Conclusion

The Never-Ending Path
to the Never Again

During the aftermath of state terrorism, the cultural production of the post-dictatorship generation was deeply connected with transitional justice. As we have observed, prosecution of the military perpetrators is fundamental to redress the victims, re-establish confidence in societal institutions, and connect society with a collective past typically denied or minimized by the government. However, as Schmulcer observes, state terror cannot be fully grasped in legal terms, and must be understood in relation to the character of individuals and societal institutions (2000, 35). A trial typically falls short of answering the question of what made the crime possible; however, the symbolic force of the law—experienced as the ultimate expression of collective reprobation—can free actors from the burden of literal memory by establishing the criminal character of the state violence and the rights of victims. Therefore, criminal prosecution should not be seen as a closure but as a beginning.

Once the victims’ concerns have been addressed, exemplary forms of memory become more likely, typically in relation to the emergence of new generations in the public sphere. These forms of memory present the crimes as a problem that concerns us as humans and social beings, regardless of our distance from the events. In this book, I have reconstructed the ways in which transitional justice, generational change, and cultural production mutually enable and constrain each other.

The possibilities for prosecuting perpetrators in the immediate post-dictatorship period depended to a great extent on the relative
influence of the victims but were also linked to the predominant forms of repression. The fact that the armed forces remained very influential in Chile and Uruguay made denunciation and prosecution even more difficult than in Argentina, where the armed forces were temporarily discredited after the catastrophic Falklands War. This defeat brought about the end of the regime and enabled the historic trial to the military juntas in 1985. Although it failed to fulfil many of the victims’ demands, this trial publicly validated their perspective, thereby contributing to the flourishing of the humanitarian narrative in literature, films, and other “vehicles for memory” in the following years.

In addition, in Argentina—the country with the highest number of desaparecidos—state terrorism was more visible than in Chile and Uruguay. Violently separated from their loved ones and left to imagine the worst fate, the family and friends of desaparecidos desperately took to the streets as their only recourse to save, at least, their memory. Twenty years after the end of the military regime, even representatives of the armed forces understood the implications of their actions, albeit formulated in the inhuman logic of the repression:

There is no doubt that the disappearances were a mistake. If you compare them with those who disappeared in Algeria, it’s very different: they were the disappeared of another country, so the French went home and got on with something else! Here on the other hand everyone who disappeared had a father, a brother, an uncle, a grandfather who still feels bitter towards us, as is natural.

(General Harguindeguy, quoted in Catoggio, 2005, 11)

In other words, in Argentina, the fact that perpetrators and desaparecidos came from the same society made justice for the forced disappearances more feasible than for colonial crimes, and the violent fact of the desaparecidos’ radical absence impelled their relatives to action. In Chile and Uruguay, countries in which torture, sexual abuse, and prolonged detention were the most common forms of repression, the prisoners returned to their families, emotionally broken and eager to put the humiliation behind. Only time would help them realize the need to confront the traumatic experience and denounce it publicly.

In addition, in Chile and Uruguay, the end of the regime was negotiated between the junta and the future political class. The cooperation between the two resulted in a prolonged period of impunity and hindered collective acknowledgment of and cultural production about the repressive past. In these two countries, criminal prosecution was not the direct result of public pressure or political initiatives, but initiated