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Dealing With the Past: Argentinean Experience

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Anadolu Kültür
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I. Introduction

Argentina is frequently cited as an exemplary case for how transitional justice can be achieved in the aftermath of state violence and, the role truth commissions, memory work and legal reform can play in the process. The purpose of this report is to reflect upon observations through a study visit conducted to Argentina and thereby engage in a comparative analysis of Turkey and Argentina both of which have gone through a series of military regimes and have suffered severe human right violations.

The last coup d'états in Turkey occurred in 1980 and lasted for two years until 1982. The 1982 Constitution which was prepared by the military dictatorship is still in place in Turkey. Moreover, although the military relinquished power only two years after the coup, the Southeastern provinces which are predominantly populated by Kurds remained under its control between the years 1987 and 2002 due to the rule of emergency declared against the guerilla movement of the Kurdish Worker's Party (PKK). To this day, there is no serious official attempt to account for the crimes committed during the military regime or in those 15 years when emergency rule reigned over South Eastern provinces. As such, one could argue that different from Argentina, Turkey has not experienced a full transition to democracy. On the contrary; its recent history is one of irregular and pragmatic continuities and ruptures not easily reducible to a coherent historical narrative. This said, certain recent transformations in the legal realm are cherished by the public in Turkey as a step towards transitional justice --comparable to countries like Argentina-- despite mixed messages on the part of the state and those in power.

For example, a series of legal reforms towards democratization were made in 2000s as part of the accession process to the European Union. Many oppositional groups regarded these reforms to be an opportunity for freedom of expression which eventually could enable the questioning of "state terror." Unfortunately, the Terrorism Act passed in 2006 prevented these legal reforms from being effective. A further development towards transitional justice is some partial changes made in the 1982 Constitution in 2011 which lifted the impunities of officers-in-post during the 1980-1982 military rule and allow their prosecution. However, this was also far from being effective since no comprehensive framework for revealing and publicizing the "terror" committed by the state in that period is established. Finally, while the Justice and Development Party (AKP) government, who has been in power since 2002, plans to replace the Constitution which was crafted by the military regime in 1982 with a new one, it barely consults with those who have suffered state violence and denies their proposals testifying to the fact that changing the law and achieving justice remain disconnected in their political agenda.

On the other hand, the public in general has also only recently started to discuss the different ways in which past and present human rights violations and state crimes can be addressed officially and non-officially. For example, Kurdish actors who have been suffering from "state terror" since the creation of the Republic have started to demand the building of truth commissions to investigate the 1990s when disappearances, extra-judicial killings, torture, mass arrests and forced displacement occurred under the state of emergency. Concomitantly, Kurdish and Turkish feminists are questioning

gendered crimes committed by the military and the police first during the military rule of 1980-1982 and then, during the conflict with the Kurdish armed guerilla forces since 1982. Once again, no singular officer has been brought to trial for such charges. The Diyarbakır Prison Justice and Truth Commission, a non-official group who came together under the leadership of The Foundation of 78 Generation is lobbying for the Military Prison in Diyarbakır, which was a center of torture during the Military regime, to be turned into a Museum and Memorial.

In other words, despite official unwillingness, oppositional forces in Turkey increasingly use tactics and strategies that have been developed under transitional democracies. Human Rights Organizations (HROs) and Legal Associations play an important role in this regard.

Similar to many other southern countries, Human Rights Movement (HRM) in Turkey was formed and its influence accelerated right in the aftermath of the junta regime. Until currently, these were only visible to the state and to those whose rights they protected and defended. Today however, activities of non-governmental organizations (NGOs) and human rights organizations (HROs) are becoming more visible in public due to these new tactics and strategies. For example, similar to Center for Social and Legal Studies (CELS) in Argentina (which we will discuss below), HROs in Turkey are trying to make sure that perpetrators are prosecuted and innocents released. Specifically, legal cases on hate crimes, on men slaughter by the state in the war zone and on activists accused by the terrorism act of 2006 are closely followed by these groups and mass attendance to trials is organized successfully—despite the fact that desired outcomes are unlikely to occur.

Also, different HROs and NGOs are conducting memory work, collecting testimonies and claiming places where “state terror” took its toll such as mass graves—again with partial or no success. Social trauma and individual trauma stemming from officially unrecognized state violence is becoming a catchword for describing Armenians, Alevites, Romiots, Kurds, Leftists and even women with headscarf who suffered repression. Finally, in the last years more and more witnesses encouraged by HROs are coming out and reporting about mass graves where guerillas and civilians are buried. 114 mass graves have already been discovered while a further 117 are awaiting investigation. The urgent need for establishing a forensic anthropology team that will follow the Minnesota protocol is voiced by many organizations while the state continues to conduct its investigations and excavations with techniques that make identification impossible. In sum, the necessity of coming to terms with the past is gradually recognized by civil society in Turkey. Yet again, while all these are happening, the term “transitional justice” which would give these kinds of mobilization a legitimate framework is never officially pronounced. On the contrary, the state and many other sectors in society oppose such mobilization vehemently; regarding them either as unnecessary or dangerous. We believe that comparative research and knowledge is an important means by which such a framework can be built, and civil mobilization publicly--if not officially— be legitimized. That is why for purposes of building a Memory, Truth and Justice Center, one of our initial activities has been to arrange a trip to Argentina.

We have traveled to Argentina in April 2011, met with several HROs and visited Monuments and Memorials in order to learn from the Argentine experience with

memory, truth and justice. Certain similarities and differences between Turkey and Argentina were already known to us. However, our visit has taught us more than we have ever imagined in terms of the universalities and particularities of our own experience. It gave us an opportunity to look beyond our habits and to formulate our needs and priorities if we are to move towards justice through re-remembering and recovering truth. After this visit we have also decided that we will continue such visits to other places where we can further learn from; since among our goals are to make transnational alliances, further south-to-south dialogue and most importantly, contribute to the empowerment of the local context through the production of comparative knowledge.

In Argentina, we specifically tried to access HR institutions professionalized in documentation and memorialization, that have both international acclaim and tight local ties and, those who managed to build alliances and cooperation. These aspects were of interest to us since they are the principles on which we want to build our work on memory, truth and justice. During our stay we had meetings with Memoria Abierta, Center for Social and Legal Studies, Argentine Forensic Anthropology Team and Mothers of Plaza de Mayo. With the help of lawyers we met in CELS, we were also able to attend the recent trial on ESMA which was used as the largest clandestine detention center during military rule. We also had the chance to talk to judge and former Minister of Justice Leon Carlos Arslanian who played an important role in Argentine's transition to democracy both by serving in the panel of judges overseeing the historic 1985 Trial of the Juntas as a member of the National Criminal Court of Appeals and as the Minister of Justice in Menem's government.

In all the institutions we visited we made specific appointments with people who were responsible for documentation based on the fact that during our previous meetings, HROs in Turkey had expressed a need to learn different strategies of collecting evidence and dissemination of findings.

Besides these, we visited Olimpo and ESMA, clandestine detentions centers in Argentina, both of which are today transferred to HROs and transformed into Community Centers. We were taken through guided tours at both Olimpo and ESMA and had the opportunity to talk to employees along with their directors. Last but not least the Memorial Park which is built in memory of those who died under "state terror" was a meaningful ending to our trip where again we had a guided tour and engaged in conversations with different people. In the following pages, we will first give a background on the truth, memory and justice work in Argentina. In the second part of the report, we will share the information we gathered at each institution and place we visited based on our meetings, interviews and research. The final part of the report will include a comparative discussion of state violence in Argentina and Turkey as well as the work on memory, truth and justice with a particular focus on what those of us in Turkey can learn from the Argentine experience.

II. Background

Argentina has lived through six military coups since the beginning of the 20th Century. The last one which occurred in 1976 and, was legitimized on the basis of the corruption and ineptness of the Isabel Peron government in the face of armed guerilla movements is of particular importance for our purposes.

On March 24, 1976 the military junta under the leadership of the Chief of General Staff Jorge Rafael Videla dissolved the national Congress and removed 80% of judges from office. This was followed by several repressive measures: limits on custody time were lifted, military courts that would try civil crimes were established, petit crimes were punished severely and, based on martial law, actions under military rule were kept secret. In the period between 1976 and 1983 when military held power in Argentina, numerous human rights violations targeting the leftists in particular, were committed. The following quote taken from an interview with Videla and published in Clarin newspaper summarizes how the junta rationalized its repression and violence:

“A terrorist is not just someone who kills with a gun or puts a bomb, but is also someone who indoctrinates others with ideas that are not in line with our Western and Christian civilization.”¹

The “state terror” unleashed by the junta regime had long lasting consequences for the society. It is estimated that ten to thirty thousand people disappeared during the military regime.²

Leopoldo Galiteri who came to the leadership of the junta after Jorge Videla and Roberto Eduardo Viola, prepared the end of the regime by occupying the islands of Malvinas (Falklands) which were under British rule. Argentina became severely defeated by Britain, as a result of which the military dictatorship lost all public legitimacy. Reynaldo Bignone who was the final leader of the junta regime gradually transferred power to a civil government.

