama's politicization of declassification reads less as an effective tool of coercion. Nevertheless, Obama's failure to apologize for the United States' role in the Dirty War sours the already uncomfortable reality that the United States maintains ownership of narratives that Argentina does not have access to. The United States continues to reach for underserved influence throughout Latin America by deciding when is the right time for these countries to hear the information that they have been entitled to for decades.

Conclusion

I began this project to understand why the United States, even under Democratic administrations that claimed to promote transparency and human rights as central tenants of their administrations, was so reluctant to provide information that was desperately needed in Latin America to reconcile the difficult and painful history of human rights abuses in the region during the Cold War. Looking beyond the legal, technical complexities of the process of declassification, my intention has been to demonstrate how American administrations use transparency surrounding Latin America as a means to an end. As the cases of Argentina and Chile demonstrate, declassification and accountability are inextricably political, and are therefore only employed if the US has something to gain in the reconciliation process for Latin America.

Although this project focuses on Argentina and Chile, the tactic of declassification diplomacy was employed by both the Obama and Clinton administrations throughout Latin America. Clinton ordered the release of 15,000 classified documents after the *Washington Post* published an exposé which revealed that the Reagan administration had approved El Salvadoran death squad operations, and published more records after the *New York Times* reported that the CIA had supported a Guatemalan colonel who orchestrated the assassination of an American expat hotel owner.¹²⁰ Clinton's impulse towards transparency (though not accountability) as a

¹²⁰ Kornbluh, Peter. "Why the Obama Administration is Giving Old State Secrets to Latin American Allies."

response to scrutiny in these cases echoes his decision to launch the Chile Declassification Project. Obama's declassified diplomacy in Latin America also reached beyond Argentina. In June of 2017, Joe Biden visited Brazil for the Rio Olympics, and brought with him a tranche of newly declassified documents to present to Brazilian President Dilma Rousseff. The gesture was a necessary attempt to win over the disgruntled Rousseff, who had canceled her trip to the United States after she discovered that the National Security Agency had secretly taped her cellphone.¹²¹

While I hope that future studies might trace this pattern beyond Latin America, I have chosen to limit my insights to this region for two reasons. First, because of the unconstrained and egregious nature of United States intervention in the region, and second, the worst of the human rights abuses in many Latin American countries took place more than 25 years ago, yet the reconciliation process in many of these countries continues to remain relevant today.

Likewise, Clinton and Obama are the two US presidents who have used declassified diplomacy to the greatest degree- in part because their Democratic administrations have sought to build connections with Latin America far more than their Republican counterparts, and in part because both presidents were outspoken about their prioritization of transparency. However, the utilization of political declassification transcends partisan distinctions.

While this project is primarily a story of a relationship between United States and Latin America, the implications of the politicization of transparency have important consequences to the internal politics of the United States. On February Second, 2018, The White House Intelligence Committee and Donald Trump authorized the release of a classified memo written by republican staffers on the house intelligence committee. In response, FBI director Christopher Wray released a rare public statement warning against the release of the document, saying that it

¹²¹ Ibid.

contained misleading information about the Russia Investigation. Bizarrely, the mainstream news media, which depends on transparency for its very survival, greeted the release of the memo with skepticism. The *Los Angeles Times* editorial board wrote an article titled “House Republicans are shamefully doing Trump's dirty work by vowing to ‘release the memo,’”¹²² which claimed that the move fell far short of true transparency. Other news outlets, including NPR and CNN seemed preoccupied with the conflict between the executive branch and the FBI, and the implications of whether or not Trump will be so transparent with the democratic memo that is also under consideration for release.

The counterintuitive hesitancy of the media and the partisan politics surrounding the two memos alludes to an unavoidable, yet not entirely self-evident, truth: Government secrecy in the United States is never straightforward and is often highly political. The Trump administration has been known for its unprecedented lack of nuance and tact. However, Trump’s use of classified information to exonerate himself, although clumsy, is far from unprecedented, and reflects the strategic behavior of both Clinton and Obama. The almost total power that the executive branch holds over classified material has made classified documents a valuable political tool for a variety of presidential administrations.

The use to which presidents put classified information is often clouded by the complexity of the declassification process. An automatic declassification program, which requires that classified documents over twenty five years old be reviewed for release, has been in place since 1995, yet broad categories of exemption exclude millions of documents from review, and uncooperative federal agencies bog down review processes. Trump’s crude use of sensitive

¹²² LA Times Editorial Board. “House Republicans are shamefully doing Trump’s dirty work by vowing to ‘release the memo.’” *Los Angeles Times* (Los Angeles, USA), January 30, 2018. <http://www.latimes.com/opinion/editorials/la-ed-nunes-memo-20180130-story.html>.

material has demonstrated that in the Trump administration, the question of whether to keep information secret is political and partisan. As this project demonstrates, secrets are treated no less politically in more conventional presidential administrations; secrets are never released simply because they should be, and a president must have political incentive to prioritize declassifying information.

The conclusion that declassification is inherently political does raise certain ethical concerns when thinking about the way that transparency is valued in democracies. In a speech to delivered to the Society for Historians of American Foreign Relations Conference, former head of the CIA, Michael V Hayden described the role of a secret organization in a democracy, saying “As a secret organization serving an open and free society, CIA has been granted an enormous public trust. That’s what secrecy is in a democracy. Not a grant of power, but a grant of trust.”¹²³ Hayden’s reliance on trust seems insincere. A healthy democracy has institutions in place which ensure that its citizenry is not forced to blindly trust the integrity of its leaders, but constantly hold them accountable. FOIA, and Executive Order 12858 are two examples of institutional checks to the power of secrecy in the United States. It is necessary to consider who is affected when these checks are not effective, and transparency can be employed as a political tool for presidents to wield when it suits them. As this project demonstrates, those affected by political transparency in the United States are not merely its citizens, but entire nations who are forced to delay a process of reconciliation that should have taken place nearly half a century ago.

¹²³ Hayden, Michael V. "Declassification: We Work for and Serve the Interests of the American People."

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