Struggling with the past: the human rights movement and the politics of memory in post-dictatorship Argentina (1983-2006)
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7. Constructing a ‘Space for Memory and Human Rights’ in the ESMA: disputes over content, form, and legitimacies

Driving along the *avenida Libertador*, one of the bigger avenues of the city of Buenos Aires, one sees the majestic buildings of the Navy Mechanics School towering above the road. Located in one of the upper-class neighbourhoods in the northern part of Buenos Aires, it used to be one of the biggest secret detention centres of the military dictatorship. Yet, until recently it continued to be occupied by the marines and was inaccessible to visitors. This situation changed after President Kirchner’s decision, in March 2004, to convert the installations of the ESMA into a ‘Space for Memory and for the Promotion and Defence of Human Rights’. The sector that had been used as a secret detention centre, the *Casino de Oficiales* (Officers’ quarters), including the buildings surrounding it, was the first one to be relocated. Signposts were erected, and visitors were allowed on a restricted basis until the entire relocation of the marines had been completed. I was able to visit the premises in November 2006. Each room of the empty Casino de Oficiales had signposts that indicated what it had been used for, be it for torture, slave labour or other activities. Fragments of testimonies of survivors gave an impression of the terrible conditions in which the detainees had been kept, blindfolded, with shackles on their feet, lying on trundle beds for hours in silence. My visit was a moving experience. As is the case for any site where atrocities have been committed, these sites have a devastating impact because, in Young’s (1993: 120) words, they ‘compel the visitor to accept the horrible fact that what they show is real’.

Considering the importance of the ESMA as a material testimony of the repression, Kirchner’s decision to relocate the marines and to convert it into a memory site was of great symbolic significance. It confirmed the national government’s intention to deal with past human rights violations, and its condemnation of impunity and silence. For the human rights organizations and other actors involved in the struggle for truth, justice and memory, it was a major opportunity to concretize some of their ideas about the construction of a ‘collective’ memory of the dictatorship. But the process leading to the construction of a museum of memory proved a difficult one. The debate on the contents of the future museum that followed the presidential announcement highlighted the many differing viewpoints on what to remember, for whom, with whom, and who had ‘the political power and the moral rights’ (Deacon 1998: 170) to decide about these issues. Debates arose over whether or not the marines should be able to keep part of the installations; over whether the plot and the installations should be used for public activities or left entirely empty. Political and social goals constantly vied with personal feelings. The political context in which this opportunity arose also contributed to the complexity of the debate. The polarization and fragmentation of the human rights movement and the broader field of social protest after Kirchner’s election strongly influenced the terms of the debate. Positions were further exacerbated by an increasingly visible current that opposed Kirchner’s memory policies, denied state terrorism, and criticized the juridical prosecution of perpetrators of human rights violations.
Why was it so difficult to come to a common agenda for the ESMA? How did personal feelings, political differences and the political context interact and influence the terms of the debate? These questions will be explored throughout this chapter. The ESMA offers a particularly interesting case for discussing the challenges and dilemmas that arose in the struggle for memory after Kirchner’s election. The ESMA was mainly a symbol for the inhabitants of Buenos Aires and its surroundings. But the involvement of the national authorities made it one of the central arenas in which national debates over the past were given expression. Furthermore, the concrete process of elaborating a proposal for the museum involved not only the human rights organizations and the victims of the dictatorship, but also state representatives, and professionals working on memory. Therefore, it provides interesting insights into how the human rights organizations and victims have dealt with the two major developments that have taken place in recent years: a state that plays a proactive role in the construction of memory, and the growing involvement of ‘newcomers’. A closer look at the ESMA allows us to unravel some of the mechanisms that occur in the construction of a ‘national’ memory, as well as to identify and analyse some of the key issues that have arisen over recent years in the struggle for truth, justice and memory. The first two parts of this chapter will focus on the ESMA case, discussing the background of the presidential measure, and the process that followed that decision. The last part will then contextualize these debates. It will show that the issues that have arisen in the context of the ESMA express some of the major dilemmas that have emerged in the struggle for memory, truth and justice in recent years.

The ESMA becomes a ‘Space for Memory’

Kirchner’s decision to convert the ESMA into a ‘Space for Memory’ is rooted in a long history of attempts by the human rights movement to create a museum or space for memory, either in the ESMA or elsewhere. This section will discuss how various historical developments and pressures from different sides coincided to make Kirchner’s measure possible in a relatively short space of time once he assumed presidency. The first part shows how, in the city of Buenos Aires, several attempts were made throughout the years to concretize a project for a museum of memory. This ultimately resulted in the creation of an Institute Space for Memory in the city of Buenos Aires. Throughout this process, the ESMA was increasingly seen as an option for the location of a future museum. An attempt by Menem to tear down the ESMA and convert the terrain into a monument for reconciliation was crucial in this context. While Menem’s proposal stirred the indignation of human rights organizations, it also proved that with sufficient political will the marines could be removed from the ESMA and the place re-assigned as a symbol of state terrorism. This political will became a reality after Kirchner assumed presidency, resulting in the official decision to transform the ESMA into a memory site. However, as we will see in the last part of this section, Kirchner’s decision was not unanimously approved and also received strong criticisms from conservative sectors that accused him of ‘reopening the wounds of the past’. This was to significantly constrain the terms of the debate.
The historical demand for a museum: from ‘a place to mourn’ to a ‘space for memory’

In the city of Buenos Aires, the human rights organizations had been demanding a museum for many years. According to Laura, a member of CELS, ‘the museum project is very old. It is a project that the human rights organizations have had for many years, and it has already become what in anthropology would be called a myth. Because anyone you ask about it recalls the idea of the museum as existing even further back in time. But it has been many years’ (Interview LB1 13.03.2003). Its content and purpose changed over time, and many attempts were frustrated. At the end of the 1980s, the demand for a museum was particularly strong among some of the relatives of the disappeared who wanted a place to remember their beloved ones. Thus, according to María José, former member of CELS: ‘At first, this vital need to have a museum was understood, even though they would not say it like that, the organizations of the victims, it was seen as a the place to go and cry for their children, as their own place. In other words, they saw it as a personal need’ (Interview MJG and LB 23.07.2001). Relatives feared that the disappeared would be forgotten and they wanted a place where their abruptly ended lives would be documented and remembered over time. The project of the Casa del Desaparecido, an initiative of the FMHSA presented in 1987, and generally seen as the first initiative for a museum, was illustrative of this need. It was designed as a place that would commemorate the lives of the disappeared through letters, photographs and other documentation.377

The Casa del Desaparecido failed to materialize because at the time, demands for justice were still occupying the central stage and memory projects were not seen as one of the most urgent concern of human rights organizations. Furthermore, several organizations associated the idea of a museum with something static, ‘frozen in time. Like an accumulation of objects, identified, labelled and classified’, as Familiares recalls in a document on the history of the museum.378 Therefore, when, in 1990, two councillors of the city council of Buenos Aires, Eduardo Jozami and Raúl Fernández, invited the human rights organizations to elaborate a project for the creation of a museum, they were still reluctant to participate. Mabel, president of Familiares, recalls: ‘When they talked to us (Familiares) about a museum we thought: “A museum? How are we going to make a museum?” It seemed retrograde to us, how was our problem going to be a museum?’379 It was only when they understood that a museum could be more than ‘a room where things were stored’, that they became enthusiastic about the idea. They ended up participating actively in the elaboration of a proposal. The fact that this initiative conflated with the growing importance attributed to memory in the struggle against impunity from the 1990s onwards also contributed to a more positive response. The dialogue between human rights organizations and the two councillors resulted in Resolution nº 50.318 adopted in 1990, which created a ‘Museum of Memory’. The museum of memory should ‘reconstruct, protect and cultivate the collective memory on the horrors of the state terrorism that devastated Argentina’.380

The resolution served as a valuable antecedent for another one taken years later, when, in 1995, councillors Raúl Fernández and Jorge Tula proposed a project for a museum Museo de la Memoria Nunca Más to be located in the former secret detention centre El Olimpo.381

377 See also chapter three.
381 See chapter four.
They renewed their proposal in 1996, on the occasion of the twentieth anniversary of the military coup, but met with opposition from the Head of the Federal Police, Adrián Pelacchi, and from sectors of the city council. The deliberations in the city council ended in a recommendation of the project to the executive branch, instead of a municipal ordinance, which would have guaranteed implementation. Parallel to these efforts, a deputy of the Radical Party presented a law project for a Museo de la Memoria Nunca Más, which was approved by the city council in 1997. The law was based on the same resolution that had been adopted in 1990, and realized some preliminary activities, but it was an isolated initiative that ignored the human rights organizations and therefore lacked legitimacy. In 1999, the Secretariat of Culture of the City Government of Buenos Aires revived the idea of the museum. Through a resolution initiated by this Secretariat, a Comisión de Trabajo para la Fundación del Museo de la Memoria (Working Commission for the Foundation of the Museum of Memory) was created. Throughout 1999 and the first months of 2000, the commission worked on the organization of activities to discuss conceptual and organizational aspects of the future museum. However, this commission fell apart because, according to Memoria Abierta, ‘it was not possible to reconcile the different visions, and therefore, to culminate in a law project that would reach a consensus’.

The project for a museum was revived in the local context of Buenos Aires when Gabriela Alegre became Director of Human Rights in August 2000. Soon after assuming the function, she created a commission in which human rights organizations and various state entities such as the Secretariat of Culture, the Under-Secretariat of Cultural Heritage and the Secretariat of Education worked together in the elaboration of a law for a museum (Interview MJG and LB 23.07.2001; Interview LB1 13.03.2003). A fundamental difference with previous initiatives was that these deliberations were initiated under the administration of Aníbal Ibarra, who had expressed his engagement with memory on various occasions. This was an important factor because the Constitution of the Autonomous city of Buenos Aires stipulated that the creation of a new entity within the government should be proposed by the executive branch of the city. Earlier initiatives had failed due to the lack of political will of the executive branch. This time there were clear political opportunities to concretize the project. All human rights organizations were involved in the elaboration of the law, with the exception of H.I.J.O.S., the AEDD, and the Asociación Madres – who were reluctant to work jointly with state institutions – and the organization Hermanos, created in 2003.

The debates carried out in the commission concerned mostly the institutional framework of the future museum. Mechanisms were explored to guarantee sustainability over time beyond electoral junctures. The criteria included not being unilaterally dependant on the executive or the legislative branches of the city government, and having sufficient autonomy to manage its own budget. Furthermore, it should not only involve civil society, but also the state, as the state was considered to have a responsibility in creating a public consciousness on the crimes committed. This responsibility went beyond the reparation of the victims: it was part of a broader obligation on the part of the state to strengthen the implementation
of human rights in a democratic society (Interview MJG and LB 23.07.2001). Given all these considerations, it was decided that the museum should be a mixed entity, in which representatives of both the state and of civil society would participate, and that the entity should remain autonomous from the city government. The law project stated that the new institution should be autarchic so as to guarantee its autonomy. The participation of civil society would be secured through the participation of the human rights organizations and of six personalities with a history of involvement in human rights.388

The deliberations in the context of this commission resulted in law 961 creating the Instituto Espacio para La Memoria (Institute Space for Memory, IEM) that would supervise all memory initiatives in the city of Buenos Aires.389 The word ‘museum’ was replaced by the word ‘space’ (espacio) because, according to Sebastián, a member of SERPAJ, nobody liked the word ‘museum’. The word ‘museum’ continued to be associated with traditional, static visions of memory, and those who elaborated the law wanted it to be the exact opposite: it should be a dynamic cultural centre with presentations, conferences, and exhibitions. For legal reasons the term ‘institute’ was added to ‘space for memory’ (Interview SDWi 06.05.2003). Thus the commission that started working on a project for a museum ended up creating a new entity within the city of Buenos Aires that would coordinate, plan and develop all memory activities in the capital. Ibarra submitted the project to the Legislature of the City of Buenos Aires on 13 August 2001, and sixteen months later, on 5 December 2002, it was approved. The law was regulated through decree 835 on 4 July 2003 and it was to take yet another year before the Consejo Directivo (Board) of the IEM was constituted and had chosen the six personalities known for their human rights involvement.390 By the end of 2004, the Consejo Directivo of the Institute was able to conduct its first meetings. An executive director was chosen at the beginning of 2006, and in July the Institute was officially inaugurated. In the meantime, Kirchner had been elected President of Argentina, the ESMA had become a space for memory, and human rights organizations were trying to readjust to the new political context. These developments were to strongly influence the IEM.

Claiming the ESMA for memory

Law 961, which created the IEM, stated that it would be located on the plot ‘that had been occupied by the ESMA’.391 The ESMA functioned as a secret detention centre during the entire period of the dictatorship. Records state that approximately 5,000 persons passed through the ESMA, making it one of the biggest secret detention centres of Argentina. It is also one of the best documented. A few hundred persons managed to survive detention, and they became valuable sources of information in the reconstruction of the internal functioning of the ESMA. They were also the only sources of information, as, with a very few exceptions, neither the marines, nor the civilians who worked in the ESMA ever came forward to

389 See also chapter four.
390 The personalities that were chosen in 2004 were sociologists Alcira Argumedo and Horacio González, historian Hilda Sábato, the nun Martha Pelloni, who had organized silent marches in Catamarca after the death of Maria Soledad in 1991, pastor Bernardo Hughes, and survivor of the ESMA Victor Basterra. Horacio González, Martha Pelloni and Bernardo Hughes were later replaced because they could not dedicate enough time to the IEM. Their successors were journalist Stella Calloni, filmmaker and producer Lita Stantic, and the Secretary of Human Rights of the labour union CTA, Ricardo Peidró.
Besides providing numerous details on life and death in the secret detention centre, the survivors were also able to reconstruct plans of the buildings, including several modifications made by the marines. Furthermore, this information was available from an early stage, because a group of prisoners liberated in 1978 gave an extensive testimony after going into exile in Europe. Miguel Bonasso’s novel, *Recuerdo de la Muerte* (1984), based on the testimony of Jaime Dri, a former detained-disappeared who managed to escape from the ESMA, also gave a detailed account of its internal functioning. Finally, the ESMA was well documented in the report of the CONADEP and became an important case at the trial of the juntas.