Leaders of the dictatorship pressured parties that participated in the elections not to investigate human rights violations that occurred during the junta and, not to question the defeat in the Malvinas war. Two weeks before the elections, on April 28, 1983, the dictatorship also declared an amnesty law for all military officers who committed crimes during the military rule.

Raúl Alfonsín who promised to cancel out this amnesty law has become Argentina’s first democratically elected president after the military regime.³ The government led by Alfonsín established The National Commission on the Disappeared (CONADEP) in order to reveal the truths kept hidden by the dictatorship. CONADEP operated as an independent commission and prepared a report which included fifty thousand

1 Clarin, December 18, 1977 referenced by Americas Watch report titled “Verdad y Justicia En La Argentina”, July 1991.

2 ICTJ, *Accountability in Argentina*, August 2005, www.ictj.org

3 December 10, when Alfonsin was elected to Office is since then celebrated globally as the Day of Human Rights.

pages long documentation. The report, which was published as a book in 1984, was a major accomplishment in terms of demonstrating the extent of state terror in Argentina. CONADEP's report was titled "Never Again" (Nunca Más) and is univocally considered to be a turning point in victimized populations' collective struggle for truth. Although CONADEP was unable to access military files, it used press news and HROs' reports as main evidence and, documented the disappearance of 8960 people and the existence of 365 clandestine detention centers beyond any doubt.

President Alfonsín also initiated the trial of nine leaders of the military dictatorship five of which resulted with punishments. General Jorge Videla and Admiral Emilio Massera received life long prison sentences, whereas other commanders in chief such as Agosti, Viola and Lambruschini received four and a half, seventeen and eight years of sentence respectively. Alfonsín's government also prosecuted some of the guerilla leaders on the basis of striking a balance. This policy which in effect equalized the differential crimes of the two sides would later be called "the theory of two devils."⁴

Surely, Argentine's transition to democracy wasn't without its problems. Fearing an insurgency by military officers who were unhappy with the prosecution of high ranked commanders, Alfonsín government passed two laws of amnesty in 1986 and 1987. Based on these laws colonels and those with lesser ranks were pardoned.

Carlos Menem, who was a Peronist and was elected to the office of presidency in 1989, ruled over Argentina for the following 10 years. Although Menem has taken some positive steps to amend the losses suffered by victims, many of his other policies were against their interests. Due to the amnesty laws passed during the reign of Menem, military officers who were already sentenced or were being prosecuted were released.

In 1991 Menem declared a decree which obliged the Argentinean state to pay reparations to ex-detainees who had brought their cases to the American Human Rights Commission. This was the first time that victims' right to monetary compensation was legally recognized. In 1992 a new law was passed which extended the monetary compensation that ex-detainees received and, in 1994 the right of relatives of the disappeared to reparations were legalized.⁵ No doubt, when coupled with laws of amnesty, these measures of reparation and compensation can be seen to be ways in which Menem tried to leave the past uninvestigated and actors unaccountable.⁶ Indeed, two criticisms are directed to the process. First is the fact that the process was managed without any public discussion and involvement. Second, HROs and specifically, Mothers of Plaza de Mayo viewed accepting such monetary compensation to be ethically and politically wrong. Debates concerning this issue have resulted in Mothers of Plaza de Mayo to break into two separate groups.⁷

It took a long time until military officials who were responsible for extreme violence

4 AmericasWatch, p.27.

5 María José Guembe (2008), "The Argentinean Experience with Economic Reparations for Serious Human Rights Violations", *Repairing the Past: Compensation for Victims of Human Rights Abuses*, ed. Pablo

6 Guembe, 2008

7 Guembe, 2008

were actually brought to justice. An attempt to cancel out the laws of amnesty failed in 1998. Only, those cases in which the children of the disappeared were abducted and given to adoption could be brought to trial since such crimes were not encompassed within laws of amnesty.

Nevertheless, it was a decision made by Judge Gabriel Cavallo in one such trial, that the path to prosecution would be opened once again. In 2001, Judge Cavallo decided against laws of amnesty passed by the Alfonso government on the basis that these were both unconstitutional and in opposition to international agreements Argentina signed. In 2005, the High Court decreed in favor of Cavallo's decision and cancelled out all laws of amnesty pertaining to the military dictatorship's violations. Accordingly, investigations of and trials against crimes committed by the junta were reopened.

In addition to that, the government of Neston Kirchner made new steps for achieving justice in Argentina. In 2003 it decided in favor of the Spanish Judge Garzón's request and, returned thirty one former military officers to Spain. Further, the Congress removed all laws of amnesty. Finally, right after the former Commander of Navy confessed that the Navy Machinery School (ESMA) was used as a clandestine detention center by the military; Kirchner declared that its buildings will be transformed into a Human Rights Museum.

Today, the search for truth, memory and justice continues in Argentina. There are still 342 open trials against the junta regime while only three have ended. From 1604 defendants only 556 are arrested while 252 are dead and 40 are fugitives⁸. HROs and specifically, CELS are following these trials closely. In the next part of this report, we will discuss the work being carried out by selected HROs towards achieving justice and truth. Obviously, it would be beyond the scope of this report to make justice to their 30 years long struggle. As such, we do not aim at a comprehensive account. Rather, our aim is to contribute to the establishment of a Memory, Truth and Justice Center in Turkey in light of the Argentine experience. Both the similarities and differences between these countries make their comparison a fruitful endeavor for our aims. As we will show, while differences we observed point to the limitations of applying the same strategies in all cases given the structural and historical variations among them, they also give us an opportunity to rethink some of our gradually crystallized methodologies and discourses.

⁸ Gaston Chillier (December 4, 2010), "Truth, Documentation and Justice Processes in Argentina", Speech at Anadolu Kültür Workshop: Truth, Justice and Memory.

III. Human Rights Organizations

1. Memoria Abierta



Memoria Abierta was created in 2000 with funds from the Ford Foundation and, by different human rights organizations to achieve coordination and cooperation in building a collective memory of Argentina's recent past. The founding human rights organizations of Memoria Abierta are the Permanent Assembly of Human Rights (ABDH), the Center for Social and Legal Studies (CELS), the Argentine Historical and Social Memory Foundation, the Mothers of Plaza de Mayo and the Peace and Justice Service (SERPAJ). Currently, Memoria Abierta alone employs around fifteen workers full-time, and defines its operational area as establishing documentary heritage and oral archive used for different purposes.

Two factors played an important role in the foundation of the organization. First is the 1996 decision to make a memorial for the purpose of commemorating human rights violations and disappearances that took place during the military coup. Second is the public appearance of certain high level coup officials' testimonies around the same time including the acceptance of the existence of death flights.⁹ These two developments mobilized HRO's who have been looking for new strategies and techniques for establishing justice after the amnesty, to come together to create a documentation center. The documentation center proved itself to be necessary for

⁹ According to Luis Fondevbrider from EAAF, only 60 dropped people's bodies could be found in the ocean.

HRO's who have been trying to identify perpetrators and stop them from occupying posts in judicial, executive and legislative branches of governments and state. Meanwhile, excavations in mass graves were continuing and forensic anthropology team was actively engaged in this process both during excavation and identification of bodies. Extensive public support and identification of perpetrators were necessary to succeed in this line of work, and HRO's felt that a centralized documentation center was also paramount to achieving these goals.

Initially, the foundation of Memoria Abierta was received with little enthusiasm and, no interest was shown from the public and youth in their memory work. Nevertheless, three factors played an important role in the increase of their popularity according to the people we talked to. First is their professional approach. By professional approach what they specifically refer to is meeting international standards in data collection and basing their political advocacy on robust and reliable information and detailed documentation.

For example, although in a secret document written by an Argentinean officer to one in Chile it is stated that there are no less than twenty thousand people executed by the junta government, Memoria Abierta still uses the figure of eleven thousand in their publications adding to CONADEP 's findings which is 9000, only the two thousand who have been officially identified and individually validated.

A second reason for their success and international acclaim is the fact that they are careful to cooperate both with public institutions and local organizations. This gives them both different resources for legitimating their work and gaining recognition and, proves their productive blindness to ideology.

