

STATE TERROR, TORTURE, AND IMPUNITY in Chile and Elsewhere in Latin America

Report by Christina Polzot and Marshall Beck

On October 30, 2002 in a panel discussion sponsored by CERLAC and Theatre at York, Dr. Judith Pilowski (Psychologist and member of the Canadian Centre for Victims of Torture), Dr. Pilar Riaño (CERLAC Post Doctoral Fellow), and Carlos Torres (Centre for Social Justice), addressed the provocative themes of Ariel Dorfman's play "Death and the Maiden." Antonio Ocampo-Guzman, a York MFA student, organized and moderated this event as a complement to the staging of the play under his directorship, to provide the York community with a forum for discussion on issues related to torture, forgiveness, and the role of theatre and the arts within this context.

Antonio asked the panel to address the following key questions in their presentations: How does an individual - and a society - deal with a past of political violence? Should memories of state terror be forgotten in the interest of 'national reconciliation'? Under what circumstances can (or should) a victim of oppression or torture forgive his or her oppressor? Can personal and national wounds be healed without the realization of justice—in the context of impunity?

Dr. Pilar Riaño began by noting that memory is a fundamental tool in determining societal responses to experiences of terror: "Much of state impunity and terror depends on the control of memory and the obsessive organization of commemoration and public remembrance, promoting a version of the past that legitimizes state operation and its agencies. Claudia Koonz characterized totalitarian regimes as *regimes of organized oblivion*."

At the same time, most efforts to survive and resist totalitarian regimes also resort to historical memory. "In post totalitarian and transition societies, the importance

of telling and naming the horrors is central to the pursuit of justice and the commemoration of the victims of atrocities." Tellingly, observed Pilar, most of the Latin American reports documenting national atrocities have been titled 'Never Again' in explicit recognition that prevention of recurrence requires remembering.

Very rarely, however, can we consider the past as 'closed,' continued Pilar. "At best - as Erna Paris says - we can manage it through remembrance, mourning, justice, reconciliation, or forgiveness." Indeed, Pilar underlined the distinction between forgetting as a form of 'letting the past be the past' which may turn into silencing or erasure, and reconciliation which "is not about forgetting the past but dealing with it... It implies negotiation, an active interaction between parts on the basis of some sort of common goal."

But to accomplish this within a context of a history of state terror, one must consider that terror and society's relationships with a past of terror are embedded at various levels: at the individual/personal level, at a group level, cultural, societal and national level. "Violations attack bodies, systems and ideologies but as well cultural and spiritual realms. The effectiveness of terror and horror lies not just in the exercise of physical torture but on the dehumanizing of the victims and the destruction of the social fabric and basic relations of trust." Indeed, state terror is not simply about the responsibility of groups and systems but also about individual responsibilities: "We need to recognize the gray areas and the experiential areas from which individuals live, negotiate, resist or are complicit in state terror. There is not just an oppressive state and victims, but an entire society: what is the role of the

regular citizen? Of those who chose to be silent? Or to not know?"

Hence, reconciliation need take place at various levels, toward the reconstruction of the cultural and social fabric: "at a more local level reconciliation means beginning to trust your neighbours again, and being able to establish relationships that are based on trust and confidence." In Pilar's opinion, this can only happen by uncovering and confronting silenced or denied histories: The atrocities of the past need to be named, and those responsible must be identified and held to account. Only in this way may a people or person traumatized by a past of state terror forget: "Forgetting is to know; once one knows the truth forgetting becomes an intentional act of the individual..." Without a common goal and with no background of truth and justice, notes Pilar, reconciliation cannot be addressed.

Forgiving, on the other hand, is a uniquely personal choice, noted Pilar. Collective forgiveness cannot be dictated, nor is forgiveness about impunity; rather, as bishop Desmond Tutu has explained, "it is a profoundly humane act of trust for the purpose of a greater goal, an act of commitment to a new kind of future..."

Carlos Torres approached the issues of the panel by pointing out that torture, repression, and dehumanization have been employed in societies as tools of power since the time of the Romans. Historically, the pretexts for its application have varied widely; organized terror has been applied in the name of progress, development, wealth, civilization, and religion. If the root causes for the occurrence of torture and terror are never identified, however, asserted Carlos, then all measures taken in response to any particular incidence

will only be temporary and history will undoubtedly repeat itself.