Although the heart of the secret detention centre had been located in the Casino de Oficiales, the whole area surrounding the Casino de Oficiales, including several other buildings, had been a restricted area. There was a constant movement of vehicles, bringing in new prisoners or leaving to execute new abductions. In the Casino de Oficiales, detainees were kept on the third floor and the attic. Officials of the navy had their dormitories on the first and second floors. Survivors recall seeing the white trousers of the officials from under their blindfolds while passing them on the stairs with iron shackles around their feet. Students of the Mechanics School and the School of Sub-officials were recruited as guards. The officials that took courses at that Naval School participated in the task groups and assisted in the torture sessions. Torture took place both in the attic and in the cellars of the building. A clandestine maternity area functioned on the third floor. Approximately 25 detainees gave birth here in terrible conditions. In most cases their babies were appropriated by military couples or couples with connections to the military. On this same third floor, as well as in the cellars of the building, detainees were forced to carry out slave labour. It was also in the cellars that detainees were drugged and taken in trucks to the airbase from where the many death flights departed.

In 1984, the CONADEP inspected the site while it was still occupied by the marines and seemed unassailable. This situation changed on 6 January 1998, when President Menem signed a decree that the Navy Mechanics School would be transferred within a period of eighteen months to the Naval Base Puerto Belgrano in Bahía Blanca. The buildings were to be destroyed and replaced by a green space and a monument for reconciliation, a symbol of...
the ‘national union’.\footnote{Página/12, 08.01.1998.} Anticipating on these developments, an advertisement for apartments in front of the ESMA published in June 1998 showed a huge green park and lake in the area were the ESMA was located.\footnote{Perfil, 15.06.1998.} Human rights organizations immediately interpreted Menem’s proposal as an attempt to forget, and to consolidate impunity. Menem had used the term ‘national reconciliation’ before, when he announced the decree for the presidential pardons in 1989 and 1990. Furthermore, he signed the decree 24 hours before a group of deputies was to present a law project to derogate the impunity laws, and this was interpreted as a message to the Congress. Human rights organizations and victims called it a provocation not only to the memory of the victims, but to society at large.\footnote{Página/12, 08.01.1998.}

In a quick reaction to Menem’s decree, Laura Bonaparte and Graciela Lois, some of whose relatives had been disappeared, presented a legal demand calling for the suspension of the decree.\footnote{Página/12, 09.01.1998.} Their appeal was approved on 16 October 1998 by the federal judge Ernesto Marinelli. He argued that the Argentine state had the obligation to preserve cultural heritage and that the buildings might constitute evidence in judicial cases.\footnote{Página/12, 17.10.1998.} In February of 2001, the Supreme Court confirmed the unconstitutionality of Menem’s decree. In the meantime, the city government, then headed by Fernando de la Rúa, had initiated a demand against the national executive branch asking for the devolution of the territory. The plot belonged officially to the city of Buenos Aires, but had been ceded by the City Council of the City of Buenos Aires in 1924 to the Ministry of the Navy by decree. The decree stated that the Ministry of the Navy would only be allowed to use the territory for educational activities. Any change in the purpose and use of the installations would imply that the territory would have to be returned to the city of Buenos Aires. The then Minister of Defence, Jorge Domínguez, rejected the claim. In order to prevent the plot from being returned to the city government, his successor, Ricardo López Murphy, announced in December 1999 that it would be used as a ‘military educational centre’, uniting educational activities of the navy, the army and the air force. Furthermore, on several occasions during the year 2000 he made explicit that he opposed projects that aimed at converting places that had been used as secret detention centres into sites of memory. His successor Horacio Jaunarena expressed a similar view.\footnote{Memoria Abierta, ‘Escuela Superior de Mecánica de la Armada (ESMA)’, www.memoriaabierta.org.ar}

Pressures from the city government nevertheless built up. In June 2000, under the administration of Aníbal Ibarra, the Legislature of the City of Buenos Aires approved law 392. The first article of the law called for the revocation of the cession to the then Ministry of the Navy, and the second stipulated that the ‘Museum of Memory’ should be installed in the buildings where the Navy Mechanics School functioned.\footnote{Memoria Abierta, ‘Escuela Superior de Mecánica de la Armada (ESMA)’, www.memoriaabierta.org.ar} This was reiterated in a clause of law 961, which stated that the IEM should be located in the former buildings of the ESMA. However, the national government, then headed by De la Rúa, did not enforce the law and the marines continued to occupy the plot. In general, human rights organizations had little hope of law 392 being implemented, since it strongly depended on the political will of the executive branch, the administration of Fernando De la Rúa, which, on the contrary, pursued
a policy in favour of the military. Even more importantly, the disputes between the city government and the national government over the ESMA occurred in a context in which the armed forces showed signs of unrest due to the repeated citations of military personnel in the truth trials. At the beginning of 2000, Ricardo Brinzoni, then Head of the Armed Forces, proposed a mesa de diálogo (table for dialogue) oriented towards achieving ‘reconciliation’ and ‘complete memory’. The proposal received the support of members of the Catholic Church hierarchy and of the Minister of Defence Ricardo López Murphy. The Minister of Internal Affairs Federico Storani called the Chilean experience, on which Brinzoni’s proposal was based, a ‘good example’ (CELS 2001: 35-7). In such a context, recovering the ESMA for memory seemed ‘a far-off aspiration’, as formulated by Miguel, vice president of APDH (Interview MM 15.11.2006).

The situation changed after Kirchner assumed presidency. During a meeting between human rights organizations and President Kirchner in December 2003, one participant asked: ‘And what do we do with the ESMA?’ Kirchner answered curtly: ‘Well, we will investigate the subject.’ In a subsequent encounter on 9 February 2004, he confirmed that the National Archive of Memory would be located in the ESMA buildings. He ordered the Secretary of Human Rights, Eduardo Luis Duhalde, to investigate the steps required to achieve a solution before 24 March 2004. This resulted in the signing of an agreement between the city government and the national government on 24 March 2004 on the doorsteps of the ESMA. The agreement stated that the plot was to be returned to the city government,

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403 Página/12, 10.02.2004.  
404 Página/12, 10.02.2004.
that the Navy Mechanics School would be relocated, and that the plot and its installations would become a ‘Space for Memory and for the Defence and Promotion of Human Rights’. It also stipulated the creation of a bipartite commission of representatives of the National Secretariat for Human Rights and the Under-Secretariat of Human Rights of the city government. This commission would supervise the relocation of the various institutions of the navy functioning in the installations, and develop the mechanisms to provide content to the future museum. These mechanisms should guarantee the participation of human rights organizations, representatives of the relatives of the detained-disappeared of the ESMA, and organizations that represented civil society. ⁴⁰⁵

A ‘Space for Memory’ in the ESMA: a polemical decision

The presidential measure to convert the ESMA into a site of memory was received with great enthusiasm by progressive sectors of civil society and unleashed a wide range of activities and interventions to discuss the contents of the future museum. However, it also provoked critical reactions from conservative sectors, revealing once again how polemical the past continued to be. Within Kirchner’s own political party, the Partido Justicialista (Peronist Party, PJ), the decision brought to light internal power struggles between Kirchneristas and others. A conflict arose after Hebe de Bonafini questioned the presence of several governors of the PJ at the inauguration on 24 March 2004 for having been part of Menem’s government when

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he signed the presidential pardons. She declared that she would not participate in the official act if the governors of the PJ were also present, because ‘the majority of the governors made the disappearance of our children possible’.\textsuperscript{406} Five governors\textsuperscript{407} responded to the criticisms of Hebe de Bonafini in a communiqué entitled \textit{Nunca más} (Never again) published on 24 March. They recalled that ‘this day is also ours, in spite of the ideological discrimination that neither Peronism nor its voters deserve. The Nunca más constitutes itself with greatness, among all, without oblivion, but also without hatred and resentment’\textsuperscript{408} In a radio interview that same day, the governor of Córdoba, one of the authors of the communiqué, aroused the anger of human rights organizations when he stated that ‘the fathers and mothers of the disappeared children […] should think whether they really looked after them as they should have…’\textsuperscript{409} In this dispute, the President clearly chose to further establish his relation with the human rights organizations, and at the official act on 24 March, only two of the PJ governors participated.\textsuperscript{410} Tensions continued in the period thereafter, and voices were heard within the party that demanded ‘the closing of this chapter of history and to look ahead’.\textsuperscript{411}

Other reactions more directly opposed the measure and showed that there were still numerous voices that maintained that the repression had been a legitimate response to what they qualified as terrorism from the left. Strong opposition came from the parents of the students studying at the Navy Mechanics School. They organized protests in front of the ESMA and sought contact with the legislators of the city of Buenos Aires who had to ratify the agreement, pressing them not to proceed.\textsuperscript{412} Within the Legislature of the City of Buenos Aires, the commission that was charged with presenting the agreement for ratification was predominantly composed of members of the opposition, and it delayed the ratification as long as possible. With the argument of preserving the continuity of the education of the students of the ESMA, the president of the Commission for Education of the Legislature introduced a project to limit the space dedicated to the memory of the recent past and to leave the schools functioning in the other buildings.\textsuperscript{413} In a letter sent to the conservative newspaper \textit{La Nación}, one man went as far as to state that the government had reintroduced the use of ‘torture’ against the students and their parents because they did not know where their classes would take place in the future.\textsuperscript{414}

The conservative newspaper \textit{La Nación} became one of the main platforms for protest against the museum in the ESMA. Several editorials and numerous letters from criticasters were published in this newspaper. Mariano Grondona, journalist and one of the promoters of the idea of ‘two terrorisms’ during the 1970s, introduced the notion of the ‘museum of half

\textsuperscript{406} \textit{Página/12}, 19.03.2004. See also: \textit{Página/12}, 23.03.2004.
\textsuperscript{407} De la Sota, governor of Córdoba, Felipe Solá, governor of Buenos Aires, Jorge Obeid governor of Santa Fe, Jorge Busti governor of Entre Ríos and Carlos Verna governor of La Pampa.
\textsuperscript{408} \textit{Página/12}, 24.03.2004.
\textsuperscript{410} \textit{Página/12}, 24.03.2004.
\textsuperscript{411} See for example Chicha Duhalde in: \textit{La Nación}, 25.03.2004.
\textsuperscript{412} Debate at the Faculty of Social and Political Sciences of Parque Patricios, Fieldnotes, 15.09.2004; ‘La representación del genocidio en los lugares que funcionaron como centros clandestinos de detención durante la última dictadura. El debate de la ESMA’, Centro Cultural de la Cooperación, 05-05-2004; \textit{Página/12}, 08.07.2004.
\textsuperscript{413} \textit{La Nación}, 23.03.2004.
\textsuperscript{414} \textit{La Nación}, 24.02.2004.
memory'. According to him, although state terrorism was the worst form of violence, ‘this does not mean that the other terrorism does not continue to also deserve an imprescriptible condemnation. Or were the abductions, the tortures and the assassinations of the guerrilla movement in the seventies or the explosions of the Embassy of Israel and of the AMIA in the nineties perhaps common crimes?’

One inhabitant of the province of Tucumán proposed calling the museum ‘Museum of Memory Maria Cristina Viola’, to commemorate the child of Humberto Viola killed in an attack by the guerrillas. In one editorial, the measure was said to incite vengeance and to complicate the process of ‘national reconciliation’, because it only illuminated one side of the violence:

One should remember, in this case, with absolute equidistance, the crimes that were perpetrated from both extremes of the ideological spectrum. One should show not only the human rights violations committed by those who exercised power from 24 March 1976, but also the assassinations executed by the bands of subversive terrorism and, of course, the wide range of abuses committed by the governments between 1973 and 1976. It is evident that the planned ‘museum of memory’ does not point in this generous and constructive direction.

The proposal of the museum was also questioned for its focus on human rights violations committed in the past. This criticism mainly came from victims of extortive kidnappings, which were receiving increased media attention precisely in the period in which the announcement for the museum was made. Most victims of these kidnappings were relatively well-to-do citizens who had been identified and targeted before being kidnapped for a ransom. This was the case of Axel Blumberg, whose assassination on 23 March 2004 put the issue on the public agenda. In the protest actions organized by his father after his death, these abductions were qualified as human rights violations. Human rights organizations who criticized his demands for harsher punishments were accused of defending the rights of ‘delinquents’ instead of the rights of victims of insecurity. Several conservative media referred to human rights organizations in similar terms (CELS 2004: 150). This argumentation was also brought into the debate on the future museum of memory. In various letters sent to La Nación, the government was asked to focus on ‘the human rights violations occurring next to its house’, referring to the extortive kidnappings and assassinations, instead of occupying itself ‘in a biased way with the human rights violations that occurred 28 years ago’. In an official letter to the President, one mother whose son had been kidnapped asked him whether he would help her to find the persons responsible for the abduction of her son, and added: ‘Or else, could you tell me where we can make a museum of memory for these victims?’