A third reason is the fact that along with other Human Rights Organizations they adopted a radical approach whereby the term “state terror” rather than “crime” or “violence” is being used for the period of junta. “State terror” allows showing the systematic nature of repression and, brings into focus the deeds of the state rather than those of the victims who can in other contexts be described as deserving what happened to them. Probably, if it weren't for the previous two strategies this would not be successful. However, the reliability that HROs achieved by robust and valid data collection and their cooperation with both state and local institutions gained them a reputation which could be mobilized for rescuing the term “state terror” from being associated with political orientation and instead raising it to the status of objective truth.

In addition to that, not only are those who have been disappeared but also those who have been killed before the junta, in combat and as guerillas are included into the category of victims of state terror. The rationality of this argument is based on the fact that armed struggle exists only when a state is illegitimate and unjust. Such an argument takes its source from the 1994 constitutional reform which repeals the doctrine of the *de facto* governments, and establishes any further attempt at breaking the constitutional order illegal, as severe penalties were to be given to the perpetrators and the right to resist a coup d'état was validated. HROs had proved the existence of clandestine centers prior to the coup and hence, they regard resisting a government which resorts to such unconstitutional measures as a citizenship right. In

other words, the legal framework for which organizations such as CELS have immensely fought for also facilitated the condemnation and the hegemonic use of the term “state terror.” As we will see, one of the contributions the success of this strategy was to develop a public demand for perpetrator identification and accountability along with a willingness to unearth the intricate cooperation certain sectors of civil society established with junta --which is what Memoria Abierta does. Moreover, it also gives HROs an opportunity to criticize the present based on the past by showing for example, the continuities of economic policies whose initial application occurred concomitantly with state terror.

Finally, Memoria Abierta's popularity stems from the oppositional affectivity created among the public in the 90s when the working class became mobilized during the financial crises that faced the Argentine state. Memoria Abierta gave a primary importance to link their memory work to the popular mobilization in the society. It created links and connections with local neighborhood networks not only materially but also ideologically by showing exactly that what we mentioned in the previous paragraph; the very fact that economic policies repressing Argentine people are in continuity with state terror and one can not fight with the one without fully accounting for the other.

Today, Memoria Abierta is the Latin American regional coordinator for memory and documentation, gives seminars in different countries on armed conflict and dictatorship, on the collection, organization and making visible of raw materials and, on how oral stories can be used as evidence in the legal sphere. Its collections are exhibited internationally. Memoria Abierta also participates in trials as an expert and, is also invited to become a partner when a place of state terror is being reconstructed as a memorial site in Argentina.

In our meeting with them Memoria Abierta staff identified the scope of their work to evolve in four areas: Documentary Heritage, Oral Archive, Topographical Memory and Specialized Projects.

Documentary Heritage:

Memoria Abierta identifies its primary goal as establishing a documentary heritage by centralizing topographical, audiovisual and archival documents collected about human rights violations during the coup. However, this does not mean that the documents collected by other organizations are under Memoria Abierta's physical possession. Rather, Memoria Abierta uses the Human Rights Thesaurus developed by Chile and modified for their purposes and, UNESCO's vinsys open source program to standardize and codify different sorts of documents and makes their content available to public by putting them on their web site. Hardcopies of documents are kept by institutions that collected them and the web site specifies how to access them by giving the name of the institution where they are located.

The identification of existing documents and translating them to a data base that meets international criteria took the work of fifteen researchers for two years. Each of these researchers was located in one institution whose documents they

categorized, described and codified. It was only after succeeding in meeting their goal of establishing a collective and reliable documentation center that Memoria Abierta started working in other areas.

Oral Archive

Memoria Abierta holds an oral archive of testimonies on disappeared people and detention centers. These testimonies are collected through focused interviews conducted by trained researchers with a B.A. in sociology or anthropology. Memoria Abierta classifies testimonies in terms of the relationship of the interviewee to the disappeared and/or the political activity carried out by her. Categories used for classification are survivors, expatriates, relatives (divided into the subcategories of mother, father, son, daughter, brother, sister and other), witness, militias of organization and human rights activists. In our meeting with Memoria Abierta, the staff also mentioned that there was a heated debate on whether to include perpetrators' testimonies in the web. Nevertheless, they decided against it since putting perpetrators' and victims' testimonies could give the impression that they are of equal value or reliability.

The oral archive is predominantly made available for research and educational purposes. The complete interview of a person is kept within the boundaries of the institution and only restricted data including a written description of the topic and the category of the interviewee exists in the web. A detailed description of the interview can be found in the institution. Upon request and permission, individuals can listen to the interview. However, in such cases the whole interview must be listened to without skipping over parts and apart from note taking, no reproduction of the material is allowed.

Topography of Memory

Memoria Abierta gives a special importance to the materialization and spatialization of memory. Given that the detention centers where people were held without trial were clandestine and those who stayed there were kept blindfolded throughout their stay, identifying the buildings where atrocities such as torture, rape and disappearances occurred are of symbolic value for building memory and heritage as well as, for making legally valid connections between specific military officers and crimes. Also, objects that have been used in detention centers by perpetrators, those confiscated by the military from victims and their houses and those used for resistance and empowerment by political activists are exhibited in the website.

One extensive project identifies all clandestine centers and locates them in the map to show how repressive tools were distributed in the national space of Argentina and how land was used by the junta regime. Both the exhibition of objects and the map of clandestine centers are interactive websites. People can comment and describe their experience with specific objects or clandestine detention centers. Lists of testimonies related to a specific center can be found here along with information regarding the number of people who stayed there, the architecture and history of the building, the names of prosecuted perpetrators who operated there and relevant press

and court material.

The Project on the Topography of Memory helped gain an expertise status for Memoria Abierta since in trials against perpetrators, courts request Memoria Abierta to bring survivors to clandestine centers and videotape their testimony which are later used as evidence against defendants.

The Project of Rosario

Memoria Abierta has recently started a more localized and detailed project in the clandestine detention center of the district of Rosario with the aim of turning it into a memorial site. In order to achieve this, they have identified all the documents and testimonies collected about the site in archives, conducted new interviews with survivors, made a topography of the region, the building and its inner architecture and gathered information on the trials of related perpetrators. This was not easy because Rosario is a place where fear from the state still shapes everyday affectivities due to its population's devastating experience in the coup when all workers were kidnapped and many disappeared. Accordingly, partnership with local organizations and actors were extremely important in the project.

Memoria Abierta collected 25-30 testimonies in Rosario compared to the 47 testimonies they gathered in Buenos Aires since their foundation. These testimonies documented immense sexual violence which led the organization to develop an interest on the gendered dimensions of state terror and victimization.

Memoria Abierta created a web-museum based on the data on Rosario and classified this data chronologically in the following order: mobilization prior to junta intervention, details on state terror as manifested in the region, the struggle over truth and justice led by the people of Rosario and finally, how recollections occur and memory is preserved and transmitted on the events. In the case of the Rosario project, names of victims who gave testimonies are not publicized.

As mentioned earlier Rosario is primarily an electronic project made exclusively available to those who visit the physical site. It is designed to be both a museum of violence and state terror and, a school for contemporary Argentine history. The clandestine center hosts contemporary art and a chronologic time line on the struggle on the acquisition of the building by the community which is closely related to the working class mobilization in the 1990s.

2. Centro de Estudios Legales Y Sociales –CELS (Center for Social and Legal Studies)

CELS is a non-governmental organization founded in 1979. Working from a technical-legal perspective, it promotes and protects human rights, the strengthening of democracy, and the rule of law in Argentina. Currently it employs fifty people including lawyers, anthropologists, sociologists and librarians. These people are employed by funds and no money is received from clients whom they represent in the courts.

It is important to note that CELS was established during the junta regime by two lawyers who had personally suffered state terror. In other words, it collected documents, investigated the regime and tried to protect the rights of victims even before the transition to democracy. After the junta and before consequent amnesties, it accumulated immense data on perpetrators which it today supplies to prosecutors. They operate as partners of prosecution in trials against perpetrators who managed clandestine detention centers. The evidence they provided contributed to the prosecution of 18 perpetrators against whom 181 cases were opened and 300 testimonies collected. They are also internationally known and, in partnership with other HRO's in Latin America, they were able to include the collective right for truth and reparation into the principles of Latin American Human Rights Court.

