

“De Luz y Lucha” in Uruguay: Contesting the International History of Human Rights

By

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Acronyms

American Bar Association	ABA
Amnesty International	AI
Asociación de Estudiantes de la Enseñanza Pública	ASCEEP
Centro de Estudios Legales y Sociales	CELS
Centro de Informaciones y Estudios de Uruguay	CIESU
Committee to Protect Journalists	CPJ
Communist Party of Uruguay	CPU
Consejo de Seguridad	CONSENA
Concertación Nacional Programática	CONAPRO
Convención Nacional de Trabajadores	CNT
Convergencia Democrática Uruguay	CDU
Corriente Batllista Independiente	CBI
Dirección Nacional de Relaciones Públicas	DINARP
Federación de Estudiantes Universitarios del Uruguay	FEUU
Foreign Military Sales	FMS
Frente Estudiantil Revolucionario	FER
General Assembly	GA
Grupo de Convergencia Democrática en Uruguay	CDU
Grupo de Información Sobre Uruguay	GRISUR
Gross Domestic Product	GDP
Import Substitution Industrialization	ISI
Instituto de Estudios Legales y Sociales	IELSUR
International Commission of Jurists	ICJ
International Monetary Fund	IMF
Izquierda Democrática Independiente	IDI
Lesbian, Gay, Bisexual, Transgender	LGBT
National Pro-Referendum Commission	CNPR

Organization of American States	OAS
Partido Comunista de Uruguay	PCU
Partido Socialista de los Trabajadores	PST
Plenario Intersindical de Trabajadores	PIT
Policy Review Memorandum	PRM
Servicio Paz y Justicia	SERPAJ
Social and Cultural Association of Uruguay	ASCU
Study Group on the Situation of Women	GRECMU
Supreme Court of Justice	SCJ
Universal Declaration of Human Rights	UDHR
United Nations	UN
United States Agency for International Development	USAID
Washington Office on Latin America	WOLA

Map



From Public Domain Maps at PAT, Portable Atlas.

Undated, on a piece of loose leaf paper, this poem was written by “Gabriel” to mathematician José Luis Massera in 1984 after his release from years of imprisonment:

Levante los ojos,
Compañero
Desdoble su espalda
Viejo obrero
Que aquí lo esperamos
Yo y mis sueños
Que aquí lo esperamos
Que juntos iremos
Por caminos

La certeza de una mañana
Y por eso
De nuevo venceremos¹

De luz y de lucha

Su destino
Llevando el corazón en bandolera
Y en nuestras manos
Vibrante la bandera
La bandera del rojo
De la sangre
La que busca borrar
Por siempre el hombre
Lo que busca y podré
Matar las guerras
La que alumbra el futuro
La indomable
Y si hay que pelear
Con ella iremos
Haremos la brigada
De lo nuevo
Y contra la violencia
Y los tiranos
Usted, yo y la bandera
Venceremos
Porque somos
La vida
Y la alegría
Pues somos
La libertad y el raciocinio
Pues somos
La esperanza y el anhelo
Pues somos

¹ Letter to Massera, nd, Folder A: Saludos Liberación, 1984-1985, Box 7, Archivo General de la Universidad., Montevideo, Uruguay.

Introduction

On 20 May 2014, thousands of Uruguayans silently marched down *Avenida 18 de Julio*, the busy main street of Montevideo, Uruguay's capital city. Usually a bustle of activity, the street had been cleared of traffic for the night. For the eighteenth straight year, Uruguayans gathered to protest governmental impunity for the perpetrators of crimes during the nation's military rule, which lasted officially from 1973 to 1985. During that time, the military imprisoned one in every fifty people, resulting in the highest rate of political incarceration in the world. Hundreds more were 'disappeared', or taken by the military and never heard from again.¹ As the decades passed, information about *los desaparecidos* (the disappeared) was still unknown in many cases, prompting thousands of Uruguayans to gather each year to protest the continued silence. Normally filled with conversation, honking car horns, and commotion from the shops and restaurants, the only sounds during the demonstration were the patter of light rain as the names of los desaparecidos were read over a loudspeaker, followed by the collective response of "*presente.*"

Las Madres y Familiares de los Detenidos y Desaparecidos del Uruguay (The Mothers and Families of Uruguay's Detained and Disappeared) began organizing the event in 1996 to commemorate two Uruguayan politicians who were murdered by the military in Argentina twenty years prior, during the height of the dictatorship. Madres y Familiares had been one of the first groups to organize against the human rights violations in the 1970s and 1980s. Decades later, they were joined by a variety of groups and individuals who were still seeking clarity about the torture, political imprisonment, and disappearances of their loved ones. On their website to publicize

¹ More than 10 percent of the Uruguayan population also fled the country in fear, which totaled between 300,000 and 400,000 people in a nation of just over 3 million. As journalist Lawrence Weschler noted, "[T]he sheer scope of this emigration, detention, and incarceration...only begins to suggest the extent of the military's absolute rule of Uruguayan daily life during the military dictatorship." Lawrence Weschler, *A Miracle, A Universe: Settling Accounts with Torturers* (Chicago: University Of Chicago Press, 1998), 88.

information about the march, Madres y Familiares explained that the group was honoring “the victims of the dictatorship and protest[ing] the human rights violations.”²

In May 2014, I was four months into my research year in Uruguay. I had spent a majority of my time thus far in the archives, a loose term that describes a range of holdings, from the moderately organized files of the Ministry of Foreign Affairs to the decaying papers found in the back room of human rights organizations that had been saved but not attended to in many years. Attempting to discover how Uruguayans, transnational advocates, and U.S. foreign policy makers had grown to understand and use a discourse of human rights to address the massive violations that took place in Uruguay from the mid-1960s through the 1980s, I had come across startling, horrific, and resilient stories of individuals that both challenged and confirmed narratives about the growing importance of human rights internationally during the dictatorship. When I found myself at the march down Avenida 18 de Julio on a chilly and wet night, I realized that the names and images of the people from the documents I had been reading surrounded me on the eerily silent street. Their family members held printouts of their faces which had been used over and over again during so many of these marches and protests. The fight over what human rights meant and whether there would be accountability for decades-old violations was not an issue confined to the past, but a battle that lived on within Uruguayan society, governmental departments, and international courtrooms.

As I write this in June 2016, the march has just occurred again, marking its twentieth occasion. The language of human rights in Uruguay has expanded over the past two decades to describe much more than the crimes of the dictatorship. In the last few weeks alone, writers and

² “Marcha del Silencio,” Proyecto Desaparecido, accessed 17 June 2016, <http://desaparecidos.org.uy/marcha-del-silencio/>.

activists in Uruguay have invoked the concept of human rights in the name of the nation's international groundbreaking legalization and regulation of marijuana; lesbian, gay, bisexual, and transgender (LGBT) rights; and even the country's legal battle over restrictions put in place to limit Philip Morris's tobacco advertising.³ However, this was not always the case. Prior to the 1960s, *derechos humanos* was an infrequently invoked term. Uruguayan politicians had championed the cause of human rights in the 1940s in relation to the founding of the United Nations and the writing of the Universal Declaration of Human Rights, to which Uruguay was a major contributor.⁴ Very infrequently, though, had human rights been used in a domestic context. This began to change in the 1960s when Uruguayans confronted economic crises and political deadlock. Calling into question the country's commitment to its democratic values, Uruguayans began to battle over their ideas of social justice. These debates continued throughout the nation's descent into dictatorship and its difficult but eventual transition back to democratic rule. This dissertation explores how human rights emerged as a powerful language during this tumultuous period in a national context and how Uruguay's experience contributed to, and was influenced by, a general emergence of human rights internationally. Uruguay's particular encounter with authoritarian rule and the struggle for accountability has much to add to discussions of how human rights resonate and are adopted within a society.

³ Andra Lenart, United Nations General Assembly Special Session 2016, accessed 16 June 2016, <https://twitter.com/andraslenart/status/722496422495588352>; "Uruguay: en una primera etapa, serán 50 las farmacias que vendan marihuana legal," accessed 16 June 2016, <http://miradaprofesional.com/ampliarpagina.php?npag=3&id=1744>; Dignity Initiative, accessed 2 June 2016, <https://twitter.com/InfoDignity/status/738390772131737601>; "Guia para sistema libre de homofobia," *La Republica*, accessed 10 June 2016, <http://www.republica.com.uy/guia-para-sistema-libre-de-homofobia/571010/>.

⁴ Carnegie Endowment for International Peace, *Uruguay and the United Nations* (New York: Manhattan Publishing Co., 1958); Kathryn Sikkink, "Latin American Countries as Norm Protagonists of the Idea of International Human Rights," *Global Governance* 20 (2014), 391; Mary Ann Glendon, "The Forgotten Crucible: The Latin American Influence on the Universal Human Rights Idea," *Harvard Human Rights Journal* 16 (Spring 2003): 27-39.

The Uruguayan case is especially interesting because of the country's apparent setback in "human rights progress" during the 1980s. The decade began with an unexpected victory after citizens voted "no" on a plebiscite that would have increased the military's power, and ended with a defeated attempt to overturn the nation's amnesty law.⁵ While most human rights narratives explain a slow and inexorable build-up of human rights in the international sphere, Uruguay seemingly provides a counterexample to the global history with its advances and setbacks occurring in a non-linear and unprogressive manner. My project explores what role, if any, human rights played in explaining Uruguay's circuitous and challenging transition back to democratic rule. In this way, my dissertation addresses the changing political setting during the 1980s and the shifting international human rights environment. Also, and most fundamentally, my work examines how different groups of activists understood and utilized this new discourse throughout this period.

To understand the transition, my dissertation explores three main temporal periods. It starts with an examination of the political and social justice visions of various leftist groups during the pre-dictatorial period in the mid-1960s until 1973. It then examines the emergence of a human rights language in the 1970s that cohered around a specific set of violations, mainly political imprisonment, torture, and disappearances. Lastly, it focuses on the 1980s, a transitional decade during which the human rights discourse expanded as activist groups advocated for various and sometimes conflicting rights. Many times in this period, activists and politicians did not concentrate on justice for the limited set of human rights from the 1970s, but instead confronted

⁵ In this way, Uruguay inherently challenges any heroic narrative of human rights. Weitz and Hoffman have both advocated for this approach. Eric Weitz, "From the Vienna to the Paris System: International Politics and the Entangled Histories of Human Rights, Forced Deportations, and Civilizing Missions," *American Historical Review* 113 (2008): 1313–43; Stefan-Ludwig Hoffmann, *Human Rights in the Twentieth Century* (Cambridge University Press, 2010).

the various problems of the post-dictatorship social landscape such as worker, educational, and gender rights. In essence, the language of human rights in Uruguay initially emerged with a narrow focus on basic tenets of human survival and dignity. As consensus fractured among various civil society groups, the discourse expanded to include social and economic rights as well.

By first examining the pre-dictatorship articulations of a just Uruguayan society, and then examining the transitional period, I demonstrate how, during the 1980s, these social and economic rights were not new ideas; rather, the language of human rights often helped give force to a set of rights that were deeply rooted in earlier ideas of social justice in the pre-dictatorial period. These groups did not abandon the 1970s vision of human rights that centered on torture, disappearances, and political imprisonment. In fact, unions and student groups were often critical partners to groups like Madres y Familiares. However, during the difficult transitional period, these groups also focused on other pressing issues of concern, particularly in response to the military regime's neoliberal project. The challenges of reconstructing a democratic society in the post-dictatorship period exposed fault lines between various governmental and nongovernmental groups over their visions for Uruguay's future. This dissertation demonstrates that the emergence of human rights was not just a vernacularization process, nor the neat import of discourse from international treaties to suit Uruguayan needs.⁶ Rather, community adoption of international principles has proven remarkably flexible; this process is quite interactive between the local and global.⁷ The longer view about the origins of human rights elucidated in this project helps to explain how a human rights vocabulary gave power and legitimacy to groups that were moving away from a

⁶ Sally Engle Merry, *Human Rights and Gender Violence: Translating International Law into Local Justice* (Chicago: University of Chicago Press, 2006).

⁷ Steve J. Stern and Scott Straus, eds, *The Human Rights Paradox: Universality and Its Discontents* (Madison: University of Wisconsin Press, 2014), 10–11.

revolutionary framework for advocacy into a period of democratic transition. These Uruguayan activists still advocated for a social justice vision predicated on earlier concerns that could be understood as social and economic rights, but now often articulated it within a global language of human rights.⁸ My project demonstrates that one of the biggest shifts in moving toward a human rights framework was the change in understanding these claims from a collective rights perspective to an individual rights language in the 1970s, and attempts to mediate these two articulations of rights in the 1980s.

Critically, this project shifts away from equating human rights with anything vaguely good or moral, and moves toward understanding human rights as a conceptual and ideational tool—a resource in social struggles that can differ according to specific historical circumstances.⁹ However, the paradox herein lies in the fact that as many groups expanded the way human rights were utilized to recapture earlier visions of social justice from an individual rights frame, other tenets of human rights lost some of their domestic force, which included justice for past abuses. This dissertation thus explores both the power and contradictions that emerged out of Uruguay’s experience with human rights.

Historiography

A transnational history of human rights from the perspective of Uruguay has much to add to several distinct bodies of scholarship. From the international perspective, many scholars have

⁸ Luis van Isschot, *The Social Origins of Human Rights: Protesting Political Violence in Colombia’s Oil Capital, 1919–2010* (Madison: University of Wisconsin Press, 2015), 10. Van Isschot explains a similar phenomenon of how protestors in Barrancabermeja turned toward a human rights vocabulary as a form of resistance to political violence even though the language in the 1980s was a discursive shift from previous decades of activism that were based on social and economic rights.

⁹ Cmiel makes a persuasive argument about the abstractness of human rights in the current literature in his foundational article. See Kenneth Cmiel, “The Recent History of Human Rights,” *American Historical Review* 109 (February 2004): 119.

debated the origins of human rights. While historians like Lynn Hunt trace the beginning of a human rights discourse back to the 18th century, others look to the 1940s with the creation of the Universal Declaration of Human Rights (UDHR) and the flurry of activity following the atrocities of World War II.¹⁰ More recently, historian Samuel Moyn, among others, articulated a powerful argument that locates the 1970s as the modern birth of human rights.¹¹ Uruguay's experience does not fit neatly into any one categorization. Its earliest conception as a modern nation-state was predicated on a set of collective *and* individual rights first granted under José Batlle y Ordoñez in the early twentieth century. The small nation was a major contributor to the founding of the United Nations (UN) and made arguments for an early International Bill of Rights. The country attracted significant attention from international organizations in the 1970s as the country suffered under massive abuses. All the while, a domestic human rights movement as such did not exist until the 1980s. Even in the 1980s, human rights emerged as a powerful movement, yet also endured disastrous setbacks with amnesty laws, continued violations, and failed referendums. This longer history of Uruguay's experience in rights claims speaks to the value of a non-teleological and anti-triumphalist narrative of human rights, rather than a focus on a singular origins moment.

Another body of literature more specifically addresses how the concept of human rights gained force within transitional societies, focusing on how justice arose as a new international norm that gained force in the global arena.¹² Kathryn Sikkink's work is one example that argues

¹⁰ Lynn Hunt, *Inventing Human Rights: A History* (New York: W. W. Norton & Company, 2008); Elizabeth Borgwardt, *A New Deal for the World: America's Vision for Human Rights* (Cambridge: Belknap Press of Harvard University Press, 2005); Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York: Random House, 2001); Kirsten Sellars, *The Rise and Rise of Human Rights: Human Rights and Modern War* (Gloucestershire: Sutton Publishing, 2002).

¹¹ Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge, MA: Belknap Press of Harvard University Press, 2010); Jan Eckel and Samuel Moyn, *The Breakthrough: Human Rights in the 1970s* (Philadelphia: University of Pennsylvania Press, 2014).

¹² Paige Arthur, "How 'Transitions' Reshaped Human Rights: A Conceptual History of Transitional Justice," *Human Rights Quarterly* 31, no. 2 (2009): 321–67; Cath Collins, *Post-Transitional Justice: Human Rights Trials in*

that as the idea gained momentum, it resonated in a “justice cascade,” changing the very possibility of what was imaginable in terms of accountability and trying national leaders who committed atrocities against their own people.¹³ This work is widely influential and, while Uruguay is not the only focus, it does analyze the country as one of the examples in the global narrative. However, even while acknowledging the variations between Uruguay and other case studies, Sikkink ultimately stresses how all the different cases fit into a broader international trend.

My work seeks to take the individual case of Uruguay to understand how variations, at times, actually challenge the idea of a global narrative. Uruguay is a particularly compelling case for two reasons, both of which offer a new approach to analyzing and understanding the significance of human rights in countries during and after repressive rule. First, the long democratic and social welfare traditions in the nation distinguish Uruguay from other countries in the region, making its descent into and return from military rule an important study in the way rights are articulated and changed during breaks from democracy. The second reason Uruguay needs to be further studied is the nation’s paradoxical role in the emerging international human rights regime from the 1960s through the 1980s. On the one hand, Uruguay was a critical part of this international moment: Amnesty International’s first country campaign focused on the nation and Uruguay also drew considerable attention from President Jimmy Carter’s administration.

Chile and El Salvador (University Park, PA: Pennsylvania State University Press, 2010); Priscilla B. Hayner, *Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions* (New York: Routledge, 2010); Neil J. Kritz, *Transitional Justice: How Emerging Democracies Reckon with Former Regimes* (Washington, D.C: United States Institute of Peace Press, 1995); A. James McAdams, *Transitional Justice and the Rule of Law in New Democracies* (Notre Dame, IN: University of Notre Dame Press, 1997); Martha Minow, *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence* (Boston: Beacon Press, 1998); Tricia D. Olsen, Leigh A. Payne, and Andrew G. Reiter, *Transitional Justice In Balance: Comparing Processes, Weighing Efficacy* (Washington, DC: United States Institute of Peace, 2010); Naomi Roht-Arriaza, *Impunity and Human Rights in International Law and Practice* (New York: Oxford University Press, 1995); Luis Roniger, *The Legacy of Human Rights Violations in the Southern Cone: Argentina, Chile, and Uruguay* (New York: Oxford University Press, 1999).

¹³ Kathryn Sikkink, *The Justice Cascade: How Human Rights Prosecutions Are Changing World Politics* (New York: W. W. Norton & Co, 2011).

Conversely, at an important moment in the nation's history in 1989, when human rights groups mobilized intensely to codify a new human rights culture, voters failed to support an anti-amnesty referendum, undermining the assumption that as human rights gained momentum internationally, local political cultures would align with the larger trend. To analyze the ups and downs of the intersecting narratives raises questions about what human rights meant to particular people and how they both paralleled and conflicted with personal struggles, national political concerns, transnational movements, and larger international bureaucracies.

Uruguay's unique experience has much to add to these larger puzzles and the recent historical literature on what human rights meant during this period in the nation starts to address this gap. From the group of scholars working on Uruguay, important debates surrounding the methods, political considerations, and influence of the human rights movement have emerged. However, their works tend to focus narrowly on particular groups that advocated for human rights, such as political parties, exiles, or families of the disappeared.¹⁴ Much of this scholarship analyzes the impact of a single group without taking a holistic view of the human rights landscape both in the country and internationally. My work seeks to place these debates in conversation with one another and in dialogue with research on the emerging transnational networks to analyze the politics, experiences, and motivations on a grander scale that will attempt to unravel the mystery

¹⁴ Vania Markarian, *Left in Transformation: Uruguayan Exiles and the Latin American Human Rights Network, 1967-1984* (New York: Routledge, 2005); Gabriel Bucheli, *Vivos Los Llevaron--: Historia de La Lucha de Madres Y Familiares de Uruguayos Detenidos Desaparecidos (1976-2005)* (Montevideo, Uruguay: Ediciones Trilce, 2005); Charles Gillespie, *Negotiating Democracy: Politicians and Generals in Uruguay* (New York: Cambridge University Press, 1991); Aldo Marchesi, *El Presente de La Dictadura: Estudios Y Reflexiones a 30 Años Del Golpe de Estado En Uruguay* (Montevideo, Uruguay: Ediciones Trilce, 2004); Marisa Ruiz, *La piedra en el zapato: amnistía y la dictadura uruguaya : la acción de Amnistía Internacional en los sucesos de mayo de 1976 en Buenos Aires* (Montevideo: Universidad de la República, Departamento de Publicaciones, 2006). Eugenia Allier Montaño's important work is an exception to the individual group literature and takes a broader view of the memory battles over the recent past in Uruguay, including a great section on 1985-1989, a period she explains as an "explosion of memory." Eugenia Allier Montaño, *Batallas por la memoria: Los usos políticos del pasado reciente en Uruguay* (Montevideo: Ediciones Trilce, 2010).

of Uruguay's encounter with human rights. In this way, my dissertation explores the mutually constitutive process of human rights formation, which accounts for the intersection of local and global forces that created both conflicts and moments of convergence during and after Uruguay's dictatorship.¹⁵

The expansion of this powerful international language, translated and utilized in complicated ways to the local Uruguayan experience, explains how anti-dictatorship forces mobilized a human rights discourse for specific political purposes that shifted in response to concerns that Uruguayans faced throughout the transitional period.¹⁶ In this sense, I follow Geoffrey Robinson's project of examining specific cases to explore how a human rights language in individual countries was intrinsically political as it applied to local contexts.¹⁷ The embrace of human rights in Uruguay stemmed out of real suffering on the ground as a way to challenge state power. The language, however, shifted in meaning as the political process unraveled in the mobilization against the constitutional plebiscite in 1980, during political negotiations for elections in 1984, and then again during the referendum process over the amnesty law in the latter part of the decade.

My dissertation also addresses transitional justice literature. After years of being left out of discussions about the origins of this field, it reinserts Uruguay back into this global history. Narratives about the history of transitional justice often stem from the transitions of Latin America

¹⁵ Stern and Straus, *The Human Rights Paradox*, 8.

¹⁶ In some ways, this part argues directly against the idea that this diffusion of a human rights language had an apolitical quality, which Sam Moyn argues characterized the explosion of human rights during the 1970s. Samuel Moyn refers to the 1970s as a period of human rights "explosion" in multiple works. Samuel Moyn, "The 1970s as a Turning Point in Human Rights History," in *The Breakthrough: Human Rights in the 1970s* (Philadelphia: University of Pennsylvania Press, 2014), 13; Moyn, *The Last Utopia*, 7, 8, 39, 121, 131, 154, 159, 173, 195, 209, 210, 216, 220, 227. In this work, Moyn refers to the "human rights explosion" no less than fourteen times

¹⁷ Geoffrey Robinson, "Human Rights History from the Ground Up," in *The Human Rights Paradox: Universality and Its Discontents*, eds. Steve Stern and Scott Straus (Madison: University of Wisconsin Press, 2014).

during the 1980s.¹⁸ The remarkable fall of Brazil, Uruguay, Argentina, and Chile’s military dictatorship within a ten-year period prompted serious conversations about how justice and peace would fit into the newly reconstituted democratic governments, and spurred a new field of inquiry regarding transitional justice. However, the 1989 democratic vote that failed to repeal the amnesty law in Uruguay served in many ways to silence the conversation on justice in Uruguay for many years. Unlike many of their regional counterparts in the direct aftermath of military rule, the new democratic government in Uruguay failed to employ any of what is now understood as transitional justice mechanisms. There were no trials, no official truth commission, no reparations, and no memorialization. Therefore, until recently, Uruguay was omitted from studies about the global history of transitional justice.¹⁹ Outliers, however, produce interesting challenges to what has been written about the origins of the field. My study of the specific political and sociological conditions that prevailed in Uruguay provides a more complex picture of transitional justice’s foundational period. It explores the reasons why justice in transitions succeeded or failed in particular historical cases and how that related to broader human rights concerns. Studying this period in Uruguay influences not only a reorientation in how one understands the moment of “origin” in the field but also how, three decades later, Uruguayans continue to grapple with justice initiatives passed an initial period of “transition.” The hegemonic international justice narrative about the slow, inexorable buildup of justice at the international level is at odds with Uruguay’s domestic

¹⁸ Arthur, “How ‘Transitions’ Reshaped Human Rights”; Sikkink, *The Justice Cascade*.

¹⁹ The recent efforts to overturn the amnesty law have meant that in the past few years there have been interesting conversations about reintroducing Uruguay into the transitional justice discussion after two decades of omission. Jo-Marie Burt, Francesca Lessa, and Gabriela Fried Amilivia, “Civil Society and the Resurgent Struggle against Impunity in Uruguay (1986–2012),” *International Journal of Transitional Justice* (March 2013): 1–22; Elin Skaar, “Wavering Courts: From Impunity to Accountability in Uruguay,” *Journal of Latin American Studies* 45 (August 2013): 483–512; Francesca Lessa, *Memory and Transitional Justice in Argentina and Uruguay: Against Impunity* (New York: Palgrave Macmillan, 2013).

conversations over national reconciliation and the very meaning of human rights and democracy.²⁰ Unpacking these differences is an important project to provide a more complex and layered history to transitional justice.

My dissertation's contribution to these historiographical debates speak to two larger observations about how Uruguay helps scholars better understand human rights history. The first issue addresses the silences involved in charting the emergence of a new global language. While the coherence around a specific and limited set of rights in the 1970s contributed to concerted international pressure and transnational cooperation to change conditions on the ground for Uruguayans, it also meant that many violations were ignored in the process. Mainly, historically marginalized groups such as Afro-Uruguayans, LGBT people, and Jews suffered a different sort of repression from the military government. These violations were not part of the burgeoning human rights global lexicon and the plights of these groups received little to no acknowledgment, nor were they addressed during the transitional justice processes that have subsequently occurred. Thus, these violations have often been written out of the history of the dictatorship period in Uruguay. This tendency speaks to the broader ways that discrimination based on gender, identity, race, and religion has often been ignored as a prevailing problem in Uruguay's "homogenous" culture, as well as the way that social exclusion operates even within rights movements. As a result, my dissertation discusses the suffering that these groups experienced during the dictatorship, and the emergence of specific-issue social movements in the post-dictatorship period that sought to expand a rights narrative to address their lived experience in the not-always-tolerant Uruguay. In

²⁰ Sikkink, *The Justice Cascade*. Important work is now being done about other setbacks, particularly in Peru from a more recent perspective. Jo-Marie Burt, "The Paradoxes of Accountability; Transitional Justice in Peru," in *The Human Rights Paradox: Universality and Its Discontents*, eds. Steve Stern and Scott Straus (Madison: University of Wisconsin Madison, 2014), 148-176; Rebecca Root, *Transitional Justice in Peru* (New York: Palgrave Macmillan, 2012).

this way, I question Uruguay's own exceptionalist narrative of being a nation deeply committed to its social progressive traditions as the "Switzerland of South America," and expose the difficult process of a country grappling with nationalist narratives versus the lived experience of many of its citizens.

Second, Uruguay's slow descent into dictatorship and difficult transitional period back to democratic rule challenges easy categorizations of dictatorship and democracy. As opposed to Chile's dramatic coup in September 1973, there was no such obvious moment that one can trace to the exact date a dictatorship was installed in Uruguay. Many look to Congress's closure as the beginning of the *auto-golpe* in June 1973. However, the Uruguayan people had experienced years of the government's draconian methods in combating communism. In addition, the 1971 election has often been viewed as unfairly won by Juan María Bordaberry. The confusion over when the dictatorship began is evident even in debates about the amnesty law, where arguments raged over whether the law should protect violations beginning in 1973 or 1968—demonstrating just how difficult a project it is to identify the start of dictatorship and repression. Similarly, in the return to democratic rule, the elections in 1984 proscribed hundreds of candidates and jailed the opposition's main opponent, Wilson Ferreira, for the course of the electoral period. These practices often cast doubt on the true democratic nature of Julio María Sanguinetti's first term in office. The difficult descent into dictatorship and fierce battles to re-emerge in democratic rule expose the unclear dichotomy between democracy and dictatorship and the problems of periodization. The long periodization of the dissertation attempts to take these subtle temporal boundaries into account, examining a larger period of Uruguay's undemocratic experience, ending only in 1989 when a truly open and fair election took place. This dissertation does not seek to place new exact

boundaries around the period of dictatorship, but rather expose the fluidity and lack of clear delineation around dichotomies of war and peace as well as dictatorship and democracy.

Sources

During my twelve months of research in South America, supplemented by additional archival investigation in the United States, I visited a total of thirty-five archives. I use the term “archives” somewhat loosely. These collections of sources ranged from the incredibly well-organized National Archives at College Park in Maryland and various presidential libraries, to the moderately organized folders that I consulted at the Foreign Ministry in Uruguay, to old file cabinets in the despairingly neglected closets of Servicio Paz y Justicia’s (SERPAJ) Montevideo office, to the personal clippings and paperwork of activists in both the United States and Uruguay. Supplementing these archives are a set of oral history interviews, nineteen of which I conducted during my own research and twelve that were generously shared with me by Marisa Ruiz, the Uruguayan scholar who began writing about Uruguay’s transitional period in its immediate aftermath. She was fortunate enough to capture the stories of many people who are no longer alive to have their voices heard directly, but whose stories are able to live on through Ruiz’s hard work and generosity of scholarship.

The material covers a broad range of actors and documentary sources. Uruguayans’ experiences came through in their writings, letters, and newspapers, in addition to government documents and local NGO materials, both publicly released and internally written. By studying additional material from Argentina and the United States, I widened my view to include external lenses on the Uruguayan encounter with human rights and transitional justice internationally and locally. Therefore, my dissertation takes a holistic approach. It addresses the viewpoints of U.S.

government officials, social movement activists, and the international press. Then, it extends to the transnational dimension, that is, many international actors who influenced and were influenced by Uruguayans. The variety of peoples and voices studied allow for an accounting of how local and global voices contributed to the mutually constitutive process through which human rights arose, at times paradoxically, in relation to Uruguay's experience with dictatorship and transition back to democratic rule. In this sense, this project is an effort at a truly transnational history of Uruguay's human rights experience from the mid-1960s through the end of the 1980s.