These criticisms were not new. The argument that the memory promoted by the human rights organizations was ‘incomplete’, not including the victims of the guerrilla, was also repeatedly expressed in the context of other memory projects. During the public hearing to
approve the law for the monument for the disappeared in 1998, the expression ‘discrimination of the victims’ was repeatedly heard. Thus one opponent stated:

…I am extremely preoccupied, and I would even dare to say that I am also frightened, not because of a personal risk, but from an institutional point of view, for the consequences that could result from the sanctioning of a law that discriminates pain. The mere statement of the president of the Assembly, who expressed in the Order of the Day: ‘Handle the project for the erection of a monument in homage to the victims of state terrorism’, indicates its orientation: to pay tribute to only one part of the dead, only one sector of the combatants.422

In the article: ‘Monument to the terrorists’, published in the newspaper La Nueva Provincia in April 1999, the criticism went further. It stated that the monument had the obvious intention of ‘remembering and paying tribute, which does not yet dare to be frank and open, to the integrants of the subversive bands guilty of unleashing a nefarious war, with the declared purpose of derogating the established authorities, whether these were de facto or constitutional’.423

These manifestations asking for a ‘complete memory’ and for remembering the ‘victims of subversion’ multiplied as a consequence of Kirchner’s policies in the realm of truth, justice and memory. Within the armed forces, reactions were divided between those who accepted Kirchner’s policies and wanted to renew the armed forces, and those – mostly protagonists of the 1970s – who disagreed. The self-criticism pronounced by Admiral Godoy at the beginning of March 2004 met with mixed reactions.424 Similarly, tensions arose within the army due to Kirchner’s decision to remove the portraits of Videla and Bignone that still hung in the Military College. Several generals regarded the image of the Head of the Army Roberto Bendini climbing onto a chair to remove the portraits as a ‘humiliation’.425 The Kirchner administration managed to neutralize these voices and kept the armed forces under civilian control. Expressions that vindicated state terrorism within the armed forces were sanctioned. On 24 May 2006, for instance, a demonstration was organized on the Plaza San Martín to remember the ‘victims of subversion’. Several hundreds of people participated, among them both retired and active military personnel, who participated in uniform. Both the retired military personnel and those still active were sanctioned for participating in the act.426

According to the newspaper Página/12, ‘the act of 24 May was one of the first manifestations of the return of the pro-dictatorship discourse’.427 It was organized by a number of associations that had emerged to remember the ‘victims of subversion’ and that included various relatives of military and policemen prosecuted for human rights violations. Among them were the Asociación de Familiares y Amigos de los Presos Políticos (Afyapp), the Asociación Memoria Completa and the Unión de Promociones del Ejército.428 These relatives and sympathizers of the military and policemen accused of human rights violations started to manifest themselves increasingly from the end of 2005 onwards. They were not necessarily

422 Audiencia Pública Ley 46, Buenos Aires, 22.05.1998.
423 La Nueva Provincia, 04.04.1999.
424 La Nación, 05.03.2004. See also chapter six for more information on the self-criticism of Admiral Godoy.
425 La Nación 24.03.2004; Clarín 25.03.2004; Página/12 04.04.2004.
426 Página/12, 25.05.2006; Página/12, 17.10.2008.
427 Página/12, 17.10.2006.
428 Página/12, 17.10.2006.
numerous but they counted with vocal leaders and received quite some media attention.\textsuperscript{429} In December 2005 a group demonstrated in support of Luis Abelardo Patti. Patti was a former police commissioner with a well-known human rights record turned politician. In the national legislative elections of October 2005, he won a seat, but could not take up his post as a deputy in the National Congress due to his involvement in the repression of the 1970s. Later that same month, a demonstration took place demanding the liberation of military and police officers detained for crimes committed during the dictatorship.\textsuperscript{430} Other demonstrations followed, such as the act of 24 May 2006 described earlier.

Thus the demands for a ‘complete memory’ in the future museum of memory were part of a broader revival of defendants of state terrorism triggered by Kirchner’s policies on matters of the past. On the other hand, the ESMA decision also stimulated academics and other professionals working on issues related to state terrorism and memory to intervene in the debate on the museum. Their participation brought new dynamics to the debate on the recent past and the future museum. According to Lila, a survivor of the ESMA, it became both more complicated and more challenging (Interview LP 27.09.2004). Another contributory factor to the intensity of the debate was the great political and symbolic significance of the ESMA and the ambitions involved. As Victoria, daughter of a disappeared couple stated: ‘ESMA […] is like \textit{the} place, where the most general and complete narrative will be found’ (Interview VG 22.11.2004). Although most of those who intervened in the debate, including the human rights organizations, were from Buenos Aires, the initiative was intended to go beyond the local context of Buenos Aires. Deciding about the ESMA, then, was not only about the destiny of the physical space, but about the possibility to construct a national narrative of Argentine history (Lorenz 2004b: 21).

\textbf{What to do with the ESMA? Debates on the future museum}

A great degree of heterogeneity existed among those sectors that approved of the presidential measure. Several fields of debate emerged in which this heterogeneity was expressed. The media offered a primary platform on which different opinions were heard. But human rights organizations also immediately organized a number of public activities in which they invited specialists and intellectuals, as well as others interested in the subject, to reflect on the future museum. Thus Memoria Abierta organized several encounters on ‘The museum that we want’, to stimulate a debate on the future museum. These were a continuation of earlier conferences.

\textsuperscript{429} One of the most mediatised persons in this context was Cecilia Pando, the president of the Afyapp and wife of a major in the army, Rafael Mercado. Pando acquired notoriety through the publication, in March 2005, of a letter in \textit{La Nación}, in which she criticized the President for having removed the military bishop Antonio Baseotto. Baseotto had suggested that the Minister of Health, Ginés González García, should be thrown into the sea with a stone around her neck for having pronounced herself in favour of the legalisation of abortion. Pando’s letter led to the temporary suspension of her husband. This did not stop her from expressing her opinions, and she increasingly manifested herself publicly with declarations such as ‘the disappeared are alive in Spain’ and ‘the Argentine army defended the fatherland against the attacks of terrorism’. She was among the leading figures in the various demonstrations organized in December and thereafter. Her public manifestations vindicating the dictatorship ultimately led to the forced retirement of her husband (\textit{Página/12}, 30.12.2005).

they had organized from 1999 onwards. Similarly, Abuelas, Familiares, and the AEDD also organized conferences on the ESMA and on other secret detention centres being recovered for memory. Furthermore, journals working on the memory of state terrorism and human rights, such as *Puentes*, or journals working on broader cultural, social and political themes such as *Punto de Visto*, published reflections on the subject. University students organized conferences at their faculties inviting different kinds of speakers, including deputies working on memory and other state representatives. Thus, there were several platforms on which the positions on the ESMA and the future museum were discussed, and which involved a wide range of actors.

The issues debated on these various platforms, came to feed the internal discussion that took place among those actors most directly implicated in the elaboration of a future museum: the human rights organizations, the victims of the ESMA, and the state entities involved in the case. Internally, human rights organizations had their own debates on the subject, and they gathered every two weeks to discuss their ideas on the future museum. Furthermore, as was stipulated in the agreement signed on 24 March 2004, they had regular encounters with the bipartite commission to discuss the relocation process. These encounters were formalized at the end of 2005 through the creation of an ad hoc commission. The IEM was another platform of both internal discussion and interaction with state entities for the human rights organizations in which the topic of the ESMA was regularly discussed. Formally, the IEM was to function in the ESMA, as law 961 stipulated. The geographical scope of the IEM was limited to the city of Buenos Aires, but most of the actors involved in the debates on the IEM and those participating in the ad hoc commission were the same. Once the Consejo Directivo of the IEM was officially formed in the second half of 2004, many of the discussions that emerged in the context of the ESMA project started to be conducted in the meetings of the IEM.

Some ideas circulating on what to do (and what not to do) in the ESMA were also defined in proposals sent to the bipartite commission following an announcement inviting people to present their ideas. The agreement signed on 24 March 2004 stated explicitly that one of the roles of the bipartite commission would be to guarantee a participatory process in the elaboration of the museum. Therefore, in June 2004 the bipartite commission made a public announcement in the three most important newspapers of the country, *Clarín*, *La Nación* and *Página/12*, inviting citizens to send a proposal with their plans for the ESMA. Flyers with the same invitation were also distributed in several university buildings. The announcement stated that the facilities should contribute to the reconstruction of the historical memory of the Argentines so that the commitment to life and the unconditional respect of human

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rights become the founding values of a new society based on justice and solidarity’. The bipartite commission received several proposals. There were some proposals from individuals, such as a proposal from Alicia Pierini, former Under-Secretary of Human Rights under Menem, and from organizations not directly involved in the struggle for memory, such as the Centre for Participatory Management and the Committee for the Monitoring of the Convention of Child Rights. But most of the proposals came from the human rights organizations. Each one of them sent in their own proposal, with the exception of Madres LF, Abuelas and Familiares, who sent in a joint project. These proposals, as well as the debates that unfolded in the various journals and at the conferences and meetings organized on the ESMA, revealed a great diversity of opinions and often even opposed positions on what to do in the ESMA. The following section will discuss the main issues of debate that arose in those different platforms.

Coexistence with the marines? The ‘reconciliation’ debate

One of the first issues of debate that arose even before the agreement was signed on 24 March 2004 was whether a certain level of coexistence with the marines on the plot should be tolerated or not. The secret detention centre that had functioned within the installations of the ESMA had been mainly located in one sector of the plot, in total approximately thirty percent of the seventeen hectares. As soon as the decision to convert the ESMA into a site of memory was made public, rumours started to circulate about the possibility that the marines would stay in the other part of the installations. This was considered unacceptable to most of the human rights organizations and survivors, who were firmly opposed to any form of coexistence with the marines. Therefore, they immediately made a number of public statements on the need to remove the marines from the entire plot, instead of only one sector. Graciela Daleo, a survivor of the ESMA and member of the AEDD, stated in an interview with the newspaper Página/12: ‘The first step is the immediate eviction of the entire military personnel and of the entire precinct’. In an interview on 8 March 2004, survivor Lila Pastoriza insisted on the fact that ‘no way can there be a site of memory next to installations of the navy’. Estela Carlotto, president of Abuelas, was equally adamant: ‘We are not going to think of the co-existence of a museum that is going to remember the history in a didactic and respectful way, with a precinct occupied by those who are questioned by history’. The assertion of the government at the beginning of March that the entire seventeen hectares would be assigned to ‘memory and human rights’ only partially reassured them. In the period that followed, they reiterated their demand on numerous occasions.

432 Interview JS 25.10.2004; Interview FB 29.10.2004. The announcement invited ‘non-governmental human rights organizations, relatives of the victims, persons who suffered detention and disappearance in the precinct and other organizations representative of civil society (associations of professionals, educational institutions, unions, neighbourhood assemblies, memory commissions, neighbourhood organizations, student centres and other institutions of the community) to present proposals and projects for the use of the installations’ (see: ‘Convocatoria Espacio para la memoria y para la promoción y defensa de los derechos humanos en la ESMA’, in: ‘Informe sobre el Espacio para la Memoria y para la Promoción y Defensa de los Derechos Humanos en el ex centro clandestino de detención-ESMA’, July 2006).

433 See the website of the Espacio para la Memoria: www.buenosaires.gov.ar/espacioparalamemoria.

434 Página/12, 10.02.2004.

435 Página/12, 08.03.2004.

436 Página/12, 08.03.2004.

437 Clarín, 09.03.2004.
The issue also divided the human rights movement internally. The organization CELS disagreed with the position of the others and stated that the size of the plot destined for memory and human rights should depend on the project one wanted to implement. CELS presented these ideas in the internal meetings with the human rights organizations, and made its position public in a communiqué published on 14 June 2004. CELS argued that the economic situation in the country did not permit ‘triumphalisms and monumentalisms’, and therefore it was necessary to first define what portion of the territory was needed for the future museum.\(^{438}\) The organization also reiterated this position in the proposal sent to the bipartite commission.\(^ {439}\) The position of CELS caused distress within the human rights movement, because most of the other human rights organizations associated it with accepting some level of reconciliation with the armed forces. Earlier on, CELS had received criticisms for a communiqué published on 24 March 2004. In this communiqué, the organization made a positive statement on the discourse that Admiral Godoy had pronounced on 3 March 2004, in which he recognized that the ESMA had been used as a secret detention centre.\(^ {440}\) Other organizations considered this an unnecessary concession to the armed forces (Interview LB3 20.12.2004).

CELS was primarily guided by pragmatism. Besides considering that it would not be viable to manage such a huge plot of land, the organization also believed that the relocation would be delayed. It was better to take advantage of the favourable political juncture and start developing activities that would secure what had been achieved, than to wait until the last marine had left the plot. But there was also a more ideological conviction behind the proposal. Distancing itself from the other human rights organizations, one of the aims of CELS was to rethink the role and position of the armed forces in a democratic context. CELS argued that the armed forces had been democratized to a large extent, especially after Kirchner’s purge of 2003, and that a generational change had taken place. This new generation was not responsible for the crimes committed in the 1970s, and should be among the citizens to whom the future museum of memory should appeal. CELS believed that students coexisting with the museum of memory might learn from it and this would eventually contribute to the democratization of the armed forces. Psychologist Hugo Vezzetti, author of various articles on the museum of memory in the ESMA, defended the CELS position in the journal *Punto de Vista*. He considered that the proposition to evict the navy from the ESMA as an ‘ideological a priori’, meant turning away from one of the central matters in the debate on memory: the need to include a reflection on the recent past in the training of new members of the armed forces. Excluding the armed forces from the debate had the risk of reinforcing ‘the ghetto in which the armed forces live and are educated, disconnected from the necessary discussion on their history and their responsibilities’ (Vezzetti 2006: 41).

However, this position was neither understood nor accepted by the rest of the human rights movement. The organization was accused of promoting reconciliation with the armed forces. A member of one of these organizations explained her dissent with CELS in the following terms: ‘…when the relatives are still looking for the corpses of their children, what reconciliation are you talking about? Let them speak, let them put the archives on the table, let them say where the mass graves are, where they threw them, what they did. So afterwards,

\(^{438}\) ‘Qué memoria’, Communiqué CELS, 14.06.2004.


yes – and let them go to trial – and afterwards, yes, we can talk of reconciliation…’ (Interview AV 20.10.2004). In the proposal sent to the bipartite commission, CELS referred to these criticisms and insisted on the fact that they certainly did not want to promote reconciliation. Thus the organization stated:

On previous occasions in which we expressed our opinion, we also stated that we needed to deepen the debate on the co-existence there with some of the institutions of the navy existing in the present. We thought that this debate should take place not in honour of a so-called reconciliation, which we never endorsed nor promoted, but according to its usefulness or not with regard to the objectives of the future museum, the memory policies that constitute its framework, and in pursuit of the construction of armed forces that are respectful of democratic values.441

To others, sharing the plot with the marines seemed awkward and even troublesome. According to one survivor of the ESMA, the human rights violations committed in the ESMA were still too recent and fresh to make such a situation of coexistence possible. She also feared provocations from the side of the navy staying on the plot (Interview 16.11.2004). These fears were later confirmed when the marines left the facilities and took away whatever they could, including door handles and air-conditioning devices.442

Many organizations also considered that the timing of CELS in raising these issues was not appropriate. When CELS published its communiqué, in June 2004, there was still much pressure being applied to keep part of the plot for the marines. Furthermore, the agreement signed on 24 March 2004 still had to be ratified by the Legislature of the City of Buenos Aires and there were no guarantees that the outcome would be positive. Among the legislators that integrated the Inter-jurisdictional Commission responsible for the ratification of the agreement, several were against the presidential initiative, and deliberately adopted delaying tactics. In the meantime, the Commission of Urban Planning of the Legislature of the City of Buenos Aires received numerous proposals stating that the buildings should remain in the hands of the navy.443 It was only after the Commission of Human Rights of the Legislature of the City of Buenos Aires intervened that the process was resumed (Interview AC 17.12.2004). Even then, ratification could not take place immediately because the constitution required that before ratifying a law, there should be a consultation round among citizens. The commission planned a period of several weeks for these rounds, inviting human rights organizations, architects, urban planners, and parents of the students of the ESMA, among others. Among those invited were many persons who were explicitly against the museum of memory. Considering these consultation rounds an unnecessary delay, a number of human rights organizations sent a letter to the Legislature of the City of Buenos Aires demanding the immediate ratification of the agreement (Interview LB3 20.12.2004). It was finally ratified on 5 August 2004.

