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Semana contra la Impunidad: week against impunity in Uruguay

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Despite its long-standing experience with democracy, during the 1970s and 1980s Uruguay – like its neighbours in the Southern Cone – fell under the spell of military rule and political violence.

Starting with Brazil in 1964, the whole region witnessed waves of authoritarian takeovers by the Armed Forces and the following consolidation of dictatorial regimes that employed policies of state terror inspired and sustained by the National Security Doctrine.

In Uruguay, the military coup of 27th June 1973 was the culmination of a slow-motion takeover and of the progressive loss of freedoms and liberties, whose origins dated back to the late 1960s with the adoption of the first authoritarian measures by the then democratically-elected government of President Pacheco-Areco.

The civilian-military regime that ruled Uruguay between 1973 and 1985 was the most totalitarian of the region, it being the only one to categorise its citizens as A, B, or C according to their political reliability, giving each a letter of designation of democratic faith.

As in Argentina and Chile, the Uruguayan regime adopted policies of repression and fear, whose defining features were the employment of mass prolonged imprisonment and systematic torture. The victims' toll was unprecedented: over 200 people disappeared, one in every fifty was detained and there were over 4,000 political prisoners held long-term by the state, while more than 300,00 Uruguayans – out of a population of less than three million – left for exile. In the late 1970s, Uruguay earned the macabre title of the 'Torture Chamber of Latin America' and had the highest percentage of political detainees per capita in the world.

Upon democratization in the mid-1980s, the newly elected government adopted policies of silence and oblivion in relation to the horrors and political violence of the recent past. President Sanguinetti's slogan 'no hay que tener los ojos en la nuca' (you should not have eyes at the back of your head) embodied this approach, presenting what had occurred during the dictatorship as not warranting the attention of either the political establishment or society. The victims' trauma was thus doubly sealed: the inability of recounting the 'unimaginable' already rendered difficult the transmission of limited experiences like torture – even to loved ones. In addition to that, state policies of oblivion and amnesia silenced the victims' voice, often negating what they had endured and restricting these discussions to the reduced circles of human rights activism.

The adoption of the Ley de Caducidad de la Pretensión Punitiva del Estado (Expiry Law) on 22 December 1986, exonerating military and security personnel from accountability for human rights abuses committed before March 1985, confirmed the government's stand. The Law sets up an astute system, according to which the Judiciary always needs to consult the Executive whenever cases relating to past human rights abuses are presented to the courts. The Executive is only empowered to decide on a case-by-case basis whether it can be investigated or it falls under the Law's remit. Unsurprisingly and very much in line with the government's policies, all the cases presented until the early years of the 21st century were always included within the Law. Over time, the Expiry Law has therefore become the symbolic embodiment of impunity itself – although impunity has deeper and stronger roots than simply the amnesty law.

The story of transitional justice in Uruguay sees two protagonists. The executive – who wished to cover the crimes of the past under a mantle of silence and oblivion, and did so until 2003 when the first official institution (a truth commission) was created to investigate the fate of disappeared-detainees. And civil society – the only actor to consistently mobilise and lobby to progress on truth and justice regarding political violence. Indeed, two grassroots initiatives were the only ones to enable the public questioning of the Expiry Law which was submitted to public vote twice, firstly in a referendum in 1989 and later in a plebiscite in 2009. Both instances failed and the Law remains in force at this time.

This month, the fight against impunity in general and against the Expiry Law in particular is gathering momentum once again in Uruguay. On June 8, 9 and 10, a three-day human rights conference (Jornadas de Políticas Públicas de Derechos Humanos

en el Uruguay: Memoria, Justicia, Reparación), organised by the Faculty of Psychology and the association of former political prisoners CRYSQL, was held, featuring both public evening lectures and afternoon seminars on questions such as Memory, Justice, Reparations, the Expiry Law, the Gelman case before the Inter-American Court of Human Rights and, more broadly, on the fight against impunity in Latin America.

This week marks the anniversary of the coup and various human rights, social, trade union, student and political associations – organised under the umbrella group Todos y Todas contra la Impunidad (Everyone against Impunity) – are holding a Semana contra la Impunidad (Week against Impunity), to inform, mobilise, raise awareness, reflect, and reaffirm the commitment to human rights and the fight for their fulfilment and achievement.

Running between 21 and 25 June, the calendar of activities of the Semana is rather full, including a movie projection, a two-day international symposium on human rights and state terrorism with speakers on themes like the Expiry Law and International Law, Society and the Armed Forces, the Recuperation of Clandestine Detention Centres and the Economic Model of the Dictatorship. The week-long event culminates in a march from Liberty Square towards the Legislative Palace on Friday 25 June at 6pm under the slogan 'SIGUE SIENDO INJUSTA. Derogar es complicidad. Anular la ley de impunidad' (The Law remains unfair: Derogating means being an accomplice. Repeal the Impunity Law).

On the 37th anniversary of the military takeover in Uruguay, the Semana demonstrates once again how parts of Uruguayan society forcefully reject the culture of impunity inherited from the dictatorship and later strengthened by successive constitutional governments, which refused to comply with their obligation to provide redress to the victims and investigate the crimes of the past. Once again, civil society organisations are the only ones that – just like during the past three decades – continuously challenge the state of impunity and push for the clarification of the truth, the achievement of justice and reparation, and the strengthening of memory, to finally fulfil the regionally famous commitment of Nunca Más (Never Again).

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