Chapter Overview

With seven chapters, the dissertation spans close to three decades, with a conclusion covering some of the lasting legacies of this period. Chapter 1 begins in the 1960s, examining the various and disparate political visions that dominated the pre-dictatorship landscape as a response to the economic calamity and political deadlock of the period. This chapter attempts to move beyond the current historiographical emphasis on the Tupamaros, the main guerrilla group that fought against the Uruguayan government in the 1960s and early 1970s. While the Tupamaros' attention-grabbing exploits garnered attention in Uruguay and internationally, historians often overstate the ideology of the guerilla group as the dominant voice for the pre-dictatorship era. I argue, however, that in addition to the conceptual vagueness of the Tupamaros' vision, this emphasis often obscures the cacophony of voices that emerged from this period to articulate various social justice ideas in the country.²¹ This chapter analyzes how various leftist movements,

²¹ Lindsey Churchill, *Becoming the Tupamaros: Solidarity and Transnational Revolutionaries in Uruguay and the United States* (Nashville: Vanderbilt University Press, 2014), 56–61.

including labor unions, political parties, and student movements, imagined alternative political visions that utilized a rights language during this transformational period.

Chapter 2 explores how the 1970s altered these groups' broader social justice ideas as survival during the dictatorship became the main concern. Many individuals in these groups fled abroad during the decade due to the repressive nature of Uruguay's dictatorship. Both international groups and exiles cohered around a very specific set of rights focused on addressing the repressive conditions in Uruguay, particularly torture, political imprisonment, and forced disappearances. This discursive unity, after such divergent visions in the 1960s, placed a moral imperative around countering the repressive Uruguayan state that had ripped apart so many lives. During this time, the disparate social justice visions and grandiose claims for revolutions from the 1960s were subsumed by minimalist calls for stopping certain violations, despite the continuation of deep political fissures that would emerge again during the transition. This chapter also explores how narrowing the human rights concerns of the period developed at the expense of addressing other violations. Most particularly, the experiences of diverse citizens were ignored, such as Afro-Uruguayans, who were displaced at high rates by the dictatorship; LGBT individuals, who were targeted in specific, horrific manners during torture sessions; and Jews.²² These historical forces offer a wider view into the compromises involved during the emergence of transnational human rights advocacy to understand how activists focused their efforts narrowly to achieve international attention, but left out particularly vulnerable groups in the process.

Chapter 3 traces the slow adoption of human rights in U.S. foreign policy during the "long 1970s" by starting with the administration of President Richard Nixon and ending at the close of

²² This is a topic that has been addressed at a greater level in Chile and Argentina but not nearly as much in Uruguay.

Jimmy Carter's presidency. While many historians are beginning to examine the adoption of a human rights platform in U.S. foreign policy, particularly under Carter, there is no in-depth study of Uruguay.²³ This chapter examines the bilateral relationship, arguing that Carter's policies toward the country did provide a fundamental departure from his predecessors in assertively pursuing a human rights-based agenda. Uruguay was, in many ways, an ideal place for Carter to advance his human rights policy since he had little to lose diplomatically in relations with the small Southern Cone nation. His focused pressure on the regime, however, did not stem solely from a Congressional or intrinsic moral vision Carter himself propagated. Rather, it followed the transnational human rights movement's efforts to define the problem in Uruguay narrowly, as one committed to stopping torture and ensuring that Uruguayans had a right to be free from governmental violation of the integrity of the person. Far from having human rights originate in the Carter presidency and gain credibility around the globe, this chapter uses the lens of U.S. foreign policy with Uruguay to show how resistant and then reactive U.S. foreign policy was to one of the most pressing issues of the day.

Chapter 4 explores the conditions in Uruguay that surrounded the 1980 plebiscite where, against incredible odds, Uruguayans voted against the military's proposed constitution that would have given the military government a permanent and more sizeable control of power in the country.

²³ The historiography of U.S. foreign policy with Uruguay is, at best, sparse. Uruguay has a much smaller population and is smaller in size than its neighbors and therefore has at times lacked the same geopolitical importance that Argentina, Chile, and Brazil have enjoyed. The lack of literature on Uruguay reinforces this perception. For example, two of the top surveys on U.S. foreign policy barely mention the nation. See George Herring, *From Colony to Superpower: U.S. Foreign Relations since 1976* (New York: Oxford University Press, 2008) and Robert Schulzinger, *U.S. Diplomacy Since 1900* (New York: Oxford University Press, 2007). Even some more focused monographs of U.S. foreign policy and Latin America center their analyses on the larger nations in the Southern Cone. See Arthur Whitaker, *The United States and the Southern Cone: Argentina, Chile, and Uruguay* (Cambridge: University of Harvard Press, 1976). Uruguay is just beginning to receive some scholarly attention from diplomatic historians, and even then, this work focuses on an earlier period in the nation's history. See James C. Knarr, *Uruguay and the United States, 1903-1929: Diplomacy in the Progressive Era* (Kent: Kent State University Press, 2012); Pedro Cameselle, "A Forgotten Neighbor: The Challenge of Uruguay-United States Relations during the Era of Franklin Roosevelt, 1929-1945," (PhD diss., Fordham University, 2016).

First, it examines the domestic opening that the vote provided. No voting had occurred in Uruguay since the contested 1971 elections, and it was also the first time since much of the press had been censored in 1973 that the military allowed debate about the efficacy of its rule. Even though it was closely monitored, seeing the dictatorship challenged had a huge effect on voters. However, both sides invoked the term “democracy” to make their case either for or against the constitution. The military explained that the proposed document was aimed at restoring democracy, whereas opposition from both within the country and abroad explained the military’s constitution as more repressive and that only a “no” vote would bring true democracy. The conflicting uses of the term “democracy” led to what amounted to a perversion of the concept. However, the human rights discourse seemed to be one important distinguishing factor between the visions of the military and the opposition. When Uruguayans working for the “no” vote spoke of democracy, they invoked a government that would no longer resort to disappearances, torture, or prolonged imprisonment—a distinctly human rights vision that the opposition to the dictatorship had been utilizing since the mid-1970s.

Chapter 5 examines the aftermath of the plebiscite, including the positive results that came about, such as the rebirth of civil society, and the more ominous repercussions, such as the military’s subsequent crackdowns to try to maintain power. First, human rights groups, a re-emerging press, and reinvigorated unions and student movements challenged the military’s rule and began to push for an end to the dictatorship. The strength of international human rights pressure from the 1970s offered both a discourse and strategic direction that could be utilized domestically. Further, the connections and utilization of an international language of human rights were essential to garnering support, both symbolically and materially from the philanthropist community that contributed funds for grassroots groups working against the dictatorship. Amid

these positive trends, domestic human rights growth was substantially tempered by the military's continued repression of the population. Through unrelenting arrests, censorship, and intimidation tactics, the military attempted to control the negotiations back to democratic rule in order to maintain some power and prevent prosecution for any actions during the military rule. In the end, I argue that the hopefulness following the plebiscite proved essential to restarting a human rights movement, but the subsequent crackdown and difficult negotiations exposed the fissures among the various social actors in what human rights would mean in a return to democracy. These challenges influenced the possibilities for which human rights promises would be feasible within a re-emerging democratic nation.

Chapter 6 focuses on the period between the democratic elections in late 1984 and the passage of the country's amnesty law in 1986, which blocked the possibility of trials for human rights violations during the dictatorship. This chapter re-examines claims within the literature on this timeframe, which tends to trace the amnesty law to the Naval Club Pact in 1984, where political parties and the military agreed to hold elections. The assumption is that the deal to schedule elections promised that there would not be prosecution of the military for human rights abuses. Instead, careful historical research of this period shows that justice for crimes of the dictatorship was indeed hotly debated at various societal levels, from President Sanguinetti to the more radical Left. However, as Sanguinetti began to work more closely with the military and receive increasing pressure to stop these moves toward accountability throughout 1986, the sense of anxiety about the hard-won pact for democratic rule spread throughout society. Historian Steve Stern has astutely explained the limits of a "pacted" transition. In many cases both sides come to an agreement based on a "necessary fiction" of what the transition will be like. However, problems arise because no one actually trusts this necessary fiction to hold. Therefore, the years following

these pacts often include a “struggle to redraw the lines of effective power.”²⁴ Uruguay witnessed this phenomenon amid other countervailing societal forces. Concurrent with battles over the partiality and limitations of the Naval Club agreement, many of the strongest allies in the pre-electoral period paid less attention to issues of accountability for the military’s crimes until after the amnesty law passed. All of these groups, whose human rights visions were so coherent during the battle against the dictatorship in the 1970s, fractured as other important projects of reconstituting democracy took center stage. Activists focused on reasserting many tenets of their 1960s social justice visions that had been subsumed during the direct battles against the dictatorship, while politicians proved unreliable human rights allies in debates over truth and justice in Parliament.²⁵ Examining these disparate groups raises questions about the shifting human rights terrain not only among leftist activists but also among political groups in the complex interplay involved in debates over an expanding human rights discourse, justice issues, and access to power.

Lastly, Chapter 7 explores the role of human rights in the campaign to overturn the amnesty law. While many leftist groups had not focused on justice concerns during the first twenty months of democratic rule, the amnesty law set into motion a renewed coherence of purpose among these groups. Ironically, and perhaps paradoxically, the referendum to overturn the protection of human rights abusers centered on a campaign that ended up ignoring those very violations. The debate focused instead on broader claims to democracy. Combined with the difficult domestic and international conditions, it was not enough to successfully win the referendum against the amnesty

²⁴ Steve J. Stern, *Remembering Pinochet’s Chile: On the Eve of London 1998* (Durham: Duke University Press, 2006), 369.

²⁵ Eduardo Canel, “Democratization and the Decline of Urban Social Movements in Uruguay: A Political-Institutional Account,” in *The Making of Social Movements in Latin America: Identity, Strategy, and Democracy*, ed. Arturo Escobar and Sonia E. Alvarez (Boulder: Westview Press, 1992), 276–290.

law. Meanwhile, the chapter explores where human rights became more prevalent—in the language to address the nation’s social and economic rights. Although many groups rallied around the referendum efforts, the re-emerging civil society groups did not focus solely on issues concerned with justice and accountability. The transitional period exposed an array of challenges that the country faced. Even while the referendum battle dragged on for years, the focus on these other issues displayed a continued effort to define human rights more broadly than during the 1970s. New movements regarding women’s rights, Afro-Uruguayan rights, and LGBT rights also emerged during this period. Recent literature on transitional justice has focused on how “justice” for human rights violations is frequently not a top concern in the immediate aftermath of repressive periods. This chapter explores how this idea played out in Uruguay.²⁶ It points to both the continued dispersal of the meaning of the term “human rights” within civil society and the competing social concerns beyond a justice framework to address past abuses.

Together, these chapters chart the circuitous and at times paradoxical path of human rights during three decades in Uruguay. The work’s title, “*De Luz y Lucha*”—of light and struggle—comes from a poem written to the world-famous Marxist mathematician, José Luis Massera, upon his release in March 1984 after many years of imprisonment at the hands of the military.²⁷ While notes on impressive letterhead poured in from around the world in solidarity with Massera’s newly regained freedom, there was one written on a torn-out piece of loose-leaf paper, undated, and signed only as “Gabriel.” In it, Gabriel writes of the inspiration Massera provided for those suffering throughout the difficult years of dictatorship and the long march that

²⁶ “When the War Ends: A population-based survey on attitudes about Peace, Justice, and Social Reconstruction in Northern Uganda,” *Human Rights Center-Berkeley, Payson Center for International Development and the International Center for Transitional Justice* (December 2007).

²⁷ Letter to Massera, nd, Folder A: Saludos Liberación, 1984-1985, Box 7, Massera Collection, Archivo General de la Universidad., Montevideo, Uruguay.

it would take to overcome these struggles. When writing the poem in early 1984, there was still no assurance of an end to the military rule. Gabriel's optimism and deep pain are both evident, paralleling a larger struggle in society over human rights that characterized this period of Uruguayan history and continued to play out over the ensuing years.

Thus, it is in retrospect almost ironic that Sanguinetti argued in 1986 that people should "leave the past to the historians" when he first emerged to support the amnesty law.²⁸ While the amnesty stood until 2011, what the annual *marcha del silencio* has demonstrated is how prevalent human rights issues have been in Uruguayan society over the past few decades. Rather than seeing the past as properly left to only historians, this dissertation attempts to analyze Uruguay's history as experiences that also resonate within the present. The research seeks to give voice to those who battled for various visions of human rights, and as a result, forged a contested international history. At once a local, national, and transnational investigation, this history of Uruguay's experience with dictatorship and democratic transitions offers a powerful contribution to our understanding of human rights as a shifting terrain of discussion over national identity, politics, and social justice.

²⁸ "Denuncia," Abril 1986, Carpeta 8, Archivo de Madres y Familiares de los Detenidos y Desaparecidos, Montevideo, Uruguay.

Chapter 1: Beyond the Tupamaros: Rights and Social Justice in Pre-Dictatorship Period

In 1969, the Movimiento de Liberación Nacional-Tupamaros carried out the biggest robbery in Uruguayan history. Seven men, four with submachine guns, stole \$220,000 from a casino in the beach town of Punta del Este.¹ Even before the Tupamaros guerilla group claimed official credit, an Uruguayan newspaper guessed that it was the Tupamaros who committed the crime because the heist had been carried out so impeccably: the robbers used perfect fake identification cards, treated the employees and other bystanders respectfully, and disappeared from the scene without a trace of evidence.² The Tupamaros, committed to fighting against what they saw was the injustice of the Uruguayan state, had emerged in the previous years and gained a reputation for these types of spectacles. No one was hurt during the robbery. Even more, the Tupamaros not only eventually claimed credit, they also returned some of the money to the casino workers to pay for their salaries and tips, promising that they would only steal from the “bourgeois that exploited the workers” in order to fund their revolution against injustice.³ The admiration for this type of revolutionary idealism extended beyond the shores of Uruguay. Instead of condemning the attack, *Time* magazine called the Tupamaros “Robin Hood Guerrillas” for taking from the rich and giving to the poor.⁴

Acts like these, which were aimed at humiliating the government and garnering attention for their cause, made the Tupamaros famous throughout the region and the world.⁵ During the tumult of the 1960s, they managed to capture the imagination as “passionate, committed, and most of all, hip revolutionaries capable of outsmarting the police and the increasingly authoritarian

¹ “Asaltaron el Casino de San Rafael: 42 Millones,” *El Pais*, 19 Febrero 1969, 1, Archivo de los Diarios, Palacio Legislativo, Montevideo, Uruguay [Hereinafter Archivo Diarios].

² “Casino: En Pleno día Operaron los Asaltantes,” *El Pais*, 19 Febrero 1969, 6, Archivo Diarios.

³ “Declaracion de MLN,” *Marcha*, 7 March 1969, 10, Archivo Diarios.

⁴ “The Robin Hood Guerrillas,” *Time*, 15 May 1969, 70.

⁵ Pablo Brum, *The Robin Hood Guerrillas: The Epic Journey of Uruguay’s Tupamaros* (CreateSpace Independent Publishing Platform, 2014), 85.

Uruguayan government.”⁶ In many ways, this romanticism is understandable; the Tupamaros’ dramatic acts were based on adapting Ernesto “Che” Guevara’s own idealized foquismo to the urban setting.⁷ Their vision of overthrowing a repressive government, similar to the way Che and Fidel had done in Cuba, was backed up by creative measures like the casino robbery, which proved deeply appealing to a deadlocked electorate during a period of economic and political crisis.

The Tupamaros dominated not only the headlines in the late 1960s and early 1970s, but subsequently, the historiography of Uruguay’s pre-dictatorship period.⁸ The reasons are many. For instance, the group utilized attention-grabbing methods and provided an inspirational model to rebels and dissenters around the world. The military regime, moreover, justified its increasingly harsh measures against the entire population as a response to the Tupamaros, even long after they were defeated. Within the historiography, many historians still explain Uruguay’s descent into dictatorship as predicated on a response to the Tupamaros. This “two demons” theory persists, although recent literature has emerged to contest it.⁹

Despite the dominance of the Tupamaros as a symbol, a great deal of work has recently emerged that uncovers a multitude of voices within Uruguayan society during the tumultuous 1960s. A language of rights and social justice existed in Uruguayan politics long before the Movimiento de Liberación Nacional-Tupamaros announced its urban campaign against the

⁶ Lindsey Churchill, *Becoming the Tupamaros: Solidarity and Transnational Revolutionaries in Uruguay and the United States* (Nashville: Vanderbilt University Press, 2014), 4.

⁷ Aldo Marchesi, “Revolution Beyond the Sierra Maestra: The Tupamaros and the Development of a Repertoire of Dissent in the Southern Cone,” *The Americas* 70, no. 3 (January 2014): 546–49.

⁸ Aldo Marchesi and Vania Markarian, “Cinco Decadas de Estudios Sobre la Crisis, Democracia, y el Autoritarismo en Uruguay,” *Contemporanea* 3 no. 3 (2012), 231.

⁹ Many scholars have recently proved the limitations of the “two demons” theory based on the historical record. While violence was perpetrated by the Left in many places, it was incomparable to the acts of repressive governments. As historian Stephen Rabe explains, to equate the two “ignores historical chronology and trivializes methodical abuses of the right.” Stephen Rabe, *Killing Zones: The United States Wages Cold War in Latin America* (New York: Oxford University Press, 2011), xxxii; Jeffrey L. Gould, “Solidarity Under Siege: The Latin American Left, 1968,” *The American Historical Review* 114, no. 2 (April 2009), 348-9; Greg Grandin, “The Instruction of Great Catastrophe: Truth Commissions, National History, and State Formation in Argentina, Chile and Guatemala,” *The American Historical Review* 110, no. 1 (February 2005), 53.

Uruguayan state. In response to the economic crisis and the government's failure to address society's problems, various groups among the Uruguayan Left, including labor unions, student activists, and political parties, imagined their own visions of social justice. These varied considerably, sometimes virulently, with that of the better-known Tupamaros.¹⁰

This chapter explores the disparate social justice visions that characterized Uruguay's pre-dictatorship landscape. I do not analyze reasons for the breakdown in democracy, which various historians and political scientists have researched at length and attributed to a variety of factors.¹¹ Rather, this chapter examines what various social groups advocated for during this period. Many of these visions of social justice connected and shared ideas with the various leftist groups that dominated this period in global history, but as this chapter will explain, Uruguay's rich democratic and social welfare history also greatly influenced dreams of a better future. Therefore, this chapter will begin by exploring the historical roots of Uruguay's unique democratic tradition and the slow descent into dictatorship that undermined decades of stable governance. In contrast to the sudden and dramatic coup in Chile, Uruguay's gradual breakdown slowly weakened the country's exceptionalist narrative against the social, political, and economic difficulties that began in the 1950s. Against this backdrop, this chapter will then address the Tupamaros' emergence, main political platform, and shortcomings. The third section will explore, in turn, the "minor utopian" visions of the workers' union, the student movement, and the emerging political coalition, the Frente Amplio, painting a more complex landscape of the 1960s in Uruguay.¹² Finally, it will address at length some of the few pre-dictatorship explicit uses of the term "human rights,"

¹⁰ Both the Communist party and the pacifist Left most openly disagreed with the Tupamaros.

¹¹ Martin Weinstein, *Uruguay: The Politics of Failure* (Westport, CT: Greenwood Press, 1975); Carlos Zubillaga and R. Perez, *El Uruguay de nuestro tiempo, 1958-1983: Los partidos politicos* (Montevideo: Clae, 1983); Scott Mainwaring and Aníbal Pérez-Linan, *Democracies and Dictatorships in Latin America: Emergence, Survival, and Fall* (New York: Cambridge University Press, 2013).

¹² Gould, "Solidarity under Siege," 348–75.

including from a conference at the country's main university in 1971 right before the military rule took full control. In many ways, this conference is illustrative for exposing some key fault lines in debates about the term "human rights" in the context of Uruguay's democratic breakdown.¹³

By no means is this chapter a comprehensive account of the diverging visions of social justice prior to the dictatorship. In addition to the fact that there were fissures within individual groups, a full account would take several dissertations. Instead, this chapter aims to gain a better understanding of some of the alternative political ideas during this period beyond the Tupamaros. It explores these other groups' visions of rights, before the actual language of human rights became ubiquitous in the country. However, the chapter does not just seek to give voice to historically silenced viewpoints, but also explores these groups' ideas against the backdrop of a deteriorating narrative of Uruguayan exceptionalism. The slow descent into dictatorship throughout the 1960s caused many groups to doubt the efficacy of Uruguay's internationally admired democracy, and as such, their ideas of rights and revolution. These various social justice concepts, based in ideas of collective rights, set the backdrop for the changed discourse of the post-dictatorship human rights visions which, although different thirteen years later, importantly stem out of this tumultuous period.

Uruguay's Historical Progressivism

It is rare to read either a history or travel book about Uruguay that does not mention its vaunted title as the "Switzerland of South America."¹⁴ Uruguay acquired this label for the

¹³ Mario Sambarino, "Derechos Humanos y Desarrollo Sociocultural," *Foro Internacional sobre la Vigencia de los Derechos Humanos en América Latino* (Montevideo: Universidad de la Republica Departamento de Publicaciones, 1971), 51–52.

¹⁴ Weinstein, *Uruguay: Politics of Failure*, xiii; Lawrence Weschler, *A Miracle, A Universe: Settling Accounts with Torturers* (Chicago: University Of Chicago Press, 1998), 92; Martin Weinstein, *Uruguay: Democracy at a Crossroads* (Colorado: Westview Press, 1987), xv; Luis Roniger and Mario Snajder, "The Legacy of Human Rights Violations and the Collective Identity of Redemocratization in Uruguay," *Human Rights Quarterly* 19, no. 1

country's high standard of living, high levels of literacy, advanced health care, and political democracy during the first half of the twentieth century. This vision remained a pervasive and influential ideal during Uruguay's struggles in the 1960s and sharply impacted the social justice claims of various groups.

Uruguay's social structures shifted most drastically when José Batlle y Ordóñez held the presidency from 1903–1907 and again from 1911–1915.¹⁵ During this period, Batlle ushered in the development of a centralized state that protected its citizens, and his ideology has remained dominant in the nation ever since. Batlle's presidency witnessed the nation undergoing a great deal of change, including a high level of immigration to Montevideo and the subsequent expanding labor force. As a result, he framed his political vision around the importance of an interventionist state that sought to bring about social justice through three main tenets: providing essential services, enhancing the general welfare, and ensuring international sovereignty for the nation. Batlle enacted legislation that created an urban minimum wage, social security, educational opportunities, labor rights such as an eight-hour workday, progressive taxation, advances for women, and freedom from Catholicism. Batlle also helped develop a national railroad system while simultaneously restricting the extent to which foreigners could hold land. Batlle had the financial capacity to enact these bold social and political experiments on the backs of a strong economy, mainly a robust export market in Europe for items such as beef, wool, and leather.¹⁶

(February 1997): 57; Charles Gillespie, *Negotiating Democracy: Politicians and Generals in Uruguay* (New York: Cambridge University Press, 1991), 19.

¹⁵ Uruguay's constitution allows for multiple terms in office as long as they are not consecutive.

¹⁶ Weinstein, *Uruguay: Politics of Failure*, 90–91; Luis Bértola, "An Overview of the Economic History of Uruguay," *Economic History*, accessed 11 July 2016, <https://eh.net/encyclopedia/an-overview-of-the-economic-history-of-uruguay-since-the-1870s/>; Weinstein, *Uruguay: Democracy at a Crossroads*, 23–25; Christine Ehrick, *The Shield of the Weak: Feminism and the State in Uruguay, 1903-1933* (Albuquerque: University of New Mexico Press, 2005), 70–88; Churchill, *Becoming Tupamaros*, 29.

Batlle's policies helped Uruguay flourish during his presidencies and for the decades that followed, which had two main repercussions for the nation's development. First, it created certain expectations for the government to enact policies to protect disadvantaged sectors in society.¹⁷ Second, it helped consolidate a centralized state. With regard to the state as a protector of its weaker citizens, Batlle's policies appealed to workers, religious minorities, and women. For example, most Latin American nations in the early twentieth century lacked robust protection or legal codes to further equality for women.¹⁸ Batlle, however, opened up the space for the advancement of women's rights in areas such as divorce, sexuality, and public health.¹⁹ For instance, Batlle allowed girls to attend school to get the same education as men as early as 1912. In addition, he laid the foundation for granting female suffrage, ultimately making Uruguay the first nation in Latin America to allow women to vote.²⁰ Historian Milton Vanger argues that Batlle's presidency, in addition to implementing social policies, also initiated mass politics, which enfranchised vast portions of the population and created a stable, national state that protected the weaker sectors in society.²¹ Batlle's presidency, therefore, provided a foundational self-conception of the Uruguayan state that helped frame the visions of future policies and presidencies.

¹⁷ The "disadvantaged sectors" include groups such as peasants, workers, students, women, and children.

¹⁸ Particularly in Uruguay, caudillismo plagued the nation prior to Batlle. Asunción Lavrín, *Women, Feminism, and Social Change in Argentina, Chile, and Uruguay, 1890-1940* (Lincoln: University of Nebraska Press, 1998), 3.

¹⁹ Women received the right to divorce at their own request without the necessity of providing a reason, which was truly remarkable for women during this period. It had been traditionally at the consent of both or the male to divorce, but Batlle was committed to making it easier for women to get a divorce. Lavrín, *Women, Feminism, and Social Change in Argentina, Chile, and Uruguay, 1890-1940*; Ehrick, *The Shield of the Weak*; Milton I. Vanger, *The Model Country: José Batlle Y Ordoñez of Uruguay, 1907-1915* (Hanover: University Press of New England, 1980), 173–76, 270.

²⁰ Vanger cites a fellow leader in the Colorado Party who worked with Batlle to advocate for women's equality, who stated, "[T]here cannot be true democracy in a country which denies the right of suffrage to half its inhabitants." While Uruguayan women did not earn the right to vote until 1932, the policies put in place by Batlle helped lay the foundation to allow for the passage of the law. Vanger, *The Model Country*, 168.

²¹ Vanger, *The Model Country*. Vanger's work is important, among other reasons, because he seeks to rescue Batllismo from presentist interpretations as either the cause or product of Uruguay's success or failures across the decades. As the first one with access to Batlle's personal papers, Vanger uncovers the motivations and underlying ideology behind Batlle's actual policies, free from modern mythology.

In addition to laying the foundation for establishing a social welfare program, Batlle's policies also helped consolidate an unstable political system into a centralized state. During Batlle's presidency, the Colorados and Blancos, the two parties that had dominated Uruguay since independence, shifted from warring factions to traditional political parties that focused their actions on the political process and governmental activities.²² This two-party system lasted until the 1970s in Uruguay and was relatively stable compared to many of the nation's regional neighbors, which experienced regular upheaval.²³ Batlle's legacy, therefore, loomed so large in Uruguay for three main reasons. First, he moved the nation from a warring state of caudillo groups to a more stable central government. Second, he instituted a broad range of inclusive social welfare policies for the first time in the nation. Third, the combination of these two measures initiated decades of relative stability and economic prosperity in the nation, resulting in Uruguay being viewed as a regional and international model around the world.

Batllismo ultimately raised citizens' expectations from the state and forged an Uruguayan identity that far outlasted Batlle's rule. However, Uruguay's strong export economy could only support his bold ideas to a certain point. Some of Batlle's bolder ideas were never implemented. For example, Batlle called for profit-sharing plans in state enterprises for the population, inexpensive medical services for all, and increased taxes on land and inheritances. Particularly because of their potential effect on large landowners and high economic cost, these proposals never

²² Weinstein, *Uruguay: Democracy at a Crossroads*, 21.

²³ Uruguay retained a fairly stable democratic governance until the military regime in the 1970s as opposed to, for example, Argentina, where between 1930, when General José Félix Uriburu overthrew the constitutional government of Hipólito Yrigoyen, and 1976, when the military took power, nineteen different presidents occupied the presidential palace. Despite the constitutional mandate of six-year terms, these nineteen presidents each averaged terms of slightly more than two years. In Uruguay, the only small break from democratic rule was during the relatively more authoritarian Terra regime (1933–1942) after the worldwide economic collapse of 1929, which was relatively mild. There was no torture, no murder, no political prisoners, and little censorship. Alexandra Barahona de Brito, *Human Rights and Democratization in Latin America: Uruguay and Chile* (New York: Oxford University Press, 1997), 18; Paul H. Lewis, *Guerrillas and Generals: The "Dirty War" in Argentina* (Westport: Praeger, 2002), 3.

made it past the party convention idea stage.²⁴ Batlle's ideals were thus limited by the political and financial constraints of the era that are at times brushed over in histories of this impressive period.

Despite these shortcomings, Batlle's legacy cast a huge shadow over Uruguay's domestic development. Internationally, the nation also contributed many of his ideological principles into the original discussions surrounding the development of human rights norms.²⁵ Various scholars have illustrated that Latin American nations were among the first to promote international protection for human rights, demonstrated by the drafting of the American Declaration of the Rights and Duties of Man before even the Universal Declaration of Human Rights (UDHR) was passed in the United Nations (UN) General Assembly. Based on their experience working on the Americas version, Latin Americans also had a strong presence during the negotiations over the writing of the UDHR.²⁶ Uruguay was one of only fifty nations present in San Francisco and proposed that the promotion of human rights be listed among the purposes of the organization. The Uruguayan foreign minister further submitted a draft proposal that the UN Charter include a Declaration of Rights, and sought for nations to be expelled from the organization that did not follow these standards.²⁷ Although all of these ideas did not take root, undergirding these ideas was the belief of the Uruguayan delegates that to "safeguard peace and security, fundamental human rights should be internationally declared and internationally protected."²⁸ In 1950, delegates

²⁴ Weinsten, *Uruguay: Democracy at a Crossroads*, 25–27.

²⁵ Uruguay had a long-held belief in the use of an international organization to secure global peace and justice, which is not surprising considering its small size. Batlle first supported this idea at the Second Hague Peace Conference in 1907, and Uruguay was also one of the original members of the League of Nations in 1920. Carnegie Endowment for International Peace, *Uruguay and the United Nations* (New York: Manhattan Publishing Co., 1958).

²⁶ Kathryn Sikkink, "Latin American Countries as Norm Protagonists of the Idea of International Human Rights," *Global Governance* 20 (2014), 391; Mary Ann Glendon, "The Forgotten Crucible: The Latin American Influence on the Universal Human Rights Idea," *Harvard Human Rights Journal* 16 (Spring 2003): 27–39; Paolo G. Carozza, "From Conquest to Constitutions: Retrieving a Latin American Tradition of the Idea of Human Rights," *Human Rights Quarterly* 25 no. 2 (May 2003): 281–313.