CELS turned out to hold a minority position in the debate on the coexistence with the marines. On 12 October 2004, human rights organizations, with the exception of CELS,

442 Visit to the ESMA, Fieldnotes, 16.11.2006.
443 Debate at the Faculty of Social and Political Sciences of Parque Patricios, Fieldnotes, 15.09.2004; Página/12, 03.06.2004; Ciudad Autónoma de Buenos Aires, Legislatura, Acta de la 23a Sesión Ordinaria – 5 de agosto de 2004. Versión Taquigráfica, 05.08.2004.
signed a document which they sent to the bipartite commission, with six points of consensus reached about what to do with the ESMA. The first point of the document explicitly stated that: ‘We do not wish to share space nor coexist with either professors or students of the schools that will not be evicted this year’. Other points referred to what they considered acceptable or not on the territory while the marines were still occupying part of it. They recommended the signposting of the part of the ESMA that had been used as a secret detention centre, and guided visits for relatives of the victims, survivors and human rights activists. Likewise, they pleaded for commemorative, artistic and other kinds of activities during what they called the ‘transition period until the whole ESMA was left unoccupied’. They also demanded to be participants in the development of policies and ideas on the former secret detention centre, its possible uses and the message to be transmitted. Finally, they demanded the postponement of a contest that the bipartite commission was planning to organize on the future use of the ESMA, until it was clear, through a participatory consultation process, what the installations would be used for.\footnote{Internal document sent to the Bipartite Commission, 12.10.2004.}

The bipartite commission accepted all these demands, which were to function as the guidelines for the following period. On 28 December 2004 the marines left the sector that had been the heart of the secret detention centre. The buildings located on this part of the plot were the Casino de oficiales, the Pabellón Central (also known as the building of the four columns),\footnote{This is the most well-known building of the ESMA.} the Casas de suboficiales 1 y 2, Quincho, Enfermería and Guardia.\footnote{Comisión bipartita, ‘Informe sobre el Espacio para la Memoria y para la Promoción y Defensa de los Derechos Humanos en el ex centro clandestino de detención-ESMA’, July 2006.} In the first months of the following year, a team of five guides and a coordinator was formed, who were to accompany visiting survivors and relatives of the victims, human rights organizations and scholars working on the subject. Meanwhile, the ESMA remained officially closed to the public. On 20 June 2005 the first signposts were installed in the sector of the ESMA left unoccupied at the end of 2004. They described the functioning of the secret detention centre, and were based on texts elaborated jointly by the bipartite commission, the human rights organizations and survivors of the ESMA. They were installed at the entry of the ESMA, and in the Casino de oficiales. The official chronogram stated that the rest of the facilities were to be left unoccupied by the end of December 2005. However, this proved impossible to achieve and a new chronogram was elaborated, stating that relocation would take place in three different stages and would be completed on 30 September 2007, at the end of Kirchner’s presidential term.

In the period that followed, as a consequence of these delays, positions slightly changed on whether to initiate activities in the ESMA or not. Slowly, some other organizations also started to plead for the territory to be used despite the presence of the marines. APDH, for instance, argued that in the light of the elections of 2007, it was important to have activities going on in the ESMA, so as to secure its continuity beyond Kirchner.\footnote{Interview MM, 15.11.2006; APDH, ‘Síntesis de la propuesta para el uso del predio de la ESMA como museo para la memoria del terrorismo de estado’, October 2006.} However, most of the organizations held firm on their position not to open the buildings to the public until the last marine had gone. Reflecting on how the subject complicated the debate on the ESMA Laura, a member of CELS, stated:
It is incredible how the issue of going in or not with the military [still present] marked all the positions, because, of course, again, as nobody wants to say 'we have to go in' with so many words, because the others will accuse him of wanting reconciliation, what some organizations propose is that one should not institutionalize anything in the precinct but organize tip-and-run operations, [...] like doing something in the place and then leaving again. (Interview LB3 17.10.2006)

Whether or not to initiate activities in the ESMA while the marines were still occupying part of the buildings continued to be a central issue of debate during 2005 and 2006.

**Different visions on the ‘Space for Memory’**

The debate on a possible coexistence with the marines was not, however, the only issue on which the human rights movement could not reach a consensus. There were also discussions on how to use the installations of the ESMA. A central issue was what part of the installations should be dedicated to memory, and how memory should be represented in this context. The debate was triggered to a large extent by the proposal of the AEDD, the organization of former detained-disappeared, which argued that the whole site should be a memorial camp. According to the AEDD, the entire plot and all the facilities should be seen as a permanent reminder of the repressive system that had been implemented in Argentina during the military dictatorship. The site had to be declared a national monument and preserved to serve as juridical proof in the trials against the military. It also had to be systematically called *Centro clandestino de desaparición y exterminio – ESMA* (Clandestine centre of disappearance and extermination – ESMA), as this was considered less ambiguous than the more frequently used term of Museum of Memory. All the buildings, including those that were not directly located in the sector that had been used as a secret detention centre, had to be dedicated to the memory of the repression and remain empty. The only exhibitions tolerated would be an explanation of the repressive system implemented in the ESMA, and an exhibition in memory of the victims, mentioning their political identities and presenting testimonies of their relatives. They opposed the installation of educational institutions or public offices, even if these were dedicated to the defence of human rights, such as the IEM, the National Archive of Memory or the Secretariat of Human Rights. According to them:

> In both cases, there would be a routine and daily movement of students, teachers, officials, employees, public and suppliers and it would entail the installation of the necessary infrastructure (bars, kiosks, cafeterias, nurseries, car parks), which render the places where genocide had been planned, started and implemented meaningless. Where death has taken place, it should be signalled, remembered, shown, made known that there was death, made clear which persons died, why they died and who killed them. One should not pretend that there is life now.

448 Their proposal was supported by the group of organizations with whom they used to organize joint activities, the Liga, CORREPI, CEPRODH, Liberpueblo, Comité de Acción Jurídica (CAJ), MEDH and APDH-La Plata (‘Centro clandestino de detención ESMA. Nuestra propuesta’, *Tantas Voces, Tantas Vidas* año 4, n°9 (June 2004) 27).

449 ‘La representación del genocidio en los lugares que funcionaron como centros clandestinos de detención durante la última dictadura. El debate de la ESMA, Centro Cultural de la Cooperación, 05.05.2004.

On several occasions, the AEDD referred to the Auschwitz memorial camp as a source of inspiration. The Auschwitz-Birkenau memorial camp was created in 1947, when the Polish parliament declared that what remained of the camp should be preserved as a memorial to the martyrdom of the Polish nation and of other peoples. It encompasses the two sectors of the concentration camp of Auschwitz, Auschwitz I and Auschwitz II-Birkenau, a plot of 191 hectares. Hundreds of constructions that pertained to the camp, including the ruins of the gas chambers and the crematoriums, kilometres of barbed wire, and the tracks of the railways that transported the prisoners testify to what happened. The only construction that has been added is the ‘International Monument for the Victims of the Holocaust’. The intention was to leave the site in much the same state as it was when the Germans had left, including their attempts to destroy part of the evidence. In this way, Auschwitz-Birkenau became as much a symbol of the extermination of the Jews as of the attempts of the culprits to hide the evidence of their crimes. (Young 1993: 128-54; Gianera 2004: 28). The ESMA, then, like Auschwitz, should function as a permanent denunciation of rationalized and planned extermination. Philosopher Alejandro Kaufman (2005: 79) shared this vision. To him, the ESMA was a testimony of ‘the absolute horror’. Mostly, it was a testimony of a new element in history: the planning and administration of death inflicted to a collective victim who had beforehand been placed in a position of total defencelessness. Like the AEDD, he argued that the ESMA could be nothing other than a testimony of planned terror: ‘This is not a museum about the seventies, or about its causes, or about Malvinas, or about Martínez de Hoz. It is not a museum that needs to argue or sustain a debate. It should only show and demonstrate the nature of the device, the mechanism of the crime’ (Kaufman 2005: 79). It would serve as a powerful instrument against denial.

Most of the other human rights organizations and participants in the debate on the ESMA disagreed with the proposal of the AEDD on several issues. In the first place, they disagreed with the idea that the focus should lie exclusively on the mechanisms of state terrorism. They believed that the location should contextualize what had happened in the ESMA. It should explain, or at least raise questions about, how state terrorism could have been implemented in Argentina and why. They considered that without such a contextualization, the ESMA could have paralysing effects on its visitors, especially of the younger generations. Reflecting on the possible effects of focussing exclusively on the experiences of state terrorism, Calveiro (quoted in Pastoriza 2005: 92), herself a survivor of the ESMA, stated: ‘If I put my own feeling, my own pain in the first place, the only thing that is left for the person in front of me is horror’. Calveiro insisted on the need to look for alternative ways of representing the repression. She believed that much would be gained from a narrative that was oriented towards encouraging reflection among the visitors. According to Lila Pastoriza (2005: 92), another survivor of the ESMA, this could best be done by including different explanations of what had happened and how it could have happened: ‘Would it not be a better answer to the questions of the new generations if, instead of limiting itself
to “showing” what happened, the museum would offer the opportunity to hear different explanations about how it could happen.\textsuperscript{451}

The proposal of the AEDD to leave all 34 buildings of the ESMA empty was also rejected by a majority of the human rights organizations. They considered that there should be a distinction between the buildings located in the sector that had been used as a secret detention centre, and the rest of the buildings. The sector and buildings that had been used as a secret detention centre should be preserved and declared a historical site. These included the Casino de Oficiales, the building of the four columns, Pabellón Coy, the Guardia, the Sickbay, the printing works and the sports field.\textsuperscript{452} But the rest of the installations should not remain empty and should be the location of institutions dedicated to other activities related to human rights and memory such as the IEM or the National Archive of Memory. They pointed out the fact that the presence of these institutions in the ESMA was already established by law.\textsuperscript{453} In general, they proposed to use the installations for educational purposes and for human rights issues, thus making the connection with the needs and urgencies of the present. Familiares, Madres LF and Abuelas called this part of the ESMA ‘the contact with the future’. They put the focus on dealing with the socio-economic needs of the present and proposed to use the buildings for educational and cultural activities. Similarly, SERPAJ named a list of issues that could be treated in the different buildings that were of central concern to them, such as the foreign debt or the indigenous populations of Argentina. The FMHSA proposed installing a centre for basic education and labour training.\textsuperscript{454}

Several organizations considered that, in a context in which many sectors still opposed the idea of a museum of memory, leaving the entire territory empty presented a risk. It was seen as an invitation for those who opposed the idea of a museum of memory in the ESMA to use the installations for a purpose that had nothing to do with the experience of state terrorism.\textsuperscript{455} Others argued that the economic situation in the country did not permit major

\textsuperscript{451} Young (1993: 132), who has written extensively on Auschwitz, also points out the limitations of remembering the victims through what the killers left behind, and what they did. He observes referring to Auschwitz and the way memory was transmitted there as follows: ‘In one way, all we see here (in Auschwitz) can be construed as remnants of the killers and their deeds. The dynamited ruins of gas chambers at Birkenau, for example, recall not only the fact of the gas chambers, but also the German attempts to destroy evidence of this fact: a monument both to events and to the guilt of the killers. But, in a perversely ironic twist, these artefacts also force us to recall the victims as the Germans have remembered them to us: in the collected debris of a destroyed civilization. For, by themselves, these remnants rise in a macabre dance of memorial ghosts. Armless sleeves, eyeless lenses, headless caps, footless shoes: victims are known only by their absence, by the moment of their destruction. In great loose piles, these remnants remind us not of the lives that once animated them, so much as of the brokenness of lives. For when the memory of a people and its past are reduced to the bits and rags of their belongings, memory of life itself is lost. What of the relationships and families sundered? What of the scholarship and education? The community and its traditions? Nowhere among the debris do we find traces of what bound these people together into a civilization, a nation, a culture’.

\textsuperscript{452} CELS held a slightly different position. For reasons discussed in the previous paragraph, CELS considered that only the Casino de Oficiales and the building of the four columns should be considered part of the site of memory (CELS, ‘El Espacio para la Memoria y la Defensa de los Derechos Humanos. Propuesta CELS’, December 2004).

\textsuperscript{453} Law 961 stipulated that the IEM should be located in the ESMA, and the agreement signed on 24 March 2004 and ratified in August stated that the National Archive of Memory should be located there.

\textsuperscript{454} Proposals sent to the bipartite commission. See: www.buenosaires.gov.ar/espacioparalamemoria.

