

# Argentina seeks justice for 'Dirty' past

**The first in a series of trials for perpetrators of the 1973-86 'Dirty War' starts Tuesday.**

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**BUENOS AIRES** – For Mirta Baravalle, to know justice is to know the story behind her daughter's disappearance.

For decades, she and fellow members of the Mothers of the Plaza de Mayo human rights group, have demanded to know the fate of their children, Argentines who vanished during a period of state terrorism known as the "Dirty War."

Now, for the first time in 30 years, answers - and justice - for Ms. Baravalle may be forthcoming. This week, the first in a series of trials against the alleged perpetrators of Argentina's worst era of state repression begins. The suspects, who have lived freely under controversial amnesty laws for decades, are variously accused of kidnapping, torturing, and killing thousands between 1976 and 1983.

Trials against Dirty Warriors have long been avoided here in favor of a contentious version of reconciliation with the military. But the atmosphere has changed over the past decade, thanks to activism by groups like Mothers of the Plaza de Mayo, "truth trials," and a political shift to the left, which some see as the coming of age of the generation that was persecuted 30 years ago.

Today, many Argentines say their nation should focus on its present economy rather than past atrocities. But others are still outraged at the fate of some 11,000-30,000 *desaparecidos* (disappeared), citizens who were often kidnapped in broad daylight in full view of their family members. Prisoners were practically guaranteed beatings and shock torture, and were often killed and left in unmarked graves.

Baravalle says she needs answers before she can move on. For her, closure is someone filling in the narrative gaps that surround her daughter Ana Maria's final days.

"To know what happened to my daughter, who gave the order to enter our house, where that person is today ... without these answers, I cannot have justice," she says.

One of the first politicians to demand answers was former president Raúl Alfonsín, who will testify at the first trial, Tuesday, of Miguel Etchecolatz, accused of overseeing 21 clandestine detention centers during the Dirty War. Another trial later this summer will deal with administrators of ESMA, the naval mechanic school that earned a reputation as the final destination for thousands of *desaparecidos*. ESMA is now being converted into a memory museum.

The Dirty War was fought on behalf of Jorge Videla's right-wing regime, which came to power during a chaotic period of left- and right-wing terrorism. Then, many Argentines were enticed by promises of enforced peace and stability.

"As many people as necessary must die in Argentina so that the country will again be secure," said Mr. Videla at the time.

What resulted was one of the bloodiest Cold War clampdowns on the Latin American Left. The carnage continued until the Falklands War of 1983, when the humiliated military was replaced by a democratic government. Even then, there were fears veterans would revolt if placed on trial for the Dirty War, and in 1986 and '87, amnesty was granted under two laws: *La Ley de Punto Final* (The Full Stop Law) and *La Ley de Obediencia Debida* (The Law of Due Obedience).

### **'Truth trials' kept the issue alive**

But activists were not prepared to let the issue fade away. In the late '90s, a series of "truth trials," were convened across the country. Few former military members participated, courts were only allowed to investigate and document human rights abuses, and there was no possibility of punishment. Even so,

working with hundreds of witnesses, the judiciary managed to create files on thousands of new cases of kidnapping and murder.

"That kept the issue alive in public debate," says Sebastian Brett, a Chile-based analyst for Human Rights Watch.

The amnesty laws began to receive new levels of scrutiny. According to Juan Méndez, head of the New York-based International Center for Transitional Justice, granting the amnesties for fear of retribution by the military rendered them unconstitutional.

During the 1970s, Mr. Méndez was himself a lawyer who worked under, and was eventually imprisoned by, the military regime.

Amnesty, he says, is not for those "who basically blackmailed society with threats of violence. Should we prioritize peace at all costs without justice in some form?"

Soldiers have also lost the influence - and fear - they once held over this country. After the Falklands War, two decades of budget cuts and the appointment of Defense Minister Nilda Garre, a human rights activist who is outspokenly loyal to the president, have all helped rein in military power.

At an Army Day ceremony on May 29, center-left president Nestor Kirchner practically spat defiance at his own soldiers.

"As the President of Argentina I have no fear, I don't fear you," he said.

## **Amnesty laws repealed last year**

The Argentine Supreme Court finally declared the amnesty laws unconstitutional in June of last year, in an action publicly applauded by Mr. Kirchner, who suffered detainment himself in 1976.

Alicia Partnoy, author of "The Little School," a book that describes a concentration camp from the era, believes the end of the amnesties was the product of a maturing political consciousness that helped usher the current president into power.

"The president has validated the voice of the generation of the *desaparecidos*, and I think this is because the country is moving in a certain direction," she says.

Ms. Partnoy and others say Argentina has taken that tack thanks to the stubborn bravery of women like Baravalle and Nora Cortiñas, another member of the Madres de Plaza de Mayo who lost her son, Carlos, during the Dirty War. Ms. Cortiñas describes her work as maintaining this country's troubled memory.

"It has been a continuing struggle," says Cortiñas. "We are reclaiming, day by day, truth and justice."