During the Argentine struggle for truth and justice CELS has taken a leading role in the legal realm. In the period when amnesty was still in place, they identified perpetrators and publicly deciphered the evidence against them to prevent them from holding office or from their promotion to higher state posts. CELS has created close relationships with state institutions and officials and, supported them in replacing police, military and judiciary staff who were suspected to have participated in state terror. They also played an important role in shaping the 1994 Constitutional reform, in bringing the cases of “abducted” children to court and hence in partially overcoming amnesty (since these crimes were not covered in amnesty laws) and finally, in lifting those laws altogether through appealing to international agreements and the Constitution. Today, they are not only working on state terror but other kinds of human rights violations as well, such as discrimination and police violence. They are also active in monitoring the trials on the junta and, they keep a data base on the decision of judges, on punishments given and, on the results of appeals to Supreme Court as well as, the whereabouts of escaped officials. We were particularly interested in their archival practices which are designed for purposes of evidence making, monitoring, memory building and as importantly, for revealing the systematic nature of state terror by identifying activities of cooperation and cooption of business people, the church and the judiciary in the making of the junta regime.



CELS hosts five types of documentation in its building. The first type of documents include journalistic articles on human rights violations in Argentina between the years of 1974 and 1996 both in national and international publications and, these are digitally available. CELS' collection is frequently referred to in prosecutions.

Second type of documents is on judicial cases where key source of evidence has been collected and research was conducted between the years of 1976 and 1985 before the amnesties were passed. These are categorized on file basis and are named after the individual who claims her/his right for justice against the state. Such files contain all kinds of official exchanges including petitions and even letters by judges rejecting investigation. Although most of the data categorized under this type of documentation concern human rights violations during the junta, an additional section that covers the period between 1986 and 2000 encompasses cases of violations regarding cultural and economic rights as well as violence and discrimination.

A third type of documentation is composed of all the data gathered by the founders of CELS. This data is personal and unique for it consists of both theoretical and factual evidence on perpetrators' identities and their affiliations testifying for example, their links to the church. The coexistence of the legal and the public with the illegal and the clandestine in the activities of the military gives an insight to the workings of the state not only in Argentina but in all over the world. The cohort distribution of military officials among universities and other schools are evidence for the collective crime committed as well as pointing out the role of the education system in the making of a coup followed by immense violence and destruction.

A fourth type of documentation is categorized under the name of historical research and includes testimonies of perpetrators and victims. Victims include survivors, relatives of detainees and witnesses of atrocities. Files are named after those who have given the testimony and not after those about whose disappearance the testimony is given.

The files of perpetrators contain information regarding his individual history, the posts he held, his functioning in the system, his relationships to other perpetrators and legislations and laws regarding charges brought against him and his prosecution if one occurred. Here, it must be mentioned that no data is gathered and kept regarding low ranked state officials including guards in detention centers since these are also categorized as victims. The general tendency in the institutions is to view anybody who entered clandestine centers by order --including detainees who "betrayed" their friends and low ranked officials who tortured or killed detainees --as objects of terror rather than as subjects of it.

Finally, the last type of documentation concerns the institutional operation of CELS including organizational principles and ethics, activities carried out, national and international visibilities achieved, decisions made by the board, discussions that took place, court cases participated and information regarding staff in order to establish a memory of the institutions along with achieving transparency.

3. Madres de Plaza de Mayo - Línea Fundadora (Mothers of Plaza de Mayo)



A lot has been said about the Mothers of Plaza de Mayo and, their contribution to the process of justice in Argentina is undeniable. Our impressions here will only include a few points that we have not been aware of until we visited them. Mothers of Plaza de Mayo have their own archival sources whose content and digital copies they have shared with Memoria Abierta. They have communicated to us that they are planning to abandon their Thursday gatherings in Plaza de Mayo since judicial process to prosecute perpetrators have started and justice is slowly being served. They will however, partake in these processes as plaintiffs. They have a place in ESMA about which we will report in the following pages and, they carry out activities for community empowerment there which gives them a new avenue for political action. The branch we visited was keen on establishing their genealogy and claiming that they were those activists who originated the mobilization of mothers in Argentina.

Such a claim was important since they were recently divided among themselves due to disagreements regarding transitional justice. While those mothers we visited were active in processes of excavation, prosecution of individuals and identification of victims, they also voiced their demand of the state to make available all of its archives pertaining to the junta to public and Human Rights Organizations. On the other hand, other mothers who separated themselves from the original group and created their own organization position themselves against excavation and identification of bodies both on the basis of spiritual and rational basis. For once, as long as bodies are not identified the hope that their children live continues. Secondly, while certain bodies will be identified certain will remain unnamed forever since many of the executed bodies were disposed to the sea. In their opinion this will create an inequality in terms of mourning and closure. Such an opinion radicalizes them and they see little use in legal ways of attaining justice whereby only certain perpetrators are prosecuted and not the whole existence of a modern, capitalist state.

4. Equipo Argentino de Antropología Forense - EAAF (Argentine Forensic Anthropology Team)



The success that the forensic anthropology team in Argentina has achieved in identifying victims and contributing to the revelation of state terror is one of the most internationally acclaimed. It was in 1984 that forensic anthropologists were first invited by CONADEP and Mothers of Plaza de Mayo who were searching for their grandchildren that disappeared with their parents or were born in captivity. Since there were no experts who could meet such demands in Argentina, they requested assistance from the Science and Human Rights Program at the American Association for the Advancement of Science.¹⁰ Among the delegation members was Dr. Clyde Snow who hired and trained local students and, the forensic anthropology movement in Argentina was developed by these students who later invented new techniques which are today used worldwide to identify bodies that were buried long time ago.

We should note similar to Turkey the first thing anthropologists learned in this process is that the techniques of excavation is crucial to the identification of bodies and they immediately prevented the use of heavy machinery, and the use of improper storage and analysis by Forensic Medicine Institutes. Since 1986 the team expanded their activities, gave seminars and trained teams and worked in more than 40 countries throughout the Americas, Asia, Africa and Europe.

Today, forensic anthropology plays an essential role in the memory work that HROs

¹⁰ Argentine Forensic Anthropology Team, *American Initiative for the Identification of the Disappeared: Genetics and Human Rights Argentina Section First Report*, p.9.

are engaged in. Similar to CELS, they were able to map out the intricate organization of state, its logic, and the links between different people who hold state posts based on different archival sources. They have also mapped out mass graves linking them with individual stories of identified people buried in each in order to reveal the atrocities of state repression. Their theory of state together with the documents they collect about mass graves and testimonies allowed them to create a computer program which can estimate where a disappeared person must be buried.

Besides these, the forensic anthropology association of Argentina holds a data base with names of 10.000 disappeared people with information on their life history, political affiliation, and hospital archives-- which are of little use since most of the detainees were young and with no identifiable injuries or sickness-- supplemented by newspaper articles and pictures. Up to today they have been able to identify only 440 out of those 10.000.

In our meeting the director of Forensic anthropology talked about the principles that guide their work as much as its content. First, they believe who owns information is extremely important in power struggles and they only share information when necessary. For example, their genetic sample is only shared with state for they must cooperate with it for identifying children who were delivered by female detainees and adopted by military officials. Secondly, they promote cooperation with other scientists. EAAF is currently comprised of 42 full and part-time staff members and a number of consultants that specialize in archeology, physical and social anthropology, genetics, computers sciences and law.¹¹ Third, they maintain the utmost respect for the wishes of victims' relatives and communities concerning the investigations and, work closely with them in all stages of exhumation and identification processes.¹² Finally, they state that scientific evidence is extremely important and the uncovering of state terror can be accomplished and internationally recognized only through scientifically established arguments. They also argue that these principles have proven themselves to be intrinsic to the work they conduct in Argentina since for people who lost loved ones, achieving justice may be more important than preserving memory. The evidence EAAF delivers is crucial for prosecutions.

As we will see shortly, memory work indeed must deal with much more messy details and concern itself with the making of a future as much as establishing justice. Memory work involves witnessing and uncovering historical truths which can at times be different from establishing accurate facts. Below, we will discuss the places we visited which were claimed by people in order to keep the memories of those who were killed and the state terror which murdered them.

11 Argentine Forensic Anthropology Team, p.10.

12 Argentine Forensic Anthropology Team, p.10.

IV. Re-membering / Memorials

1. Olimpo



Olimpo was one of the central clandestine detention centers in Buenos Aires during the junta regime which in year 2005 was transformed into a site of memory/community center. Prior to the junta it was used as a train station owned and run by a private company. In 1976 it was handed to the police and was turned into a police station. There are still no official documents found for this transaction. Olimpo functioned as a clandestine center in the period between August 1978 and January 1979. It is estimated that 500 people were kept in Olimpo with only 90 of them surviving. Detainees were from all levels of society with different political affiliations.