\textsuperscript{455} This was stated explicitly in the proposal of the organization Buena Memoria (Buena Memoria Asociación Civil, ‘A la Comisión Bipartita. Propuesta de Buena Memoria para la ESMA, February 2006).
undertakings in the name of memory. This was one of the main arguments of CELS not to demand the entire plot, but it was also an argument sustained by some former militants. Thus Gastón, a former Montonero, pointed to the fact that Argentina was a country with many needs, such as hospitals and schools. It seemed unfair to him to dedicate such a big place exclusively to the memory of the dictatorship. He even discarded the idea of a museum altogether, considering that too strong a focus on the dictatorship could induce paralysis and divert attention away from the urgent needs of the present (Interview GN 30.09.2004). This was a very similar view to the position held by the Asociación Madres, who rejected the idea of a museum and proposed installing a school for popular art in the ESMA, ‘to talk about the past, the present and the future, more than about the horror’.456

The proposal for a cultural centre in the buildings that had been used as a secret detention centre was totally the opposite of the vision of the AEDD. It was precisely this kind of ‘life’ that the AEDD did not want to see in the former ESMA. It also clashed with the vision of the other human rights organizations. They saw it as an insult to the memory of the victims not to refer explicitly to what had happened in the ESMA. At the same time, these organizations experienced many difficulties in coming to a common vision on the ESMA, and doubts remained concerning the best way to use the ESMA in the construction of a memory of the dictatorship. Reflecting on some of these difficulties Cristina, member of Hermanos, stated: ‘…some people, not from Hermanos, say “well, but here we could put a school” and so you say, “no, but this is a place of death, that is what it was, how are you going to put children there?”’, but at the same time we want to bring school children so that they get to know what happened here, you see, so it’s rather contradictory what you end up wanting for this space’ (Interview CN 10.11.2006).

For many human rights activists, their personal feelings about the ESMA made it more difficult to come to some definitions about what to do with the place. Cristina, whose sister disappeared in the ESMA, confessed that at times she wanted to tear the buildings down and convert the place into a park. Confused about her own feelings on the subject she explained: ‘I am not very clear about what I want with the ESMA, no. I don’t know, the truth is that is costs me a lot to define the ESMA or what I want with the ESMA. Miguel, one of the Hermanos says “I would put a bomb and blow up everything into the air”’ (Interview CN 10.11.2006). Thus the personal stories of loss and suffering of many of those who were participating in the debate on the ESMA contributed to the complexity of the process. More in general, spaces such as the ESMA and other former secret detention centres tended to be so overwhelming that it seemed almost impossible to develop any down-to-earth and concrete project for these places. One of the members of the Mesa de Trabajo y Consenso of El Olimpo used the notion of ‘sacralisation’ of former secret detention centres to refer to the almost religious way in which people often reflected upon these places.457 This tendency to treat former secret detention centres as ‘sacred places’ certainly contributed to the difficulty in defining concrete proposals for the ESMA.

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**Differences about the narrative of the museum and the limits of pluralism**

Parallel to the debates on what to do in the ESMA, other discussions were taking place concerning what story (or stories) should be told in the future museum. This debate was more specifically about how the past was being interpreted and what aspects of that past were considered important in the construction of memory. A prime difference that emerged in this context concerned how far back in the past one should go to explain the military dictatorship. Some placed the starting point in 1955, when Perón was overthrown by the marines; others went back to the 1930s or even to the extermination campaigns carried out against indigenous populations in the nineteenth century. Similarly, there were debates on how much of the present should be included in the narrative of the museum. For some organizations, continuities in economic policies between the military dictatorship and democratic governments needed to be one of the guiding elements of the narrative. But others considered that it was necessary to focus on the military dictatorship as a specific period that was not comparable to any other in Argentine history. Reflecting on some of the proposals to include other episodes of Argentine history in the museum, political scientist Carlos Acuña asked, in a meeting on the contents of the future museum: ‘Do we want a museum about the repression and the history of Argentina, or do we want a museum about state terrorism? We have to resolve this because you cannot have both…’

Similar differences arose concerning the revolutionary organizations of the 1970s. Most of the proposals sent to the bipartite commission stated that the ideals of social justice and equality of the generation of the disappeared should be reflected in the activities of the museum. But the details varied. Familiares, Madres LF, Abuelas, H.I.J.O.S. and Hermanos put the ideals of social justice at the centre of their proposals for the ESMA. They insisted that the museum should give voice to the minorities, those ‘forgotten from history and museums’, and vindicated ‘the values of justice, autonomy and equality’, that they saw as central to the struggles of the 1970s. Buena Memoria also stated that the ‘ideals of the 1970s’ should find expression in the institutions to be installed in the ESMA, but at the same time insisted on the need to constantly reflect critically on the events of the past. CELS more explicitly pointed out the need to initiate a debate on the forms of organization and political militancy of the 1970s, particularly on the choice for armed struggle. The AEDD, on the other hand, believed that the ESMA was not the appropriate place to have such debates. Graciela Daleo, a member of the AEDD stated: ‘I do not agree with the fact that the account that will be constructed and that one aims to convey with the ESMA should have a central theme other than the denunciation of what state terrorism was. We will develop and represent the reflection on the political practice of the revolutionary organizations in, I think, other spaces’. In general terms, there was a consensus on the importance of acknowledging...
the political identity of the victims. But differences emerged on how to look back on these political engagements and whether the ESMA was the place to conduct such debates.

Most of the human rights organizations acknowledged this plurality of memories and recognized that in order for the museum to be able to appeal to broader sectors of society, the narrative of the museum should reflect this plurality. Furthermore, they considered that to transcend the victims of the dictatorship and become truly embedded within broad sectors of society, the contents of the museum should be formulated in a participatory way. Thus, in their proposals, they almost all insisted on broadening the debate on the contents of the future museum to other civil society actors. SERPAJ stated that ‘the entire society should be a participant in the ideas about the future of the ESMA’. APDH – La Plata insisted on the need to widen the debate to give it a national character: ‘As for the contents that will be included in the space, we consider that they should emerge from a broad national debate. It would be sad if the most paradigmatic and certainly most well-known representation that will exist in the country were reduced to a debate of the city of Buenos Aires or of the Gran Buenos Aires’. Buena Memoria stated that their project was intended to open up the debate, not to close it: ‘It should motivate and promote an unavoidable intellectual reflection. With imagination, with boldness, with conviction, with respect for differences’. CELS spoke of the need to socially legitimize the project through the participation in the discussions of actors and institutions other than the human rights organizations and the victims.

However, in practice differences soon emerged on how far this plurality should go. This found expression in the first place in the way the message of the museum was conceived. One group, which included various academics, considered that, in order to be able to reach broad sectors of society, the narrative of the museum should leave out some of the more controversial elements of the recent past and rather present them as issues of debate. Thus they pleaded for what Vinitzky-Seroussi (2002: 35) has called a ‘thin’, consensual message, to which a larger audience – including those groups that supported the dictatorship – could identify with. The museum, they insisted, should not be, in the words of one of them, ‘a museum of militancy for militancy, where we meet amongst each other, ratify our identity, our stories, and there it remains’. Rather, it should be able to ‘have an impact on the memory of a broad sector of society’. Others, however, mostly human rights activists and victims of the dictatorship, considered that no concessions could be done on some aspects, such as for example the vindication of the revolutionary experience of the 1970s or the relation between the project of economic restructuring of the country during the military dictatorship and its continuities in the present. They considered that there was a ‘truth’ to be told and pleaded for a ‘wider’ narrative that would also include these more controversial elements.

There were also differences on how the participatory process to come to a project for the ESMA was conceived. These differences evolved around whether human rights organizations

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463 ‘Propuesta del SERPAJ sobre el predio de la ESMA’, Proposal SERPAJ, 22.03.2005.
and victims of the dictatorship should have a privileged voice in the debate or not. Several of
the human rights organizations and victims considered that their years of struggle and their
personal experiences of victimhood granted them a special position in the debate. This was
not necessarily formulated explicitly, but it found expression in concrete actions. An example
of this was the attitude adopted by members of the AEDD, several of them survivors of the
ESMA, in the elaboration of the signposts and script for the guided visits in the ESMA:
they did not only provide information, but also gave explicit instructions on what should be
included and what should be left out of the script. Thus they explicitly requested the guides
not to speak about the ‘ministaff’ – not to be confused with the ‘staff’— in their visits. The
ministaff consisted of a small group of detainees that collaborated actively with the marines
in the abduction of victims and had special privileges. They had survived, but they were not
welcome within the group of survivors, and opinions were strongly divided on how to judge
their attitude during captivity. Therefore, members of the AEDD insisted that this issue
should be left out of the story. As one former detained-disappeared explained: ‘We did not
want this to emerge now. We didn’t think it was the right moment, there were too many
military personnel [still free] to deal with our own traitors’ (Interview BB2 23.11.2006). This
position was also reflected in the signposts, as one of the rooms which used to be occupied by
the ministaff was called ‘room of other prisoners’.

In general terms, many human rights organizations and victims considered that decisions
should ultimately lie in their hands. The role and contributions of others, such as specialists
and other professionals working on memory, was important but should not be determinant.
This position became evident in the context of a meeting that was to be organized in the
ESMA with a group of professionals working on memory. In the preparatory meeting, a
discussion arose on what should be the role of these professionals. Representatives of the
human rights organizations insisted on the fact that the experts should only help them in
thinking how they – the human rights organizations – could concretize their projects. One
of the few persons who disagreed was the representative of CELS. She considered that
experts should be able to contribute to the debate with their own proposals. Recounting
this experience, she concluded that, despite claims to the contrary: ‘…the [human rights]
organizations do not want to open up the discussion’ (Interview LB5 17.10.2006). According
to her, the main problem was that human rights organizations did not consider people that
were not members of these organizations or victims of the repression as part of the decision-
making process: ‘…it is always about receiving an opinion so that the [human rights]
organizations can make a project and define it. […] They do not see others as part of the
discussion. The others provide input, they give input, but they are not actors’ (Interview LB5
17.10.2006).

468 In the ESMA a large group of detained-disappeared were obliged to work for the marines. They had
to do different kinds of work, such as collecting newspaper articles, translating texts, elaborating maps.
Being part of the ‘staff’, as this group was called, provided them with certain privileges, but there were
no guarantees of being liberated. Furthermore, they constantly had to act as if they had abandoned their
ideals and embraced those of the marines. The collaboration of the ministaff went much further, since
they participated in torture sessions and abductions of prisoners.
469 This was in line with other positions of, predominantly, members of the AEDD, who were very keen on
not placing the issue of collaboration at the focus of attention.
470 Visit to the ESMA, Fieldnotes, 16.11.2006.
Laura was part of a large group of people who questioned the idea that human rights organizations and victims should have a privileged voice. Most of them were not victims of the dictatorship, and had become involved in the memory debate out of professional interest and expertise. This was the case for many of the collaborators of CELS, which helps to explain why this organization often held a different position than the other historical human rights organizations, such as in the debate on coexistence with the marines. These ‘professionals of memory’, as I will call them, considered that human rights organizations and victims should be one of the many voices intervening in the debate. Thus, according to historian Hilda Sábato, who also adhered to this position:

We should open up the debate and listen to all the voices because in this spreading of memory there is no reason why the victims should have a privileged position. In the discussion on justice, yes […], but in the discussion on memory, in the construction of memory the condition of victim should not be, it seems to me, it is an opinion, a privileged voice. It is a voice that we need to pay attention to but it is a voice among others. (Interview HS 05.12.2006)

They believed that the risk involved by allowing decisions to remain exclusively in the hands of the human rights organizations and victims was that the ESMA would be seen as a project of the human rights organizations instead of belonging to society at large. Historian Federico Lorenz (2004b: 21-2) recognized that opening up the debate was difficult for human rights organizations and victims, because this implied discussing ‘on an equal footing with other actors whose interests are not only not the same, but are also not marked by a personal history that was cut short in a brutal and indelible way by violence and pain’. However, he insisted that this was necessary because the public controversy on the destiny of the ESMA went beyond the victims and human rights organizations. The main purpose was to define the meaning of a place for society as a whole, and not merely for the victims.

Those who pleaded for including ‘other voices’ in the debate, attributed particular importance to the opinion and participation of people working on memory based on their professional expertise and background. In one of the first conferences on the future museum at the end of the 1990s, Hilda Sábato had already insisted on the need to include historians in the process of memory construction. She argued that historical research could play an important role in avoiding mystifications and simplifications of the past. The tools available to historians allowed them to attain a certain level of objectivity, which, in Sábato’s words, made it possible to ‘question conformities’. Sábato considered that the risk of mystifications inherent to memory was greater if its elaboration remained exclusively in hands of the protagonists of the 1970s – the relatives of the victims and the former political activists. In a more recent publication, Vezzetti (2004: 5) invoked similar arguments to gain

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Contrary to the other human rights organizations that had emerged during the dictatorship, CELS had gone through an important generational and organizational change throughout the years. It had become strongly institutionalized, and among its employees were many young professionals making a career in the field of human rights. This was different from organizations like Madres, Familiares or even SERPAJ, that were composed of victims and activists who mostly participated on a voluntary basis. These organizations themselves made a distinction with CELS, which they considered more ‘academic’ or ‘NGO-like’ and less ‘movement-like’ (movimentista) (Interview SDW2 20.10.2006; Interview AC 27.11.2006).


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the involvement of professionals and experts on the subject in the debate on the ESMA. According to him: “There is no long-term memory in the middle of battles. Which raises the problem of the “distance” and the mediation: the role of political parties and of specialists: historians, museologists, pedagogues, next to the direct witnesses and the victims’. Thus, a contrast was established between professionals of memory and those who participated in the debate because of their condition of victim of the dictatorship or human rights activist. The first group was assumed to have a more objective and detached approach to the recent past than the latter.