²⁷ Alberto Rodríguez Larreta, "Inter-American Solidarity: Safeguarding the Democratic Ideal: Note from Uruguayan Foreign Minister to Secretary of State," *Department of State Bulletin* (25 November 1945): 864–66; Sikkink, 395–6.

²⁸ Carnegie Endowment for International Peace, *Uruguay and the United Nations*, 28.

from Uruguay continued to promote these principles by putting forward a plan that advocated for the creation of a UN Attorney-General for human rights during the fifth session of the General Assembly. The proposal sought to implement the Covenant on Civil and Political Rights into the central functioning of the United Nations, rather than proceed through a lengthy treaty ratification process.²⁹ While these proposals were not approved, they demonstrate Uruguay's leadership within international forums at the beginning of the postwar international human rights emergence. This commitment continued throughout the 1950s. In the first years of the UN Commission on Human Rights, Uruguay was continually reelected for "having always been very enthusiastic and devoted to the noble task of international cooperation," with a "special concern in social legislation and ... constant interest in the matter."³⁰

By the end of the 1950s, however, Uruguay's strong economy began to falter, causing its traditional commitment to social welfare programs to waver. Exports, the bedrock of Uruguay's strong economy, fell precipitously. Uruguay also followed the region's attempts to adjust by adopting an import substitution industrialization (ISI) model, erecting high tariff walls and encouraging domestic development of manufactured goods. Throughout the region, and particularly in a small country like Uruguay, this model failed to take off and only served to launch Uruguay even deeper into economic crisis. By 1964, the nation's economic outlook began to reach crisis proportions. The growth rate fell to almost zero, inflation hit between 40–50 percent with a growing budget deficit, while wool exports, traditionally Uruguay's strongest commodity, were being priced out of the market.³¹ Uruguay's ability to remain the "Switzerland of South America"

²⁹ Janet Lord, "The United Nations High Commissioner for Human Rights: Challenges and Opportunities," *Loyola of Los Angeles International and Comparative Law Review* 17 (1995), 331. Uruguay Draft Proposal for the International Covenant on Human Rights, United Nations, A/C.3/L.93 1950.

³⁰ Letter from Uruguay to John Foster Dulles, 24 May 1954, Box 35, Folder 7, Archivo Histórico-Diplomático, Ministerio de Relaciones Exteriores, Montevideo, Uruguay [Hereinafter Histórico-Diplomático].

³¹ Weschler, *A Miracle, A Universe*, 99; Weinstein, *Uruguay: Democracy at a Crossroads*, 35–37.

relied on a strong economy to support its social welfare agenda. The changing economic climate threatened the feasibility of these social welfare values.

The country's leaders struggled to adapt to the new reality. A U.S. report about Uruguay during this period explained that the government was "proving indecisive" and leaderless in the face of changes.³² Part of Uruguay's dearth of leadership stemmed from the very structure of the government, which placed the executive within a "collegiate" model of a nine-man governing board. Six members of this group represented the largest political party and the other three were from the second-most popular political party. With nine people attempting to run the government from different parties, no one had the ability to provide the leadership necessary to cope with the crisis.³³

The other problem with responding to the crisis came from the idea that Uruguayans understood their education, health, and pension benefits as essential parts of their social contract since the era of Batlle. However, with gross domestic product (GDP) falling, inflation soaring, and social service guarantees faltering, the population grew more restless. As the Assistant Secretary of State for Inter-American Affairs, Thomas Mann, said to President Johnson in a conversation about the upcoming Foreign Ministers meeting in July 1964, Uruguay was "just in a hell of a mess because they can't manage their own affairs very well."³⁴ This situation caused "increasing

³² Memo from Assistant Secretary of State for Inter-American Affairs (Mann) to Secretary of State Rusk, 1 December 1964, *Foreign Relations of the United States, 1964-1968, South and Central America; Mexico* (Washington, D.C.: U.S. Government Printing Office, 2004), 463.

³³ Robert J. Alexander and Eldon M. Parker, *A History of Organized Labor in Uruguay and Paraguay* (Westport: Praeger, 2005), 46.

³⁴ Telephone Conversation Between President Johnson and the Assistant Secretary of State for Inter-American Affairs (Mann), 11 June 1964, *Foreign Relations of the United States, 1964-1968, South and Central America; Mexico* (Washington, D.C.: U.S. Government Printing Office, 2004), 16. Thomas Mann as the Assistant Secretary is important to note regarding U.S. policy during this period. LaFeber credits Mann as a huge catalyst behind U.S.-Latin American policy toward further intervention in the region. Walter LaFeber, "Thomas Mann and the Devolution of Latin American Policy," in *Behind the Throne: Servants of Power to Imperial Presidents, 1898-1968*, eds. Thomas J. McCormick and Walter LaFeber (Madison: University of Wisconsin Press, 1993), 166-203.

disillusionment within all sectors of Uruguay,” but even the United States began to fear that “a coup in ‘model’ Uruguay would have many repercussions throughout the hemisphere.”³⁵

Reform came first when, on 27 November 1966, the Uruguayan electorate voted to replace the National Council of Government with a one-man presidential system. President Óscar Diego Gestido assumed office on 1 March 1967. Soon thereafter, Johnson approved a \$15 million agricultural sector loan to Uruguay to signal his faith that the new president could fix the nation’s social ills and help pull the country out of its crisis.³⁶

Gestido’s presidency was generally imbued with high hopes. He was a retired army general and possessed a reputation for honesty and strong administrative skills.³⁷ Unfortunately, these qualities were not enough to turn the situation around; conditions continued to deteriorate in Uruguay. Gestido was unable to “grapple effectively” with the serious economic-financial situation, which included spiraling inflation, budget imbalance, and serious damage to the agricultural sector caused by inclement weather.³⁸

Despite the hopes of Uruguayans and the United States government, President Gestido’s leadership proved indecisive as well. Gestido, as one State Department memo noted, was unable to rise above “politics as usual,” and “not being very clever politically, he ... managed to alienate the largest part of his own Colorado Party.”³⁹ By June 1967, Gestido’s poor political management

³⁵ Memo from Assistant Secretary of State for Inter-American Affairs (Mann) to Secretary of State Rusk, 1 December 1964, *Foreign Relations of the United States, 1964-1968, South and Central America; Mexico* (Washington, D.C.: U.S. Government Printing Office, 2004), 463.

³⁶ Memo from the President’s Special Assistant (Rostow) to President Johnson, 28 June 1967, *Foreign Relations of the United States, 1964-1968, South and Central America; Mexico* (Washington, D.C.: U.S. Government Printing Office, 2004), 466.

³⁷ Martin Weinstein, “The Decline and Fall of Democracy in Uruguay: Lessons for the Future,” in *Repression, Exile, and Democracy: Uruguayan Culture*, eds. Saúl Sosnowski and Louise B Popkin (Durham: Duke University Press, 1993), 83-102.

³⁸ Memo from Assistant Secretary of State for Inter-American Affairs (Oliver) to Secretary of State Rusk, 18 August 1967, *Foreign Relations of the United States, 1964-1968, South and Central America; Mexico* (Washington, D.C.: U.S. Government Printing Office, 2004), 467.

³⁹ *Ibid.*

reached an apex. The leader of the largest faction of the Colorado Party criticized Gestido on his management of the economic situation. The president reacted by excluding the entire faction from his government. He formed a new government representing only a minority (one third) of the party and completely reversed his administration's economic policy "from one seeking an International Monetary Fund (IMF)-type solution to one of rigid controls."⁴⁰ While the government's own intra-party battles raged, Uruguayans also responded to governmental ineptitude with increasing political activity to protest the country's poor management and deteriorating conditions. In 1967 alone, Uruguayans from various sectors went on strike more than 700 times.⁴¹

Gestido's attempts to handle the growing crisis came to an abrupt and unexpected end. He had a heart attack and died on December 6, 1967.⁴² His vice president, Jorge Pacheco Areco, assumed the presidency. Relatively unknown in political circles, Pacheco had been a newspaperman in the conservative wing of the Colorado party and was only directly involved in politics for four years before becoming vice president.⁴³ Under his leadership—or perhaps lack thereof—conditions deteriorated at a rapid pace.⁴⁴

For example, it took less than a week after assuming office for Pacheco to outlaw the Socialist Party and several other smaller anarchist and leftist groups. He permanently shut down the socialist party's newspaper, *El Sol*, and the independent leftist paper, *Época*, for subversive activity and intent to destroy the regime.⁴⁵ The editors for these publications were jailed. These

⁴⁰ Memo from Assistant Secretary of State for Inter-American Affairs (Oliver) to Secretary of State Rusk, 18 August 1967, *Foreign Relations of the United States, 1964-1968, South and Central America; Mexico* (Washington, D.C.: U.S. Government Printing Office, 2004), 467.

⁴¹ Jeffrey Ryan, "Turning on Their Masters: Unlearning Democracy in Uruguay," in *When States Kill: Latin America, the U.S. and Technologies of Terror*, eds. Cecilia Menjivar and Nestor Rodriguez (Austin: University of Texas Press, 2005), 280.

⁴² "Murio el President Gestido," *El Pais*, 6 December 1967, 1, Biblioteca Nacional, Montevideo, Uruguay [Hereinafter BN].

⁴³ "Presidente: Datos Biográficos," *El País*, 6 December 1967, 4, BN.

⁴⁴ Weinstein, "The Decline and Fall of Democracy in Uruguay: Lessons for the Future," 84.

⁴⁵ "El Presidente Resolvió Clausurar Época y El Sol," 13 December 1967, 5, BN.

measures only served to further alienate many Uruguayans. In the most popular leftist paper in the country, *Marcha*, the editors began publishing columns that warned of an impending dictatorship amidst the “enslavement of liberties.”⁴⁶ A popular joke in Uruguay proliferated in which Uruguayans explained their situation as if they had “voted for Eisenhower and got Nixon,” meaning that they had voted for a well-liked former general and ended up with a staunch anti-communist willing to take extreme measures.⁴⁷ Leftists responded to Pacheco’s ascension by calling him “Paco Arecho”; they believed that because of the Uruguayan president’s actions, he did not deserve the inclusion of the acclaimed icon “Che” in his name.⁴⁸

Thus began the slow erosion of civil liberties and civilian control in the country. Unlike the dramatic democratic collapses in Brazil in 1964 and Chile in 1973, Uruguay followed a much more gradual descent into dictatorship. The government instituted various “states of sieges” and “prompt security measures,” which progressively began to limit liberties and broaden governmental powers in response, at first, to the Tupamaros, and then increasingly to the militant labor movement. The following sections of this chapter describe these movements in detail. Pacheco saw both the guerrilla militancy of the Tupas and union strikes to advocate for better wages as part of a broader web of subversive leftist networks to which he had to respond to with force.⁴⁹ The military slowly began to increase its political role in the country, despite its historically insignificant role in earlier times.⁵⁰

For example, on 13 June 1968, the government invoked the emergency power in the constitution under the *Medidas Prontas de Seguridad*, or the “Prompt Security Measures.” The

⁴⁶ “Las Libertades Avasalladas,” *Marcha*, 15 March 1967, 7, BN.

⁴⁷ A.J. Langguth, *Hidden Terrors* (New York: Pantheon Books, 1978), 232.

⁴⁸ Churchill, *Becoming the Tupamaros*, 53.

⁴⁹ Weinstein, *Uruguay*, 119–20.

⁵⁰ Howard Handelman, “Politics and Plebiscites: The Case of Uruguay,” *Working Papers of the Latin American Program of the Woodrow Wilson International Center for Scholars*, no. 89 (April 1981): 2.

decree granted Pacheco increased power and suspended all civil liberties on the basis that the government was locked in a battle for the survival of the nation. Pacheco justified his actions by claiming that democracy was being threatened. He explained that the government was defending the country from “enemies of the Republic.”⁵¹ The irony of utilizing highly undemocratic measures to defend democracy took hold. Torture became an accepted police practice during his presidency as both social mobilization and harsh repression increased.⁵²

While Batllismo had ushered in an impressive period of growth and stability in the first half of the twentieth century, it became an impediment to progress by the 1960s. First, because the political parties centralized so effectively, there was little access to the political system outside of their functioning. This failing, which had served to stabilize the country at the turn of the century, proved to be an impediment during later challenging economic times. There was no avenue for participatory democracy to air grievances or advocate for change outside of the two-party system.⁵³ This led many in Uruguay, particularly among the Left, to attempt to have their voices heard and promote a new societal vision by alternative methods. As political scientist Martin Weinstein explains, Batllismo created a way to contain conflict in the first half of the century that made politics more open, plural, and democratic than previous national models. However, by the 1960s, it also became a way to resist changes and the need for reform. What had helped stabilize the country earlier now constrained politics. The system was unable to respond creatively to major societal changes, or to counter the rise of the military as a dominant force.⁵⁴ While it did not alone

⁵¹ Mauricio Bruno, “Usos y sentidos de la democracia en Uruguay (1955-1989),” GREIPAR, June 2014, p8.

⁵² Weinstein, “The Decline and Fall of Democracy in Uruguay: Lessons for the Future,” 84–85.

⁵³ In some ways, the prosperity in Uruguay caused most Uruguayans to faithfully stand behind the two-party system and Batlle’s legacy. During the economic crisis, however, the prosperity that had upheld the stability gave way to more contentious politics and a questioning of Batlle’s political legacy. Weschler, *A Miracle, A Universe*, 84.

⁵⁴ Weinstein, *Uruguay*, xvi; Weinstein, *Uruguay: Democracy at a Crossroads*, 29. This is not to say that the Batllismo model contributed to the full breakdown of democratic rule; the descent into military rule must be attributed to a complex set of factors (whose analysis is outside the scope of this essay but includes the Cold War environment, U.S. support, and regional networks). However, it is important to see the ways that Batllismo was a

contribute to the breakdown of democracy, the failure of Batlle's two-party system, must be seen as having played a part in its collapse.

As the citizenry grew more frustrated with this situation, the government grew more violent in response to increasing protests. Advocacy in the streets was accompanied by specific, although at times conflicting visions of a better future by numerous actors during the period in the face of increasing governmental deadlock and economic crisis.

The Left Responds

In Uruguay, the basis of democracy stemmed from a long-standing tradition of respect for individual freedoms and openness to all political parties, including both Trotskyites and anarchists. Historian Aldo Marchesi argues that this made Montevideo “a thriving intellectual scene” and a “dynamic climate” where the numerous bookstores and publications made Uruguay a place for the Left to imagine a new political future in the midst of national crisis.⁵⁵ The Tupamaros currently dominate the historiography of the Left in Uruguay for this period, and therefore, this section will begin by exploring their social justice vision. It will then move beyond the Tupamaros framework to examine the various alternative rights visions that also emerged in this period.⁵⁶

The Tupamaros

contributing factor to the breakdown of democratic rule.11; Luis Roniger, *The Legacy of Human Rights Violations in the Southern Cone: Argentina, Chile, and Uruguay* (New York: Oxford University Press, 1999), 13.

⁵⁵ Marchesi, “Revolution Beyond the Sierra Maestra: The Tupamaros and the Development of a Repertoire of Dissent in the Southern Cone,” 535–36.

⁵⁶ Other historians are also beginning to embark on the task of exploring the importance of other groups beyond the Tupamaros in the pre-dictatorship period. Notably Marisa Silva Schultze, “El Partido Comunista del Uruguay como objeto de estudio: problemas novedades y desafíos,” *Cuadernos de CLAEH* 34, no. 101 (2015), 87-110 and Gerardo Leibner, *Camaradas y Compañeros: una historia política y social de los comunistas del Uruguay* (Montevideo: Ediciones Trilce, 2011).

The Tupamaros began as a splinter group from Uruguay's peripheral Socialist Party. Frustrated with the gridlock in the national political scene, they saw no option except for armed action to combat the social problems facing the nation. Their first known meeting took place in 1964, although the group would evolve into a more coherent bloc in subsequent years. Breaking from the "old Left" in the country, the Tupamaros felt that their forbearers had failed to change society through their manifestos and electoral strategies. Influenced by Che and Fidel Castro—but applying their rural strategy to an urban setting—the Tupamaros worked hard to develop tactics that would raise consciousness, result in minimal bloodshed, but maximize embarrassment to authorities to radicalize a deeply troubled Uruguayan polity. They endorsed a violent and confrontational means of political expression in order to challenge the increasingly repressive government.⁵⁷

In opposition to many other revolutionary movements around the world in this period, the Tupamaros tended to be more open in their ideological criteria for membership in hopes of attracting all who aspired to change the political deadlock. Their language emphasized a fight "for liberty, independence, bread, and earth," while welcoming those who wanted to work for an "Uruguay without repression."⁵⁸ Very explicitly, the group argued against the use of "ism"-ideologies, and instead called for absolute equality between the government and those that it ruled. With an openness in rhetoric and low ideological bar for entry, the Tupamaros began to grow in size as discontent increased throughout the 1960s.⁵⁹

In one of their only known manifestos, they outlined the broad contours of their ideology. The document explained that the Tupamaros were

⁵⁷ Churchill, 32.

⁵⁸ Churchill, 159–60.

⁵⁹ Weschler, *A Miracle, A Universe*, 100–111; Maria Esther Gilio, *The Tupamaro Guerrillas* (New York: Saturday Review Press, 1972).

the armed political organization of students, workers, clerks, farm hands, intellectuals, and the unemployed. That is to say it represents all the exploited and those forced into poverty by your ‘order’ whose very basis is injustice ... The problems of the country will find a solution when the land is in the hands of all and not just a few privileged people; when it produces the wealth it is capable of producing and this wealth is shared among the people; when the land feeds the poorest people ... when monopoly capital is expropriated from banking, industry and commerce and these three key sectors of the economy are placed at the service of the workers and all the people; when the shameful ties that bind us to foreign exploitation are broken and we can pursue a national and truly independent foreign policy; and when the theoretical right of every person to education, housing, health and work has become a reality.⁶⁰

This document explained a more just vision that the Tupamaros imagined for Uruguay. It was an ideal that overcame imperialism through armed conflict, and was rooted in a future with enumerated rights to education, housing, health, and work in line with Uruguay’s social welfare tradition.⁶¹

Their ranks continued to swell as the Tupamaros conducted an increasing number of publicity-generating stunts.⁶² For example, the group carried out their first public actions in July 1968 when they kidnapped a government leader close to the president who backed a hard line response to union strikes. Several days later, though, they released him unharmed, making a point of protest and generosity. As the Tupamaros carried out more operations, they focused on maximum humiliation toward the armed forces who were carrying out much of the repression against the people. In addition to multiple successful prison breaks that showed the ineptitude of prison guards, the group also broke into officers’ homes and lectured them on changing careers.

⁶⁰ “The Tupamaro Manifesto,” *The Tupamaros: Urban Guerrillas in Uruguay*, ed. Alain Labrousse (New York: Penguin, 1973), 157–162.

⁶¹ Movimiento de Liberación Nacional, *Documento No. 1*, June de 1967, accessed 7 July 2014, http://www.archivochile.com/America_latina/JCR/MLN_T/tupa_de/tupade0001.pdf.

⁶² While the exact number of Tupamaros is unknown, estimates vary between several hundred to 3,000 members at their height. Scholars determine that the lower number is far more likely when accounting for core members who participated in commando operations. Albert Parry, *Terrorism: From Robespierre to the Weather Underground* (Massachusetts: Courier Corporation, 2013), 276; Walter Laqueur, *A History of Terrorism* (New Jersey: Transaction Publishers, 2011), 85; Michael Freeman, *Freedom Or Security: The Consequences for Democracies Using Emergency Powers to Fight Terror* (Westport: Greenwood Publishing Group, 2003), 96–97.

Tying up the officers and their families, the Tupamaros would be kind to the families and only take weapons and personal documents. The Tupamaros said these break-ins were intended to provide a supply of arms for their cause and undermine the morale of the force.⁶³ The Tupamaros also gained notoriety by robbing banks and then distributing the money to workers, such as when they robbed the San Rafael Casino and gave the money to those employed there. The Tupamaros targeted bigger banks and establishments, while clearly stating that they would leave the property of the workers, small businessmen, and small producers alone.⁶⁴ This led many to call them the “Robin Hood Guerrillas.” Most of their initial public actions were careful to avoid bloodshed, which increased popular sympathies among the population, garnered international attention, and stretched the imagination of what many considered “armed” struggle.⁶⁵ Both in Uruguay and around the world, their flashy actions to embarrass the Uruguayan military gained the group notoriety. *The New York Times* went so far as to call them “the best organized urban guerrillas in Latin America.”⁶⁶

However, despite the Tupamaros’ enormous popularity, there were always some who were skeptical of the movement. Both pro-Maoist and pro-Moscow critics among the Left in Uruguay contended that the group had little concrete philosophy for a utopian vision beyond armed action, which they considered problematic for a revolutionary movement.⁶⁷ The group of detractors only increased as the Tupamaros adopted a platform of violence in the name of self-defense or in cases where they needed to protect third parties. Between 1966–1971, the Tupamaros killed eleven police officers with this philosophy—claiming to only use violence at the “correct time against the

⁶³ Churchill, 102–3

⁶⁴ *Ibid.*, 142.

⁶⁵ Marchesi, “Revolution Beyond the Sierra Maestra: The Tupamaros and the Development of a Repertoire of Dissent in the Southern Cone,” 549–50.

⁶⁶ Joseph Novistski, “Another Chile in the Making? Uruguay,” *The New York Times*, 28 November 1971, E2.

⁶⁷ Churchill, *Becoming the Tupamaros*, 138.

correct target.”⁶⁸ Most famously, in 1971, the group kidnapped and eventually killed United States Agency for International Development (USAID) officer, Dan Mitrione, whom they accused of teaching torture methods to the national police.⁶⁹ This move captured international headlines and countered earlier strategies of releasing prisoners, even those who were held for long periods of time. At the time, one report noted a Gallup Poll that found that 20 percent of Uruguayan people were against the execution of Mitrione, 20 percent were in favor, and 60 percent did not care.⁷⁰ However accurate or inaccurate those numbers may be, in retrospect the killing of Mitrione is often seen as a turning point of widespread support for the Tupamaros. In this respect, the Tupamaros were subsequently blamed in many accounts for the governmental crackdown on the entire population and the move to military rule. While the military had begun to increase their repressive measures before the Tupamaros’ killing of Mitrione, and continued well past the groups’ demise, in rhetoric the government framed the danger of the Tupamaros as a reason for the state of emergency in the name of national security. Many Uruguayans eventually believed this as well.

The attention-grabbing acts, the force of international admiration, and their prominent presence in the post-dictatorship politics have ensured that narratives of the Tupamaros have often dominated the historiography of the late 1960s and early 1970s in Uruguay. While their influence cannot be doubted, this focus tends to obscure the minor utopias, or “imaginings of liberation usually on a smaller scale, without the grandiose pretensions or the almost unimaginable hubris

⁶⁸ Churchill, *Becoming the Tupamaros*, 160. There were exceptions to this rule, including when they killed a rural worker, Pascasio Ramón Báez, in order to protect the group from being discovered by authorities.

⁶⁹ Jorge Durán Mattos, “Mitrione, asesor de torturas,” *Marcha*, 9 Junio 1972, cited in “Uruguay y Ahora Qué?” *Cuadernos de Crisis* no. 4 (1974), p10, Folder 4, Álvaro Barros Léméz Colección, Archivos de Centro de Estudios Interdisciplinarios Uruguayos, Montevideo, Uruguay [Hereinafter CEIU]. This incident was made famous by Langguth, *Hidden Terrors* which was a commercial book about Dan Mitrione and the CIA’s ventures in South America. Mitrione’s death was also fictionalized in Costa-Garvas, *State of Siege*, Film (1972).

⁷⁰ “Tupamaros Stage Spectacular Mass Jailbreak as Uruguay Heads Towards Crucial Election,” *Liberation News Service*, 18 September 1971, no. 376, p8, Box L23, Marshall Bloom Collection, Amherst College Library Archives and Special Collections.

and cruelties of the major utopian projects” of the many different social actors, striving for a better future for Uruguay.⁷¹ Their disparate visions shifted in response to sharing and adopting global ideas, but also were uniquely Uruguayan with their emphasis on historical rights and privileges.

Unions; Convención Nacional de Trabajadores (CNT)

While labor unions have a deep and strong history in Uruguay, their political relevance increased as the economy spiraled out of control during the 1950s and 1960s.⁷² In 1964, various unions started meeting in order to coordinate their actions against growing economic difficulty, and two years later consolidated under the name the Convención Nacional de Trabajadores (CNT) to increase their influence and lobbying power while pushing for measures like fair wages.⁷³ The CNT included groups such as the electric power workers, teachers, bank workers, the press association, and the rubber workers, among others. In one of its first publicly disseminated documents, the CNT declared its solidarity as a cohesive group of unions. Further, the document asserted the group’s promise to fight for bread, work, liberty, and progress, particularly against increased government attacks.⁷⁴

The root of the union-government confrontation stemmed from the increasingly draconian methods to control unions through what the government termed “economic stabilization programs.” With Uruguay in debt, the IMF became a major lender to the country, imposing strict conditions such as reducing state involvement in the economy and allowing greater openness to foreign investment and trade.⁷⁵ Budget cuts were imposed on many industries, often at the expense

⁷¹ Gould, “Solidarity under Siege: The Latin American Left, 1968,” 351, quoting Jay Winter.

⁷² Héctor Rodríguez, *Unidad Sindical y Huelga General* (Montevideo: Centro Uruguay Independiente, 1987), 11–17.

⁷³ “De la UGT a la unificación,” *Marcha*, 30 September, 1966, 12, BN.

⁷⁴ “Material preparatorio de la Asamblea Nacional de Sindicatos, 28-29 enero 1966, in *CNT 1964-1965: Documentos Sindicales* (Montevideo: Centro Uruguay Independiente, 1966), 9.

⁷⁵ Hal Brands, *Latin America’s Cold War* (Cambridge, Mass: Harvard University Press, 2010), 154.

of workers. These burdens included limiting wage increases and laying off workers, even as inflation increased at astronomical rates. For example, inflation rose by 138 percent in 1967 alone, but wage increases were frozen by the government first, and then when the freeze was lifted, wages increased by less than half the inflation rate.⁷⁶ These dire economic conditions challenged Uruguay's exceptionalist social welfare narrative and were an affront to the country's nationalist pride through the IMF's foreign intervention.

As the confrontation between the repressive government and a radicalizing Left grew, President Pacheco attempted to silence the CNT by invoking security measures to shut down its press and arresting labor leaders. In addition to battling against the government, the CNT also faced internal problems. The CNT represented so many various unions from across the economic spectrum that in-fighting over the direction and tactics proved at some points debilitating.⁷⁷ In addition to the differing political leanings of various union members, which included a strong Communist Party influence, there was fierce debate over how to balance a response by the union to the workers' conditions against the general national crisis.⁷⁸ Despite these differences, many documents emerged out of the CNT's meetings that advocated for how to restore a democratic and socially just Uruguay based in an economic rights discourse. Between 1966, when the CNT was formally incorporated, and 1973, when the CNT was outlawed by then-president Juan María Bordaberry, the group consistently protested the government's infringement of the people's right to freedom of expression. More loudly, though, the CNT asserted the people's rights to a fair wage

⁷⁶ Alexander and Parker, *A History of Organized Labor in Uruguay and Paraguay*, 67.

⁷⁷ Martin Gargiulo, "The Uruguayan Labor Movement in the Post-Authoritarian Period," in *Labor Autonomy and the State in Latin America*, ed. Edward Epstein (Boston: Unwin Hyman, Inc., 1989), 223–24.

⁷⁸ Stephen Gregory, *Intellectuals and Left Politics in Uruguay, 1958-2006* (Brighton: Sussex Academic Press, 2009), 41–43.

and living standard as part of the battle against the cuts that the group believed were aiding the owners of many factories while hurting the workers.

As the battle escalated between the CNT and the government, the CNT's demands moved from solely economic to political rights as well. The CNT blamed the repression of personal freedoms and the inability to solve the nation's problems on a militaristic government and political deadlock.⁷⁹ As early as 1966, the CNT "ceased to be only an organization to coordinate the unions." Rather, as stated in their Declaration of Principles and Statutes, the CNT was a vehicle of the fight for the social and economic claims of all workers. It advocated for better material and cultural conditions for the people, for promotion of national liberation and progress, and for a path toward creating a society without exploitation or exploiters.⁸⁰

These theoretical principles were defined in action and concrete terms during the late 1960s and early 1970s. In June 1971, the CNT called for a general strike to protest Pacheco's policies, centering their demands on a solution to the education crisis and reinstatement of workers who had been dismissed as a result of the Provisional Measures of Security for having "suspect beliefs."⁸¹ Various documents issued during these years demonstrate the wide-ranging call for reform that the unions demanded. For example, the CNT expanded on their political vision for an ideal society to include agrarian reform, public housing, and social security. They also increasingly advocated against cuts to education budgets and led protests to interrupt the functioning of schools in the late 1960s.⁸² The 1971 official CNT platform ranged widely, starting specifically with the call for the right to protest against the government and the release of union leaders who had been arrested. The

⁷⁹ Gould, "Solidarity under Siege: The Latin American Left, 1968," 355.

⁸⁰ "Uruguay y sus sindicatos," November 1979, 13, Folder 6, Collection Ponce de Leon, CEIU.

⁸¹ Alexander and Parker, *A History of Organized Labor in Uruguay and Paraguay*, 70.

⁸² *Ibid.*; Centro de Investigación y Promoción Franciscano y Ecológico, *PIT-CNT, un solo movimiento sindical: selección de documentos*. (Montevideo: PIT-CNT, 1985).

document expanded on these initial demands and also called for protection against foreign government intervention, protested IMF policies, demanded reform of the educational system, and advocated for a change in the political functioning of government.⁸³ In articles in *Marcha*, leaders of the CNT published these demands, calling for unions to have free expression and the right to organize for fair wages.⁸⁴ Implicit in so many of these arguments was the invocation of historical freedoms that were now being curtailed. They called for reform and protested for collective rights that they believed would improve society.⁸⁵

While the CNT represented numerous unions, rarely did they focus on the particular problems and challenges of any one particular industry, instead focusing on the broader problems that workers faced across the country. However, fighting against the limits to their freedom of expression and the right to a fair wage united these various groups under increasing repression. Meanwhile, even as many of the strikes began to address a wide range of societal issues, the CNT continued to protest for its core issue of fair wages. Notably, unlike in many other Latin American countries during this period, there was a high degree of coherence between the student movement and the CNT. Together, they used the slogan “*Obreros y estudiantes; unidos y adelante!*” (Workers and students, forward united!).⁸⁶ This alliance provided for fruitful collaboration and a more forceful organizing effort.⁸⁷ However, the student movement had different objectives and focal points for its protests.