The fact that Olimpo became a detention center as a result of a transaction between

private and public sectors is emphasized by the guides who give a tour of the place. The cooperation of private enterprises with the junta regime and its atrocities remain still uncovered. Nevertheless, such cooperation is crucial for understanding the systematic nature of state violence and oppression. Indeed, one of the aspects of junta regime that clandestine detention centers such as Olimpo exemplify is the active and passive participation of different sections of the citizenry in its production, power, survival and immunity. Without deciphering the extent of this participation and the links of junta to social forces, the idea of NUNCA MAS remains abstract and, oppression and state terror can continue to have a hold over society under different guises. We will revisit this topic when we discuss the Memorial for State Terror.

The recovery of Olimpo from the police station occurred in 2005. The deliverance of Olimpo to HRO's was a demand developed by neighborhood associations who were mobilized against the economic crises and state's policies that increased poverty and inequality in 1990s. Neighborhood organizations invited survivors to talk about their experiences and, collectively protested police presence in the neighborhood. After these events the city of Buenos Aires took the initiative, ordered the police to leave the station and gave it to HRO's and neighborhood organizations. However, before leaving the place the police destroyed the inner architecture of the station to erase all possible traces of its crimes.

When Olimpo was turned into a site of memory, there were already some survival testimonies documented which were crucial in identifying it as a clandestine detention center in the first place. On the other hand, HR activists and survivors were raising questions to whether Olimpo ever has been clandestine given that it is located in a visible spot at the heart of the neighborhood. As such, one of the first activities conducted by activists once Olimpo was recovered was to make face-to-face interviews with residents and collect their testimonies in addition to those of survivors.

Once testimonies were collected, neighborhood communities and HROs spent a whole year discussing what to do with Olimpo, how to turn it into a place for memory that can embody the horror experienced and yet, also play the role of transmitting the lives, resistance and hopes of those who were kept here. In the words of the director of the center Olimpo is both an architecture of horror and a place where detainees fought for dignity. Consequently, the aim was transforming it from a place of death to a place of life without however erasing the traces of horror as the police tried to do, and without ignoring the fact that today life unfolds in the aftermath of a violence and atrocity that cannot be undone.

The participants of the meetings for deciding what to do with the station, included neighborhood residents, HROs, survivors, relatives of the disappeared and officials from the city of Buenos Aires. The majority ended up voting against the idea of a museum and for creating a community center.

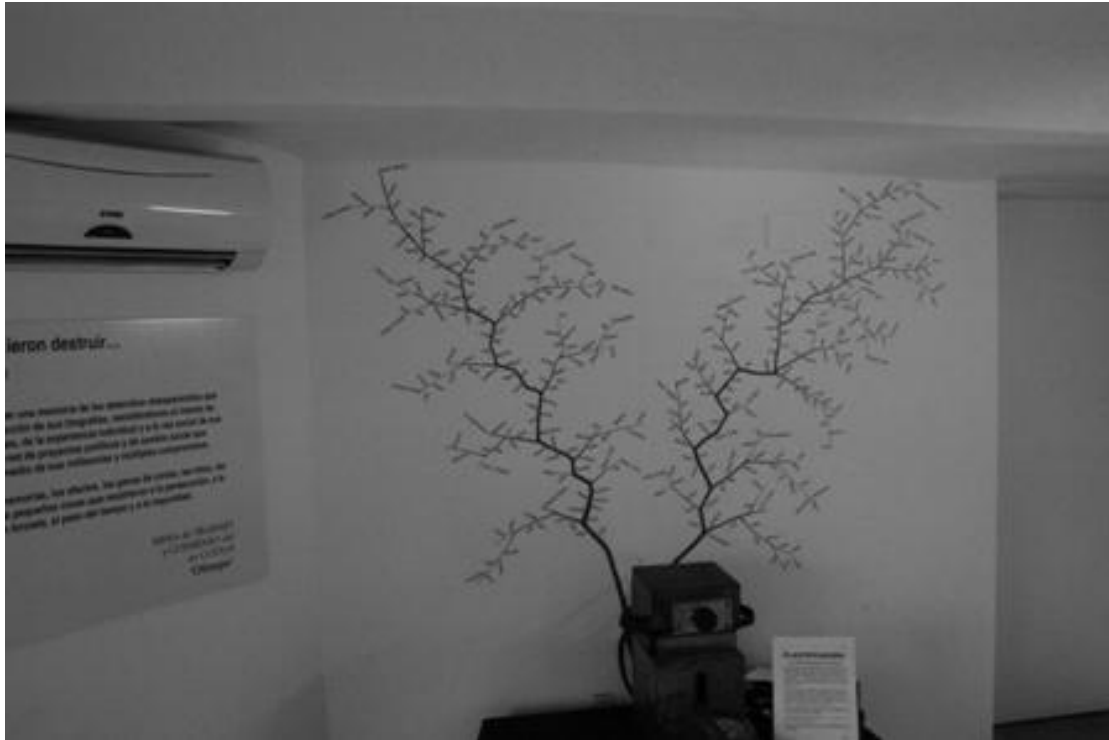
Olimpo memorial site and the thought and discussions that went into its design proved themselves to be not only crucial in reformulating the understanding of heritage but also in transforming the technical understanding of truth and evidence

making. For example, awareness was built that survival narratives are neither incomplete nor inaccurate but shaped by embodied visions carved out from within a material space of torture, blindfold, fear and comradeship. For example the sound of music, smell and angle of light survivors reported were crucial in locating Olimpo. Discussions people overheard revealed the identities of some of the disappeared although their bodies were never found. Confiscation of possessions and money by the state along with bodies of detainees was widespread during the junta regime. The fact that some of the possessions of the detainees were seen by people who were able to look over their blindfolds was used as evidence for their presence in the station. It was by such witnessing that relatives who were searching for the disappeared could find out that their loved ones were kept in Olimpo. Hence, testimonies could become an invaluable source of experiential knowledge and evidence when the materiality of their production is taken into consideration. Indeed, many techniques of evidence making in Argentine courts that investigate state terror today are developed in cooperation with HR activists and survivors as much as with forensic anthropologists and lawyers.

Such narratives also helped finding the traces of architectural horror in Olimpo which were originally demolished or hidden by the police. However, nothing was rebuilt. In the words of the director of Olimpo “it is them who built, we trace.”

When visitors enter Olimpo, they encounter a large and empty space where only a handful of signposts decipher the work that went into the erasure of architectural horror. These signposts are irregularly distributed and are located next to places such as a once existing wall that is now destroyed. One can see the remains of the wall structure under scratched paint and lifted concrete. The guide explained to us that this is the irony of the military and state mentality which still adhere to the belief that they could make people forget their deeds by a little work of construction. Nevertheless, the space itself operated as a metaphor against erasure. The traces state terror left on materialized and embodied memory can easily be recovered for purposes of truth, solidarity and justice.

The traces that were recovered in Olimpo are not limited to space. Olimpo aims at centralizing memory and, collects books, poems and photos of the disappeared, letters written by them or by their relatives as well as, documents on the famous Olimpo trial. It also collects objects of resistance, such as a machine used to counterfeit false documents for those who tried to escape state terror through going to exile. The illegal character of such objects are noticed and addressed by guides while also renaming them as heritage and underlining their function for community survival, for struggle against state terror and for keeping relationships going.



There are two full-time workers in Olimpo and a few voluntary staff. They define one of their primary objectives as transmitting knowledge and memory to future generations. We should add that by knowledge and memory what they refer to is not state terror but the ideology, discourses and practices of leftist opposition groups who were killed by the junta. Besides the albums that contain photos and writings of the disappeared, Olimpo also hosts books that widely circulated among resistance groups. They have a project of reading these books together with children which they have named “The Return of the Forbidden.”



Also, HR activists in Olimpo discuss with children and other residents of the neighborhood the clandestine nature of the building and how it remained such given the fact that noises from the building as well as, the entry and exit of many blind-folded detainees were witnessed by neighbors. A final project entails grandparents telling stories and fairytales to children in order to strengthen generational and communal ties.