However, this plea for neutrality and distance also implicitly suggested that the vision and intervention of representatives of the human rights organizations and direct victims was less valuable for being biased. This mechanism was pointed out by survivor Lila Pastoriza in a discussion on the debates in the ESMA. Recalling that the human rights organizations and victims had made possible the museum of memory, she wrote:

There is no doubt that new actors need to be included in the discussion, who, with their different stories, interests, activities and generational membership, bring in other ways of looking at questions that are often discussed in groups that are relatively closed about their practice. However, this can not lead to questioning or underestimating the participation in the debate of the persons ‘involved’ (relatives, former detained-disappeared, etc.), downplaying the weight of their opinions, supposedly ‘biased by suffering’, as some affirm. The fact that these persons have lived through painful experiences for having personally suffered the attacks of state terrorism can not constitute a factor that affects their participation, even more so when some of them have been supporting the cause of memory for decades. (Pastoriza 2004b: 15)

Lila pleaded for the debate to be opened up while at the same time acknowledging the special role that human rights organizations and victims had played throughout the years in the struggle of memory. Similarly, Mariana, daughter of a disappeared couple, recalled that: ‘This museum is an achievement of the struggle of the [human rights] organizations, of the struggle of the survivors. It is an achievement, and I think that it is right that they have an important say in the matter’ (Interview MP2 07.01.2005). The question of who had more rights to speak and decide upon the contents of the future space for memory would become a pervasive source of tensions among the actors involved.

State involvement in the ESMA debate

In the debate on who should participate and decide about the contents of future space for memory, central importance was attributed to the state. All parties recognized the potential of the state to institutionalize memory within society and agreed that the state should finance the space for memory in the ESMA and guarantee the persistence of the project over time. Differences however emerged concerning the role of the state in the process leading to the elaboration of the contents of the museum. Positions in this context reflected the different stances on the extent to which actors other than the human rights organizations and the victims should be included in the debate. Those who pleaded for the inclusion of ‘other voices’ alongside human rights organizations and victims, as equals, considered that the state should be a participant in the debate in its own right, as well as actively create the conditions for an inclusive debate. Some went even further and considered that it should have sufficient autonomy to decide which of the multiplicity of projects and ideas should be included in
the space of memory in the ESMA. This vision was voiced explicitly by Vezzetti. According to him, the state should play a role as ‘mediator and pacifier’ in the numerous conflicts and debates on the future museum: ‘It is not the job of the [human rights] organizations to define the state policies, nor to build consensus, given the fact that they represent one sector of society’ (Vezzetti 2004: 8).

Criticasters warned that, besides being state-centric, this vision minimized the political limitations of the state in Argentina, as well as its role as a creator of both memory and oblivion. Questioning the concentration of the management of archives of the repression in the hands of the state, historian Roberto Pittaluga and sociologist Alejandra Oberti (2004/2005: 13-4) stated that this presented a series of risks since there were still numerous connections between the democratic and the dictatorial state. Others pointed out that public memory policies could also contribute to a memory that promoted conformism instead of stimulating a questioning of the status quo. Museologist Alejandra Naftal, and sociologist Mónica Muñoz (2005: 169-70) considered the United States to be a clear example of how state policies could lead to passivity. According to them, the United States was the country with most museums, cultural centres and spaces for minorities, and working on issues related to tolerance, discrimination and diversity. These institutions were able to rely on sufficient resources and advanced technologies and there was an explicit state policy on how to manage and finance these spaces. But the message conveyed was often merely descriptive, and seldom appealed to historical processes, leading to an out-of-context understanding of events, and ultimately to de-politicization.

An important group of participants in the debate on the ESMA argued that, given these limitations, it was not the state but rather civil society actors who should decide about the contents of the future museum. Most of the human rights organizations supported this position. They considered that the state should provide the resources for the museum, but that civil society actors, and especially human rights organizations, should elaborate its policies. This view was explicit in the following quote of Cristina, member of Hermanos:

The bipartite, you see, is part of, that is to say, it has a role that goes far beyond what we, the [human rights] organizations, want it to have. It is tricky because it depends on what government you have whether everything will be easier or more complicated. What we wanted is that, in fact, they would support it, put up the money and nothing else. That is to say, that the policies would be those of the human rights organizations. But well, it is not the case. (Interview CN 10.11.2006)

This vision was fundamentally different from that of CELS and many professionals of memory, who considered that the state was an actor in its own right. This was also reflected in how both groups conceived of the mixed commissions involving state representatives and representatives of the human rights organizations. Whereas for CELS these commissions were intended as spaces of interaction to come to a joint vision, the other organizations conceived of them as a means to enhance their influence on the decision-making process. This was explicit in the following quote of Mabel, president of Familiares: ‘…for us the state is ours, it is not of the government of the moment that is up there, but we are the state, and the fact that we are working together guarantees that what is being done is what we want to be done. What we achieved is that the state puts up the money’ (Interview MG1 08.04.2003). CELS firmly disagreed with this conception of the mixed commissions. According to this organization, working together with the state did not mean imposing one’s vision, but it
meant deciding together, with all participants on equal footing. Thus, in Laura's words, it was not about 'taking the state', but about 'playing together with the state' (Interview LB3 20.12.2004).

In practice, however, in the context of the ESMA, the state oscillated between remaining in the background and influencing the process. In the debate on who should participate and decide in the process, the national and local governments played an important role in strengthening the position of the human rights organizations in the definition of the contents of the museum. They gave them a central role in the ceremony of 24 March 2004 as well as in the process that followed, and few concrete initiatives were undertaken to include other actors in the process. According to critics, this reinforced the impression towards the broader public that the ESMA had been 'given to the human rights organizations' (Vezzetti 2004: 7). The lack of an active policy to include other actors in the debate on the museum also presented the risk that the ESMA would remain circumscribed to the small circles of human rights organizations, victims and related sympathizers, whereas it should involve far broader sectors of society. In this context, Lorenz (2004b: 21) points out the fact that the conservative sectors used the central role the state attributed to the human rights organizations in the debate on the ESMA as an argument to downplay the relevance of the measure for society at large. He wrote: 'One of the risks involved in the way in which the debate has been conducted up till now is that the common citizen associates the ESMA with "another thing of the [human rights] organizations". The reactionary press uses precisely this; it installs notions of vengeance, and isolates the discussion from its true collective dimensions'.

At the same time, neither the national nor the local authorities of Buenos Aires expressed a clear vision about what to do in the ESMA. To a great extent, the measure was an ad hoc decision of the President that permitted him to construct a symbolic capital among the human rights organizations. But neither he nor his staff in the Secretariat of Human Rights presented a concrete plan on what to do with this huge territory. The same was true, although to a lesser extent, for the other institution involved in the bipartite commission, the Under-Secretariat of Human Rights of the government of Buenos Aires. Explanations varied for this lack of definition. According to Lorenz, both entities made the strategic move to deposit the issue of what to do with the ESMA in the hands of the human rights organizations. This had the advantage of reinforcing their relations with the human rights organizations, while at the same time permitting them to offload the problem (Interview FL 05.12.2006). Reflecting on the consequences of this policy, Laura, who shared Lorenz' interpretation, stated: 'In general, for the people this is an initiative of the [human rights] organizations with the support of the government. Therefore, if the ESMA falls apart, the backlash will be for the organizations, not for the government' (Interview LB3 20.12.2004). According to her, both the national and the local government wanted to maintain good relations with the human rights organizations, and therefore tried not to make their preferences explicit: '…the governments never said what they wanted; they never said what they wanted. They have been doing things in practice, but they never said what they wanted. And I think that it has to do with the fact that they do not want to quarrel with anybody' (Interview LB3 17.10.2006).

Others, like Miguel, vice president of APDH, considered that the lack of definition was a gesture towards the human rights organizations, the recognition that they were the legitimate actors for deciding about the ESMA. The problems emerged because the human rights organizations did not manage to come to a consensus (Interview MM 15.11.2006).
The lack of definition of the government on its plans for the ESMA created unrest among the human rights organizations and other actors involved. They had no clue as to how the various proposals sent to the bipartite commission would be evaluated, or who would decide which proposal would be adopted. Miguel speculated that it could be the city government, as the legal owner of the territory. But, he stated, ‘neither can the city government ignore the fact that the national government is doing all this and have no opinion on what to do there’ (Interview MM 15.11.2006). Similarly, Laura stated that she had no idea how a choice would be made among the numerous proposals sent to the bipartite commission: ‘How will it be resolved? I don’t know, because it is not written anywhere either and nobody wants to clarify this...’ (Interview LB5 17.10.2006). At the same time, while the human rights organizations were debating on what to do in the ESMA, the bipartite commission initiated various activities in the ESMA. The commission contracted a team of guides, and a team of architects responsible for the signposts. Thus, although the ESMA was not formally open to the public, by 2006 more than a thousand people had already visited the place (Interview AC 27.11.2006). The decision on who was allowed to enter the ESMA was in the hands of the bipartite commission. Furthermore, the presidential couple had a personal concern in the ESMA, and took their own decisions without consulting the human rights organizations or the bipartite commission. An example of such a situation was when Cristina Kirchner organized a visit to the ESMA and a conference for a number of dignitaries from abroad.473 The human rights organizations were made aware of the event through the media (Interview LB3 20.12.2004).

This kind of situation reinforced the historical lack of trust of many human rights organizations in the state. Despite the fact that, over time, the human rights organizations had become a relatively powerful actor within civil society, they were also conscious of the temporary character of the support they were receiving from the national and local governments. This situation led them to be constantly on their guard, and to be suspicious of autonomous decisions of state entities. Therefore, decisions that were taken by the bipartite commission or the President without their consultation were generally received with distrust. Furthermore, political changes at the local context of Buenos Aires following the destitution of Ibarra in 2006 led to a lot of unrest that also influenced the debate in the ESMA. Distrust towards the activities developed by the bipartite commission was strongest among those organizations who occupied the opposition ranks, such as the AEDD. They conceived the entire process in terms of ‘winners and losers’, and their own role as one of pressurizing authorities to adopt their position. This was expressed clearly in the following quote of Beatriz, member of the AEDD: ‘...as a last resort, I think that the state should decide. And well, when it decides I will scold them or hug them, I will congratulate them. Meanwhile, in this battle we try to influence people as much as possible with our own ideas. To influence...the government directly as well as the group of organizations so that we can pressurize together’ (Interview BB2 23.11.2006).

At the end of 2006, what to do in the ESMA and how to come to a concrete proposal for the space for memory and decide among the great diversity of ideas was still an issue of debate. In concrete terms, the decisions about what to do in the ESMA lay in the hands of human rights organizations and the national and local state authorities. But, as

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473 Página/12, 22.09.2004; Interview LB5, 17.10.2006; Interview AC 27.11.2006; See also: Página/12, 03.03.2005; Página/12, 05.03.2005.
we saw in the previous paragraphs, there was no consensus between them, either on what to do in the ESMA, or on who should decide about this. In these debates CELS, an organization that counted many professionals among its ranks and had showed a higher level of institutionalization than other human rights organizations, often held a distinctive position. Its position was generally more in line with that of professionals of memory who expressed their opinions about the ESMA in the media and other platforms of debate. These professionals considered that the ESMA debate remained too much circumscribed to a small group of human rights organizations and victims. They also questioned the proposals of the human rights organizations for the ESMA, which they considered too little oriented towards appealing to other sectors of society – including those who had once supported the military coup – and too much oriented towards transmitting a certain ‘truth’ about the past instead of towards raising questions. The human rights organizations saw these ideas as threats to the advances made in the struggle for memory throughout the years. This was visible in the debate on the proposal of CELS – supported by several professionals – to accept some levels of coexistence with the marines in the ESMA, but also in the discussions that arose on how narrow or wide the narrative of the ESMA should be.

Their fear of losing some of the terrain gained over the years led them to try to secure their control over the contents of the future museum. They tried to strengthen their political power over the decision-making process and distrusted both the interventions of ‘newcomers’ in the debate and autonomous decisions of the state with regard to the ESMA. Hilda Sábato used the word cerrazón (stubbornness) to refer to the attitude the human rights organizations adopted in this context. She observed ‘a worry that some demands will become blurred’, and linked this to the fact that ‘for a long time the [human rights] organizations have had to defend themselves’ (Interview HS 05.12.2006). Laura shared this opinion:

It seems to me that the majority of the [human rights] organizations do not recognize that they have won. There are battles that they have won. We did not win the battle of justice, but we are fighting it, and quite well. That is to say…we did not win the battle of truth, we did not win a lot of things, but as regards the official discourse on state terrorism, the human rights organizations have won. And they do not accept it. (Interview LB4 29.12.2004)

The consequence was that a dispute arose over who had the right to speak and decide about the past that became one of the major issues obstructing the debate, not only in the context of the ESMA, but also in other projects of memory construction, as we will see in the following section.

**Legitimacy disputes in the construction of memory**

The disputes that unfolded in the context of the ESMA over who has more right to speak and determine what and how to remember surfaced in all the spaces in which the contents and forms of remembering were discussed. They were a direct consequence of the growing number of actors involved in the debate on the recent past, a development that was enhanced by the national shift in policies from 2003 onwards, creating a political space to discuss the recent past that had not existed before. Professionals, younger generations, and state representatives increasingly participated in the debate on memory and their perspectives
regularly clashed with those of the human rights organizations and victims of the dictatorship. Confronted with this growing diversity of opinions, human rights organizations feared that some of their long-term demands would become blurred, and oscillated between including others in the debate and strengthening their political power to decide on matters of the recent past. This section will elaborate further on the legitimacy disputes that resulted from this situation, showing that they were not limited to the ESMA but also permeated other sites of memory construction. The first part deals with the wide range of opinions on what to remember that have been competing with each other in the public space in recent years. It shows how new actors in the debate challenged – consciously and unconsciously – the interpretation of the historical human rights organizations. This led to disputes over legitimacy criteria to speak about the recent past, which will be the subject of the second part. The part specifically focuses on the IEM as a setting in which this phenomenon found expression. These legitimacy disputes, finally, occurred in a context in which voices vindicating state terrorism and even verbal threats and acts of physical aggression against human rights activists and victims were increasing, an issue that will be discussed in the final part.