⁸³ “Aprobados en la reunión del 17 Febrero 1971,” Folder 142, Waksman Collection, CEIU.

⁸⁴ Victor Bacchetta, “CNT: El Camino y las Perspectivas,” *Marcha*, 2 July 1971, p18, BN.

⁸⁵ *CNT: Declaración de principios, programa y estatutos* (Montevideo: Centro Estudiantes de Derecho, 1967).

⁸⁶ Margaret Randall, “Uruguay: a woman remembers,” *Social Justice* 42 no 1 (Spring 2016), 116.

⁸⁷ This collaboration began as early as 1919 when student groups argued for university extension classes to take place in the headquarters of labor unions. Il defonso Pereda Valdez, “Exxtensión universitaria,” *Ariel* as cited in Mark J. van Aken, “The Radicalization of the Uruguayan Student Movement,” *The Americas* 33 no. 1 (July 1976), 115. From then on, the FEUU supported union activity by helping publicize their complaints and joining strikes, while workers supported the FEUU’s efforts to gain university reforms. Megan Strom, “Transnational Youth: The Federation of Uruguayan University Students in the Early Cold War, 1941-1958,” (PhD diss., University of California San Diego, 2015), 5.

Student Movement; Federación de Estudiantes Universitarios del Uruguay (FEUU)

The Federación de Estudiantes Universitarios del Uruguay (FEUU) was founded in 1929. From the beginning, the organization was left-leaning and had a close relationship with the country's unions as it declared a "student-proletariat solidarity."⁸⁸ Comprised of various student groups, the FEUU acted as an umbrella for student unions according to their field of study, including medical, architectural, social sciences, and engineering students, among others. Between 1955 and 1975, the number of students receiving university-level education increased by 177 percent, with the student population reaching around 22,000 during this time. The university offered a place to debate and discuss the various strategies and ideologies for political success during the growing national crisis.⁸⁹

During this period, the main focus for organizing rested on university autonomy. However, members embraced what historian Megan Strom explains as a "social mission" of engaging with wider societal issues.⁹⁰ For example, in international politics at the time, the FEUU adopted what was called "a third way" that rejected many of the Cold War binaries of the day and connected to other student struggles during the period on a transnational scale. The FEUU hinged their identity on anti-imperialism and the idea that the university was a force for positive social change both in the academic community as well as in society as a whole.⁹¹ As the crisis in Uruguay deepened throughout the 1960s, the FEUU refocused on domestic issues that engaged these ideals.

⁸⁸ Van Aken, 123.

⁸⁹ Churchill, *Becoming the Tupamaros*, Chapter 1.

⁹⁰ Strom.

⁹¹ *Ibid.*, 5.

For instance, in *Jornada*, the FEUU's paper, leaders wrote about the increasing economic disparity in the country and what they considered to be the fascism of the government.⁹² Out of this discord, the FEUU articulated a platform based on three main principles aimed at combating the current political conditions and attracting a widespread following: a leftist political vision based on student discontent with the government and the two traditional parties to address the national crisis; strong nationalist sentiments, which pointed to capitalism and imperialism as contributing to the current economic problems; and lastly, university reforms such as autonomy for students to have a larger say in the curriculum and university governance.⁹³ Parliament had passed the Organic Law in 1958, which granted students "direct and significant" representation in the university's governing institutions. National unrest threatened this involvement as the government made reforms to the university budget without student input and moved to abolish autonomous governing councils to restructure government authority. A militant student body, also in frequent clashes with the executive, further threatened their hard-won autonomy as student and teacher strikes were effectively outlawed on the premise that any activity should be prohibited that "impeded or denied the right to study."⁹⁴

All these assertions by the FEUU were seen as part of a process to democratize education and advance a larger societal project of ending social injustice and economic exploitation.⁹⁵ The student movement explained that their fight was "in defense of liberty and social gains, in defense of the right to fair pay for work, the right to health, to education of our children, and the right to enjoy all the traditional benefits that we have fought for in past difficult battles."⁹⁶

⁹² Editorial, *Jornada*, July 1962, CEIU.

⁹³ Arthur Liebman, Kenneth N. Walker, and Myron Glazer, *Latin American University Students: A Six Nation Study* (Cambridge: Harvard University Press, 1972), 136–37.

⁹⁴ Weinstein, *Uruguay*, 130.

⁹⁵ Van Aken, "Radicalization," 124.

⁹⁶ "Un Santuario de Libertad," *Gaceta de la Universidad*, Agosto 1968, p10-11, Colección Ana Maria Ferrari, Archivo General de la Universidad, Montevideo, Uruguay [Hereinafter Archivo General].

As the battles between students and the government grew fiercer throughout the decade, students moved their protests from the papers into the streets.⁹⁷ Students protested military intervention in the university's policies and the increasingly strict laws enforced by the government. For instance, students spoke out against the government's limitations on civil liberties, such as the right to hold public meetings, and its frequent implementation of security measures.⁹⁸ The involvement of the FEUU and student militancy in the political battles of the 1960s was not surprising given the earlier history of student activism. The difference, according to historian Vania Markarian, lay in the number of those who became involved, as well as the level of violence in the streets as clashes with the government became more common as the decade wore on.⁹⁹ The first student killed was Liber Arce, who died of bullet wounds sustained during a large anti-government rally in 1968.¹⁰⁰ Following his death, massive protests and public displays of mourning took over the city. The government sought to control the public's outrage through arrests, torture, and outlawing public protest. These measures only further enraged the population and contributed to a cycle of escalation in the years leading up to 1973.¹⁰¹

By the latter part of the decade, new student groups formed that were even more radical, including the Frente Estudiantil Revolucionario (FER), which demonstrated the way the movement began to fracture over how to address the nation's increasingly precarious political situation.¹⁰² Upset by the idea of gradual reform against mounting crisis, the Frente supported a

⁹⁷ "Gran Manifestacion Estudiantil," *Jornada*, October 1964, CEIU.

⁹⁸ "Manifiesto de FEUU a la opinión pública," April 1965; "Las Medidas se Transformaron en Dictadura," *Jornada*, October 1965, CEIU.

⁹⁹ Vania Markarian, *El 68 Uruguayo: El Movimiento Estudiantil Entre Molotovs Y Musica Beat* (Buenos Aires, Argentina: Universidad Nacional de Quilmes Editorial, 2012), 65.

¹⁰⁰ Gabriela Fried Amilivia, *State Terrorism and the Politics of Memory in Latin America: Transmissions Across The Generations of Post-Dictatorship Uruguay, 1984–2004* (New York: Cambria Press, 2016).

¹⁰¹ Nancy Gina Bermeo, *Ordinary People in Extraordinary Times: The Citizenry and the Breakdown of Democracy* (Princeton University Press, 2003), 110–11.

¹⁰² Markarian, *El 68 Uruguayo: El Movimiento Estudiantil Entre Molotovs Y Musica Beat*, 69.

combative stance against the government.¹⁰³ Another article in the leftist paper, *Marcha*, further illuminated the diverging visions of what students were striving toward. In interviews conducted around the university, students explained their hopes for the future. Some focused on economic equality, some stressed the importance of eliminating class lines, and others even focused on gender inequality. The students noted that their ideal society differed, but they stood firm that they were all fighting for a “better ideal.” The students also acknowledged that “sometimes there were different methods but that isn’t to say they didn’t have a good idea about where they wanted to go” as a society.¹⁰⁴

Although there were numerous ideas of social justice and minor utopian visions, the student movement stood as a force for independence—from the Cold War ideological battles and from the increasingly repressive government that sought to take away both political rights and educational autonomy. While some students called for revolutionary change and even left the FER to join the Tupamaros, student groups fought on both the streets and in the classroom to maintain the rights of students and workers.¹⁰⁵

In addition to the powerful movement by students, professors at the university also played a unique role. Leftist professors were often a subject of scrutiny and intimidation by the government, with dozens of professors arrested during this period.¹⁰⁶ Facing an increase in professors being detained and tortured, the faculty governing body passed a resolution denouncing the repressive acts and intimidation by the regime. Professors then joined together to create a commission to collect information about university teachers who were detained and coordinate

¹⁰³ Eduardo Rey Tristán, “Movilización estudiantil e izquierda revolucionara en el Uruguay (1968-1973),” *Revista Complutense de Historia de América* 28 (2002): 185–209.

¹⁰⁴ “Jóvenes: Entre la Violencia y a Sociedad Ideal,” *Marcha*, 13 June 1969, 12–13, CEIU.

¹⁰⁵ “FEUU: Movilización Popular y Soluciones de Fondo,” *El Popular*, 13 Junio 1973 in *Movimiento Estudiantil: Resistencia y Transición* (Montevideo: Centro Uruguay Independiente, 1988), 14–17.

¹⁰⁶ “La Represión en la Universidad,” *Militancia*, 15 Noviembre 1973, cited in *Uruguay y Ahora Qué? Cuadernos de Crisis* no. 4 (1974), p22-3, Folder 4, Álvaro Barros Léméz Colección, CEIU.

efforts to hire attorneys, address family concerns, and provide “solidarity and defense against fascism.”¹⁰⁷ In this way, the academy acted as a place of protest for students and professors, which also made them a focal point for the policies of the increasing repressive regime.

Communist Party

The *Partido Comunista de Uruguay* [Communist Party of Uruguay (PCU)] also dated back long before Cold War politics became pervasive. The PCU had traditionally rejected violence as a means of political change.¹⁰⁸ Due to their electoral goals over attention grabbing methods, historian Vania Markarian notes that many studies of the 1960s in Uruguay overlook the role of Uruguayan communists during this period. Therefore, it is important to analyze the ideas and influence of the Communist Party leading up to the 1973 coup, as members of the party also became a major target of Pacheco and Bordaberry’s regimes.¹⁰⁹

At the start of the 1960s, the PCU was the largest group on the Left, with more than 40,000 votes cast for their candidates in the 1962 election.¹¹⁰ During the 1960s, the PCU sought to create a left-wing coalition by gathering strength through the alliance of the proletariat with the middle-class sectors. Through enlarging their base, they believed Uruguay would be a step closer to fulfilling the “anti-imperialist agrarian” stage of an Uruguayan revolution.¹¹¹ The Communist Party, however, held an anti-militaristic vein during this period. In many ways, the Tupamaros

¹⁰⁷ “Convención de la federación de docentes universitarios,” July 1972, p47–8, Colección Ana Maria Ferrari, Archivo General.

¹⁰⁸ The Communist Party was founded in 1919 in Uruguay. Leibner, *Camaradas y Compañeros*, 17.

¹⁰⁹ Vania Markarian, “To the Beat of the ‘The Walrus’: Uruguayan Communists and Culture in the Global Sixties,” *The Americas* 70 no. 3 (January 2014): 364.

¹¹⁰ Gregory, *Intellectuals and Left Politics in Uruguay*, 36. This equated to 3.6 percent of the total votes cast in the election. The Socialist Party received about 27,000 votes and the Unión Cívica received 35,000 votes.

¹¹¹ Markarian, *Walrus*, 368.

emerged out of Communist and Socialist Party reluctance to embrace a revolutionary mindset as the Cuban example stirred new thinking across the continent.¹¹²

As the decade wore on, the Communist Party struggled to articulate a platform amid the rapid political shifts. Historian Gerardo Leibner points out that the Party had trouble placing itself at the vanguard of the revolution when other groups like the Tupamaros captured headlines. The PCU oftentimes found itself reacting and in a defensive position to some of the most difficult problems of the day.¹¹³ After Che's failure and death in Bolivia and setbacks and defeats by guerillas in neighboring countries, some groups in Uruguay became even more steadfast and revolutionary. The PCU, however, moderated its position to focus on creating alliances in defense of democracy against the mechanisms of repression by government.¹¹⁴

The tactic was successful to some extent and through the end of the decade, the PCU recruited many new members of disaffected workers struggling against the government but unwilling to join revolutionary forces.¹¹⁵ Despite these increased numbers, the Communist Party realized its limited possibility of reaching elected office on its own party platform alone.¹¹⁶ Attempting to overcome the deadlocked political scene, communists saw opportunity in the creation of a new political party of leftist group coalitions—the Frente Amplio or Broad Front. The formal coalition embraced the PCU's principles of anti-imperialism and anti-oligarchy, while

¹¹² Until the Frente Amplio, the Socialist Party eschewed attempts to create a united party with the PCU. Instead, the Socialist Party advocated for radical reforms to the constitution in the early 1960s that merely resulted in decreased support in elections. The party's continued internal battles over how to respond to the nation's problems split the party among various factions later in the decade. Gregory, *Intellectuals and Left Politics*, 37–41; Wladimir Turiansky, *El Uruguay desde la Izquierda: Una Crónica de 50 años en la vida política y social* (Montevideo: Cal y Canto, 1997), 59.

¹¹³ Leibner, *Camaradas y Compañeros*, 516.

¹¹⁴ *Ibid.*, 521.

¹¹⁵ *Ibid.*, 589–90.

¹¹⁶ In the 1966 election, 76,750 votes were cast for the communist, equally 5.7 percent—the highest since the Cold War began. *Ibid.*, 436.

joining forces with groups that the PCU had been working with in the preceding years to fight against the government's repressive actions.¹¹⁷

Creation of the Frente Amplio

The Communist Party was not alone in this shifting strategic decision and many factions of the Uruguayan Left hoped that a popular front party would help achieve electoral solutions to the country's problem. Going beyond the example of Chile's Popular Unity coalition, the Socialist Party and Christian Democratic Party joined together in 1971 with the communists and half a dozen other small leftist groups. Perhaps more importantly, major figures from the Colorado and Blanco parties also left the two historically prominent political parties to join this new coalition. Most notably, Zelmar Michelini and Alba Roballo were increasingly frustrated with the repression from their Colorado party leadership and became two leaders of the new coalition.¹¹⁸ With impending elections in November of that year, these groups officially founded the Frente Amplio on 5 February 1971.¹¹⁹

The Frente Amplio rejected violence as a path to resolve national problems and instead believed that it could organize people democratically to bring true peace to the country.¹²⁰ It argued that the current government, which it considered unjust and unpopular, could be overcome through a new form of popular participation in government and the will of the people in the November elections. As Julio Castro, a teacher, labor leader, and one of the founders of the Frente Amplio, wrote in 1971, the various leftist parties would unite around candidates who represented this ideal, who worked on a common program for change, and who could promote a strategy for how to

¹¹⁷ Leibner, *Camaradas y Compañeros*, 590.

¹¹⁸ Weinstein, *Uruguay*, 42.

¹¹⁹ Michael Fox, "Uruguay's Frente Amplio: From Revolution to Dilution," *Upside Down World*, June 2007.

¹²⁰ Leibner, *Camaradas y Compañeros*, 592.

achieve results.¹²¹ Together, founding members worked to recruit a viable candidate who embodied these principles.

The party chose Liber Seregni as its presidential candidate. Seregni, an army commander, had been ordered by Pacheco to intervene militarily in a workers strike in 1969. Refusing, he resigned in protest.¹²² With a great deal of moral authority, no previous party membership, and a history in the military that once believed in the subordination to civilian government, he seemed like an ideal choice for the Frente to move forward with in the 1971 elections. In speeches around the country, Seregni countered the vision put forth by a repressive government and instead emphasized unity and dialogue.¹²³ In August, the Frente Amplio helped promote a complete electoral platform called “The First 30 Government Measures,” which laid out the group’s ideas of social justice. These ideas included, among other principles, agrarian reform, nationalization of the private banks, an invigoration of state industry, and the repeal of the state’s Security Measures.¹²⁴ Other leaders, like Julio Castro, began to write about the party’s platform in the press, explaining that the new political party would stand for nationalism, anti-imperialism, popular democracy, Latin Americanism, defense of people’s rights and liberty, social peace, and popular participation in the country’s development.¹²⁵

The Frente Amplio emerged during a period when citizens yearned for social change and needed a path toward electoral reform. Even the Tupamaros called a truce for the election and endorsed the Frente Amplio.¹²⁶ While the frustration of the Tupamaros and revolutionary calls

¹²¹ Julio Castro, “El Frente Amplio, un horizonte de esperanza,” *Cuadernos de Marcha* no 53 (1971), 5. Castro was disappeared in 1977 by the military; his remains were not discovered until 2011.

¹²² Joseph Novistski, “Another Chile in the Making? Uruguay,” *The New York Times*, 28 November 1971, E2; Lawrence Weschler, “Uruguay,” in *Dealing with the Past: Truth and Reconciliation in South Africa*, ed. Alex Boraine, Janet Levy, and Ronel Scheffer (Cape Town, South Africa: IDASA, 1994), 106.

¹²³ Gregory, *Intellectuals and Left Politics in Uruguay, 1958-2006*, 57–58.

¹²⁴ “30 Primeras Medidas de Gobierno,” *Frente Amplio Documentos Fundacionales*, 1971.

¹²⁵ Julio Castro, “El Frente Amplio, un horizonte de esperanza,” *Cuadernos de Marcha* no 53 (1971), 7.

¹²⁶ Churchill, *Becoming the Tupamaros*, 162–63.

often take center stage in discussions about Uruguay's descent into dictatorship, the varied groups that merged to form the Frente Amplio articulated powerful messages of social change and utopia that are often overlooked in Uruguay's historiography. As these visions of change began to be discussed throughout the country, they emerged alongside specific claims for rights that were sporadic and at times conflicting. As we shall see, they also reflected a growing awareness of the power of a human rights discourse to appeal to universal claims when historically strong Uruguayan rights of citizenship were being undermined.

A Language of Rights

From the Frente Amplio to the student activists, the social justice visions of many of Uruguay's political groups utilized a language of rights. However, it was rare in the 1960s to see the term "human rights" specifically in their discourse. There were, however, some notable exceptions. For example, each year around the anniversary of the passage of the Universal Declaration of Human Rights (UDHR), many newspapers dedicated at least a small column to exploring either activities to celebrate the occasion or the meaning of the document. During the 1960s, this began to include a hint of protest against the government's increasing repression.¹²⁷ Similarly, writers sometimes invoked the UDHR when advocating for their position on social justice issues. For example, Eduardo Galeano wrote in *Marcha* about the influence of the Marxist-Christian Colombian priest, Camilo Torres, who was killed in a battle with the Colombian military patrol in 1966. In explaining Torres's impact on the current Christian Left in Latin America, Galeano invoked article 18 of the UDHR, claiming that every individual has a right to enjoy

¹²⁷ See, for example, "La Declaracion de Derechos," *El Pais*, 10 December 1967 and Hector Rodriguez, "Derechos, Declarados y Conclucados," *Marcha*, 12 December 1969, 6, BN.

freedom of opinion and expression without being harassed for those beliefs.¹²⁸ Galeano's argument extended to the importance of securing freedom of expression and other civil and political rights at a time when these rights were increasingly less secure in his own country.

Newspapers, however, were not the only forums where leaders, intellectuals, and writers sporadically invoked the concept of human rights. In one report in Parliament, Alba Roballo, one of the founding members of the Frente Amplio, put forth a vote to investigate increasing claims of poor treatment in the prisons, including torture.¹²⁹ As a result, the legislative body approved the Special Investigatory Commission about Violations of Human Rights, Acts of Torture, and Detention Degrading Human Dignity in 1969. A year after its investigation was completed, the committee submitted a report that determined without a doubt that systematic torture and horrific treatment had been experienced by those being questioned by police as part of Pacheco's Security Measures.¹³⁰ This report was important because it linked the government to violations against the citizenry, whose rights were being infringed upon not just because Pacheco diverged from Batlle's legacy, but because all people were entitled to universally recognized rights and guarantees. In a preview of what would continue for more than another decade, the legislature invoked human rights at a time when the term was not widely mobilized to advocate against governmental treatment.

The most comprehensive exploration of human rights in the pre-dictatorship period emerged from a conference at the Universidad de la República in 1971. The conference illustrated

¹²⁸ Eduardo Galeano, "Memoria Viva de Camilo Torres," *Marcha*, 7 December 1967, 24, BN.

¹²⁹ Roballo is also interesting because she was Afro-Uruguayan, although she never publicly presented herself as such beyond having candombe drummers at her events and referring to herself in an oral history in her seventies as the "skinniest, ugliest, and blackest" in her family. George Reid Andrews, *Blackness in the White Nation: A History of Afro-Uruguay* (Chapel Hill: University of North Carolina Press, 2010), 164; Gregory, *Intellectuals and Left Politics in Uruguay*, 55–56.

¹³⁰ "Sesión Ordinaria Junio 10 de 1970," Actas de la Cámara de los Senadores, 247–282, Biblioteca del Palacio Legislativo, Montevideo, Uruguay [Hereinafter Palacio Legislativo].

the diversity and fluid uses of the term by various groups. The organizers named the conference the “International Forum for the Exercise of Human Rights in Latin America.” From around the region, lawyers, union members, and academics gathered to discuss the state of increased repression they faced both in Uruguay and, more broadly, in Latin America.¹³¹ The conference, organized by the university, embodied the leftist leanings of academia and frequently spoke of the Uruguayan government as fascist and oligarchical. When this conference took place in 1971, the frustration with an increasingly repressive government, especially one that interfered in higher education and harassed and tortured professors and students, was palpable.¹³²

Participants spoke about a variety of rights. These included protections from torture and imprisonment, but the wide range of rights showed a much broader social vision. Some speakers focused on the right to be free from dependency on the imperialist and hegemonic powers that inflicted institutional violence on populations across Latin America.¹³³ Other speakers focused more on a range of negative rights, including the right to be free from hunger and freedom from persecution for intellectuals; others focused on positive rights like the right to liberty and autonomy for university students and professors, and freedom of the press. In other discussions, conference participants debated social and economic rights, focusing on decreasing literacy rates and poor nutrition as violations of human rights. Invoking the UDHR, participants explained how Latin America faced a myriad of problems that they had all pledged to fight against twenty-three years

¹³¹ Oscar J. Maggiolo, “Palabras de Inauguración,” *Foro Internacional sobre la Vigencia de los Derechos Humanos en América Latino* (Montevideo: Universidad de la Republica Departamento de Publicaciones, 1971), 13–14.

¹³² Jorge Landinelle, “Palabras de Inauguración,” *Foro Internacional sobre la Vigencia de los Derechos Humanos en América Latino* (Montevideo: Universidad de la Republica Departamento de Publicaciones, 1971), 19–20.

¹³³ Mario Sambarino, “Derechos Humanos y Desarrollo Soiocultural,” *Foro Internacional sobre la Vigencia de los Derechos Humanos en América Latino* (Montevideo: Universidad de la Republica Departamento de Publicaciones, 1971), 51–52.

earlier when the UDHR was first passed.¹³⁴ Despite censorship and the danger of speaking directly about Uruguay, one participant even referred to the situation of human rights in the conference's host country, focusing specifically on the arrests and torture by the military.¹³⁵

The conference ultimately posed a profound question: Who had the power to enforce the human rights that were guaranteed in these treaties when a minority governed and the government itself frequently violated rights principles? This query was particularly poignant because of Uruguay's prominent role in the founding of these documents. Participants noted the impotence of the UDHR in the face of their current circumstances.¹³⁶ Therefore, the tone of the conference invoked this paradox to explain the limits of human rights, arguing for repressive regimes to be confronted in order for human rights to be protected. By pointing out that those responsible for enforcing human rights were also the ones responsible for torture, terror, and death, the conference sought to expose the frustration of millions of Latin Americans who lived under authoritarian governments.

In the end, despite a few disparate uses of "human rights" prior to the dictatorship, the concept can hardly be considered pervasive. The fluidity in which human rights was invoked by various actors pointed to the emergence of some awareness of the concept, but not a ubiquitous usage imbued with strong and publicly debated meaning. Hardly any of those who invoked human rights would have considered their advocacy part of a human rights movement. The birth of a transnationally debated concept was still in its nascent stages.

¹³⁴ Oscar J. Maggiolo, "Palabras de Inauguración," *Foro Internacional sobre la Vigencia de los Derechos Humanos en América Latina* (Montevideo: Universidad de la Republica Departamento de Publicaciones, 1971), 15; Georges Pinet, "Palabras de Inauguración," *Ibid*, 23.

¹³⁵ Carlos Martínez Moreno, "Contexto Real Actual de los Derechos Humanos en Uruguay," *Cuadernos de Marcha* 53 (1971), 13–17

¹³⁶ Pinet, "Palabras de Inauguración," *Cuadernos de Marcha* 53 (1971), 24.

These visions of social rights including starkly different ideas from both the political elite and the general population. In one example showing the diverse invocations of rights, Mario Benedetti, one of Uruguay's famous writers, explained in a language that all Uruguayans understood that the Uruguayan soccer team's failures were a product of the same problems that produced the country's political and economic crisis. The poor state of the nation's team would only be solved when human rights were enforced across society, since these were rights that Uruguayans were supposed to be guaranteed.¹³⁷ Linking human rights with the nation's pastime was a unique use of the term, but demonstrates the various ways social actors invoked the concept in the late 1960s and early 1970s. Thus, while the language of rights was an important emerging idea during this period, it was infrequently invoked; when it did come up in discussions, it was used to address a wide and sprawling set of issues, from torture to historically guaranteed social services. What many agreed on, though, was the government's failure, which set the stage for a contentious election later that year.

A Stolen Election

Pacheco, who was not legally allowed to run for a second consecutive term, nonetheless attempted to stand for reelection in 1971. He put forth a proposal for a constitutional amendment to change the law, which was voted on at the same time as the national election. He was pitted against the Colorado Party's desired candidate, Juan María Bordaberry, the Blanco Party's liberal Wilson Ferreira Aldunate, and Liber Seregni from the newly formed Frente Amplio.

¹³⁷ Mario Benedetti, "Para el Fútbol Hay Millones," *Marcha*, 16 July 1971, p9, Archivo Diarios.

The election remains one of the most controversial in all of Uruguayan history. In addition to the increased polarization and violence, evidence points to the fact that Ferreira actually won the election, but the military snatched the victory away from him.

Early returns in Montevideo gave the advantage to the Colorados and the interior leaned in favor of Ferreira. The final vote counts from the capital came in first. The Frente received 30 percent of the vote in Montevideo but very little from the more rural areas of the nation, and therefore received a national count of 18 percent. The Colorados held an early advantage, but as more votes from the interior streamed in throughout election day, the Colorados' lead began to narrow. Projected returns indicated that Ferreira would be declared the winner. However, around the time that this information began to permeate the airwaves, there was a mysterious halt in the vote count, the Colorado lead of counted votes held, and Juan María Bordaberry was declared the official winner in an election that was widely seen as having been stolen from the Blanco candidate.¹³⁸ The votes were not even officially verified until two weeks before inauguration in March. The disappointment with the elections was first seen in the end of the Tupamaros' truce just a few days after the elections.¹³⁹

Upon his inauguration, Bordaberry continued Pacheco's policies of focusing on national security and increasing the military's budget, often at the expense of education and other social sectors. However, the military sought greater executive control and created a National Security Council composed of members of the military who would oversee the presidency. That meant that although Bordaberry remained in office, his policies were supervised by a military intent on

¹³⁸ Both the Colorado party and more conservative members of the Blanco party sought to prevent a Ferreira win. Many believe that any votes for Pacheco's bid to amend the constitution were lumped into Bordaberry's total. Weinstein, "The Decline and Fall of Democracy in Uruguay: Lessons for the Future," 87–88.

¹³⁹ Vania Markarian, *Left in Transformation: Uruguayan Exiles and the Latin American Human Rights Network, 1967-1984* (New York: Routledge, 2005), 50.

consolidating its power against the trumped-up threat of subversion, and waging a war against the Tupamaros, university protesters, and unions.

The consolidation of the military's power finally occurred on 27 June 1973 when Bordaberry, backed by the military, issued a decree shutting down the legislature and disbanding the elected governmental structures. The date 27 June is most often understood as Uruguay's *autogolpe*, or self-coup. Earlier that morning, the Senate was still fighting against government repression and voted to investigate charges of torture by the military in the town of Paysandu.¹⁴⁰ Although no one knew it at the time, it was its final act for the next twelve years. Immediately afterwards, Bordaberry promulgated a measure closing Parliament, which he declared necessary because of the imminent threat that the Tupamaros posed to the nation's security.¹⁴¹ The act was a brazen move, not only because it was taken right after the Senate voted to investigate the military and because Bordaberry was abandoning Uruguay's strong democratic tradition, but also because the threat posed by the Tupamaros had, by this point, been largely neutralized.¹⁴² Almost a year earlier on 2 September 1972, the military had arrested dozens of Tupamaros, including their leader, Raul Sendic.¹⁴³ Sendic's capture was a huge victory for the Security Forces and he remained in jail for more than twelve years. Leaderless and with diminished public support after a series of missteps and increasingly violent encounters with the military, the Tupamaros largely disbanded in defeat after Sendic's arrest. Bordaberry, however, was not daunted by this fact. A year later, he

¹⁴⁰ Memo, Rhoads to Ortiz, "Possible Effects of Uruguayan Torture Charges on the AID Public Safety Program," 1 July 1973, National Security Archive Electronic Briefing Book No. 309, found at <http://nsarchive.gwu.edu/NSAEBB/NSAEBB309/>.

¹⁴¹ June 27, 1973, decrees quoted in "Latin America Update: Uruguay," Washington Office on Latin America, June 1978, Nettie Lee Benson Latin America Collection, University of Texas at Austin, Austin, TX [Hereinafter Lister Papers].

¹⁴² Most literature explains that the "Tupamaros were already a defeated force by the time of the coup." Henry Finch, "Democratisation in Uruguay," *Third World Quarterly* 7, no. 3 (July 1985): 597; Alexander and Parker, *A History of Organized Labor in Uruguay and Paraguay*, 66–67.