In this context, Carlos noted that most (if not all) present-day developed countries bear responsibility for past and on-going complicity, and in some cases direct sponsorship, of torture and terror elsewhere in the world. The wealthiest industrial nations sanction, or directly or indirectly facilitate, the employment of violence as a tool to establish and maintain political power over others especially in societies of the former colonial world. We, as Canadians, often talk of torture as a phenomenon located strictly in the South and fail to realize that the political logic and the technologies for these practices are exported from Northern countries to the South. "Torture is an inhumane practice inflicted by humans upon other humans," stated Carlos "and the only way to stop torture is by recognizing that it is happening, it continues to happen, and that we all play a role in letting it happen."

Each individual must recognize that a crime against any one person is a crime against all, and that although you cannot necessarily free yourself from being subject to torture, you can free yourself from becoming a torturer. According to Carlos, the fight against torture and other forms of state-sanctioned violence is a political one: political struggle is needed, for example, to implement an international covenant against torture. Citizens of Northern countries need to address their governments' lack of political will to bring human rights violators, such as Pinochet, to justice in their tribunals. He also pointed out the importance of our recognizing and opposing those institutions that perpetuate the practice of torture as a tool of power, such as the infamous School of the Americas in Georgia, USA.

Carlos concluded by affirming that we, as citizens of a global society, are tolerating too much when it comes to the inhuman practices of state terror. It is imperative that we seek to become more aware and critical of the 'hidden agendas' of those in positions of power in both developed and developing nations, and that we promote stronger initiatives to counterbalance the current liberty with which state terror is exercised.

In response to the guiding questions for the panel, **Dr. Judith Pilowski** suggested

a distinction be made between two levels of forgiveness: the personal (or individual), and the political (or the social).

From her work as a psychologist, in which she attempts to help individuals – often refugees – recover from past trauma, including torture, she considers individual forgiveness to be a personal choice. While "those who cannot forgive torture, persecution, and violence against their loved ones, and the denial of their humanity, have the right to experience feelings of hate or contempt," she expressed her belief that a personal act of forgiveness, in the sense of 'letting go,' is a healthy act that allows for healing and 'moving on.' At the same time, however, she counseled against any form of forgiveness that entails forgetting, or 'erasure from memory.' "forgetting is not healthy at a psychological level and is not healthy for a society that yearns to achieve justice."

Turning to this, the social dimension of forgiveness, Judith characterized political forgiveness as a more pragmatic act – 'a forgiveness of compromise' - whereby a group or society decides for practical and political purposes to forgive (in the sense of granting immunity or absolving), for example, perpetrators of human rights violations. Moreover, forgiveness is futile, she stated, if there is no acknowledgement of wrongdoing by the perpetrator(s), and if this guilt for wrongdoing is not translated into responsibility. "Only if a state or government assumes responsibility for its actions can a society be considered truly democratic and free." In addition, she asserted that human rights violators should be held accountable not only as members of an institution – the army, for example – but as individuals as well.

Although at the collective level, a society must not *forget* violations of human rights, stated Judith, a *forgiveness of compromise* may still be essential to a process of justice that leads to peace. Nonetheless, there must be some set of criteria or minimal standards by which to evaluate the appropriateness of pragmatic forgiveness:

I think that societal forgiveness of humans rights violations [should be predicated upon] whether or not justice, peace, and the foundation for a better society are

being laid by the act of forgiveness... When the perpetrators of crimes against humanity, against the most basic human rights, are still in power, or hold power even by indirect means, societal forgiveness, I believe, is not possible. This is the case with such dictators as Pinochet. If the victims who are searching for justice 'forgive' [in this context], then they are defeated. In their forgiveness, they become paralyzed and brutal acts against them become 'forgotten.'



Relevant Links:

Bulletin 1.3: Chile: Human Rights and the Transition To Democracy

http://www.yorku.ca/cerlac/1-3_Díaz.pdf

Dorfman on memory and truth

http://www.amnesty.org.uk/journal_july97/carlos.html

Interview with Dorfman in 'The Progressive'

<http://www.progressive.org/postel9812.htm>

Impunity Rules in Chile

http://www.guardian.co.uk/Pinochet_on_trial/Story/0,2763,413492,00.html

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Contact CERLAC

Email: cerlac@yorku.ca

Webpage:

<http://www.yorku.ca/cerlac/>