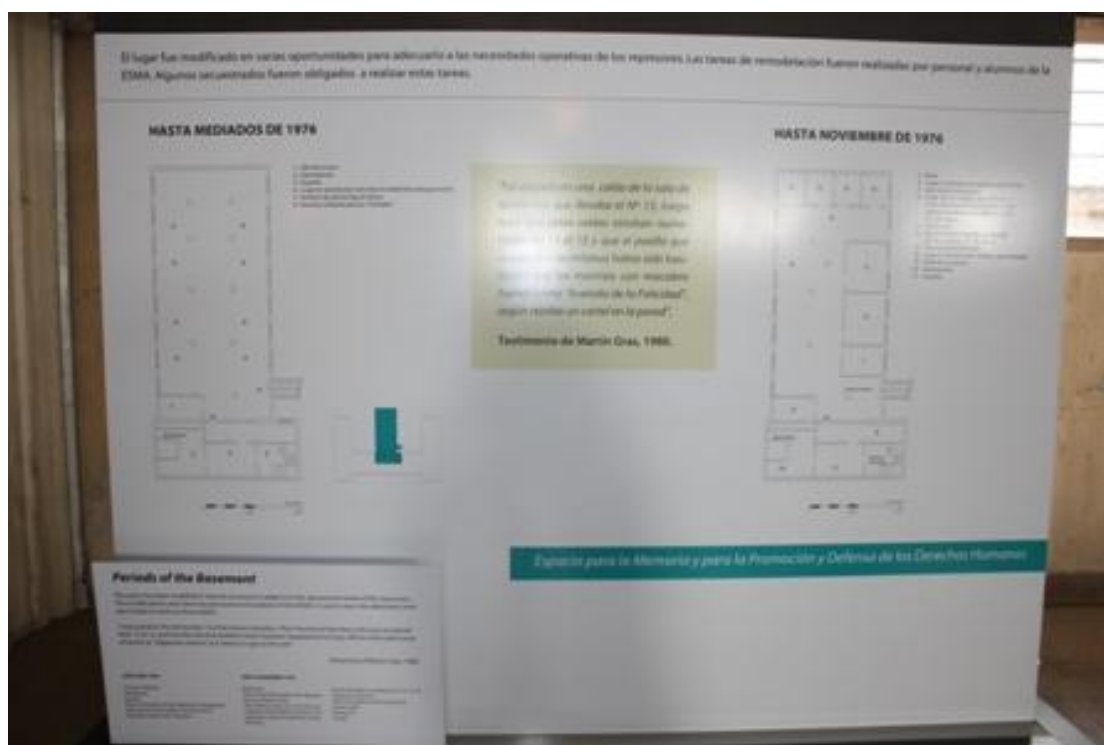
2. Escuela de Mecánica de la Armada - ESMA (Navy School of Mechanics)



ESMA is the biggest clandestine center in the city of Buenos Aires and played a crucial role in disappearances. It is estimated that 5000 people stayed here with only 150 surviving. Survival testimonies show that detainees that were killed by death flights were first brought here from all over Argentina and, boarded the planes from this military base. Even more than that of Olimpo, the clandestine nature of ESMA begs questions about the role of citizenry in the workings of state terror, since ESMA is located in the center of capital, it was operated as a clandestine detention center throughout the junta regime and entry and exit of detainees as well as, departure of death flights were frequent. Today, ESMA is a popular symbol of repression and state terror.

ESMA belonged to the navy and hosted the navy military machinery school. Even after the junta regime ended and its function in state terror revealed, the school continued to function. The decree that forced the navy to hand ESMA to HRO's was passed in 2004. Nevertheless, it took many years until the navy left all of the buildings. HRO's had to coexist with navy units until 2009. Meanwhile, the city of Buenos Aires separated the living space of the navy and HRO's with fences, moving these around as new buildings were emptied out by navy. Needless to say, the navy destroyed all documents and rebuilt the inner structure of the detention center not to leave any trace of their deeds. The museum in ESMA did not open until the whole navy was out since there were no prosecutions yet, and opening a museum of state terror would be meaningless when the perpetrators are still holding posts in the same place where they committed their crimes against humanity.

ESMA is run by ENDE which translates to entity. ENDE is composed of representatives of Human Rights Organizations, the National Memory Archive and the Institute of Memory Space. While the National Memory Archive is a state institution, the Institute of Memory Space belongs to the City of Buenos Aires. ENDE defines its objective in ESMA to be twofold: Preservation of memory and promotion of human rights. Similar to those in Olimpo, discussions on how to deal with the architecture of horror in ESMA and how to represent state terror that took place here have been continuing since 2004 until today with little agreement. In ESMA academicians and museum creators also partook in debates; in addition to HRO's and Survivor Organizations.



The question of coexistence –which was of lesser importance for Olimpo staff-- pressed itself on ENDE in multiple ways due to the presence of the Navy. Further important issues were also raised: How to represent memory of state terror when many protagonists remain out of the judiciary system as their experience with the

navy show? How can knowledge be transmitted to new generations without brushing over the roots of conflict; that is the fact that they are still living in a capitalist, imperialist and nation state centered global system? How to link state terror with the discrimination that immigrants and poor face today? How to raise consciousness about the links between post-junta 1980s consumer culture of indifference and the atrocities that the previous generation became victims of? How to talk about the role of civilians in the making of state terror without stimulating hatred between groups? How to make sense of the dead and disappeared without reducing casualties into a power game between different fractions of the military? For example, it is believed that ESMA became such a horrific place because it was the showcase of the navy in its competition with other army units all of which wanted to claim more authority in ruling the state by displaying their invincible strength in killing and repression. How to make a space where memory is preserved for survivors and relatives of the disappeared and at the same time, promote human rights and hopes for a better world informed by previous generations' struggles? Some survivors of the junta are blamed for cooperation with state and betrayal of their friends. Surviving sometimes becomes a curse in the eyes of relatives and the larger society. How to show the victimization of all under the repression of systematic state terror without disregarding agency and responsibility of individuals? Many of these questions regarding ESMA are only answered by collective, contingent and painful decision making processes in which ENDE and other protagonists participate.

ESMA's space is occupied by various buildings and, is divided into different parts. The building which was used as a clandestine center is open to visits and designed similar to Olimpo with no reconstruction and rebuilding. Again signposts inform the visitor of structures that once existed and were testified and nevertheless, were built over or demolished by the navy before they left.

Other buildings are redistributed to HRO's including both fractions of Mothers of Plaza de Mayo who are trying to come up with new projects here since, prosecution comes to its final stages and the cause of their existence-- that is justice-- is slowly disappearing. A further building hosts contemporary art interpreting the junta regime.

3. Parque de La Memoria y Monumento A Las Victimas del Terrorismo de Estado (The Park of Memory and Monument to the Victims of State Terrorism)



The law for building a monument to the victims of state terror in Argentina was passed in 1997 and yet, it was inaugurated as late as 2007. The city government, HROs and Ciudad University have built a partnership to realize the project. While the city government supported it financially, the university donated the land where the memorial is built. The park of memory where the monument is built is situated in a large space in the outskirts of the city where apart from the monument, seven sculptures on state terror are installed and at least four more are in the process of being built. These sculptures were selected on a competitive basis. Here, we will give two examples of these:

The first sculpture one encounters during a tour in the Memorial Park is made by Grupo de Arte Callejero. It consists of consecutive traffic signs arranged chronologically. The signs represent certain turning points in Argentinean history of state terror linking the local to the global, the visible to the clandestine and the civil to the military. For example, there is an emphasis on the continuation of repressive economic policies even after the junta resigned and, several traffic posts represent levels of poverty, international debt and privatization in 1980s and 90s.



On the other hand, the Falkland war and the world championship of soccer that took place in Buenos Aires are depicted right after the law of impunity showing the relationship of 1980s consumer culture of indifference and the covering up of state terror.



Other signs include massacres, mass arrests, disappearances, the cooperation of the Ford in building clandestine detention centers, etc.



Another monument is literally installed in the sea. It is a sculpture of a boy looking towards the sea and was built in memory of a child who was killed in death flights and whose body was recovered near Uruguay. The sculpture was built by Claudia Fontes who would be the same age with the boy if he had survived.