A multiplicity of memories

Memories of newcomers conflicted with those of the human rights organizations and victims of the dictatorship in various settings. One of the contexts in which tensions emerged was when human rights organizations and victims had to elaborate proposals jointly with professionals. Both groups often had different motivations and goals when working on memory, and this led to diverging ideas about what should or should not be included in a memory proposal. One setting in which these different criteria often clashed was the Memoria Abierta alliance. Memoria Abierta was created by the various human rights organizations in order to coordinate memory activities, but was composed merely of professionals, among them several historians. Differences regularly emerged between them and the members of the alliance on the contents of the work of Memoria Abierta. Illustrative of the different criteria applied is a dispute that unfolded over three educative CDs produced by the alliance. The three CDs treated the subject of the military dictatorship, its antecedents, and the struggle for truth, justice and memory that took place after the transition to democracy. In the period that the CDs were being produced, a discussion arose concerning the choice of the makers to use the term ‘assassinated’ to refer to the fact that guerrilla organizations put to death those that were considered their ‘political enemies’. The choice of this word incited the indignation of one of the human rights organizations, because it considered that it was too strong a term to refer to those acts (Interview 24.11.2006). Responding to the criticisms they received at the time, one of the historians who participated in the making of the CD replicated:

474 It started as an alliance of Abuelas, Madres LF, Familiares, FMHSA, CELS, SERPAJ, APDH and Buena Memoria. However, Abuelas and Buena Memoria left the alliance in 2004, and Familiares in 2006.
475 See chapter three.
Well yes, but because we have to talk of assassinations. That is to say, as a historian…it is the same discussion as when in the archive we had to include the victimizers. I, as a historian, tell you that we have to include them. However, they disqualified us, saying that there could be no victimizers because 'maybe they killed my son'. That is to say…these are incompatible matters when thinking of something collectively, because they are completely different levels. (Interview 05.12.2006)

Another field where the perspective of the human rights organizations clashed with that of other actors were the mixed commissions in which both state representatives and human rights organizations worked together, such as the pro Monument Commission or the IEM. From 2006 onwards, the internal functioning of these commissions was strongly affected by changes in the authorities at the local level of Buenos Aires following the destitution of Ibarra in March 2006. These changes led to important tensions between state representatives and human rights organizations. The interim government of Telerman appointed Gabriela Cerruti as the new Minister of Human Rights and Maria José Guembe as the new Under-Secretariat of Human Rights. They were not directly affected by the dictatorship, nor did they have any close relationships with the human rights organizations of relatives, as had been the case for Gabriela Alegre. They also voiced different priorities and expressed criticisms towards the human rights organizations. Both considered that the Under-Secretariat of Human Rights should address new violations rather than focus on projects on the memory of the dictatorship, as had been the case under Gabriela Alegre. Maria José Guembe was particularly critical of the numerous memory projects initiated throughout the city. She considered that projects like the Park and Monument of Memory or the recovery of Club Atlético initiated under Gabriela Alegre were too expensive, and that social and economic rights violated in the present had received too little attention (Interview MJG 21.11.2006). Evidently, this perspective clashed with the vision of the human rights organizations that had been among the initiators of these projects. The IEM became one of the main arenas in which these differences were staged.

The commemorations of the anniversary of the military coup on 24 March were yet another setting in which human rights organizations were confronted with new perspectives on what and how to remember. As we saw in chapter six, most of the human rights

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477 See chapter six for more information on the destitution of Ibarra.

478 Guembe had the ‘disadvantage’ of coming from CELS, which had difficulties with the rest of the human rights organizations due to its position on the ESMA. Cerruti was involved in a lawsuit with Estela Carlotto over her work as a director of the Comisión Provincial por la Memoria in La Plata. Cerruti was also a journalist, author of El Jefe: Vida y obra de Carlos Saul Menem (1993) and Herederos del silencio (1997) an autobiographic book on how she grew up as a middle-class adolescent during the military dictatorship. In 1998 she also conducted an interview with Argentine Navy Captain Astiz, in which he stated that he was the ‘best-equipped man in Argentina to kill a politician or a journalist’ (Tres Puntos, January 15, 1998). As a consequence, Astiz was charged with ‘provocation with dangerous social and political intent’, stripped of his military rank and status, and put into jail (Payne 2003: 170). In 2000, Cerruti became the executive director of the Comisión Provincial por la Memoria.

479 The shift in the focus of attention was also reflected in the fact that most of Cerruti’s time was spent in the Under-Secretaries of Economic and Social Rights (Interview MJG 21.11.2006). Cerruti also took part in different alliances than Alegre, seeking contact with social movements such as piqueteros organizations and organizations of immigrants, among others. She also started working with the Asociación Madres headed by Hebe de Bonafini, who was more active in accompanying projects focusing on social and economic rights than to issues related to the military dictatorship (Página/12, 17.08.2006; Página/12, 28.08.2006).
organizations considered that the commemoration was about remembering the crimes committed under the military dictatorship. For the political parties of the left, and social and political groups participating in the commemoration, however, it was a date to be used to draw attention to state abuse and failure in the present. These were fundamentally different conceptions of the significance of 24 March. An example of how these visions clashed were the debates on what attention the tragedy of Cromaño should receive in the commemoration of the thirtieth anniversary of the military coup.480 Leftist political parties and oppositional human rights organizations argued that the demands for justice for the relatives of the victims of Cromaño should be among the central slogans of the thirtieth anniversary of the military coup. The majority of the human rights organizations disagreed, because they considered that 24 March was not the appropriate date for commemorating such an event. Explaining their position, Tomás, a member of H.I.J.O.S., stated: ‘We were instructed to put Cromaño as the main slogan, while we wanted to talk about the trials, we wanted to talk about […] Ledesma, about the economic complicity, we wanted to talk about Patti, what I am saying is that 24 March can not be a synthesis of all the struggles, no, it is a concrete struggle, a concrete day, this day there was a military coup…’ (Interview TC 07.12.2006). For Isabel, former militant and collaborator of Abuelas, these discussions basically showed that 24 March was no longer the exclusive property of the human rights organizations (Interview IC 07.11.2006).

The groups contributing to resignifying 24 March also included younger generations who had not experienced the military dictatorship, and for whom it was a remote event that had only limited connections to their daily realities. These included young people living on the outskirts of the city in difficult circumstances. Their motivation for mobilizing on a 24 March was very different from those of the middle-class human rights organizations, even when they had become aware of the connections between the events of the dictatorship and human rights violations committed in the present. They were also actors that contributed to the construction of memory, as historian Federico Lorenz remarked in an interview with Página/12: ‘On Friday 24 March there was a big percentage of young people under 25 who might not share the same views that the relatives of the disappeared have about what 24 March should mean. In fact, there are various instances that intervene in the construction of memory’.483 Reflecting on how his students reframed the period of the dictatorship in their classes, Lorenz stated: ‘In general, I have worked in schools located in areas of high levels of unemployment and high rates of delinquency and violence, phenomena which, when being discussed, are described with the same forms of address that are used to describe the period of the dictatorship…’ (Carvalho et.al. 2004: 173). To these youths, there was no substantial difference between the violence they experienced on a daily basis and the events that

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480 See chapter six for information on Cromaño.
481 Ledesma refers here to the sugar company Ledesma, in the department of the same name in the province of Jujuy. The company is accused of having collaborated in several ways to the disappearance of workers in the nights between 20 and 27 July 1976 in the localities of Libertador General San Martín and Calilegua, province of Jujuy. This event is known as the Noche del Apagón, in reference to the outages that took place during these nights in these localities, and during which more than two hundred workers, students and neighbours were kidnapped. According to witnesses, vans of the company were used and the company’s own police also participated in the activities of the armed forces (Da Silva Catela 2003: 63-4; CONADEP 2003: 217-8).
482 Luis Abelardo Patti, the police officer-turned politician, see also part 1.3 of this chapter and chapter three.
483 Página/12, 27.03.2006.
occurred in the 1970s. Thus, a great diversity of visions on what to remember and how were surfacing, which did not necessarily correspond to that of the human rights organizations – which were also diverse – and victims of the dictatorship.

**Who has the moral rights to speak about the past?**

As we already saw in the case of the ESMA, besides causing debates between human rights organizations, these multiple visions on memory also led to tensions between the human rights organizations and victims of the dictatorship on the one hand, and newcomers on the other hand. These tensions found their expression in the mutual questioning of the legitimacy of each sector to express opinions about the recent past. The newcomers questioned the automatic legitimacy and authority of the human rights organizations and victims in the construction of memory. Human rights organizations responded by reaffirming this authority, pointing to their years of struggle. In this sense, it was not only a confrontation between victims and non-victims, but also between ‘militants’ – persons who had contributed to the struggle, participated in marches and opposed the governments in times of hardship – and ‘non-militants’. As was described in chapter four, these tensions also manifested themselves in the projects to recover former detention centres, such as El Olimpo, Club Atlético and Mansión Seré. The IEM was yet another field in which these issues found their expression. Bringing together professionals of memory, the authorities of the city governments, and the human rights organizations, it became one of the settings in which disputes over legitimacy took place.

Within the IEM, a conflict arose between several of the state representatives and human rights personalities involved on the one hand, and a sector that generally aligned with the representatives of the human rights organizations on the other. Each sector applied different legitimacy criteria. Illustrative of these different legitimacy criteria was the election of the executive director of the IEM. Of the three candidates selected, two were not victims, quite young, and had become involved in human rights and memory issues from a professional interest. The third candidate was a survivor of Club Atlético who had always been close to the human rights organizations. Furthermore, her mother had disappeared during the dictatorship and had been one of the founding mothers of the Plaza de Mayo. As a survivor of Club Atlético, she also actively participated in the recovery of this former detention centre, and she had been the president of the commission of human rights of the **Unión de Trabajadores de Prensa de Buenos Aires** (UTPBA). She was chosen from the three candidates. When one of the human rights representatives explained this choice, she mentioned this persons’ personal experience of disappearance and loss and her commitment to the struggle of the human rights movement from the very beginning as decisive elements (Interview 24.11.2006). However, some of the state representatives and professionals involved criticized the emphasis placed on victimhood and participation in the human rights movement in the final decision. One of them recalls: ‘…the [human rights] organizations that voted for [this person] stated that it was very important that she had been born into human rights. And I considered the fact that the other one (the other candidate) had chosen to be in human rights as being very important’ (Interview MC 30.10.2006).

The disputes within the IEM between those who aligned with the historical human rights organizations and those who did not found their expression in discussions over the procedures through which decisions were adopted. Those who did not always agree with the human rights organizations had the feeling that these organizations were using their majority
in the Consejo Directivo to push through decisions. A debate arose on the increasingly common practice to vote on decisions instead of reaching a consensus. According to one of the state representatives, this process was reinforced after the election of the executive director. She complained that one sector within the IEM, a majority of the human rights organizations, and the executive director adopted many decisions in informal settings outside the IEM. Furthermore, voting often took place in a hasty way, without having enough time to discuss certain issues at length. Thus she stated: ‘There is a certain degree of unease among some persons within the IEM, including myself, […] because I consider that we have not got to the bottom of discussions that, well, that deserve it, that deserve it because we are determining policies’ (Interview MC 30.10.2006). Similarly, another state representative stated: ‘We go there, we discuss, we always lose the voting […] because the voting was generally done at a moment when some members that were against the decisions that were about to be taken had already left; the truth is that the practices are very questionable in general’ (Interview 21.11.2006).

These disputes in the IEM were intensified by the fact that it also became the scene of disputes between the new authorities and the old ones. After Gabriela Alegre was forced to retire as a head of the Unidad Ejecutora Sitios por la Memoria, she continued to participate in the meetings of the IEM as a member of Buena Memoria. The relations between the new and the old authorities deteriorated rapidly, and positions crystallized around those who supported the new authorities and those who opposed them. The human rights organizations, with a few exceptions, explicitly supported Alegre. Guembe also politicized the issue, stating that the IEM was ‘politically opposed to us’, and that the human rights organizations and Alegre were delaying the concretization of activities in the IEM on purpose, ‘to annoy us’, as she formulated it (Interview MJG 21.11.2006). Human rights organizations, however, stated that the city government did not give the IEM the autonomy that was established in the law and that they were still influencing the process through the budget. Thus a representative of one of the human rights organizations recalled that the salaries of some of the employees of the IEM had not been paid months after their appointment. She accused the city government of blocking the budget for the IEM (Interview 24.11.2006). In general terms, human rights organizations considered that the new authorities were hampering the development of memory policies, and they voiced their opposition in the media as well as through small acts of protest.

According to Guembe, human rights organizations and victims used the fact that she and Gabriela Cerruti were not victims of the dictatorship nor had a long-term history of militancy in the human rights movement to question their legitimacy to speak on matters of the past. A small anecdote from a meeting in El Olimpo seems to confirm her impression.

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484 After Ibarra’s destitution Gabriela Alegre became head of the newly-created Unidad Ejecutora Sitios por la Memoria, an entity that would supervise and coordinate the different memory projects started in the city of Buenos Aires under the administration of Ibarra (El Olimpo, Atlético, Virrey Cevallos, Orletti, Park of Memory). However, as one of the only remaining Ibarrista representatives employed in the city government in a context in which the relations between Ibarra and the new Head of Government Telerman rapidly deteriorated, Gabriela Alegre did not last long. In August 2006 she was accused of keeping personal belongings of victims of the Cromañon fire in her office, and this led to her resignation (Página/12, 14.08.2006; Página/12, 15.08.2006; Página/12, 15.08.2006; Página/12, 15.08.2006).