¹⁴³ "Uruguayan Security Forces Trap Tupamaro Chief," *Boston Globe*, 2 September 1972, 2.

readily dissolved the legislative branch and invoked the threat of the Tupamaros as justification. He furthered his grip on society by creating a culture of censorship that prohibited the dissemination of information that attributed dictatorial motives to the government, or in essence, any criticism. Between 1967 and 1973, Pacheco and Bordaberry had closed fifty-four different publications in Uruguay. A climate of “absolute censorship” prevailed for the rest of the decade.¹⁴⁴

A last breath of resistance arose from the FEUU and CNT. The FEUU issued a statement to fight the new dictatorship and “defend principles of justice, liberty, and human rights.”¹⁴⁵ The CNT then responded to Bordaberry’s decree by calling a general strike that lasted for fifteen days. Half a million workers and students occupied their places of work and study, paralyzing businesses and public services in Montevideo and the interior parts of the country.¹⁴⁶ Bordaberry responded by forcibly removing workers from some factories, arresting union leaders, and making the CNT illegal.¹⁴⁷ At the end of fifteen days, the strike finally ended when a purported deal was struck between the military and the unions to release some of their leaders from jail in exchange for stopping the strike. Many of these union leaders fled into exile following their release. The military forcibly closed *Marcha* for three weeks following the coup. After it reopened, it published its response to the military’s seizure of power by listing various articles from the UDHR on its cover, including the right to free speech, the right to be free from torture, and the right to organize.¹⁴⁸ With one last appeal to the international community, and a foreshadowing of the global movement

¹⁴⁴ Letter, Barbara Koepfel to Karel Vasek, 13 July 1984, Concern by the Committee to Protect Journalists, Folder 4, Álvaro Barros Léméz Colección, CEIU.

¹⁴⁵ “Declaración del Consejo Directivo Central ante la situación nacional,” 27 June 1973, published in Alvaro Rico, *La Universidad de la República: Desde el Golpe de Estado a la Intervención* (Montevideo: CEIU, 2003), 27.

¹⁴⁶ “Uruguay y sus sindicatos,” 1979, 45, Folder 6, Colección Ponce de Leon, CEIU; Alvaro Rico, *La Universidad de la República: Desde el Golpe de Estado a la Intervención* (Montevideo: CEIU, 2003), 30–31.

¹⁴⁷ “Uruguay y sus sindicatos,” 1979, Folder 6, Colección Ponce de Leon, CEIU.

¹⁴⁸ Cover, *Marcha*, 27 July 1973, 1, BN.

to come, Bordaberry and the military countered this move by consolidating their hold on the country. Within a year, *Marcha* was permanently shut down.

Conclusion

What makes Uruguay's descent into this repressive state unique from other Latin American nations is the gradual way in which civil liberties were taken away from the populace. Far from Chile's dramatic coup a few months later, which served in many ways to distract the international community from Uruguay's plight, the military in Uruguay descended into totalitarian rule by peeling back their long-held rule of law year after year until, by 1973, the military had destroyed any semblance of democratic balance in the nation. This slow process exposes the unclear dichotomy between democracy and dictatorship, where human rights violations began before the military officially gained control.

Uruguay's armed forces refused to admit they had carried out a coup and no ruling junta was officially established. Instead, they kept a "civilian" figurehead in office, and the dissolved Congress was officially replaced by a twenty-five-member civilian body called the Consejo del Estado, or Council of State. Each person in the council was individually appointed by the president and although the council had little functional power, it allowed for a veneer of democratic trappings.¹⁴⁹

The closure of Congress on 27 June 1973 is often considered the official day of the establishment of Uruguay's military dictatorship. This chapter has shown, however, that Uruguayans had actually been living under a repressive government for years by the time Bordaberry dismissed the country's elected body. During this long descent, Uruguayans across the

¹⁴⁹ Handelman, "Politics and Plebiscites: The Case of Uruguay," 2–3.

Left articulated various visions of social justice and utopian societies. These visions ranged from a defense of social democracy attuned to Uruguay's historical legacy since Batlle, to a more radical assertion of equality attuned to the politics of Third World revolution, to the search for a third way between oligarchical capitalism and authentic communism. Although these visions clashed rather than cohered neatly, their proponents reached for a language of rights that would come to characterize the battle against the dictatorship. What differed drastically between later concepts of rights and those articulated by the groups explained above is the collective rights nature of these earlier visions. In the face of crisis, so many of these groups did not necessarily imagine a revolution for Uruguay similar to that in Cuba, nor did they focus only on individual rights. Instead, they articulated broad visions for social justice based on universally recognized group rights. This focus, however, changed during the years of struggle during the dictatorship.

Chapter 2: Transnational Activism: Uruguay and the Rise of the International Human Rights Movement

A few days after Juan María Bordaberry officially shut down the nation's legislature and ceded control of the country to a junta of military generals, the leftist paper *Marcha* wrote that “no one can be surprised. This ominous fall...was the result of a process [that] began some time ago and [was] completed, step by step, until it was brought out into the light... [I]t ripped off the veil and the mask fell.”¹ Democratic governance had been eroding in stages since the late 1960s and these last measures completed the collapse on 27 June 1973.²

Amnesty International (AI) was fully aware of the impending troubles in Uruguay. Two days before Bordaberry shut down Parliament, the relatively young organization issued one of its very first press releases about Uruguay, which expressed concern about the human rights situation there.³ The statement read that “torture has become a common method of interrogation of political prisoners in Uruguay” and corresponded with reports of a “new wave of arrests.” The press release went on to highlight four particular cases: Fernando Alvaro Mejias, a thirteen-year-old boy who had been arrested and held for three days so that the military could interrogate him about his mother's decision to flee the country; Ruben Sassano, a thirty-two year old activist who was tortured over a period of ten months, released, and then re-imprisoned; and Augusto Bessouat and J. Joura, two university employees who were arrested without charges and whose whereabouts were unknown.⁴

¹ “Sin Velos y Sin Mascara,” *Marcha*, 30 June 1973, 4, Biblioteca Nacional, Montevideo, Uruguay [Hereinafter BN].

² Charles Gillespie, *Negotiating Democracy: Politicians and Generals in Uruguay* (New York: Cambridge University Press, 1991), 33–34.

³ Peter Benenson founded Amnesty International in 1961.

⁴ “Amnesty Says Political Prisoners Tortured in Uruguay,” Amnesty International News Release, 25 June 1973, Folder: AMR 52: Americas–Uruguay, 1972-3, Box 6: Executive Directors Files 1967-1997; Series 5: National Section Memos, Amnesty International USA Collection [hereafter AI-USA], Columbia University Archives, New York, NY.

AI's news release about Uruguay coincided with the organization's decision to conduct comprehensive public auditing. Since its founding in 1961, Amnesty had addressed individual cases of torture or political imprisonment on an ad hoc basis around the globe. In the early 1970s, AI gained credibility and matured by expanding its focus on torture and political imprisonment to include more general advocacy against these practices in varied contexts around the globe.⁵ Thus, when AI initially issued a press release to address the situation in Uruguay, and eventually adopted the nation as AI's first concerted country campaign, it was by no means surprising.⁶ A coalition of exiles and activists had already been framing the country's human rights problems as centering squarely on the exact same two issues that Amnesty was concerned with addressing.

The timing of this initial memo, concurrently with the explosion and maturation of an international human rights movement, closely paralleled Uruguay's deepening human rights problems. While historians have long debated the birth of human rights more generally, there has recently been an effort to investigate the increased activism around a human rights movement in the 1970s specifically.⁷ However, due to the nation's small size and tendency to be overshadowed by the dramatic events in neighboring Argentina and Chile, Uruguay is frequently

⁵ Aryeh Neier, *The International Human Rights Movement: A History* (Princeton, N.J.: Princeton University Press, 2012), 191.

⁶ James N. Green, *We Cannot Remain Silent: Opposition to the Brazilian Military Dictatorship in the United States* (Durham: Duke University Press Books, 2010); Barbara J. Keys, *Reclaiming American Virtue: The Human Rights Revolution of the 1970s* (Cambridge, Massachusetts: Harvard University Press, 2014). While Uruguay was the first official country campaign of AI, Brazil and Greece had both been a focus of the organization regarding their torture practices in the late 1960s and early 1970s.

⁷ For a debate about the longer history of human rights, see Lynn Hunt, *Inventing Human Rights: A History* (New York: W.W. Norton & Company, 2008); Elizabeth Borgwardt, *A New Deal for the World: America's Vision for Human Rights* (Cambridge: Harvard University Press, 2007); Akira Iriye, et. al, eds. *The Human Rights Revolution: An International History* (New York: Oxford University Press, 2012); Stefan-Ludwig Hoffman, *Human Rights in the Twentieth Century* (New York: Cambridge University Press, 2010); Steven L.B. Jensen, *The Making of International Human Rights: The 1960s, Decolonization, and the Reconstruction of Global Values* (New York: Cambridge University Press, 2016). For a debate about the recent 1970s human rights emergence, see, Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge, MA: Belknap Press of Harvard University Press, 2010); Jan Eckel and Samuel Moyn, *The Breakthrough: Human Rights in the 1970s* (Philadelphia: University of Pennsylvania Press, 2014); Neier, *The International Human Rights Movement*; Keys, *Reclaiming American Virtue*.

left out of these global analyses. Investigating Uruguay's relationship with this history reveals the nation as both a major contributor and beneficiary of this international shift toward human rights. The enormous population of exiles who fled the nation's dictatorship formed their own solidarity networks that appealed to international concerns. Perhaps more fundamentally, though, they connected to and impacted the major international organizations such as AI and the Washington Office on Latin America (WOLA). In addition, these exiles also garnered attention from funding organizations that were beginning to focus new philanthropic endeavors on the small Southern Cone nation. Uruguay's impact internationally is strikingly evident because it was the first country campaign targeted by Amnesty International, which was one of the most important international human rights organizations of the 1970s.

However, what is perhaps more remarkable is the general coherence among these groups to define "human rights" in terms of individual civil and political rights—largely the right to be free from torture, political imprisonment, and disappearances. This agreement is notable both because of the various international debates over what constituted human rights during this period, and because of the deep fissures in Uruguay's political culture described in Chapter 1. Internationally, ever since nations around the globe ratified the Universal Declaration of Human Rights (UDHR) in 1948, different types of rights had been intensely debated in the global arena. Many times, however, these discussions were subsumed by the larger Cold War battles and, increasingly, debates over decolonization.⁸ While these issues did not disappear in the 1970s, combatting repression in the Southern Cone united many actors around a common language of human rights to address the specific violations occurring there.

⁸ Akira Iriye and Petra Goedde, "Human Rights as History," in *The Human Rights Revolution: An International History*, eds. Akira Iriye, Petra Goedde, and William I. Hitchcock (New York: Oxford University Press, 2012), 9.

As this chapter will explain in more detail later, Uruguay was a nation where torture and political imprisonment were the two biggest concerns. The difficult situation in the country influenced the growing international discourse while attracting attention and resources from the transnational human rights movement. Documents from solidarity groups, exile networks, major international organizations, and funding organizations during this period reveal a picture in which international actors defined a specific set of rights that were remarkably consistent across organizations and continents. For many Uruguayans grappling with the dictatorship's repression, this discourse helped transcend political divides that had characterized the debates within the country throughout the 1960s. Despite different ideas of political systems and struggles in organizing as a group abroad, Uruguayans possessed a high degree of coherence when contributing to the international campaigns. Focusing on the suffering that propelled their decision to go into exile, their discourse on human rights centered around the right to be free from torture and political imprisonment. Human rights became immensely important to Uruguayans who had been tortured, or who had family members who were tortured or disappeared. This new vocabulary resonated deeply with the people of Uruguay because of the depth of despair during this period; it also served as a political tool to help garner international support. The various visions and grandiose claims for revolutions that had divided Uruguayan political culture during the 1960s were supplanted by minimalist calls for stopping certain violations, despite the continuation of deep political fissures that would emerge again during the transition back to democratic rule in the 1980s.

Examining the post-1973 period exemplifies both Uruguay's major contribution to the developing human rights discourse and the way Uruguayans utilized available international tools to address the nation's internal struggles. This chapter seeks to more deeply explore Uruguay's

place in the rise of international human rights, a topic that has lacked sufficient study in the past. However, Uruguay's importance and visibility in the international arena had a paradoxical effect domestically. By focusing on a minimal list of rights, other violations taking place under the dictatorship were ignored. In both international activism during the 1970s and subsequent historical work that explores the Uruguayan dictatorship, the human rights crisis in the country is understood as violations of political imprisonment and torture. Conversely, there is very little research about the treatment of minority groups like Afro-Uruguayans; lesbian, gay, bisexual, transgender (LGBT) people; and Jews—all of whom were victims of particular types of persecution by the military regime. Part of the reason there was silence surrounding these issues at the time was because activists wanted to connect to international networks that specifically advocated against torture and political imprisonment, not Afro-Uruguayan or LGBT rights. However, the long-term effect of narrowly defining human rights has often influenced subsequent narratives about the dictatorship that ignore the treatment of these groups in Uruguay's history as well.

In this way, a coherent narrative to appeal to international networks created an exclusionary human rights chronicle about the period. Ignoring a large group of victims, even if for valiant aims, has the effect of perpetuating the idea that only some violations and victims of the dictatorship are worthy of international attention.⁹ This chapter, therefore, attempts to both explain the coherence around specific rights at an international level and also recover a narrative of human rights violations frequently left out of accounts of Uruguay's human rights movement.

⁹ Rajca explores the exclusionary language and reproduction of human rights and violence through certain cultural memories in Brazil—explaining that by leaving out some groups in human rights advocacy, minorities can be considered “non-human” and reproduce systems of violence. Andrew Rajca, “Unraveling Normalized Rhetoric of Violence and Human Rights: The Dissensual Intervention of Sergio Bianchi’s *Quanto Vale Ou E Por Quilo?*” *Journal of Latin American Cultural Studies* 22, no. 3 (2013): 305–21.

This chapter first describes the nature of the dictatorship in Uruguay and explores the repression and human rights violations that Uruguayans suffered. The Southern Cone experienced a wave of military regimes during the 1970s, although no two dictatorships were exactly alike. This section will place Uruguay's experience in contrast to other repressive regimes in the Southern Cone, highlighting Uruguay's higher rates of torture and emigration. Second, it will explain the emergence of exile networks and solidarity groups abroad that focused on a particular set of rights. While many exile communities had difficulty agreeing on how to challenge the dictatorship, exile groups did unite around a central human rights discourse, which specifically addressed torture, political imprisonment, and disappearance. The third section then explains the success of this strategy in the emergence of Uruguay as an area of concern for Amnesty International and WOLA, focusing on each group's efforts to address the dire situation in Uruguay. Finally, the chapter explains the rise of the international philanthropic concern around these issues, mainly the Ford Foundation. As opposed to narratives that leave out the dictatorship's impact on Afro-Uruguayans, homosexuals, and Jews, I then investigate violations that specifically targeted these groups.

In explaining the growing international homogenous discourse on human rights around limited and specific issues, the chapter addresses how this depoliticized discourse to overcome political cleavages evolved from the highly political but often divisive pre-dictatorship period. From the mid to late 1970s, these divides were, at least on the surface, subsumed in order to cohere around a limited but clear set of rights. This move did not mean that these groups' visions had changed; in fact, documents show just how political many of these groups still were. Even while appealing to international bodies like the United Nations (UN) and Organization of American States (OAS), and international advocacy organizations like WOLA and AI, groups of

exiles scattered around the world did not work together on their campaigns. However, at a global level, these divergent political visions were stifled to privilege the potential impact of a focused human rights discourse. The irony here lies in the fact that while many of these groups focused their discourse on human rights to demonstrate solidarity around stopping political imprisonment and torture, fissures among these groups still existed below the surface. These differences in strategy and political ideals would resurface again during the transition back to democratic rule.

Nature of Dictatorship

Throughout the years of national crisis in the 1960s, Uruguayans had been questioning whether the country still upheld the values that had produced its vaunted title as the “Switzerland of South America.” With Bordaberry’s 1973 decree to close down the legislative branch, the country now had its answer. The move completed the country’s devolution into dictatorship. Accompanying the closure of the country’s elected body was a surge in the reported number of people being arrested, tortured, and disappeared. Bordaberry also took actions to shut down various newspapers that had proved even remotely critical of his regime. This censorship was followed by outlawing political parties and “cleansing” the schools and universities of anyone who believed in Marxist ideas.¹⁰

Just as the student-worker alliance started during the ascent of the increasingly repressive government in the late 1960s, the military targeted both sectors with ferocious zeal. The

¹⁰ All people applying for teaching positions had to sign a pledge declaring loyalty to the state and agreeing that they had not been part of “illicit” political organizations or unions like the CNT or the Federación de Estudiantes Universitarios del Uruguay (FEUU). Laura Bolanos, “Uruguay Hacia el Fascismo,” *El Universal*, 12 November 1974; “Depuración de Marxistas en el Estado y la educación de Uruguay,” *nd*, Folder 123, Waksman Colección, Centro de Estudios Interdisciplinarios, Montevideo, Uruguay [Hereinafter CEIU].

dictatorship started by working to decimate the organized labor movement.¹¹ Many labor leaders were arrested and the government outlawed the Convención Nacional de Trabajadores (CNT), a consolidation of unions. Some smaller unions were permitted to continue to operate, but they had to register with the Ministry of Labor. Registration, however, rarely translated into effective action—the repression made organizing impossible.¹² Many of the tools that these smaller unions traditionally used to bargain with their employers, such as political strikes, became a punishable crime. By the end of 1973, reports surfaced that the trade union movement was “virtually broken.”¹³

The new military government did not stop there. It also targeted the country’s education system. The government occupied the nation’s only public university, which officially ended the hard-won guarantee of autonomy. Then, the military arrested the head of the university, along with more than 150 students and faculty members. Once the government had control over the university, it fired anyone who was considered disloyal. This decree allowed for the military to fire many left-leaning members of the faculty.¹⁴ Government authorities then took over the positions. The stringent loyalty requirements expected from the university faculty extended to the secondary schools, and more than 2,000 teachers were also dismissed after administrative trials were hastily carried out in what were widely considered a harsh and arbitrary process.¹⁵

¹¹ Some historians have explained that the fear of the union movement, along with the rise of the Frente Amplio, prompted many of the harsh measures the government took after they realized that the defeat of the Tupamaros was not quelling the unrest. Robert J. Alexander and Eldon M. Parker, *A History of Organized Labor in Uruguay and Paraguay* (Westport: Praeger, 2005), 74.

¹² Martin Gargiulo, “The Uruguayan Labor Movement in the Post-Authoritarian Period,” in *Labor Autonomy and the State in Latin America*, ed. Edward Epstein (Boston: Unwin Hyman, Inc., 1989), 224.

¹³ Ibid.

¹⁴ Memo, “New Arrests of Trade Unionists and University Teachers and Students,” 23 December 1974, Folder, AMR 52 Americas-Uruguay, Box 6, Executive Director Files 1967-1997, AI-USA.

¹⁵ Report, Jeffrey Puryear, “Development Assistance Within Repressive Regimes: Issues Guidelines, and an Example,” Box 1, Human Rights and Governance Program, Office of the Program Director, Papers of Shepard Forman, Ford Foundation, Rockefeller Archive Center, Sleepy Hollow, NY [Hereinafter RAC].

It was through these measures that the Uruguayan military, in the words of a leading human rights organization, established with “unprecedented sophistication ... a hushed, progressive repression measured out in doses until it gained absolute control over the entire population.”¹⁶ The arrests extended well past teachers and labor leaders. In a country of only 3 million inhabitants, the military imprisoned some 60,000 people. The result was the highest rate of political incarceration in the world; one in every fifty people. Hundreds more disappeared both in Uruguay and neighboring countries. Operation Condor, a coordinated military campaign of repression between the South American governments to eliminate dissidents, began as early as 1968 but was officially affirmed in 1975.¹⁷ Uruguayans who had fled into exile in nearby nations did not find refuge. Rather, they faced continued persecution.

The military even targeted the Church. The Church had criticized Bordaberry’s arbitrary measures against the Tupamaros in 1972. As a result, both priests and religious women were arrested and interrogated as part of the general crackdown sweeping through the country.¹⁸ The military forbade religious processions meant to commemorate the Corpus Christi, fearing they could turn into a form of political protest. In one of the more famous cases, a progressive bishop of the Catholic Church in Uruguay, Marcelo Mendiharat, was interrogated and expelled by the military in 1972. He did not return to the country until 1985 when the military had left power. Under these conditions, the Church got the message. Its publicly critical attitude dissipated after the wave of arrests affected its leadership.¹⁹

¹⁶ Servicio Paz y Justicia, *Uruguay, Nunca Más: Human Rights Violations, 1972-1985*, trans. Elizabeth Hampsten (Philadelphia: Temple University Press, 1992), ix.

¹⁷ J. Patrice McSherry, *Predatory States: Operation Condor and Covert War in Latin America* (Rowman & Littlefield Publishers, 2012); J. Patrice McSherry, "Tracking the Origins of a State Terror Network: Operation Condor," *Latin American Perspectives* 29 no. 1 (January 2002): 38-60.

¹⁸ “Obispos v Bordaberry,” 63–5, cited in *Uruguay y Ahora Qué? Cuadernos de Crisis* no. 4 (1974), p22-3, Folder 4, Álvaro Barros Léméz Colección, CEIU.

¹⁹ Jeffrey Klaiber, *The Church, Dictatorships, and Democracy in Latin America*: (New York: Orbis Books, 1998), 113–4.

Even those who managed to avoid physical imprisonment suffered under the dictatorship's repression. In Uruguay, half the population lived in Montevideo, and the military exercised a concentrated and precise method to sustain its power. One example was the categorization of the entire population into either an "A," "B," or "C" group. Military authorities assigned each and every Uruguayan citizen one of these three classifications. An "A" citizen was politically trustworthy and could be employed by the state, travel freely, and enjoy minimal restrictions. The "B" citizens were ideologically suspect and could be employed privately but not by the state. Their travel privileges were limited and they faced continual harassment by security services. The "C" citizens, however, were not citizens. Rather, they were pariahs. Many people with a "C" categorization faced sustained imprisonment or torture.²⁰ The military stripped them of their right to hold public jobs and oftentimes even private employment. The military's reach extended even to small community elections—Nahum Bergstein recounted that he tried to run as a leader of the Ashkenazi Jewish community in 1975 but the military required approval of the ballot. When members of the military saw his name as a candidate, they banned him from running since he had a "C" classification.²¹ As Uruguay's famous writer, Eduardo Galeano, wrote, "everyone was imprisoned ... even if the jails seemed to hold only a few thousand.... [I]nvisible hoods covered the rest as well, condemned to isolation and incommunication, even if they were spared the torture."²²

Scholars point out that this total state of terror was an explicit goal of the military. As Juan Rial explains, special prisons that tortured thousands of Uruguayans were geared toward "disseminat[ing] fear among the general population ... to manipulate the fear of marginal sectors

²⁰ Lawrence Weschler, *A Miracle, A Universe: Settling Accounts with Torturers* (Chicago: University Of Chicago Press, 1998), 90–92.

²¹ Nahum Bergstein, *Judío: una experiencia Uruguaya* (Montevideo: Editorial Fin de Siglo, 1993), 97–99.

²² Eduardo Galeano, "The Dictatorship and Its Aftermath: The Secret Wounds," *Contemporary Marxism* 14 (Fall 1986): 16.

of the population and to draft them as guardians of the dissidents.”²³ The military became involved in matters as small as approving the election of the soccer team captain and taking over teacher aide positions so that it had a representative in every classroom across the educational spectrum.²⁴ Some Uruguayans described the scene in Montevideo as “hellish.” Families were reduced to whispering to each other, even in their own homes. Everyone was assumed to be a spy.²⁵

This type of repression had a great effect on the capacity for human rights groups to operate within the country. The military rulers in Uruguay were able to exert “virtually total control over the HRNGO [human rights nongovernmental organization] sector.”²⁶ In Chile and Argentina, human rights groups were able to find spaces of protest in heavily restricted and repressive environments. In Uruguay, however, advocacy efforts during those initial years were nonexistent. The individuals who many presumed would have led these movements were either in exile or in jail. Thus, “the military was exceptionally successful” in being able to clamp down on organizing efforts domestically. Those who attempted to organize had their operations shut down and documentation destroyed.²⁷

Under these harsh conditions, Uruguayans fled into exile at enormous rates. Between 300,000 and 400,000 people in a population of approximately 3 million in the entire country left during the dictatorship. These numbers equate to an astounding 10 percent of the Uruguayan

²³ The special prisons had several functions, including destroying the inmate as an individual, experimenting with new forms of punishment, training the staff of the guardians, and the last, and most important function, disseminating fear. Juan Rial, “Makers and Guardians of Fear: Controlled Terror in Uruguay,” in *Fear at the Edge: State Terror and Resistance in Latin America*, ed. Juan E. Corradi, Patricia Weiss Fagen, and Manuel A. Garretón Merino (Berkeley: University of California, 1992), 95.

²⁴ Lawrence Weschler, “Uruguay,” in *Dealing with the Past: Truth and Reconciliation in South Africa*, ed. Alex Boraine, Janet Levy, and Ronel Scheffer (Cape Town, South Africa: IDASA, 1994), 41–42.

²⁵ A. J. Langguth, *Hidden Terrors* (New York: Pantheon Books, 1978), 297.

²⁶ Louis Bickford, “Human Rights Archives and Research on Historical Memory: Argentina, Chile and Uruguay,” a consultancy report prepared for the Andes and Southern Cone Office of the Ford Foundation, November 1998 (on file with author). The author wishes to thank Louis Bickford for his willingness to share this report and discuss his experience.

²⁷ *Ibid.*

population.²⁸ With so many Uruguayans in exile and such deep repression at home, much of the organization against the dictatorship in the 1970s began to occur outside the borders of the country. As historian Patrick Kelly has noted, many organizations relied on exiles for information and firsthand evidence in the face of attempts at whitewashing by South American governments.²⁹ Similarly, Uruguayan exiles recognized that there was no recourse to address the violent actions by the military domestically. Thus, many sought to employ what political scientists Kathryn Sikkink and Margaret Keck have called the “boomerang pattern,” or bringing pressure on the state from the outside.³⁰

Many of these exiles had stood in opposition to one another during the 1960s over what social justice could look like in Uruguay. Since the 1948 ratification of the UDHR, human rights around the globe had been subject to varied interpretations and fought over by both proponents and opponents alike. It was not until the 1970s that many began to witness a unique moment of coherence around what constituted violations for those concerned about Latin America. Historian Vania Markarian has written the formative study of these exile networks, examining exiled Uruguayans’ individual motivations for getting involved in the global human rights movement. My work does not seek to replace but rather build on this study in two ways. First, it studies how Uruguay intersected with a growing transnational network of activists. Second, it examines how the growing concern over Uruguay intersected with a larger trend in the rise of human rights in the 1970s. This topic has developed in the historiography since Markarian’s study was published more than a decade ago. In this sense, my work focuses less on individual actors and ideologies.

²⁸ As journalist Lawrence Weschler noted, “the sheer scope of this emigration, detention, and incarceration...only begins to suggest the extent of the military’s absolute rule of Uruguayan daily life during the military dictatorship.” Weschler, *A Miracle, A Universe*, 88.

²⁹ Patrick Kelly, *Sovereign Emergencies: Latin America and the Making of Global Human Rights Politics*, manuscript draft, 2016, 8. On file with author. The author wishes to thank Patrick for sharing his work in progress and the many fruitful discussions over the years about South American human rights.

³⁰ Margaret E. Keck and Kathryn Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics* (Ithaca: Cornell University Press, 1998), 12.

Instead, it attempts to understand the rise of a consensus language around human rights issues in the Southern Cone, even while exiles' ideological battles that Markarian outlines still existed below the surface.

Exiles Abroad

Uruguay was hardly the first nation, even in the Southern Cone, to receive the attention of the new transnational human rights movement. Coups across South America started as early as 1964 in Brazil, then in Uruguay and Chile in 1973 and finally in Argentina in 1976. The regional democratic collapse in many ways allowed human rights to become a slogan of "local response and international solidarity."³¹ When addressing the situation in Uruguay, activists converged around the specific types of repression that many Uruguayans experienced during the dictatorship. Due to the repression at home and the large numbers of exiles worldwide, it was therefore abroad that a growing voice protesting the abuses on the ground began to emerge. Activists gave testimony, denouncing the military's repression and the most prominent problems facing Uruguayans back home.³² These claims focused on the right *to* dignity of the person and *against* torture and political imprisonment.

Scholars like Mario Roniger and Luis Sznajder have analyzed the variety of exile experiences across Latin America during this period, which ranged from survival to essential mobilizers of collective action.³³ In these studies, the strength of Uruguay's exile community is often questioned. Scholars look at the various economic and political motivations of the exile

³¹ Eckel and Moyn, *The Breakthrough*, 2. Particularly, activists protesting against the Brazilian dictatorship in the late 1960s and early 1970s helped lay the foundation for future activism in the United States against other violations in the region. Green, *We Cannot Remain Silent*.

³² Margaret Randall, "Uruguay: A Woman Remembers," *Social Justice* 42 no. 1 (Spring 2016): 123.

³³ Mario Sznajder and Luis Roniger, *The Politics of Exile in Latin America* (New York: Cambridge University Press, 2009), 194.

community that served to divide communities abroad. In addition, Uruguayans had never experienced a massive emigration like this and therefore did not have a strong history of living abroad, nor any connections to international communities prior to the late 1960s.³⁴ In this way, there were many exiles who did not easily absorb into international structures and continued to hold divided political opinions that carried over from earlier battles regarding their social justice visions. Some exiles even continued to wage revolutionary battles against the Uruguayan government. Senator Enrique Erro is a good example of the more revolutionary type of exile who founded the Unión Artigas de Liberación, a group that proclaimed total war on the Uruguayan dictatorship.³⁵ As Erro illustrates, some exiles maintained their own separate communities in their host countries and set on advocating a revolutionary stance. However, I contend that while the experience of Uruguayan exiles differed from that of exiles from other Southern Cone countries, Uruguayan exiles made important international connections that guided the activities of international organizations. In addition, many of these exiles had an outsized impact on the emerging international human rights movement. As this chapter will explain, key individuals provided information and reframed the human rights situation to pair with already-existing structures. Such work helped bring attention from international human rights organizations to the small Southern Cone country. Exiles were thus essential in helping mobilize the international human rights movement to bring attention to the cause in Uruguay, but at the expense of limiting their revolutionary language to a few specific human rights concerns.

Uruguayans leaving for exile fled to a variety of places to find refuge, including Buenos Aires, Europe, and the United States. Argentina, before its own military coup in 1976, was a

³⁴ Ibid., 243; Markarian 108. This is not to dispute claims that Uruguayans had trouble organizing a single issue campaign that overcame partisan politics, but it does seek to understand the contributions Uruguay made to international human rights and how focusing on a limited set of rights had an impact on the emerging movement.