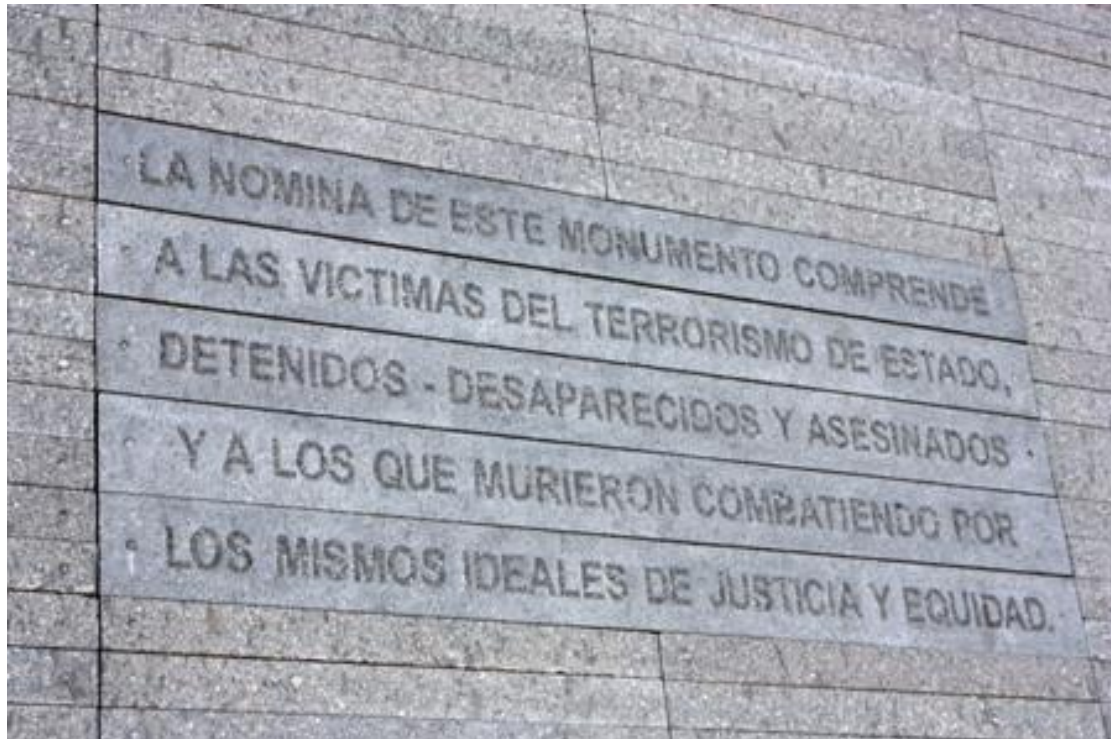


The monument to the victims of state terror is located in the middle of these sculptures. It consists of names of those who were disappeared and killed by state terror. Concrete blocks parallel to each other with at least five people able to walk in between compose the monument. Names are alphabetically ordered on these blocks according to the year when they were killed or disappeared. Next to the women who were pregnant when they disappeared the word pregnant is added. Two characteristics of the memorial are worth mentioning. First the chronology starts in the end of sixties and before the junta regime. That means that even those who were armed guerilla and were killed in combat are regarded to be victims of state terror. The reason for this is as mentioned earlier that even in that period clandestine detention centers existed. Also, the holistic understanding of state terror that a radical approach promotes and to which most HRO's in Argentina adhere, holds that guerilla fight exists only when a state is repressive.



Second, there are thirty thousand name plates present on the walls from which only 11.000 are filled. Many name plates remain empty. The reason for this is twofold. First, based on the testimonies they collected and the estimates they calculated, HROs claim that in Argentina the number of the killed and disappeared is approximately 30.000. Nevertheless, in order to maintain the professionalism and

scientific nature of their work they are keen on using only those names that have been officially recognized and individually validated in their work. Indeed, what took the park to be opened 10 years after its law has passed, is the meticulous work that HRO's had to conduct in order to come up with a single list of victims. As a result of a consensus between the state, the city of BA and HROs, 30.000 name plates were put on the blocks while keeping those of the 19.000 people whose identities remain conflictual, empty. As bodies are recovered and identified, the names of new victims are added to the monument. This also represents the fact that past atrocities still have an impact on people living in present day Argentina.



A museum for international contemporary art on state terror is located in the administrative building of the Park. Here, seminars, theatres, concerts also take place. When we visited the building, one of the exhibitions hosted was by an artist from Uruguay. The exhibition consisted of alphabetically ordered pages of the Uruguay national telephone book where the names of the disappeared are erased. A video listing the names of the disappeared were screened next to it.



The people who guided us through the site were young anarchists living in a caravan on the land of the memorial park. They were extremely knowledgeable in terms of the dates and events of the junta as much as the stories behind each and every artistic production we encountered. We think that this fact is a testimony to the success that the search for memory, truth and justice that HRO's in Argentina achieved. We should remember that for HROs in Argentina, education and transmission are as important goals for accomplishing justice, as preservation of memory and prosecution of perpetrators.

V. Discussion

The struggle for truth, memory and justice in Argentina and the one in Turkey follow radically different paths, unfold in different contextualities and have achieved varying results. In order to compare these two cases we have to start with certain specifications. The last junta in Argentina that we focus on in this report ruled between the years 1976 and 1983. The loss of the Falkland War in 1982 and, international pressures on the dictatorship due to the disappearances of two French nuns in 1977 whose dead bodies later surfaced on the coast of Uruguay, mounted public opposition to the junta and led it to relinquish power. The truth commission (CONADEP) that investigated the crimes of the junta regime was created right after the democratic elections in 1983. Already in 1994 a renewed constitution specifically crafted for preventing the legality or legitimacy of any coup and for categorizing it as a crime against people was in place. In other words, despite the amnesty and laws of impunity, the Argentinean struggle for justice occurred in favorable circumstances where there was almost a universal condemnation of the dictatorship. As we mentioned earlier, this is not the case in Turkey.

Secondly, while at the first sight one could think that the military dictatorship in Argentina lasted much longer compared to the Turkish one that ruled over the country only for two years, the contrary statement would hold just as true. Although the military relinquished in 1982 national power, it wasn't until 2002 that OHAL (which gives the military extraordinary legislative, judicial and administrative power in legally defined places) was lifted in the Eastern provinces where majority of the population consists of Kurds. Most of the disappearances in Turkey occurred in 1990s and under OHAL. In other words, when we compare Turkey and Argentina, it is difficult to tell a coherent linear story since de facto, Turkey experienced two different regimes in its ethnically divided territory for the last two decades of 20th Century.

Accordingly, it should not be a surprise that the power and affect of junta in Turkey overrides the duration in which it was controlling the nation. 1982 Constitution was prepared, publicly voted and inaugurated under military rule and, its replacement is only being seriously considered by parliamentary forces recently. The 1982 Constitution gave impunity to the officers of the military dictatorship although changes have been made in 2010 to enable their prosecution.

The military rule between 1980-1982 in Turkey did not predominantly rely on disappearance as a strategy for spreading fear and controlling people. Although torture was universal and killings occurred during torture, atrocities that took place in Turkey were mostly "legal."

Many people were killed in armed clashes, capital punishment was used widely and those killed under torture were documented of having died as result of "falling out of their beds." Medical organizations and civil judiciary cooperated with the military in producing false documents in such cases. There were mass arrests, tortures during interrogation as well as during imprisonment. Places where interrogation occurred were clandestine. However, the majority of detainees made it to the courts and to

prisons alive. It was only in 1990s under the OHAL regime which was exclusively directed towards an ethnically marked population, that mass arrest as a strategy was replaced by mass disappearances. The dirty war in Turkey occurred in an enclosed and demarcated space dividing the county into two regions and two populations: Turks ruled by civil law inherited from the junta regime and Kurds by extraordinary measures implemented by the military.

This has several consequences that are relevant to our comparison:

1. State Terror

1-Public Cooperation vs. Clandestine Cooperation.

The military junta in Turkey was keen to establish a legal framework for its deeds whereas in Argentina it primarily utilized clandestine methods. Since a legal framework necessitates the active and public cooperation of other institutions such as medical and legal associations, it becomes difficult to produce a collective condemnation of the coup in its immediate aftermath.

2-Mass Arrest vs. Mass Disappearance

Due to the fact that in Turkey mass arrest was a common method, it was the bodies of the tortured, interrogated and released prisoners who materialized the state and provided a constant reminder of its power and violence. In Argentina, the lost bodies of the disappeared created a void that was eventually filled with opposition action and discourse.

3-Collective Destruction vs. Collective Disempowerment

While in Turkey the actors of the left ---although disempowered, their organizational capacity destroyed and their mass support largely diminished---continued to shape opposition, in Argentina the left was physically annihilated. Survivors and remaining sympathizers were able to override their differences and channel their energies to interrogating state terror. They defined their role to be a bridge between the past and future generations and, memory work partially involves the education of the youth by transmitting them the dreams and practices of those who died for human rights and democracy. In Turkey although disempowered, the left continued their past vendettas accusing each other of collaboration and corruption and failed to shape present public discourses. In social science terms; in Turkey trauma could not be worked through while in Argentina this is relatively achieved because of the different demographic results both juntas created.

4. Ethnic Component

On the other hand, what happened during the 90s in the Kurdish cities was either unknown by the Turkish public or was encountered with indifference. As our Argentinean friends have reminded us the ethnic factor in Turkey prevented the establishment of a unified protest against state terror while in Argentina the victimization of the population beyond ethnic, class and gender dimensions enabled

the collaboration of civil society sections.