485 Página/12, 15.08.2006. For example, when the local government annulled a tender to place the plaques with the names of the disappeared on the monument, they painted the names with aerosol on the walls of the monument as an act of protest (Página/12, 30.08.2006).
Trying to convince the Mesa de Trabajo y Consenso of El Olimpo to become part of the IEM instead of remaining under the supervision of the city government, the representative of one of the human rights organizations stated that the IEM had the advantage of being composed of persons that ‘represent us’. He backed this up with the argument that the director was a survivor of Club Atlético. The issue, he stated, was ‘talking to her or to Gabriela Cerruti’. This type of situation led Guembe to state that the conflict between the human rights organizations and the new authorities was really about ‘who carries the commitment in their blood and who doesn’t’ (Interview MJG 21.11.2006). Similar mechanisms were not confined to the IEM and were symptomatic for the way disputes on memory were settled. Thus, reflecting on the debates in the ESMA Lorenz stated:

And, what one encounters is… […] this, the predominance, to a great extent, of criteria of legitimacy for speaking, which have to do with the proximity to the violation of a right, of a relative who lost his life or a victim in terms of being a survivor. These are legitimacies that might leave out those who have an interest and a genuine training but who, between brackets, can not show this legitimacy. To a great extent these things are settled in this way […] still. (Interview FL 05.12.2006)

According to one of the state representatives participating in the IEM, the attitude of the human rights organizations was partly due to the fact that human rights organizations came from ‘a long trajectory of working alone, without the presence of, let’s say, representatives of the government, this is a new experience, that of sharing…sharing spaces, and I think that it is not easy for some members of the [human rights] organizations to have to share with others who do not have the same…who do not come from the same [experience]’ (Interview MC 30.10.2006). Many human rights activists felt that newcomers questioned their authority, and did not sufficiently recognize the moral rights they had earned over time through their struggles. But a lot also had to do with how some of these newcomers positioned themselves with regard to the human rights organizations. Victoria, daughter of a disappeared couple, pointed to the fact that the frictions often arose because newcomers took it for granted that they had the same rights to express their opinions as those who had been struggling for memory for thirty years. ‘I can imagine that this might lead to frictions’, she expressed cautiously (Interview VG 22.11.2004). There was sometimes a tendency, among newcomers, to privilege their own voices above that of the victims or of the human rights organizations.

The fear for denial

Importantly contributing to a certain tendency to close ranks among human rights organizations, was their constant preoccupation that some of their achievements in the struggle for truth, justice and memory were only temporary. Few shared the perspective of organizations like CELS, that stated that ‘some battles had been won’ (Interview LB4 29.12.2004). On the contrary, they saw many signs that there was still a long way to go. Reflecting on the possibility of opening up the debate on what to do in the ESMA, Mariana, daughter of a disappeared couple, stated that she doubted whether it would be possible. She recalled a conversation she had with a woman who called Abuelas to denounce a possible case of disappeared children, stating that ‘these kids can be children of disappeared because

486 Meeting of the Mesa de Trabajo y Consenso of El Olimpo, Fieldnotes, 11.11.2006.
they are of the time of the “subversion”. Mariana stated: ‘I can not sit down and talk about what we are going to do with the museum with a woman who talks like that’ (Interview MP2 07.01.2005). Others pointed to the proposals the bipartite received for the ESMA to explain why they lacked confidence in an open process. Several of the proposals came from conservative sectors who insisted on the need to construct a museum of the ‘complete memory’, including the victims of the guerrilla. Some gave it a content that had nothing to do with the history of the dictatorship, such as the proposal to convert the site into a ‘Garden of native plants’.487 Reflecting on this situation, Andrés, one of the guides at the ESMA, stated: ‘…it is difficult to make it an open process, because anybody comes in and anybody says anything. So it is very complicated’ (Interview AC 27.11.2006). To the human rights organizations and victims, there were too many signs of denial of state terrorism, and too few guarantees that the state would pursue similar policies if a change in the administration occurred.

These fears were reinforced by the general context in which denial and verbal and physical threats against victims, human rights activists, and judges were resurfacing as a consequence of the human rights trials. Denial of state terrorism occurred as much outside the judiciary as inside it. There were still numerous judges and other employees of the judiciary who had served during the dictatorship years. There were also particular areas within the judiciary that remained extremely conservative and managed to find ways to block the trials that were reinitiated from 2003 onwards. In Buenos Aires, the most well-known were the National Chamber of Criminal Appeal and the Federal Chamber of San Martín. The National Chamber of Criminal Appeal, which was the highest penal tribunal of the country, was composed of various judges with links either to the military regime or to Menem in the 1990s. Among them, one of the most vocal was judge Bisordi, who accused one of the survivors of the ESMA of being a ‘terrorist delinquent’. This brought him a warning from the Judicial Council. Bisordi and the other judges working for the National Chamber of Criminal Appeal managed to seriously delay the trials. This led the judicial council to initiate impeachment procedures against these judges in 2007.488 The Federal Chamber of San Martín was also famed for its links to the military. It confirmed this reputation when it declared that the annulment of the impunity laws was unconstitutional because the Congress did not have the authority to annul laws.489 This judgement delayed the causes that had to pass through this Federal Chamber. Finally, the defence of the prosecuted regularly questioned the credibility of the witnesses and presented arguments to justify the repression as necessary to keep the peace in the country.

Similar strategies were used outside the judiciary as well. On the website La Historia Argentina Completa, for instance, an article entitled: ‘Credibility of the witnesses’ is entirely dedicated to one of the witnesses in the ESMA cause.490 The same strategy was applied in the various books intended to deconstruct the argument of state terrorism.491 Furthermore, conservative forces who criticized the decision to annul the impunity laws used legal

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488 Página/12, 01.04.2007.
490 See http://lahistoriaargentinacompleta.blogspot.com/2007/12/credibilidad-de-los-testigos-caso-ana.html
arguments that recalled those of the Federal Chamber of San Martín. Thus in one of the articles of *La Nación* reflecting on the annulment of the laws, Felix Lonigro wrote: ‘Those who benefited from the exonerative laws – and therefore were not condemned – also acquired rights that can not be ignored by the Congress, a body that in no way can erase the effects of a regulation sanctioned previously. At the most, it can repeal it, but always looking to the future. The contrary would be an extremely dangerous precedent for the juridical security of citizens’.  

The argument was also repeated in the editorial of that same newspaper: ‘The annulment of a law by the same body that enacted it establishes an absurd [precedent] in the constitutional area and strikes a damaging blow to juridical security’. These arguments were further strengthened by recalling the fact that there had been a serious threat from ‘subversion’ in the 1970s, and that it was necessary to let the past rest so as not to open ‘old wounds’. Thus the same editorial in *La Nación* stated: ‘One should not permit the wounds of the past to be reopened, nor allow the hatreds that shed blood over Argentine life in previous times to be revived’.

Criticisms turned into acts of aggression as the judiciary advanced further in its pronunciations on the nature of the crimes committed under the military regime. An important hallmark in this context was established with the ruling of judge Rosansky in the trial against ex-commissioner Etchecolatz. In the judgement, it was argued that what had happened in Argentina during the 1970s was genocide. The statement spoke of an ‘ethical and juridical need to recognize that genocide had taken place in Argentina’. The crimes committed by Etchecolatz were, according to the judgement ‘against humanity and committed in the context of the genocide that took place in our country between 1976 and 1983’. The concept of genocide was not recognized by Argentine jurisdiction. But the affirmation was still an important advance in the recognition of a particular interpretation of the events that had taken place in Argentina in the 1970s. Various lawyers pointed out the importance of the inclusion of the concept of genocide in the judgement. Reflecting on the significance of the sentence journalist Sandra Russo wrote:

> This word (genocide) marks with the fire of truth what happened during the dictatorship and, issued through a juridical ruling, it incorporates it into the patrimony of the future common sensibility of Argentina. In the schools, in the next decades, all the children will be studying this genocide. And that’s it. There were not two demons, there was no civil war, prisoners were not taken to court; there were tortures, there were clandestine centres, there was theft of children.

A year later, in May 2007, the sentence proved also to have juridical consequences in Tucumán. According to *Página/12*: ‘The precedent of the condemnation of Etchecolatz, which adopts the concept of genocide, made it possible for the judiciary of Tucumán to widen the inquiries

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492 *La Nación*, 15.08.2003.
494 *La Nación*, 15.08.2003.
498 *Página/12*, 08.10.2006.
to repressors like Bussi. A “milestone” in a province where the army never even accepted that the disappeared existed.499

The characterization of events in Argentina as a genocide was also a hallmark in a debate that had been going on both within the judiciary and outside it concerning how appropriate the concept was for the case of Argentina. Some intellectuals questioned the use of the concept of genocide to refer to the repression in the 1970s. They departed from the narrow definition adopted by the United Nations in 1948, which excluded political and social groups from the category of victims of genocide, and stated that, given the political character of the repression in Argentina, this could not be characterized as genocide. Sociologist Silvia Sigal (2001: 63), for instance, characterized the notion of genocide as one particular category of crimes against humanity: the deliberate destruction of human beings for what they are, independently from what they think or do. She argued against the initiatives of some members of the judiciary, such as judge Garzón in Spain, to expand the concept of genocide to include political groups. To her, this would have the consequence of destroying the specificity of the concept of genocide, and dissolving it into a more general category, that of political massacres. This debate was not new. In fact, the first definition adopted through resolution 96 in December 1946 explicitly included political groups as a category, but it was eliminated from the second definition adopted in 1948.500 At the time, however, this was merely a political choice, because several of the member states could have easily been accused of genocide if the concept had been expanded to include political groups (Vezzetti 2002: 158). The same debate also took place within the judiciary, as some judges, like the Spanish judge Garzón, pleaded for a wider interpretation while others, like the Argentine judge Cavallo, preferred to use the concept of ‘crimes against humanity’.

Until the judgement of Etchecolatz, the broader understanding of the concept of genocide was only used in the trials against the Argentine military and policemen that were conducted in Spain. The judgement in the trial against Etchecolatz was the first one to officially characterize events in Argentina as genocide. But these advances went hand in hand with a backward movement which started with the disappearance of witness Julio López one day before the sentence was pronounced.501 During the trial, witnesses had already received threats. After the disappearance of Julio López, threats against witnesses and human rights organizations and activists increased. They also extended to the judges who had condemned Etchecolatz, as well as to a dozen other judges and fiscals who were investigating the crimes committed in the 1970s.502 There have also been various cases of physical aggression against witnesses in other trials, such as the case of Luis Gérez in December 2006,503 and the case of Juan Puthod in May 2008.504 The disappearance of Julio López led the government to develop a plan for witness protection, and caused human rights organizations and lawyers to search for juridical means to speed up the trials. This context of renewed insecurity and denial of state terrorism strongly contributed to the defensive attitude of human rights organizations and victims.

499 Página/12, 13.05.2007.
501 See chapter six.
502 Página/12, 28.09.2006.
503 Página/12, 29.12.2006; Página/12, 30.12.2006.
504 Página/12 02.05.2008.
Conclusion

The presidential decision to relocate the ESMA and convert it into a museum for memory, or ‘Space for Memory and Human Rights’, was a response to a historical demand from human rights organizations. Human rights organizations and sympathizers unanimously considered it as an achievement and result of their persistence against all odds. The national government recognized this, and the human rights organizations were given a central role in the debates on the future ‘Space for Memory’ in the ESMA. But the national dimensions of the ‘Space for Memory’ and the symbolic importance of the ESMA in the memories of state terrorism also stimulated an intense debate that did not only involve the human rights organizations, but also a wide range of other actors. These included state representatives, journalists, intellectuals and professionals working on memory. Some had a longer trajectory of supporting the demands of the human rights organizations, but others had only recently entered the debate. The participation of these newcomers occurred in a political context in which the state was playing an increasingly active role in the production of a public memory. In this public memory, the point of departure was the condemnation of state terrorism. However, the pro-active role of the state also revived the discourse of sectors that vindicated the repression and refused to recognize state terrorism. This mix of factors led to a situation in which how to remember the past and what elements should be included in a public memory became central issues of debate. This also led to disputes over who had the legitimacy to decide about these issues. The ESMA became one of the central arenas in which these disputes found their expression.

The debates that emerged in this context evolved around a number of issues. They were concerned with different interpretations of the past, varying perspectives on how inclusive memory should be, and why it was important to have a ‘museum of memory’ in the first place. Some proposals sent to the bipartite commission were incompatible with each other and there was no clarity about who would decide what to do in the ESMA. This situation led to disputes over who had the legitimacy to speak about the past. Increasingly, a dividing line emerged between victims and human rights organizations who had been demanding for truth, justice and memory from the very beginning of the military dictatorship, and newcomers in the field. The dividing line was also one between activists, who had explicit political intentions when remembering the past, and professionals of memory, who pleaded for more distance. All these issues played a role in a number of central debates. One debate was on whether the marines could eventually keep part of the plot or whether this was considered unacceptable for being a message of ‘reconciliation’ in a context in which justice was still lacking; another debate evolved around whether the focus in the ESMA should lie in its function as a secret detention centre, a testimony of the repression, or whether it should go beyond the repression and be a ‘national museum of memory’; a third debate was about the narrative to be told in the future museum, and more specifically, about what limits were to be set to the multiplicity of memories of the recent past. Finally, a debate evolved around the role of the state in the process of memory construction: should it be an actor in its own right in the debates on the content, or should this be left to civil society?

Although some of these debates were specific for the ESMA and the future space for memory, many of the underlying issues were representative of processes that were taking place beyond the ESMA as well. Differences over the content of memory and how to remember, and the subsequent disputes over who had the moral right to speak about the
recent past, were particularly strong in the context of other memory projects. In many of these sites of memory construction, the vision of newcomers clashed with that of the historical human rights organizations and victims. The fear of losing control over the contents of memory led them to search for means to strengthen the position they had acquired over time. The IEM was one of the fields in which these disputes took place. Here the discussions echoed those taking place in the context of the ESMA, while at the same time being strongly influenced by these debates. Furthermore, changes at the level of the government of Buenos Aires contributed to creating tense relations among the different representatives participating in the IEM, showing how shifts in political leadership could substantially influence the work of the mixed commissions working on memory in the city of Buenos Aires.

Besides the growing heterogeneity of visions among the actors struggling for memory, the general political context also offers an important clue to understanding why human rights organizations tended to close ranks and consolidate what they had achieved. This context was one in which initiatives for memory, truth, and justice, were increasingly confronted with voices denying state terrorism and pleading for a ‘complete memory’. These voices became stronger as both the Kirchner administration and the judiciary advanced in the condemnation of state terrorism. The juridical realm became the central arena in which those who condemned state terrorism and those who denied it confronted each other. The strength of the voices that continued to deny state terrorism and to demand a ‘complete memory’ – voices that were also accompanied with verbal and physical threats against human rights activists, witnesses and members of the judiciary – was a permanent source of preoccupation for human rights organizations. It led them to search for means to protect what they had achieved over time, and to resist interpretations that challenged some of the key issues that they had been struggling for throughout the years. They considered that there were ‘historical truths’ that could not be questioned and feared that opening up the debate too much would be undermining, especially in a context in which opposed memories were looming once more.