³⁵ Sznajder and Roniger, *Politics of Exile in Latin America*, 245.

natural first location for those fleeing Uruguayan repression because of its close proximity and relatively liberal environment in the early 1970s. As Markarian has written, leaders of the Frente Amplio Party like Zelmar Michelini and Enrique Erro, launched campaigns in Buenos Aires to speak out against the repression in the country, albeit in very different ways. While they were perhaps the two most prominent Uruguayans in Buenos Aires during those initial years, they were hardly the only ones. For example, beginning in late 1973, two ex-deans of the Universidad de la República fled to Argentina and used an explicit human rights language to denounce torture in Uruguay.³⁶ Mario Benedetti, a famous Uruguayan writer, also wrote poems from exile in Argentina about the repressive conditions in his home country. Perhaps most well-known are “Hombre Preso que Mira a Su Hijo” (Imprisoned Man Watching His Son) and “Tactica y Estrategia” (Tactic and Strategy).³⁷ For a brief time, Argentina provided a refuge for fleeing Uruguayans exiles.

In 1976, the Argentine military initiated a coup. Shortly thereafter, two Uruguayan politicians who had found exile in the country, senators Michelini and Hector Gutiérrez Ruiz, were killed in Buenos Aires by agents of Operation Condor. This violence confirmed that Argentina was no longer a haven for Uruguayans fleeing from their country’s military dictatorship.³⁸ Many fled to Mexico and Cuba, but also Europe and the United States, where a growing international human rights movement had been developing an apparatus and language of protest. In these new locales, exiles began to make valuable connections and draw attention to conditions in their home country.

³⁶ “La Represión en la Universidad,” *Militancia*, 15 Noviembre 1973, cited in *Uruguay y Ahora Qué? Cuadernos de Crisis* no. 4 (1974), p22-3, Folder 4, Álvaro Barros Léméz Colección, CEIU.

³⁷ *Mario Benedetti: Textos preferidos y complementarios de autor y lector* (Barcelona: Anthropos, 1992), 18–19.

³⁸ McSherry, *Predatory States*.

Advocacy Abroad: Amnesty International

For Uruguay, this opportunity most poignantly came to light in Amnesty International's first-ever country campaign, which focused on Uruguay in 1976. However, the issue of torture had become increasingly salient on an international level in the years prior to this launch. Advocacy against torture in both Brazil and Greece had brought the issue to a global consciousness in the 1960s.³⁹ Then, in 1973, the United Nations passed a resolution expressing its disapproval of torture and urging member states to forbid such practices. This was the first resolution in the history of the UN to exclusively address torture. Every subsequent year, the issue was brought up in the international body. Torture reached the main agenda of the General Assembly (GA) in 1974. The GA condemned the practice and commissioned forty-two reports on the state of torture around the world. By 1975, the Fifth UN Congress on the Prevention of Crime and Treatment of Offenders directly addressed torture and specifically drew attention to the situation in Latin America.⁴⁰ By the end of the year, the GA adopted the Declaration on Torture, which AI called the UN's "most important human rights document since the adoption of the Universal Declaration on Human Rights on 10 December 1948."⁴¹

Amnesty International was involved in prompting the UN to take up these issues.⁴² Founded in 1961 in London, AI was arguably the most important human rights organization in the world by the mid-1970s. A Ford Foundation report in 1975 on AI even declared that "more

³⁹ Green, *We Cannot Remain Silent*; Barbara Keys, "Anti-Torture Politics: Amnesty International, the Greek Junta, and the Origins of the Human Rights "Boom" in the United States," in *The Human Rights Revolution: An International History*, eds. Akira Iriye, Petra Goedde, and William I. Hitchcock (New York: Oxford University Press, 2012), 201-220; Weschler, *A Miracle, A Universe*; Keys, *Reclaiming American Virtue*; *Torture in Greece: The First Torturers' Trial 1975* (Amnesty International Publications, 1977).

⁴⁰ Press Release, "Fifth United Nations Congress on the Prevention of Crime and Treatment of Offenders concludes its Work in Geneva," 15 September 1975, Folder "United Nations," Box 5, David Hawk Files, AI-USA; Chris Ingelse, *United Nations Committee Against Torture: An Assessment* (Leiden: Martinus Nijhoff Publishers, 2001), 68; Helena Cook, "The Role of Amnesty International in the Fight Against Torture," in *The International Fight Against Torture*, ed. Antonio Cassese (Germany: Nomos Verlagsgesellschaft, 1991), 172-7.

⁴¹ Amnesty International Annual Report 1976-76, p8, Andrew Blane Private Papers [Hereinafter Blane Papers].

⁴² Amnesty International External Document, "5th United Nations Congress on the Prevention of Crime and the Treatment of Offenders," ND, Folder "United Nations," Box 5, David Hawk Files, AI-USA.

than any single organization, governmental or nongovernmental, Amnesty had been responsible for creating an international political climate of concern for political prisoners.”⁴³ Indeed, the organization started by identifying and gathering information about individual prisoners of conscience. Members then distributed the information to advocate for these individuals’ release and secure a fair trial through letter-writing campaigns.⁴⁴ The main focus centered on public exposure of abuse through active campaigns—documenting conditions with press statements on political prisoner situations, interviews, studies, and a “clamorous drumbeat of public effort to arouse public interest and attract international attention.”⁴⁵ The narrow mandate and moral authority the organization garnered allowed AI to win a much higher level of popular support than almost any other organization at the time that was concerned with human rights.

By the 1970s, AI expanded its operations to include advocating against torture. However, until 1976, the organization had only focused on individual prisoners of conscience cases and broader policies of torture, never targeting the practices of any one country.⁴⁶ As Amnesty gained international esteem during this period, Uruguay’s democracy was breaking down and instituting military rule, with its two biggest means of control under the dictatorship resting on Amnesty’s exact mandate: political prisoners and torture.⁴⁷ As Amnesty’s membership and global reach grew during the early 1970s, Uruguay’s plight became a focus of the organization.

⁴³ David Heaps, “Draft Report on Human Rights,” August 1975, Ford Foundation unpublished reports, Report #005643, Box 254, Ford Foundation, RAC.

⁴⁴ Neier, *The International Human Rights Movement*, 188.

⁴⁵ “Human Rights and Intellectual Freedom,” 1975, Folder 298, Box 54, Record Group 3.2, Series 900, RAC.

⁴⁶ Neier, *The International Human Rights Movement*, 191; Eckel and Moyn, *The Breakthrough*, 2; Mark Bradley, “American Vernaculars: United States and the Global Human Rights Imagination,” *Diplomatic History* 38 no. 1 (January 2014), 15.

⁴⁷ Edy Kaufman explained to me that while Chile’s biggest issue was executions and Argentina’s disappearances, Uruguay’s biggest problem was torture, which AI was already working on. Author interview with Edy Kaufman, 22 June 2016. Keys also explains that while other organizations attempted to address the full spectrum of issues mentioned in the UDHR, AI limited its mandate to torture and political prisoners. Keys, *Reclaiming American Virtue*, 189.

AI explained in one report that Uruguay represented one of the “most extreme situations of human rights violations in terms of quality of political imprisonment and intensity of torture.”⁴⁸

The question of why Uruguay became the first international country campaign is multifaceted but important for understanding the growing operationalization of human rights transnational advocacy. David Hawk, AI-USA’s executive director at the time, explained that there was the recognition at AI that repression was widespread in many countries, but there was not always enough information and biographical data to launch individual campaigns for each person. Therefore, Amnesty began to look for ways to move beyond advocating solely on the basis of individual prisoners of conscience. Instead, they sought opportunities to address the larger problems of mass political imprisonment and what happened to people during imprisonment, namely torture and permanent disappearances.⁴⁹

Andrew Blane, who served as a member of AI’s International Executive Committee from 1974–1982, also recalled that the focus on Uruguay was a product of AI wanting to address the massive abuses taking place across the Southern Cone. The organization decided that it would be “most effective” to do this by starting with the smallest country.⁵⁰ AI’s Latin America researcher, Edy Kaufman, explained that while Chile was receiving a lot of international attention because of the dramatic coup, Uruguay was receiving almost none. Kaufman had information on more than a dozen cases of men who had died in torture and strategically believed that a concerted campaign could have an immense impact on the military government.⁵¹ Between the horrific circumstances in Uruguay, the ability to draw substantial attention, and the hopes for a new type

⁴⁸ “Uruguay Campaign 1976 Final Report and Evaluation,” Folder, AMR 52 Americas-Uruguay 1976, Box 6, Executive Director Files 1967–1997, AI-USA.

⁴⁹ Author phone interview with David Hawk, 2 June 2016.

⁵⁰ Author email conversation with Andrew Blane, 10 June 2016.

⁵¹ Author interview with Edy Kaufman, 22 June, 2016. Kaufman explained this approach as having been a strategic calculation about the psychological environment of the victimizers. To his “great satisfaction,” bringing the case to international embassies and Uruguay’s representative to the UN had a great effect on the regime.

of advocacy process, AI decided to adopt Uruguay as its first-ever campaign directed against a single government.⁵²

By the time AI made this decision in 1976, the organization had a global reach with members in seventy-four countries. Leaders of the Uruguay campaign decided to launch their efforts in the AI-USA section on February 19 at the Church Center for the United Nations.⁵³ The organization held a press conference highlighting the high rate of political prisoners, the systematic use of torture in political cases, and the death of dozens of people as a result of torture.⁵⁴ Around the world, AI worked to collect signatures, petitioning the Uruguayan government to allow an independent observer to investigate allegations of torture and demand an end to human rights violations.⁵⁵ Letters flooded in to the Uruguayan government and local embassies from more than seventy countries. The campaign received widespread press coverage in the United States and around the world, from Sri Lanka to Venezuela, Finland, and Morocco.⁵⁶ In the United States, the campaign information reached hundreds of colleges, while community groups across the country held vigils, public gatherings, and letter-writing

⁵² Max Holland and Kai Bird, "Siracusa, Our Man in Uruguay," *The Nation*, 19 March 1977. AI had also conducted individual campaigns in Uruguay around specific prisoners of conscience prior to 1976. For example, Press Release, "Amnesty Says Political Prisoners Tortured in Uruguay," 25 June 1973, Folder, AMR 52 Americas-Uruguay, Box 6, Executive Director Files 1967-1997, AI-USA.

⁵³ Letter, Inger Fahlander to Ginger McRae, 15 March 1977, Folder "Executive Director Files Washington DC Office," Box 5, David Hawk Files, AI-USA.

⁵⁴ Press Release, "Amnesty International Launched Worldwide Campaign Against Torture in Uruguay," 19 February 1976, Folder "Uruguay Press Release on the Campaign Against Torture," Box 5, David Hawk Files, AI-USA.

⁵⁵ Memo, "Campaign Against Torture in Uruguay," Folder, AMR 52 Americas-Uruguay 1975, Box 6, Executive Director Files 1967-1997, AI-USA.

⁵⁶ "Uruguay Campaign 1976 Final Report and Evaluation," Folder, AMR 52 Americas-Uruguay 1976, Box 6, Executive Director Files 1967-1997, AI-USA; Jeri Laber, "Torture and Death in Uruguay," *New York Times*, 10 March 1976, 35; "Human Rights Groups Reports Repression in South America," *New York Times*, 31 October 1976, 3; "Uruguay Regime Accused of 24 Torture Slayings," *Los Angeles Times*, B18; Amnesty International Annual Report 1975-76, p27, Blane Papers.

meetings.⁵⁷ Even elected representatives like Frank Leichter, a New York state senator, wrote to the Uruguayan embassy to “protest the torture and inhuman treatment in Uruguay.”⁵⁸

With the world’s attention turned to Uruguay, the campaign elicited a strong reaction from the military. The Uruguayan embassy first grew alarmed even before AI’s launch because government officials “learn[ed] about a planned international campaign aimed at discrediting Uruguay.” Foreign secretaries wrote memos from their embassy in Washington about how to respond to what they called “accusations” by Amnesty.⁵⁹ The military government decided on a press conference. The day before AI gathered at the UN Church Center, Foreign Minister Juan Carlos Blanco organized his own media event to argue that AI “strives to harm Uruguay.” He continued on to state that the Government of Uruguay did “not recognize that ... Amnesty International has either the competence or moral authority to report on the internal affairs of Uruguay.”⁶⁰ Clearly, Uruguayan authorities reacted “strongly” to the campaign. In the government-controlled media, they accused AI of “being a communist front.”⁶¹ Another paper published a political cartoon (below) depicting a devil with “Amnesty International” written across his chest who holds signs that say “slander” and “lies.”⁶²

⁵⁷ “Uruguay Campaign 1976 Final Report and Evaluation,” Folder, AMR 52 Americas-Uruguay 1976, Box 6, Executive Director Files 1967-1997, AI-USA.

⁵⁸ Letter, Frank Leichter to Brigadier General Jose Perez Dalpas, 13 May 1976, Folder “Uruguay Press Release on the Campaign Against Torture,” Box 5, David Hawk Files, AI-USA.

⁵⁹ Telegram, Embajada del Uruguay, 28 enero 1976, Box 21, Folder 10, Archivo Histórico- Diplomático, Montevideo Uruguay [Hereinafter Archivo Histórico- Diplomático]; Letter, Ambassador José Pérez Caldas to Uruguay Foreign Ministry, 17 March 1976, Folder 5, Box 3, Archivo Histórico- Diplomático.

⁶⁰ “AI in Quotes,” 1976, 10, Blane Papers.

⁶¹ Memo, “Future Work On Uruguay,” 27 January 1977, Folder “Uruguay Press Release on the Campaign Against Torture,” Box 5, David Hawk Files, AI-USA; “Amnesty International vs. Uruguay,” Folder, AMR 52 Americas-Uruguay 1976, Box 6, Executive Director Files 1967–1997, AI-USA.

⁶² *La Mañana*, 20 Feb 1976, Amnesty International Report 1975–6, Blane Papers.



The government believed that there was a “coordinated campaign at the international level against [Uruguay] to paint a false picture of the national situation.”⁶³ In addition to attempting to discredit AI, the military also responded to AI’s accusations by inviting some members of the international organizations like the Red Cross to a prison that had been cleansed of any evidence of torture to “counter claims by organizations like Amnesty International that Uruguay is violating its citizens’ human rights.”⁶⁴

The effects of Amnesty’s campaign are hard to measure. In particular, it was only one of many concurrent efforts at the time by various international organizations like WOLA, the Committee in Defense of Political Prisoners in Uruguay (Comité de Defensa por los Prisoneros Políticos en el Uruguay), and the U.S. government, among others that will be explained in further detail in the next chapter. All of these groups’ work intersected with domestic considerations during this period, mainly Bordaberry’s removal and the military tightening its

⁶³ Letter, Andrés Aguilar to Juan Maria Bordaberry, 18 May 1976, Folder 72 Box 32, Archivo Histórico-Diplomático.

⁶⁴ News Report, 22 June 1976, Box 21, Folder 10, Archivo Histórico- Diplomático.

grip on power. AI, however, did believe that as a result of the campaign, torture in Uruguay had “become a major international issue, particularly if compared with a situation of virtual ignorance about the problem” at the start of 1976.⁶⁵ A year after the campaign, Amnesty contended that while no direct improvement in human rights could be detected, the government was beginning to take steps to address the growing international criticism. AI reasoned that its work had “created awareness that Uruguay was one of the worst human rights offenders.”⁶⁶ Many years later, Hawk, in fact, called the campaign an “enormous success,” arguing that the Uruguayan government had gotten the message: “[T]hey understood that if they were going to torture political prisoners, that the world was going to find out about it and there would be consequences.”⁶⁷

Evidence from Uruguay seems to confirm this assessment. Although the practices did not fundamentally change at the time, the government did launch its own smear campaign against Amnesty in the press. Then, the Uruguayan government passed Institutional Act No. 5, which acknowledged human and individual rights—as long as they did not conflict with requirements for internal security.⁶⁸ The mere mention of a state’s responsibility for human rights was a direct response to the international pressure, even though it made clear that its definition of the concept differed from how international organizations portrayed human rights concerns.

More generally, though, the campaign illustrates a few key points about Uruguay’s impact on the transnational human rights movement. First, Uruguay became a focal point because of the possibility that Amnesty’s global membership and resources could be marshalled

⁶⁵ “Uruguay Campaign 1976 Final Report and Evaluation,” Folder, AMR 52 Americas-Uruguay 1976, Box 6, Executive Director Files 1967–1997, AI-USA.

⁶⁶ Amnesty International 1977 Report, Blane Papers.

⁶⁷ Author phone interview with David Hawk, 2 June 2016.

⁶⁸ Memo, “Future Work On Uruguay,” 27 January 1977, Folder “Uruguay Press Release on the Campaign Against Torture,” Box 5, David Hawk Files, AI-USA.

to have an effect in the country. Far from ignoring the abuses due to the small size of the country, it was picked out by AI in part because of the nation's size—which the organization believed might make it more receptive to strong international pressure. Second, the main issues in Uruguay, torture and political imprisonment, were already on the international agenda of AI and therefore made it a natural fit for the organization. Exiles were critical in helping AI bring the plight of Uruguayans into the international spotlight. Amnesty was able to organize a campaign because of the depth of information that came from exile groups both in Europe and the United States.⁶⁹ These groups connected with AI, providing accurate and extensive information about torture and arrests, and pressuring AI to take up its cases. Uruguayans focused their complaints on the issues already being investigated by these international organizations, which limited the scope of the human rights discourse, but did provide a rallying point for exiles and AI to work together.

Advocacy Abroad: WOLA

Amnesty was not the only organization working to bring the country's dilemma to international attention. WOLA also proved to be a strong player in the transnational human rights advocacy network of the 1970s. WOLA emerged in 1973 as a way to institutionalize the role of the religious community in the emerging human rights movement.⁷⁰ Founders of the organization imagined WOLA as a space to elevate the voices of Latin Americans and allow them to “speak for themselves, rather than us interpreting events for them.”⁷¹ Joe Eldridge, a Methodist minister and strong leftist, was one of the main organizers of WOLA. He helped bring

⁶⁹ Author interview with Edy Kaufman, 22 June 2016.

⁷⁰ Vanessa Walker, “Ambivalent Allies: Advocates, Diplomats, and the Struggle for an 'American' Human Rights Policy,” (PhD diss., University of Wisconsin-Madison, 2010).

⁷¹ Coletta Youngers, *Thirty Years of Advocacy for Human Rights, Democracy and Social Justice* (Washington, DC: The Washington Office on Latin America, 2006), 11.

together many ecumenical churches and other political activists to gather information about U.S. policy toward the region in order to influence policymakers. In addition, he sought to create a space where Latin Americans could speak out in defense of human rights and social justice.⁷² WOLA gathered information by vigilantly monitoring Latin America, and also provided an “institutional base from which Latin Americans or U.S. missionaries who had been to Latin America could share their experiences and stories.” WOLA’s staff conducted a host of connector activities such as contacting congressional offices and State Department officials, setting up appointments for Latin American visitors and exiles, and often accompanying them to these meetings.⁷³ The group served as a critical link between exiles, the public, and key policy makers, which both heightened WOLA’s profile and also provided an invaluable resource for exiles.

The group’s original mandate focused on addressing U.S. relations with Cuba and Panama through legislative activity, public outreach, and general educational efforts. As the Uruguayan human rights situation deteriorated in 1973, the group decided to meet on 13 September to discuss the country. The Chilean coup on 11 September put Uruguay temporarily on the backburner, and the first major meeting focused on the crisis in Chile instead. This change both reshaped and provided structure for the new organization in the months to come. By 1976, both AI’s campaign and Juan Raúl Ferreira helped refocus the group’s attention back to Uruguay. Ferreira was one of the exiles who played a critical role in bringing Uruguay back to the center of the group’s attention. As the son of Wilson Ferreira, former senator and Blanco opposition leader, he left Uruguay in 1973 after Bordaberry’s coup and relocated to Buenos Aires. However, after the military’s attempted murder of his father in 1976, he went into exile

⁷² Ibid.

⁷³ Walker, *Ambivalent Allies*, Chapter 2.

again and found his way to the United States.⁷⁴ WOLA welcomed him and gave him a job as an associate. He held this position from 1976–1979.⁷⁵ Ferreira considered WOLA “his work, his family, and his support” while in exile.⁷⁶ Ferreira also proved to be a critical link in bringing human rights issues such as torture and disappearances in Uruguay to the forefront of the organization.

While Uruguay had fallen to the wayside as Chile took center stage during the early 1970s, Juan Raúl reinvigorated WOLA’s attempt to lobby Congress, the UN, and the OAS about the situation in his home country. He helped provide new evidence to WOLA from friends that either called, telegraphed, or smuggled information out of Uruguay—information that included new cases of torture or disappearances.⁷⁷ The deteriorating human rights situation in Uruguay went from being one of many issues discussed in the organization’s newsletter, “Latin America Update,” to a significant issue that garnered regular press releases focused solely on the country.⁷⁸ Following the success of Amnesty’s efforts to bring international attention to torture,

⁷⁴ The Argentine security forces attempted to kidnap Wilson Ferreira the same day they kidnapped and killed Michelini and Ruiz. Ferreira, however, narrowly evaded the same fate as his colleagues as he was not home when the security forces arrived at his exile home. He successfully fled to London while his son eventually made his way to the United States.

⁷⁵ Vania Markarian, *Left in Transformation: Uruguayan Exiles and the Latin American Human Rights Network, 1967-1984* (New York: Routledge, 2005), 123.

⁷⁶ Juan Raúl Ferreira, “30 Años de WOLA,” accessed 7 July 2014, <http://www.juanraulferreira.com.uy/30%20A%C3%B1os%20de%20WOLA.pdf>.

⁷⁷ Jo Marie Greisgraber, “Uruguay: Five Years of Military Rule,” Washington DC: WOLA, 1978, accessed 4 June 2014, <http://www.juanraulferreira.com.uy/URUGUAY%20FIVE%20YEARS%20OF%20MILITARY%20RULES.pdf>.

⁷⁸ These updates were distributed to several thousand individuals, including people who worked for other non-governmental organizations (NGOs), officials at every level of government, academics, and those involved in religious organizations. Several hundred were also distributed to places in Latin America. William Korey, *Taking on the World’s Repressive Regimes: The Ford Foundation’s International Human Rights Policies and Practices* (New York: Palgrave Macmillan, 2007), 74. Press Release, “Wola Revela Texto de Trascendente Carta de Vance a Koch Sobre Relaciones con Uruguay,” 13 Junio 1977, Folder Press Releases, Box 282, WOLA Collection, Human Rights Archive, Duke University Libraries [Hereinafter WOLA Collection]; Press Release, “Uruguayan Government Holds Journalist in Torture Section for Exposing Torture Techniques,” 8 July 1977, Folder Press Releases, Box 282, WOLA Collection; Press Release, “Uruguayan Government Disappears Prestigious Newsman,” 4 October 1977, Folder Press Releases, Box 282, WOLA Collection; Press Release, “Pentagon Criticizes Uruguay on Human Rights,” 25 January 1978, Folder Press Releases, Box 282, WOLA Collection; Press Release, “Human Rights and Kurt Waldheim’s Trip to Uruguay,” 28 July 1978, Folder Press Releases, Box 282, WOLA Collection; Press

political imprisonment, and disappearances in the country, WOLA focused on lobbying U.S. policy makers to pressure the Uruguayan government on the basis of a narrowly defined human rights vision. Juan Raúl was essential to this effort. As Jo Marie Greisberger wrote, he worked tirelessly during those years. He sometimes slept on the small couch in his office, furiously writing up press releases as soon as he received new information from friends and contacts that had made it out past the censored Uruguayan borders.⁷⁹

While Juan Raúl's efforts were key in bringing Uruguay to the center of WOLA's work, WOLA also played a key role in bringing visibility to Juan Raúl's plight. It sent documents he helped draft to the State Department and key congressional offices, many of which made a direct impact on actors involved who read, noted, and took action on the memos.⁸⁰ In one memo, a State Department official even wrote explicitly that he wanted to be kept up to date on the Uruguay situation through WOLA.⁸¹ WOLA also helped set up a meeting between Juan Raúl's father, Wilson, and U.S. Deputy Secretary of State Warren Christopher in 1977. The meeting took place at a time when the State Department was formulating a foreign policy toward Uruguay that centered on human rights for the first time.⁸²

In this way, Juan Raúl played a key interlocutor position between the repression on the ground in Uruguay and the lack of knowledge abroad about these events. He advocated tirelessly within WOLA and made sure that the emerging transnational human rights movement paid

Release, "Repression Against Uruguayan Democratic Leadership Denounced," 13 October 1978, Folder Press Releases, Box 282, WOLA Collection; Press Release, "Update on Uruguay," 12 April 1979, Folder Press Releases, Box 282, WOLA Collection; Press Release, 1978, WOLA Collection, Folder Michelini/Ruiz, Box 280, WOLA Collection.

⁷⁹ Jo Marie Greisgraber, "Uruguay: Five Years of Military Rule," Washington DC: WOLA, 1978, accessed at <http://www.juanraulferreira.com.uy/URUGUAY%20FIVE%20YEARS%20OF%20MILITARY%20RULES.pdf>.

⁸⁰ U.S. government archives have collections of WOLA bulletins that are written over and highlighted and contain directives for future action and more information. Memo on Uruguay Concerns, 1 June 1976, Virtual Department of State Reading Room.

⁸¹ Memo, Department of State on Proposed Wilson Meetings, 28 October 1977, Virtual State Department Reading Room.

⁸² See, thesis chapter on Foreign Policy and Memo, Deputy, Meeting with Ferreiras, 19 November 1977, Virtual State Department Reading Room.

attention to Uruguay's circumstances. While many advocacy organizations did not have a strong prior connection to the small Southern Cone nation, Juan Raúl focused his lobbying around issues of interest to these groups, mainly torture and political imprisonment. At the same time, WOLA provided important connections and visibility to help Juan Raúl reach policy makers in the U.S., the OAS, and the UN.⁸³ What is striking in some ways, though, is the narrow focus of both Juan Raúl and WOLA. In WOLA's initial years of campaigning for the Uruguayan cause, its advocacy centered on a particular set of rights that were limited to political imprisonment, torture, and disappearances. Despite his firsthand experience of the unjust electoral politics or any other number of violations by the military regarding the press or freedom of expression, Juan Raúl pushed WOLA to campaign on issues of torture and political imprisonment. In turn, WOLA's narrow scope focused the attention of policy makers and government officials, complementing AI's more grassroots efforts. The combination of these two groups' efforts also set a limited but effective agenda for many other advocacy endeavors during the 1970s.

While Amnesty and WOLA were certainly the two biggest organizations focusing on Uruguay during this period, various smaller organizations also played a role in raising international awareness about violations of torture and political imprisonment in the country. Around the world, groups organized information provided by exiles and tried to raise the visibility of the human rights situation in Uruguay. For example, the Committee in Defense of Political Prisoners in Uruguay (Comité de Defensa por los Prisoneros Políticos en el Uruguay) was based in France, but also had a New York presence. Using firsthand information about the nation's horrific prison conditions, they published a bulletin called "Uruguay Información." The

⁸³ Guillermo Waksman also obtained many of WOLA's publications, and he spent exile in Mexico and Switzerland, publicizing the information there through other channels and extending WOLA's reach. Folder 26 WOLA, Waksman Colección, CEIU. The Uruguayan government closely followed these reports as well, collecting a host of updates and press releases from the organization, Box 21, Folder 14, Archivo Histórico-Diplomático.

newsletter focused on awareness of political prisoners.⁸⁴ Other journals also proliferated in places like Geneva, Mexico City, and Caracas, where groups publicized a broad range of concerns. The different publications spotlighted information that exiles received from friends and contacts still in Uruguay.⁸⁵ In Madison, Wisconsin, a group formed in 1971 called Community Action on Latin America. The organization also worked on raising visibility for human rights violations in Uruguay.⁸⁶ The Grupo de Información Sobre Uruguay (GRISUR) was founded in Geneva to gather and disseminate news from Uruguay to host countries and other exiles. Meanwhile, labor leaders of the CNT who fled abroad also advocated on behalf of imprisoned comrades.⁸⁷ A solidarity group organized in Israel called Comité Israelí de Solidaridad con los Presos Políticos en Uruguay, which tried to publicize information both through the Israeli embassy and foreign minister. In addition, the group staged acts of solidarity against the authoritarian regime.⁸⁸ These smaller groups failed to unite as one major organization or movement due to distance and political divisions, but their work advocated against torture, political imprisonment, and disappearances. This discursive unity helped to raise international awareness regarding the Uruguayan human rights situation while also providing valuable information to some of the larger transnational groups like AI and WOLA. Together, these networks of activists working on the Uruguayan cause contributed to a growing human rights consciousness around the world during the 1970s.

⁸⁴ Memo, "1976: Año del aislamiento de la dictadura uruguaya," July 1976, Folder 33, Box 11, Archivo Histórico-Diplomático.

⁸⁵ Markarian, 101.

⁸⁶ Information on Community Action on Latin America was found at the Wisconsin Historical Society in Madison, WI. See Box 10, Folder 37; Box 3, Folder 10; Box 3, Folder 4.

⁸⁷ "Información," No 82, 29 de Abril 1978, Folder 15, Waksman Colección, CEIU; "Documentos y Resoluciones," Tendencia Combativa de la CNT del Uruguay en el exilio, 1979, Folder 5, Caroes Colección, CEIU; Markarian, 101.

⁸⁸ André Fremd and Germa Kronfeld, *(Des)aparecido: Vida, Obra y Desaparición de Eduardo Bleier* (Montevideo: Estuario Editora, 2011), 128.