5. Guerilla Presence

In addition, while in Argentina the power of guerilla was already diminishing when the junta seized power, in Turkey the violence and power of guerilla forces in the Kurdish region gradually increased after the military regime making it difficult for Turkish civil opposition to reserve the term terror exclusively for the state.

2. Human Rights Organizations

All these differences notwithstanding there are many lessons for Turkey, that can be drawn from the Argentinean case in terms of the strategies and tactics the truth, memory and justice work has adopted. After all, it is actors themselves, the decisions they make, the arguments they develop and the practices they carry out that eventually shape the character of an opposition. Certain ways of doing and saying things, certain alliances and divisions become crystallized over time not only because of the conditions within which a movement originates but because of habits and naturalized visions actors take for granted. Revisiting other cases gives us an opportunity to rethink such habits and visions and opens up new ways of acting and saying things.

1. Scientificity of Data

In Argentina, all organizations we have visited emphasized the importance of scientific research, evidence and argumentation in conducting human rights work. The use of technology, proper documentation, production of reliable and valid information and collaboration between academic disciplines are characteristic features of all the projects undertaken by HRO's. Further, they use internationally established coding systems, data bases and categorization in order to increase their credibility.

In Turkey, there are invaluable visual, audio and legal documentation on state terror along with testimonies. Nevertheless, such material is neither centralized nor codified according to international criteria. Moreover, the work of academia and of HROs have until recently remained disconnected, although this is gradually changing. The Argentinean case shows that the scientific character of a work is not only validated by content but by form; presentation, categorization, technology, channeling of information as well as collaboration are means in which content is made reliable and robust. International fame of expertise as in the case of Argentine forensic anthropology team, CELS and Memoria Abierta is earned by meeting criteria set by previous works in other countries and strengthens HR work nationally.

The conundrum that faces HROs in Turkey however, is that in Turkey HR violations and state induced violence continues and, it is difficult for HROs to set a long term agenda because, actors end up focusing on every day problem solving. International funds are restricted as well for various reasons stemming from both sides that cannot be discussed here. Nevertheless, the case of Argentina shows that the issue of professionalism and long term agenda making in order to produce scientific research, evidence and argumentation is crucial for achieving success.

2. Prosecution Oriented Struggles

In Argentina the identification and prosecution of perpetrators has motivated HR movement immensely. Here, specific mention should be made of CELS and Mothers of Plaza de Mayo.

3. Alliance with Other Oppressed People

In Argentina the identification and appropriation of clandestine detention centers by neighborhood organizations and HROs has shaped strategies and tactics of actors immensely. Indeed, it seems that the alliance of the working class with the demands of the HROs in this regard has been a turning point in the interrogation of state terror in Argentina. Not only did this force organizations like Memoria Abierta to come up with specific programs, technologies and evidence making techniques but also enabled various civil society forces to come and act together.

It would be a mistake to suggest that in Turkey HROs have not pressed for the prosecution of specific people and for alliances with working class. The opposite is true. However, in terms of memory work and establishment of truth and justice a more comprehensive view point which expresses the corruption of the system and the illegitimacy of the state has overshadowed such attempts. Demands could not be reduced to the level of concrete materiality (such as identification of a building or prosecution of a person). Instead victimization and testimonies of victims have been at the center of discourse giving HROs a particular form of visibility and voice. These have in time become symbols of state repression in general clouding over specific crimes and turning each crime into a repetition of the other. The Argentinean case leads us to question when and how such a strategy was adopted and how it can be transformed since it seems that localizing movements and collaboration with various actors is easier to achieve when demands can be broken down and made simple and tangible. Also, as the case of clandestine detention centers and the memorial park testify; in the process of decision making HROs and survivors face important ethical, philosophical and practical questions which in turn force them to reevaluate the past and work through trauma. Opening up such collective and public spaces or identifying those already existing (such as HROs buildings where these kinds of discussion take place) would be an important step for renewing some of the assumptions we have about past, present and future action.

4. Intergenerational Transmission of Memory

A fourth point that we would like to emphasize is intergenerational education. One of the goals that HROs in Argentina achieved is transmission of knowledge to new generations and building a consciousness of ethical responsibility towards those who fought for democracy. An operational distinction must be made between socialization which involves mostly unconsciousness acquirement of habits, practices and discourses by new generations of older ones and education that refers to the conscious transmission of knowledge within a coherent framework shaped by explicit or implicit political agenda. In Turkey, socialization of Kurdish youth occurs within mass based

political opposition. On the other hand, education in the sense defined above targets Turks who have no knowledge of contemporary state terror.

In the organizations we have visited; the experience of the previous generation killed and disappeared by junta, their life worlds, beliefs and ideals were an important component of memories recovered. An intergenerational transmission of such knowledge materialized and re-membered is limited in the Kurdish movement and almost completely lacking among the Turkish left who as previously mentioned rather focus on ideological differences among themselves and question each other's political "reliability" and "loyalty." A conscious formulation of a politics of memory and generational transmission seems to us to be necessary in Turkey.

5. Building a Common Language

Finally, a further success of the Argentine HR Movement in our opinion is the common language and vocabulary that different organizations adhere to and its public impact and acceptability. For one thing the term state terror is widely used to refer to the atrocities and violence committed by state institutions. HROs were able to achieve this despite the global tendency to associate terror with non-state actors. Although the process was not without conflict, HROs explained to us that a radical approach allowed them to homogenize language. That is without any exception (they did not call armed guerilla terrorist for example), they reserved the term terror for the state. In addition, they have not made any concessions but rather forcefully put forth their vocabulary as their strength in society grew.

In case of the Kurdish issues specifically, we are far from having a common language in describing the violence of the state although such a need is being expressed frequently. Armed resistance is a question neither ideologically nor ethically solved. However, given the fact that politics and rhetoric are inseparable in contemporary world, HROs should discuss and explicitly formulate their politics of naming. The strength of the radical approach seems that a differentiation between victims is avoided and social energy is directed towards establishing the crime of perpetrators rather than the innocence of victims. On the other hand, in the Turkish context the weakness of such a strategy could be the reproduction of already existing divisions due to ethnic conflict since not only words but even pronunciations of words are politicized.

VI. Conclusion

A comprehensive comparison of state terror, dirty war and memory, truth and justice work in Argentina and Turkey have until now been avoided on the basis that while for the former transitional justice has been on the official agenda for thirty years, no such attempt is to be found in the latter. However, our visit to Argentina has shown that the picture is much more complicated. Transitional justice is a process where different actors compete and contest over the meaning of justice and truth. It is an ever expanding arena where new claims keep emerging and, new strategies, tactics and alliances keep forming. The aftermath of state terror and violence has a life of its own; survivors, relatives, new generations and HROs struggle to make sense of the past and make home anew the national space that is now saturated with devastation, terror, fear, corruption and death. When transitional justice is conceptualized as such, the cases of Argentina and Turkey look strikingly similar. Despite the difference in their opportunity structures, HROs in both countries can learn immensely from each other's experiences. After all, as many people reminded us in our visit, it is no accident that military junta was almost universal in southern countries in the end of 80s and same economic policies and torture techniques were employed in all of them. HRMs in the South are a response to this universal condition which resulted from the colonial and imperial context within which national histories unfolded.

APPENDIX

Persons Interviewed

NAME	POSITION	ORGANIZATION
Patricia T. de Valdez	Executive Director	Memoria Abierta
Alejandra Oberti	Coordinator, Oral Archives	Memoria Abierta
Graciela Karababikian	Coordinator , Documentary Heritage	Memoria Abierta
Gonzalo Conte	Coordinator, Topography of Memory	Memoria Abierta
María Alejandra Pavicich	Institutional Development	Memoria Abierta
Javier Borelli	Communication	Memoria Abierta
Liora Gomel	Communication	Memoria Abierta
Gastón Chillier	Executive Director	Centro de Estudios Legales y Sociales (CELS)
Gerardo Fernández	Coordinator, Memory and Fight Against Impunity	Centro de Estudios Legales y Sociales (CELS)
Lorena Balardini	Team Member, Memory and Fight Against Impunity	Centro de Estudios Legales y Sociales (CELS)
Mónica Zwaig	Team Member, Memory and Fight Against Impunity	Centro de Estudios Legales y Sociales (CELS)
Luis Fondebrider	Founder/ Senior Investigator	Equipo Argentino de Antropología Forense (EAAF)
María Eugenia Mendizábal	Director	Olimpo
Lila Pastoriza	Institutional Relationships Coordinator	Escuela de Mecánica de la Armada (ESMA)
Guadalupe Aguirre	Institutional Relationships Employee	Escuela de Mecánica de la Armada (ESMA)
Dr. León Carlos Arslanian	Former Judge and Former Minister of Justice	