Philanthropy Abroad

While all these international advocacy organizations were essential in raising awareness about Uruguay, another important but often overlooked force during this period was the philanthropic community. Foundations also drew attention to specific abuses like torture and political imprisonment.⁸⁹ Alarmed by the increasing reports of torture by international human rights organizations, the Ford Foundation (the Foundation) emerged as an international force by funding and supporting this work. The Foundation originated in 1936 with a much less altruistic mission. In its conception, the Foundation was a way for Henry Ford to protect his investment in the Ford Motor Company. The Foundation was created to protect his family's interest in the company and prevent huge tax payments each year. While the Foundation shifted to addressing "interests of the public welfare" in the 1950s, the issue of human rights in the Southern Cone did not arise until the 1970s, at which point the Foundation became what some have called "an entrepreneur of ideas."⁹⁰

The Ford Foundation began to focus on human rights on an ad-hoc basis as early as 1973, after the Chilean coup. The Foundation expressed shock at the particularly brutal military coup, not only due to the strong democratic traditions in the country, but also because the Foundation had its Latin American Southern Cone office in Chile's capital, Santiago. In the first few years after Pinochet's takeover, the Foundation began to discuss human rights as part of its deliberations that centered on the strategic allocation of resources. By 1975, Ford explained that it hoped its grants would strengthen "our long-standing involvement with human rights and freedom on an international scale" by focusing on three areas: "basic human rights, intellectual

⁸⁹ Keck and Sikkink, *Activists beyond Borders*, 97. Keck and Sikkink explain that foundations are autonomous actors because they have independent incomes and are formally accountable only to their self-perpetuating board of trustees.

⁹⁰ Korey, *Taking on the World's Repressive Regimes*, chapter 1; Peter Bell, "The Ford Foundation as a Transnational Actor," *International Organizations* 25 (1971), 472.

freedoms, and nondiscrimination.”⁹¹ This initiative recognized the growing international authoritarianism, particularly in Latin America, and operated under the belief that “increased attention in the field ... could serve to identify and buttress ... human rights constituencies.”⁹² A memo by program officer David Heaps and a follow-up *Draft Report on Human Rights* helped expand on these concepts, providing a detailed analysis for whether and how the Foundation should offer a “more sustained and systematic” program interest in the growing human rights movements.⁹³

Despite noting the importance of the emerging human rights movement, the organization was slow to fund programs specifically related to the topic. The Heaps report noted that the Foundation had “not displayed ... systematic and sustained concern with what is now an epiphenomenon of the times—the pervasive abuse of human rights by arbitrary actions, including summary arrest and detention.”⁹⁴ A year later, Ford held a meeting that was devoted to discussing the Foundation’s role regarding human rights in Latin America, especially in light of the Argentinian coup. However, it took time for a clear policy to form.⁹⁵ Even in 1977, an inter-office memo noted that “human rights did not appear as a subject term” in the organization’s index. Most grants dealing with the topic were listed as refugee programs, with only one grant being awarded to Yale University under the title of “the international protection of human

⁹¹ Ibid., 3. Korey provides an excellent introduction into Ford’s adoption of human rights more broadly in the introduction of his book. My own research, however, explored the acceptance of human rights with a view to Latin America.

⁹² “Human Rights and Intellectual Freedom,” 1975, Folder 298, Box 54, Record Group 3.2, Series 900, Ford Foundation, RAC.

⁹³ David Heaps, “Report #005643, Draft Report on human rights,” August 1975, 5, Box 254, Ford Foundation, RAC; Korey, *Taking on the World’s Repressive Regimes*, 40.

⁹⁴ David Heaps, “Draft Report on human rights,” 3–4.

⁹⁵ Report, Scott Busby, “Making Human Rights Real: Human Rights in Latin America and the Caribbean,” 1989, Folder 4, Box 18, Series III, Mary E. McClymonth Files, Ford Foundation, RAC.

rights.”⁹⁶ Ford began to help scholars who were in danger as a result of the coups across the Southern Cone and funded several human rights organizations, particularly in Chile.⁹⁷ There, the Vicariate of Solidarity, which defended those who were arrested and detained by the military, and the Chilean Human Rights Commission, a secular organization that documented and publicized violations, received the bulk of Ford’s initial support.

Ford’s specific interest in Uruguay can be traced to 1978 when the Foundation commissioned a report specifically regarding the high number of Uruguayan physicians “imprisoned and tortured by Uruguayan authorities” without trials for their opposition to the military government.⁹⁸ Working with the New York Academy of Sciences, the American College of Physicians, the American Association for the Advancement of Science, and the National Academy of Sciences, Ford brought together a powerful group of professionals to pressure the Uruguayan government to allow an international visit to the prisons. In response, Uruguayan officials stonewalled the attempts by Ford representatives. Not only were no visits allowed but the Uruguayan government officials responded to requests by simply stating that “any physician imprisoned in Uruguay was there for good reason and had been treated fairly.”⁹⁹ Demonstrating a severe lack of engagement with Ford’s concerns, Dr. Federico Garcia Capurro, a physician who served on the civilian advisory board to the military, described the prisons “as equivalent to a five-star hotel.”¹⁰⁰

Ford’s report admonished Uruguayan officials for blocking information and attempted to fill in the holes by turning to exiles for information. Both Uruguayan physicians and those not in

⁹⁶ Inter-Office Correspondence, 19 December 1977, Folder 293, Box 54, Record Group 3.2, Series 900, Ford Foundation, RAC.

⁹⁷ Korey, *Taking on the World’s Repressive Regimes*, 54–60.

⁹⁸ Richard Goldstein and Alfred Gellhorn, “Human Rights and the Medical Profession in Uruguay since 1972,” August 1982, Ford Foundation Report #015292, Ford Foundation, RAC.

⁹⁹ *Ibid.*, 4.

¹⁰⁰ *Ibid.*

the medical profession offered information from their family members or their own experiences. The final report published testimonials of torture and political imprisonment. Once again, exiles provided Ford with critical information that focused on two specific human rights violations—torture and political imprisonment. The report did, however, also include a description of the startling lack of academic freedom in medical teaching during the dictatorship.¹⁰¹ In this way, it was not just activist organizations but also funding organizations that began to frame the human rights discussion around a limited and specific list of enumerated rights.

As Ford's experience with gathering information shows, the transnational human rights movement and exile connections were essential for bringing Uruguay's predicament to international attention. Not only did the government stonewall attempts by international organizations and denounce Amnesty as a communist front, it also made the ability to advocate domestically almost impossible through staggering repression. Ford became aware of just how difficult this was both through the process of writing of its report on physicians in Uruguay, and through attempts to fund organizations in Uruguay in the late 1970s. In fact, in 1978, the Ford Foundation offered a grant to the Centro de Estudios Legales y Sociales [Center for Law and Social Policy] (CELS) to provide assistance to lawyers and groups undertaking activities in defense of human rights in countries like Argentina, Chile, and Uruguay. While touting success in reaching out to groups in Chile and Argentina, the grant report about Uruguay painted an even bleaker picture.

Representatives from Ford traveled to Uruguay in April and May of 1979, six years into the dictatorship. Reports from meetings all produced the same sentiment—that “it would be very difficult to find lawyers willing to take a stand in support of fair procedures in the military justice

¹⁰¹ Ibid., 5–11.

system under which political prisoners are processed.”¹⁰² Uruguayans who chose to remain in the country believed that the junta would act to “suppress any move made by lawyers to challenge the system and might arrest the lawyers concerned.”¹⁰³ CELS even tried to arrange a group of respected lawyers, whose credentials would appear impeccable to the military government. The organization hoped that an unimpeachable group of individuals might be able to raise issues with the government in cases where there was undeniable evidence of mistreatment. This idea was soon quashed as well. Ford concluded that rather than pushing for marginal improvements in human rights, a better track was to work toward a restoration of civilian government. They believed any “frontal assault” on the junta’s human rights practices could be counterproductive in Uruguay.¹⁰⁴ An opportunity to push for an end to military rule began to appear possible in late 1980, which Chapter 4 of this dissertation explores in more detail. However, until then, human rights advocacy remained solely within the realm of international efforts. These groups defined human rights through a minimal but coherent discourse addressing disappearances, torture, and political imprisonment that obscured fault lines and political divides in many of these exile communities and proved essential to bringing attention to Uruguay.

Transnational Human Rights

The convergence of the rise of human rights internationally and Uruguay’s own plight was thus no coincidence—the international movement capitalized on a worldwide post-Vietnam effect, a grappling with lost morality.¹⁰⁵ While some literature on the experience of Uruguayan exiles indicates that exiles were only partially incorporated into their host countries and were

¹⁰² “Final Report to the Agency for International Development-Protection of Human Rights in Selected Latin American Countries,” March 1982, Folder 1271, Box 198, Record Group 3.1, Ford Foundation, RAC.

¹⁰³ *Ibid.*

¹⁰⁴ *Ibid.*

¹⁰⁵ Moyn, *The Last Utopia*.

ineffective in mobilizing international resources, this section shows the limitations of these previous analyses. It demonstrates how Uruguayan exiles did retain their own political beliefs and effectively worked with international groups to garner attention for their cause. While a large percentage of Uruguay's population fled the country, it was still moderate in actual numbers compared to other Southern Cone nations.¹⁰⁶ Still, the attention of major international organizations demonstrates how the Uruguayan exiles' calls for action were effective as activists mobilized around a minimal set of violations. The transnational human rights movement helped bring international attention to the small country of Uruguay and promoted this narrow vision for human rights that resonated across the globe.

In part, the rising interest in Uruguay's human rights violations was a product of a mutually constitutive process in which activists reacted to increasing terror of the era and Uruguayans attempted to give voice to their trauma.¹⁰⁷ Uruguayans were not opportunists who merely rode the wave of international advocacy. Trauma theory argues that the experience of trauma is often beyond language. This especially applied to torture, which characterized the majority of Uruguayans' suffering. Speech is rarely adequate to describe the horrific experience and its effects.¹⁰⁸ In Uruguay especially, those involved in human rights work were frequently advocating for their loved ones and/or leftists who had been tortured and released before fleeing into exile at an astonishing rate. These people were directly affected and wanted to help provide visibility to the horrors they had experienced. Their efforts were not aimed at just joining a powerful existing movement. Rather, in human rights, they found a language to describe their

¹⁰⁶ Approximately 400,000 Chileans and 500,000 Argentinians fled abroad during that dictatorship during this period, Cristián Alberto Doña-Reveco, *The Southern Cone of America and the Migration to the United States: A Migration Systems Analysis* (ProQuest, 2007), 21.

¹⁰⁷ Steve J. Stern and Scott Straus, "Embracing Paradox: Human Rights in the Global Age," in *The Human Rights Paradox: Universality and Its Discontents*, eds. Steve Stern and Scott Straus, (Madison, Wisconsin: The University of Wisconsin Press, 2014), 9.

¹⁰⁸ Elaine Scarry, *The Body in Pain: The Making and Unmaking of the World* (New York: Oxford University Press, 1987).

experience and explain its horrendous nature. Human rights discourse was not merely a political object or tool to utilize for appealing to foreign governments and multilateral forums, but also a mobilizing language to give voice to an often indescribable experience.

This language helped create bridges, however temporary, across political divides within the exile community. However, this rights vocabulary also centered on a minimal set of violations that came to characterize the dictatorship both at the time and in the historiography. The exiles' international work was important and influenced U.S. foreign policy, as the next chapter explores. However, it often obscures other human rights violations that occurred during the dictatorship period. Many scholars have concluded that Uruguayans tend to accept the myths of "racial democracy, homogeneity, and equality of opportunity."¹⁰⁹ In Uruguay, this was a particularly strong operating force because Uruguay does not have significant indigenous populations with their own language, cultural community, and organizations. In Uruguay, the indigenous groups, mainly the Charruas, Chanas, and Guaranies, were largely exterminated in the colonial period due to diseases, wars, and aggressive campaigns to expel them from the territory.¹¹⁰ These myths of racial homogeneity thus extend well before the dictatorship. However, the false construction of national identity continued to operate even among the Left during the nation's military rule. Ultimately, it impacted how human rights were portrayed and who was worthy of international attention when it came to defining a set of violations.

Afro-Uruguayans

¹⁰⁹ Marisa Porzecanski and Rafael Bucheli, "Racial Inequality in the Uruguayan Labor Market: An Analysis of Wage Differentials Between Afro-Descendants and Whites," *Latin American Politics & Society* 53, no. 2 (Summer 2011): 113-150.

¹¹⁰ *Ibid.*, 113.

The myth of Uruguay's racial homogeneity in the early republic ignored not only indigenous groups but Afro-Uruguayans as well. Starting in the colonial period, Montevideo was the port of entry for African slaves for the entire Rio de la Plata region. While many slaves were shuttled to Argentina, approximately 20,000 stayed in Uruguay. On the eve of independence in 1825, almost 25 percent of the country was estimated to be African or Afro-Uruguayan.¹¹¹ Slavery was abolished in 1842 and although the percentage of Afro-Uruguayans in the country decreased over time, they continued to face pervasive discrimination and prejudice.¹¹²

Afro-Uruguayans lived at the physical and economic edges of society. They were marginalized from the country's main hubs and did not obtain educational benefits from the state. Thus, economic opportunities were greatly limited. Despite this unequal reality, José Batlle y Ordoñez's presidency in the early 20th century had ushered in the idea of religious and racial tolerance. This legacy, though, has often left problems of discrimination and racism "invisible" within the nation's borders.¹¹³ The state embraced a discourse that denied official racism in the twentieth century and helped "create the impression that Afro-descendants were not a distinguishable or meaningful social group or category that had its own specific problems and dynamics."¹¹⁴

During the dictatorship, Afro-Uruguayans suffered particular violations beyond torture and political imprisonment. Thus, the violations suffered were often outside the official discourse of human rights that was developing internationally. For example, most Afro-Uruguayans had typically lived in *conventillos*, a type of planned housing tenement building in the Montevideo

¹¹¹ George Reid Andrews, "Afro-Uruguay," *Black Past*, accessed at <http://www.blackpast.org/perspectives/afro-uruguay-brief-history>.

¹¹² *Ibid.*

¹¹³ Romero Jorge Rodríguez, *Racismo y derechos humanos en Uruguay* (Montevideo: Ediciones Étnicas: Organizaciones Mundo Afro, 2003).

¹¹⁴ Porzecanski and Bucheli, "Racial Inequality in the Uruguayan Labor Market," 116.

neighborhoods of Barrio Sur and Palermo. Yet during the dictatorship, the military passed laws supporting neoliberal policies, including massive gentrification projects in the central part of the city. The reason why the military had its eye on these traditionally Afro-Uruguayan neighborhoods is because they had, over time, become prime real estate. Prices for land in these areas increased and many stood to benefit from the construction of new homes in the neighborhood which would enhance the city and promote Montevideo as a banking center. Endorsed by the military government, the city passed laws in 1978 that allowed landlords to evict tenants from buildings that were in a “state of emergency,” which the government defined as being “covered with filth and moral degradation.” This racialized discourse based on long-held prejudices allowed these areas to be targeted for eviction as part of the economic plan and “civilizing mission” of the dictatorship’s neoliberal practices.¹¹⁵ As a result, the *conventillos* were destroyed—literally bulldozed—and their residents were displaced. These evictions often occurred through brutal force.¹¹⁶ More than 1,200 people were evicted during this project, almost all of them Afro-Uruguayans.¹¹⁷ The tenants were not offered adequate housing or any other compensation. Communities and historical centers of Afro-Uruguayan life were dispersed to peripheral neighborhoods scattered on the margins of the city. These new “homes” lacked many basic services. In one case, former residents were brought to former city stables, a group of sheds in Barrio Sur. Afro-Uruguayans were told to make their homes “out of cardboard and other found materials.”¹¹⁸ In another case, they were taken to an abandoned factory that some scholars

¹¹⁵ Lauren Benton, “Reshaping the Urban Core: The Politics of Housing in Authoritarian Uruguay,” *Latin American Research Review* 21, no. 2 (1986): 35–52.

¹¹⁶ Romero Jorge Rodriguez, “The Afro populations of America’s Southern Cone: organization, development, and culture in Argentina, Bolivia, Paraguay, and Uruguay,” in *African Roots/American Cultures: Africa in the Creation of the Americas*, ed. Sheila S. Walker (Lanham: Rowman & Littlefield Publishers, 2001), 314-331.

¹¹⁷ Rodríguez, *Racismo y derechos humanos en Uruguay*, 61.

¹¹⁸ Laura Benton, “Reshaping the Urban Core: The Politics of Housing in Authoritarian Uruguay,” *Latin American Research Review* 21 no. 2 (1986), 44–5.

have described as having concentration camp-like conditions.¹¹⁹ These actions served not only to erase blackness from the city center, but to further target an already struggling population.¹²⁰

The government's decision to move Afro-Uruguayans also served as another kind of disappearance during the dictatorship—a way to make the population vanish from literal sight in the center of the city and move it further away from national consciousness.¹²¹ On the one hand, the military regime denied that any racial problems existed within the nation because, as Bordaberry tried to justify, indigenous people were “nonexistent” in Uruguay. He ignored the nation's history of slavery entirely and denied any conflict with what he called the small Afro-Uruguayan population.¹²² The military government did allow a historic black organization, the Social and Cultural Association of Uruguay (ASCU), to remain open throughout the dictatorship despite shutting down many other civil society groups, but this was done mainly to boost the military's own image.¹²³ The ASCU was traditionally conservative, did not challenge the

¹¹⁹ During the dictatorship, many popular Uruguayan *candombe* players, like Alfredo Zitarrosa and Jaime Roos, used the rhythm and spirit of Uruguayan carnival forms like *candombe* to protest the regime domestically. However, much of the carnival activities that had often been used as a form of socio-political satire were censored and shut down during the dictatorship. Clifford Sutton, “The *Candombe* Drumming of Uruguay: Contextualizing Uruguayan Identity Through Afro-Uruguayan Rhythm,” PhD diss., University of Miami, 2013, 3; Abril Trigo, “Candombe and the Reterritorialization of Culture,” *Callaloo* 16 no. 3 (Summer 1993): 716–728; Rodriguez, *Racismo y Derechos Humanos*, 59–60.

¹²⁰ Vannina Sztainbok, *Imagining the Afro-Uruguayan Conventillo: Belonging and the Fetish of Place and Blackness* (PhD diss., University of Toronto, 2009), 73. It is important to note, though, that periodic evictions had occurred before the nation's military rule. Blaming the treatment of the Afro-Uruguayan community solely on the dictatorship elides a much longer history of marginalization of this group in Uruguay. Uruguayans, though, have often long denied the racial problems in their country. Mario Benedetti, one of the country's most famous writers, wrote in 1960 in his famous essay, *El país de la cola de paja*, that in Uruguay, we “repeat the chorus that here, there is no racial discrimination, without paying notice to the movie theaters and bakeries in the center of the country that do not allow negros to enter.” Mario Benedetti, *El país de la cola de paja* (Montevideo: Arca, 1970), 20, 25.

¹²¹ Rodriguez, “The Afro populations of America's Southern Cone.”

¹²² Bordaberry letter to Kenneth Golby, 12 February 1975, reel 5, NACLA Archives, University of Connecticut, Storrs, CT. Uruguay also had no national census until 2011. Previous estimates placed the Afro-Uruguayan population at approximately 4 percent of the population. In reality, the census revealed that Uruguay possessed somewhere between 8–10 percent of Afro-Uruguayans—more than double previous guesses, which spoke to the invisibility and falseness of the purported “small” Uruguayan population that Bordaberry reinforced with his comments. See Debbie Sharnak, “Affirmative Action in Uruguay Tests Government Commitment to Race,” *NACLA* (September 2014), accessed at <https://nacla.org/news/2014/9/2/affirmative-action-uruguay-tests-government-commitment-race>.

¹²³ George Reid Andrews, *Blackness in the White Nation: A History of Afro-Uruguay* (Chapel Hill: University of North Carolina Press, 2010), 145.

military, and posed little threat to the government. Bordaberry cited its continued operation as evidence of the nation's acceptance of its Afro-Uruguayan population. Although the military tried to cite claims of tolerance, the regime displayed its true feelings toward Afro-descendants in subtler forms. It even forbade *candombe* from the city center. Candombe music originated with African slaves but it had already become mainstream in Uruguayan culture by the time of the dictatorship. However, the military attempted to move the carnival celebrations out of the center of the city, claiming that the poor housing conditions were linked with the "vibrations of the drums of candombe groups." Since the music was still deeply associated with Afro-Uruguayan populations, it was a thinly veiled racial way to justify evictions. In addition, the military blamed the paltry living conditions in these places on the lifestyle of the inhabitants, passing judgment on the different cultural norms of the Afro-Uruguayan populations.¹²⁴

A less explicit form of racism and antagonism was expressed by the military toward African populations in international forums. For example, an Uruguayan official at the OAS made the argument that the organization

is degrading itself to accept into their ranks Jamaica, Trinidad and Tobago, and Grenada because they are former British colonies with mixed populations of negros, chinese, Malays, Hindus, and other ethnical elements from Africa and Asia. This means that the unit has broken and that the OAS has ceased to be an organization of Spanish-Portuguese origin with western culture, with a majority of Catholics indigenous population and an important contribution of the white race.¹²⁵

Clearly, the military's words and actions belied claims of acceptance and tolerance.

Despite the different nature of the abuses and particular discrimination toward Afro-descendants in Uruguay, these violations were never brought to the attention of international

¹²⁴ Benton, "Reshaping the Urban Core: The Politics of Housing in Authoritarian Uruguay," 43.

¹²⁵ "El Reino del Neo-Nazismo," *Resumen* 22, no. 279 (11 March 1979), 39, Folder 4, Álvaro Barros Léméz Colección, CEIU.

human rights groups.¹²⁶ Part of this inaction was clearly due to a lack of representation abroad. Whereas many persecuted members from the CNT and the Federación de Estudiantes Universitarios del Uruguay (FEUU) fled into foreign exile, Afro-Uruguayan groups were displaced domestically. Many Afro-Uruguayans did not have the financial or social capital to flee abroad. The lack of international presence meant that the human rights movement focused on constructing narrow definitions of human rights during this period, which included political imprisonment and torture, not the violent displacement of Afro-Uruguayans. The narrow articulation of human rights to appeal to international funding groups and U.S. lobbying meant that displacement was outside the framework of recognized human rights violations in the period.

Jews

In addition to the military government making false claims of racial tolerance, Uruguay had also celebrated its religious tolerance. Dating back to Batlle's separation of church and state, Uruguay had prohibited religious instruction in schools since the early twentieth century.¹²⁷ When asked about anti-Semitism in the military regime, Uruguayans consistently respond that despite the horrors of their governance, the military was not hostile toward Jews. They ask: How could a secular society be anti-Semitic? These claims, however, were undermined by other forms of discrimination and the targeting of Jews during the dictatorship. As early as the 1960s, a series of groups on the extreme right in the country carried out attacks on left-wing social activists and

¹²⁶ In all my reading about international campaigns in Uruguay, I never read about the displacement of Afro-Uruguayans. Interestingly, the Left in Uruguay in the 1960s also failed to acknowledge the racial inequalities in their own nation. Despite expressing solidarity with the oppressed African American populations, they failed to acknowledge their own racial inequality at home, which undoubtedly added to the invisibility of this issue. Lindsey Churchill, *Becoming the Tupamaros: Solidarity and Transnational Revolutionaries in Uruguay and the United States* (Nashville: Vanderbilt University Press, 2014), chapter 2.

¹²⁷ The first Jews began to arrive in Uruguay in 1907, but the first large wave of immigration occurred in the 1910s when Batlle had already instituted his policies of secularism in society. Fremd and Kronfeld, *(Des)aparecido*, 15.

Jews, elements that by the 1970s integrated into the mainstream security apparatus of the dictatorship.¹²⁸

The military was in part inspired by the Nazis in designing how to carry out its control over society. In an interview with the magazine *Posdata* in 1996, General Alberto Ballestrino admitted that the military took ideas about its own rule from the regimes of General Franco [of Spain] and other leaders in Europe like Mussolini and Hitler. He admitted that they considered themselves nationalists, not Nazis, but found great inspiration from the Nazi model.¹²⁹ Human rights groups did not hesitate to make these connections also. Far from the glib comparisons used more recently to compare any authoritarian impulse to Hitler or Nazism, a four-page spread in one exile newsletter in the 1970s outlined the links between the philosophies and methods of the two regimes.¹³⁰ The military itself even articulated that its regime was responding to a Jewish-Masonic-Battlista-Bolshevik-Tupamaro threat.¹³¹

While the armed forces linked a Jewish threat to part of a broader leftist conspiracy, the military regime never directly laid out an anti-Semitic strategy in the way that the Nazis targeted the extermination of all Jews.¹³² Although not explicitly targeted, the dictatorship often assumed that being Jewish meant being associated with communists due to their eastern European

¹²⁸ Aldo Marchesi, "Revolution Beyond the Sierra Maestra: The Tupamaros and the Development of a Repertoire of Dissent in the Southern Cone," *The Americas* 70, no. 3 (January 2014): 539; Randall, "Uruguay: A Woman Remembers," 117.

¹²⁹ "Habla el Gral. Alberto Ballestrino," *Posdata* (26 Enero 1996), 18, BN.

¹³⁰ "El reino del neo-nazismo," *Resumen*, 11 Marzo 1979, Folder 4, Barros Lemez Colección, CEIU.

¹³¹ Fernando Amado, *Mandato de Sangre* (Montevideo: Random House Mondadori, 2012), 150.

¹³² Uruguayan Jews experienced a similar mode of discrimination to how Feitlowitz explains Argentina's situation during this period. "On the one hand, there was no official anti-Jewish policy at the highest levels of the regime. The generals were too careful of their image vis-à-vis Washington for that ... in common with the Nazis, the Argentine commanders directed their violent policies toward those they considered aliens." Feitlowitz also explains that Argentina Jews received specifically harsh treatment once in the camps. Marguerite Feitlowitz, *A Lexicon of Terror: Argentina and the Legacies of Torture* (New York: Oxford University Press, 1998), 106. Others in Argentina recount being tortured about their "subversion" in front of portraits of Adolf Hitler. Iain Guest, *Behind the Disappearances: Argentina's Dirty War Against Human Rights and United Nations* (Philadelphia: University of Pennsylvania Press, 1990), 20. In addition to have swastikas painted on their bodies, they suffered harsher physical treatment because of their Jewishness. Thomas C. Wright, *State Terrorism in Latin America: Chile, Argentina, and International Human Rights* (New York: Rowman & Littlefield Publishers, Inc., 2007), 112-3.

descent. Many Uruguayans were arrested on suspicion of being associated with communist beliefs; their heritage was considered sufficient justification. In jail, various men recounted being called “ruso” during their torture sessions because of their Jewish descent, even though they had been born in Uruguay.¹³³ What research uncovers is that even though there were no directives of institutional anti-Semitism within the military, Jews did often suffer because of their origins. Jews were perceived as subversives and often experienced cruel treatment as political prisoners. For example, Jewish *detenidos* (detainees) recounted that in jail, they were punished specifically for their Jewish origins and heard repeated anti-Semitic remarks from the prison guards.¹³⁴ Oftentimes, Jewish prisoners received harsher punishments, such as double or triple torture sessions, or torture with “particular severity.”¹³⁵ Even for those who were never political prisoners, Jews with Polish or Jewish-sounding last names were harassed in the streets. After the military would see their names on their documents, they could become targeted on a regular basis.¹³⁶ Due to the fact that even one’s last name could make the military suspect him or her of being a subversive, some Jews registered under pseudonyms or changed their last names to avoid the heightened scrutiny.¹³⁷

Despite the military targeting Jewish individuals, the main Jewish institutions were often left alone.¹³⁸ Afraid of another Holocaust or further “othering” by the regime, Jewish organizations like the Comité Central Israelita del Uruguay remained largely silent against the

¹³³ “Rosencof: ‘Le dieron por bolche y por judío,’” *El Espectador*, 4 Octubre 2011,

<http://www.espectador.com/cultura/223129/rosencof-le-dieron-por-bolche-y-por-judio>.

¹³⁴ Author interview with Raquel Nagorra, 1 August 2014, Montevideo Uruguay; SERPAJ, *Uruguay: Nunca Más*, 160; Fremd and Kronfeld, (*Des*)*parecido*, 98.

¹³⁵ Fremd and Kronfeld, (*Des*)*parecido*, 98; Fernando Amado, *Mandato de sangre* (Montevideo, Uruguay: Random House Mondadori : Sudamericana, 2012), 147–51.

¹³⁶ Author interview with Raquel Nagorra, 1 August 2014, Montevideo Uruguay.

¹³⁷ *Ibid.*

¹³⁸ The Delegación de Asociaciones Israelitas Argentinas has been well documented both in Feitlowitz and in Paul Katz, “A New ‘Normal’: Political Complicity, Exclusionary Violence, and the Delegation of Argentine Jewish Associations during the Argentine Dirty War,” *International Journal of Transitional Justice* 5 (2011): 366–389.

crimes of the dictatorship during the period. Since these groups were not under attack by the regime, many leaders did not speak out. They chose not to make waves lest they come under suspicion themselves and endanger the entire community.¹³⁹ The silence of the institutions meant that no larger effort was mobilized on an international scale to speak out against these abuses, in contrast to the effort made on behalf of Soviet Jewry during this period. Thus, neither international human rights advocacy groups at the time, nor scholars in the historiography, have focused on the particular abuse that Jews suffered during this period in Uruguay.

Homosexuales

The Uruguayan military also targeted the gay community during the nation's dictatorship, but this particular discrimination dated back even further than the 1973 coup. Long before the military took over in the country, Uruguay's psychiatrist community classified homosexuality as a sickness and published various articles about the endocrinologic problems of the "disease" in its premier psychological journal.¹⁴⁰ The medical community in Uruguay attributed homosexuality to a combination of biological problems and environmental influences, which led to the proliferation of "treatments" to cure homosexual "inclinations," including electroshock.¹⁴¹ Pathologized from the perspective of medicine and psychology, gay life in Uruguay was also targeted by the police for a large part of the twentieth century under directives "to clean the capital of sexual depravity."¹⁴² Fear of arrest and public shaming drove gay life underground even during the pre-dictatorship period.

¹³⁹ Amado, *Mandato*, 153

¹⁴⁰ Diego Sempol, *De los baños a la calle: historia del movimiento lésbico, gay, trans uruguayo (1984-2013)* (Montevideo: Random House Mondadori, 2013), 24.

¹⁴¹ *Ibid.*, 23.

¹⁴² *Ibid.*, 27.

The military dictatorship discriminated against LGBT populations in various ways that shifted and intensified after 1973. First, the military imposed a ban on homosexuals serving in the armed forces, stating that “open sexual deviation” precluded anyone from enrolling in a military academy.¹⁴³ During the dictatorship, there were several publicized cases of officers being discharged with dishonor for homosexual practices. Homosexuality was equated with another type of subversion that could threaten the country’s safety. The dictatorship also institutionalized a homophobic agenda by instituting a school curriculum that taught that homosexuality was a representation of deviation and a loss of morality.¹⁴⁴ This was all part of the military’s larger doctrine of national security that sought to preserve the nation and re-establish its moral base, which included the idea of heteronormative, patriarchal families and did not tolerate “sexual deviance.” The military saw homosexuality as a form of subversion.¹⁴⁵

Testimonies have also begun to surface about the ways in which homosexuality was particularly targeted and punished among the general population during the dictatorship.¹⁴⁶ First, anyone who openly identified as gay was immediately classified by the military as category “C,” meaning that the person lost many employment opportunities and were subject to surveillance and harassment.¹⁴⁷ The military purportedly kept a list of people considered homosexuals on whom to keep tabs.¹⁴⁸ Any bars or public spaces known to be tolerant of homosexual activity

¹⁴³ This law was overturned officially in 2009.

¹⁴⁴ Churchill, *Becoming the Tupamaros*, 363, iBooks.

¹⁴⁵ Sempol, *De los baños*, 45.

¹⁴⁶ Until recently, most narratives about the experience of political prisoners centered on the experience of former male Tupamaros. This was due in part to many homosexual prisoners’ unwillingness to speak out about their experience immediately following the dictatorship. Diego Sempol, “Homosexualidad y cárceles políticas uruguayas. La homofobia como política de Resistencia,” *Sexualidad, Salud, Sociedad: Revista Latino America*, no. 4 (2000): 53–79.

¹⁴⁷ Author interview with Raquel Nagora, 1 August 2014, Montevideo, Uruguay.

¹⁴⁸ Neil Miller, *Out In the World* (London: Penguin Putnam, 1993), 219.

were frequently raided, a practice that became common during the dictatorship.¹⁴⁹ Police would surround the bar and arrest anyone inside. In one raid in 1981, 120 men were brought down to the police station, with the military separating them by presumed sexual roles—active or passive.¹⁵⁰ Those who were considered “active” were released first because the military “didn’t believe ‘active’ men were ‘real’ homosexuals.”¹⁵¹

If arrested and incarcerated as a political prisoner, circumstances usually further deteriorated for gay men and women. They often received particularly harsh treatment in the prisons. The military wanted to “keep the incidence of homosexuality within the jail low” and demonstrate control over the prison population. In one report from a prisoner in 1980, Eugenio Bentaberry noted that the military started by singling out “the three or four individuals that tried to advertise ... and spread their numbers,” punishing them harshly to show its intolerance for these activities.¹⁵² Despite these attempts of control, oral histories indicate that relations among prisoners of the same sex were at times a means of survival during the brutal imprisonment, even if normative negative perceptions of homosexuality discouraged an open discourse about this occurrence until recently.¹⁵³ If caught, the consequences were harsh. One *ex-presos político* (ex-political prisoner) recalled a guard raping her and explaining that the act was “ridding her of her homosexuality.” Similar to how Jews received particularly harsh treatment once they were in the

¹⁴⁹ Carlos Basilio Muñoz, *Uruguay homosexual: culturas, minorías y discriminación desde una sociología de la homosexualidad* (Montevideo: Ediciones Trilce, 1996), 44–45.

¹⁵⁰ Roger N. Lancaster, *Sex Panic and the Punitive State* (Berkeley: University of California Press, 2011). In this book, Lancaster addresses the targeting of gay men for sexual crimes as a product of media and cultural hysteria that far outstrips the nature of the purported or real crimes at hand. While this work focuses on the United States, the targeting of homosexuals by the state in Uruguay during the dictatorship was a product of larger societal fears and provides cultural analogy worth considering.

¹⁵¹ As quoted in Miller, *Out In the World*, 219.

¹⁵² “Testimonios del horror y heroísmo: Eugenio Bentaberry: Comunista y Hombre,” *Estudios*, 74 (Enero 1980), 94; Archivo de Madres y Familiares de Desaparecidos y Detenidos Electrónico, Montevideo, Uruguay.

¹⁵³ Sempol, “Homosexualidad y cárceres políticas uruguayas,” 53–79.

prison system, gay people during the dictatorship also reported being subjected to harsher treatment in the jails.¹⁵⁴

While the dictatorship openly discriminated against homosexuals, it cannot be ignored that many leftist groups also did not provide an open environment for homosexuality. Particularly among the Tupamaros, homosexuality was considered counterrevolutionary and bourgeois. Sexuality belonged to the revolution and any deviations from heterosexual lifestyles could prohibit one from being allowed to join the movement. Homosexuality was associated with “passivity” and therefore deemed undesirable among militants.¹⁵⁵ Further, in the early 1970s, after the Tupamaros successfully conducted two prison breaks, the Tupamaros complained not only about aggressive treatment by guards, poor nutrition, and medical care, but also the exposure to homosexual practices.¹⁵⁶ Groups like the Partido Socialista de los Trabajadores (PST) were one of the few groups that accepted homosexuality and attempted to integrate homosexuality and feminist issues into leftist politics.¹⁵⁷ However, the PST proved to be the exception rather than the rule as much of Uruguayan society marginalized homosexuals during the 1970s and the 1980s. As historian Lindsey Churchill notes, “homosexuality, like nonwhiteness, seemed to be invisible to Uruguayan society.”¹⁵⁸ Both human rights actors, and scholars since, ignored these abuses to advocate for a narrower set of violations.

Conclusion

¹⁵⁴ Author interview with Raquel Nagora, 1 August 2014, Montevideo, Uruguay.

¹⁵⁵ Churchill, *Becoming the Tupamaros*, 362–3, ibook.

¹⁵⁶ “Cárceles: Mas Allá de los Muros,” *Marcha*, 2 July 1971, p11, Archivo Diarios, Palacio Legislativo, Montevideo.

¹⁵⁷ Churchill, *Becoming the Tupamaros*, 342–4, ibook.

¹⁵⁸ *Ibid.*, 363.

During the expansion of the human rights movement in the 1970s, Uruguay became a major catalyzer and contributor to the growing activism of the era. While Uruguayan political parties and exiles never formed a cohesive solidarity movement against the dictatorship abroad, a discourse about violations of torture and political imprisonment linked these groups and added to a rising awareness and international activism against the abuses of the military regime. At times, this proved immensely effective in influencing both international attention through the UN and, as the next chapter will show, U.S. foreign policy. The military also bristled against the international condemnation and spent an enormous amount of energy coming up with plans to denounce, stonewall, and counter the effects of these groups. Thus, human rights, and the convergence perhaps not of political exiles but of a discourse, became utilized for political aim—often to great effect.

Far from just being a tool, though, this discourse of human rights was immensely important to Uruguayans who had been tortured or who had family members who were tortured or who disappeared. At a national level, the language had deep moral, as well as political resonance. Split in various visions of social justice throughout the 1960s and early 1970s, advocacy against harsh treatment by the military was one area that these groups could agree to organize around. The ability to get this critical information to international groups was part of the reason AI took up Uruguay as its first country campaign against torture in 1976. While debate still raged internally and various groups continued to publish their own leaflets articulating their political platform, stopping torture and political imprisonment became a common cause for the large exile population to converge around.

The rise of human rights internationally presented an opportune time for Uruguayans to advocate on these grounds. However, it was not just political beliefs that were subsumed during

this period, it was also the various ways that the dictatorship's policies targeted certain racial, religious, and sexual groups within the nation. Thousands of pages have been published on the larger human rights movement in Uruguay; however, there is still very little research that spotlights the treatment of Afro-Uruguayans, Jews, or homosexuals. The abuses that these groups suffered were thus not only ignored during the period, but have been ignored in the historiography as well, creating a fixed narrative about what human rights victims experienced and what they looked like. This chapter has sought to challenge who and what qualified as subjects of human rights violations.

Part of this absence in the 1970s was predicated on connecting to a prevalent discourse that the international rights movement was already utilizing. Torture had become a major international issue before Uruguayans attempted to advocate against the dictatorship. However, another aspect deals with a larger strand in Uruguay's history. Homogeneity was always a part of Uruguay's founding myth. Uruguayans "stated" that they were already purely white because they did not have "the Indian problem."¹⁵⁹ Both in its strong historical Eurocentric construction and in the implications of its descriptive phase, "the Switzerland of South America," Uruguay has relied on a strong identification with Europe to obscure the heterogeneity in its culture and to separate itself from other countries in the region. Writer Alicia Migdal aptly explained that Uruguay constructed a national myth that was a "sum of exceptionalities ... so literate, so cultured, so European, so Indianless."¹⁶⁰ The implications of this imaginary history influenced both the discourse of human rights and the construction of the dictatorship's history as well. Therefore,

¹⁵⁹ Graciela Sapriza, "Nuestro Racismo Corriente: Los Sustentos ideológicos e institucionales de la discriminación en el Uruguay del siglo XX," *cholke.org: un portal sobre la sociedad civil del sur*, 2003, available at www.cholke.org/documentos/sapriza.pdf; Vannina Sztainbok, "From Salsipuedes to Tabaré: Race, Space, and the Uruguayan Subject," *Thamyris/Intersecting* no. 20 (2010), 176.

¹⁶⁰ Alicia Migdal, "Formación de la Opinión Cultural," in *Cultura(s) y nación en el Uruguay de Fin de Siglo*, ed. Hugo Achugar (Montevideo: FESUR, 1991), 184.

the exclusion of these violations from the dictatorship period was consistent with a certain preexisting exceptionalism. The dictatorship's policies amplified the prejudices these groups faced both before and after the 1973–1985 period. The human rights violations suffered by these groups do not fit into the neat categorization or timeframe of the dictatorship, and later chapters will explore how this manifested in a renewed civil society movement in the late 1980s.

This chapter, though, has sought to recover some of these groups' histories during the period of the 1970s. The years 1973–1980 in Uruguay were characterized by crushing repression, which sent enormous numbers of exiles abroad. These individuals helped put Uruguay on the international human rights agenda, albeit around specific violations of torture and political imprisonment. Uruguay thus became an important contributor to and beneficiary of the emerging transnational human rights movements of the period through relentless advocacy and a narrowly defined focus. The effects of the discursive unity are undeniable, but also created silences around a broader array of violations—a topic that requires further exploration. Interestingly, the international human rights discourse of Uruguayans did not just have an indelible effect on transnational activists, who were openly receptive to help from exiles, but also on a seemingly more impermeable institution—U.S. foreign policy.

Chapter 3: A Bilateral Directive: Uruguay and Human Rights in U.S. Foreign Policy

In a briefing memo from the Director of Policy Planning Anthony Lake to U.S. Secretary of State Cyrus Vance, Lake noted that in Uruguay, “our bilateral interests are so modest that our prime interest is human rights.”¹ Indeed, the Carter administration cut aid to the Uruguayan military, publicly and privately condemned the human rights abuses in the nation, supported opposition groups, and continued to push a human rights agenda with Uruguay’s military government throughout four years in office. Despite Carter’s difficulty in implementing a human rights policy around the globe, Uruguay emerged as one frontier where his commitment to human rights proved to be consistent. In many ways, his administration’s policies stemmed from the fact that Uruguay represented an ideal case. Carter had little to lose diplomatically in relations with the small Southern Cone nation; therefore, his administration could afford to be more insistent in its human rights stance. As political scientist Kathryn Sikkink affirms, the U.S.’s human rights policy towards Uruguay was “one of the most coherent and consistent of all U.S. bilateral human rights policies.”²

These actions followed in the strategic footsteps of the transnational human rights movement’s efforts to narrowly define the problem in Uruguay as being committed to stopping torture and political imprisonment. The Carter administration added pressure by its withdrawal of symbolic and material support for the authoritarian regime. Nevertheless, Carter did not lead the human rights battle against the Uruguayan military; he was perhaps the last to join the fight. Despite the rapid ascension of transnational human rights activism in the 1970s, U.S. presidents

¹ Briefing memorandum from the Director of the Policy Planning to Secretary of State Vance, n.d., *Foreign Relations of the United States, 1977-1980: Human Rights and Humanitarian Affairs* (Washington DC: Government Printing Office, 2013): II, 108.

² Kathryn Sikkink, *Mixed Signals: U.S. Human Rights Policy and Latin America* (Ithaca: Cornell University Press, 2004), 128.

lacked the same enthusiastic embrace of human rights. At times, in the early to mid-1970s, it was Congress, reacting to both the growing transnational human rights movement and the abuses of the imperial presidency, which ultimately dragged the executive branch into the human rights “explosion.”³ Even Carter, who committed his foreign policy to a human rights platform, ran into numerous stumbling blocks in trying to implement a coherent global policy.⁴ As his ideal of human rights traversed the rocky terrain of policy making, Carter’s earnest approach to addressing human rights proved to be broadly defined, expansively envisioned, but unevenly enforced around the world.⁵

³ Samuel Moyn refers to the 1970s as a period of human rights “explosion” in multiple works. Samuel Moyn, “The 1970s as a Turning Point in Human Rights History,” in *The Breakthrough: Human Rights in the 1970s* (Philadelphia: University of Pennsylvania Press, 2014), 13; Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge: The Belknap Press of Harvard University Press, 2010), 7, 8, 39, 121, 131, 154, 159, 173, 195, 209, 210, 216, 220, 227. In this work, he refers to the human rights “explosion” no fewer than 14 times. Barbara Keys, “Congress, Kissinger, and the Origins of Human Rights Diplomacy,” *Diplomatic History* 34, no. 5 (November 2010): 823–851. Keys effectively explains the congressional rise of a human rights consciousness as having emerged in the earlier part of the decade.

⁴ Historians have frequently criticized Carter’s human rights policy on two main fronts. First, they explain that his policies were broadly defined without a specific procedure to determine which rights were most important to advocate in diplomatic relations. Second, they argue that human rights issues receded in importance, particularly during the latter part of his administration, when Carter began to experience a series of diplomatic setbacks following the Iranian hostage crisis and the Soviet invasion of Afghanistan. The Carter administration’s foreign policy towards Uruguay, however, proves to be one case in which this characterization is limited. Gaddis Smith, *Morality, Reason and Power: American Diplomacy in the Carter Years* (New York: Hill & Wang, 1986); Julian E. Zelizer, *Jimmy Carter* (New York: Times Books, 2010).

⁵ Over the three decades that followed Carter’s departure from office, there was a great deal of work analyzing his presidency that take different approaches. For example, Muravchik, Heineman, and Sneh locate the disparity in rhetoric and achievement on the ground in Carter’s naïveté; Kaufman, Rockman, and Hargrove place primary blame on Carter’s management failure, either on the ideological battles within the administration or in policy-making processes, whereas Smith tends to envisage Carter as a victim of a series of international crises, such as the Iranian hostage crisis, the recession and soaring gas prices as well as the Soviet invasion of Afghanistan. Zelizer proposes that Carter’s performance in foreign policy fell short as a result of both international events and political miscalculations. While all of their narratives certainly have more sophisticated theses, they emphasize the factors described above. See Joshua Muravchik, *The Uncertain Crusade: Jimmy Carter and the Dilemmas of Human Rights Policy* (New York: Hamilton Press, 1986); Erwin C. Hargrove and James Sterling Young, *Jimmy Carter As President: Leadership and the Politics of Public Good* (Baton Rouge: Louisiana State Press, 1988); Burton Ira Kaufman and Scott Kaufman, *The Presidency of James Earl Carter, Jr* (Lawrence: University Press of Kansas, 2006); Scott Kaufman, *Plans Unraveled: The Foreign Policy of the Carter Administration* (DeKalb: Northern Illinois Press, 2008); Itai Nartzizenfeld Sneh, *The Future Almost Arrived: How Jimmy Carter Failed To Change U.S. Foreign Policy* (New York: Peter Lang Publishing, 2008); Benjamin W. Heineman and Curtis A. Hessler, *Memorandum for the President: A Strategic Approach to Domestic Affairs in the 1980s* (New York: Random House, 1980); Bert A. Rockman, *The Leadership Question: The President and the American System* (New York: Praeger, 1984); Gaddis Smith, *Morality, Reason, and Power: American Diplomacy During the Carter Years*; Julian Zelizer,

Despite the reluctant and eventual inconsistent adoption of human rights by the U.S. government in the “long-1970s,” the process by which human rights became a component of U.S. foreign policy provides a window into the debates that the expanding international discourse underwent from a U.S. foreign policy perspective.⁶ This chapter traces the slow emergence of U.S. human rights policy towards Uruguay from the Nixon to Carter administration. While Richard Nixon and Henry Kissinger’s intransigence with respect to human rights is well documented, transnational human rights activists and Uruguayan exiles also contributed to an increasing consciousness among U.S. congressional actors who paid particular attention to Uruguay. By the latter part of the decade, Carter could not ignore the Uruguayan government’s abuses. His administration’s relationship with Uruguay illustrates how Carter responded to these pressures and adopted a policy to address the specific conditions on the ground in the Southern Cone nation. Far from having human rights stem from the Carter presidency and gain credibility around the globe, this chapter uses the lens of U.S. foreign policy with Uruguay to illustrate how initially resistant and then ultimately reactive U.S. foreign policy was to one of the most pressing issues of the day.⁷

Arsenal of Democracy: The Politics of National Security: From World War II to the War on Terror (New York: Basic Books, 2010); and Julian Zelizer, *Jimmy Carter*.

⁶ Mark Bradley also points out this fact about the global explosion of interest in human rights during this period, stating, “Americans did not get there first. One might argue they got there last.” Mark Bradley, “American Vernaculars: United States and the Global Human Rights Imagination,” *Diplomatic History* 38 no. 1 (January 2014): 14.

⁷ The historiography of U.S. foreign policy with Uruguay is at best sparse. Uruguay has a much smaller population and size compared to its neighbors and, therefore, it has at times lacked the same geopolitical importance that Argentina, Chile, and Brazil have enjoyed. The lack of literature on Uruguay reinforces this perception. For example, two of the top surveys on U.S. foreign policy barely mention the nation. See George Herring, *From Colony to Superpower: U.S. Foreign Relations since 1976* (New York: Oxford University Press, 2008) and Robert Schulzinger, *U.S. Diplomacy Since 1900* (New York: Oxford University Press, 2007). Even some more focused monographs of U.S. foreign policy and Latin America center their analyses on the larger nations in the Southern Cone. See Arthur Whitaker, *The United States and the Southern Cone: Argentina, Chile and Uruguay* (Cambridge: University of Harvard Press, 1976). Uruguay is just beginning to receive some scholarly attention from diplomatic historians, and even then, this work focuses on an earlier period in the nation’s history. See James C. Knarr, *Uruguay and the United States, 1903-1929: Diplomacy in the Progressive Era* (Kent: Kent State University Press, 2012).

Even though Carter, along with the transnational human rights movement, promoted a consistent policy, this chapter does not claim that their actions and policies brought down the Uruguayan military regime. Among other reasons, Carter was out of office for almost five years before the democratic transition occurred in Uruguay. However, a growing human rights movement, which paid particular attention to the situation in Uruguay, had an impact on the adoption and evolution of a human rights policy within U.S. foreign policy. Together, these voices focused on a narrow definition of human rights in Uruguay to address the specific circumstances of the authoritarian regime. In the end, Uruguay perhaps proved that a limited and strategic definition of human rights did have a long-term impact on the nation's democratization efforts. Regimes, of course, do not change their practices merely as a result of international diplomatic pressure or transnational solidarity movements. This chapter will explore the ways in which both transnational actors and the U.S.'s commitment to a narrow set of human rights in Uruguay have helped support the domestic opposition and the soft-liners within the military. In the end, these were the key actors to both weaken the regime which led to the eventual transition to a long process of democratization.

This chapter explains these ideas by first tracing the way in which the Nixon administration was complicit in the rise of the military dictatorship in Uruguay. Then, it will examine how Ford and Kissinger attempted to ignore the growing outcry about the abuses in the small Southern Cone nation, despite Congressional efforts to publicize them. These actions sent a mixed message to the Uruguayan military, which believed it could proceed undeterred in its relationship with the U.S., right up until Congress cut off its foreign aid in 1976. Finally, the chapter will investigate Carter's adoption of a human rights platform towards Uruguay. Since Uruguay is a small country with a

strong democratic history, the Carter administration believed it could have a significant impact. Thus, Uruguay became one of the key frontiers to advance Carter's human rights policy.

Nixon, Rockefeller, and Uruguay's Descent into Dictatorship

In 1969, Governor Nelson Rockefeller still harbored presidential ambitions. He had run for president three times, but three times he had failed to receive the Republican nomination.⁸ Despite these shortcomings, Rockefeller still held a prominent position within the party and maintained close relationships with many of the most powerful Republicans. Rockefeller and President Nixon's relationship dated back to the 1950s when Nixon first served as Vice President during the Eisenhower Administration. The men connected over their staunch anticommunist platforms.⁹ However, their ties only became more closely intertwined when one of Rockefeller's closest advisers, Henry Kissinger, left his policy team for the Nixon White House. Rockefeller and Kissinger had worked together for over a decade. With Kissinger's new role, Rockefeller had a direct line of communication with the most prominent foreign policy adviser in the Nixon Administration.¹⁰

In addition to these connections, Rockefeller had served as Franklin Delano Roosevelt's Coordinator of Inter-American Affairs. Therefore, Nixon knew that Rockefeller could be a great

⁸ Cary Reich, *The Life of Nelson A. Rockefeller: World to Conquer 1908-1958* (New York: Double Day, 1996), xii. Near the end of his life, when Rockefeller was asked what he most wished that he had done in his lifetime, he answered unhesitatingly: "Been President," (Ibid., xvii). Clearly throughout Nixon's presidency, he carried a hope that he might ascend the ladders of power and, therefore, was happy to go to Latin America at Nixon's behest.

⁹ Ibid., 624.

¹⁰ Ibid., 615. Rockefeller first met Kissinger in 1955 at Rockefeller's conference, Quantico II, a meeting intended to reassess and reformulate U.S. Cold War strategy. Their relationship developed significantly from there, with Rockefeller making "extensive use" of Kissinger to formulate creative ideas on how to gain the advantage in the Cold War. At the same time, Kissinger depended on Rockefeller for resources, status and future advancement within policy circles. Suri catalogs the development of their productive, trusting, but ultimately hierarchical relationship in his biography of Kissinger—a relationship that Suri argues remained throughout Kissinger's service in the Nixon White House. Jeremi Suri, *Henry Kissinger and the American Century* (Cambridge: The Belknap Press of Harvard University Press, 2007), 163-5; 200-202.

help in devising his policy in the region. Rockefeller possessed a strong reputation as a friend of Latin America. In fact, Galo Plaza, the secretary-general for the Organization of American States (OAS), even advised Nixon that the best thing he could do to develop a successful policy in Latin America during his first term in office would be to send Nelson Rockefeller to the region.¹¹ In 1969, Nixon did exactly that, asking Rockefeller to go on a mission to Latin America and to prepare a report on inter-American relations that would help structure U.S. foreign policy in the region.¹²

Despite a bitter primary election battle between the two men, Rockefeller was “cautiously flattered.”¹³ Rockefeller had worked for every American president except John F. Kennedy since he first entered politics; and so, Rockefeller accepted the job. As one former aide explained, Rockefeller possessed a “genuine love for Latin America that was rare among major American political figures.” Thus, Rockefeller took the mission and the possibility of influencing Nixon’s foreign policy seriously, overcoming any bad blood that may have remained from the hotly contested primary.¹⁴

Rockefeller originally intended to visit every one of the twenty-three nations between the Rio Grande and Tierra del Fuego.¹⁵ Uruguay was just one brief stop along the way, but the visit ended up having an important, if rather unexpected, impact on the larger mission. Rockefeller described the trip to Uruguay as a “turning point” for the Presidential fact-finding mission. He explained that in Uruguay, a pattern emerged which provided the points of view, information, and

¹¹ Joseph E. Persico, *The Imperial Rockefeller: A Biography of Nelson A. Rockefeller* (New York: Simon and Schuster, 1981), 100.

¹² Reich, *The Life of Nelson A. Rockefeller*, xix; “Rockefeller Shifts Uruguay Talk Site,” *New York Times*, 20 June 1969, 1.

¹³ Persico, *The Imperial Rockefeller*, 102.

¹⁴ *Ibid.*

¹⁵ *Ibid.*, 100–101.

counsel that the president wanted to hear in order to formulate U.S. foreign policy towards the region.¹⁶

For Uruguay, the trip also held a great deal of symbolic value. Historically, Uruguay had often been overlooked on diplomatic missions to the region in favor of longer meetings with Uruguay's more powerful neighbors, Brazil and Argentina. Dating back to the early 1900s, Uruguayans viewed a stopover by a U.S. diplomat as a real commitment by the U.S. to strengthen relations with the country.¹⁷

The high stakes placed on the trip made the controversies which clouded Rockefeller's visit that much more alarming to the Uruguayan government. In the weeks preceding his arrival, violence erupted around the capital city of Montevideo. The year 1969 proved to be a high point of tension between Uruguayans frustrated by the nation's deadlocked politics and an aggressive Uruguayan government unable to address society's economic ills. Right before Rockefeller's visit, the national meat industry went on strike after the government cut key benefits to workers. Students and workers added to the sense of upheaval by protesting the government's shutdown of a leftist paper, *Extra*.¹⁸

However, Uruguayans also took to the streets to protest Rockefeller's visit. Many on the Left had viewed the United States with suspicion since the 1950s when Eisenhower started sending Public Safety advisers to the region. Eisenhower was motivated by the idea of protecting the continent from the communist threat. His administration called it "a hidden enemy that would

¹⁶ United Press International, "Rockefeller Ends Third Latin Trip; He is 'Heartened,'" *New York Times*, 23 June 1969, 1.

¹⁷ Knarr, *Uruguay and the United States*, 6.

¹⁸ The workers went on strike after they were no longer able to buy meat from the plant at a reduced price. Since meat was one of Uruguay's main exports, the closure of the plant due to a strike was major international news. Malcom Brown, "Uruguay Imposes Emergency Rule," *New York Times*, 25 June 1969, 3.

subvert a society from within.”¹⁹ For over a decade, these advisers traveled to Uruguay “to improve the capacity of the nation’s police to put down insurgents.”²⁰ This capacity building included providing resources and training for the Uruguayan police and military to conduct harsh interrogation methods. Therefore, although Rockefeller was not one of these officers, his “name had been handy political shorthand throughout South America for imperialism and repression.”²¹ By 1969, many Uruguayans viewed Rockefeller as an “agent of Yankee imperialism” and actively objected to his diplomatic trip.²² In anticipation of his arrival, they stoned and firebombed U.S. businesses, hit the U.S. military mission with a Molotov cocktail, and broke the windows of official U.S. automobiles.²³ The day before Rockefeller arrived, the Tupamaros destroyed the General Motors display room on the grounds that the company had sold 100 police cars to the Uruguayan government for the “repression of Uruguayan students.”²⁴ The damages were estimated to be a million dollars.²⁵

¹⁹ A. J. Langguth, *Hidden Terrors* (New York: Pantheon Books, 1978), 40. A year after Rockefeller’s visit, these tensions reached a breaking point when the Tupamaros kidnapped USAID officer, Dan Mitrione, to force President Jorge Pacheco to release 150 political prisoners. Pacheco did not comply, and Mitrione was killed.

²⁰ *Ibid.*, 224. In addition to the actions of the Office of Public Safety, many Uruguayans were protesting the visit due to the U.S.’s unpopularity internationally as a result of the Vietnam War.

²¹ *Ibid.*, 159.

²² The leftist weekly newspaper, *Marcha*, headlined an entire issue in the lead-up to Rockefeller’s visit “Rockefeller, Go Home,” complete with cartoons and various articles denouncing the tour. *Marcha*, 6 June 1969, Montevideo, Uruguay, Archivo Del Centro de Estudios Interdisciplinarios Uruguayos [Hereinafter CEIU]; “Uruguay Raiders Burn G.M. Offices,” *New York Times*, 21 June 1969, 1.

²³ Report from Security Division, 19 June 1969, Folder 83, Record Group III 15 7, Box 10, James Cannon Files, Subseries 2—Latin American Mission, 1969-1970, Rockefeller Archive Center, Sleepy Hollow, NY [Hereinafter RAC].

²⁴ Nelson A. Rockefeller, Personal, Series O: Washington DC; 1969 Latin American Mission, Record Group III 4 O Box 116; Folder 904: Uruguay-NAR Notes, RAC. The same damage now would equate to over \$6 million.

²⁵ Ernest Capello, “Latin America Encounters Nelson Rockefeller,” in *Human Rights and Transnational Solidarity in Cold War Latin America*, ed. Jessica Stites Mores (Madison: University of Wisconsin Press, 2013), 50. Capello notes that while the violence surrounding the trip dominated the press, there was a diversity of responses to Rockefeller’s visit. Some Uruguayans, like many other Latin Americans, wrote to Rockefeller in the aftermath of his trip with advice and/or asking for help and imagining a new era of potential hemispheric solidarity and possibility. These responses are illustrative of the different of political projects that emerged from the economic ills of the 1960s.

Opposition within the Uruguayan Congress, along with members of the press, used the upheaval to try to pressure President Jorge Pacheco Areco to cancel Rockefeller's visit.²⁶ Some senators, namely Héctor Gutiérrez Ruiz, Julio Sanguinetti, Jorge Larrañaga, and Antonio U. Hernández, even proposed passing a resolution that would require Pacheco to rescind the invitation for the visit.²⁷ However, Pacheco was firm in his desire to proceed with the diplomatic mission.²⁸

Writing to Rockefeller to assuage any concerns, he explained:

“In Uruguay, street violence does not write laws, nor administer justice, nor formulate foreign policy. Laws are enacted by the parliament, justice is administered by the courts, and foreign policy is formulated by the foreign ministry. Envoys of the government of the United States have always been welcome in Uruguay. The visit will take place in accordance with the program to be coordinated by the working groups.”²⁹

To ensure stability, Pacheco imposed a “limited state of siege” and moved troops onto the streets to maintain order.³⁰ In addition, he made changes to the logistics of Rockefeller's visit. Uruguayan officials asked Rockefeller to keep the visit a secret as long as possible. The meeting location was also switched from the more densely populated Montevideo to Punta del Este to isolate Rockefeller from possible violence and protests.³¹ The *Boston Globe* described the hotel of the eventual meeting as a “heavily guarded seaside resort.” Meanwhile, the military reinforced security in Montevideo 60 miles west. Forces shut off electric power throughout the city's

²⁶ Oscar H. Bruschera, “Una Visita Indeseable,” *Marcha*, 13 June 1969, CEIU.

²⁷ “Visita de Rockefeller: Piden Suspensión en el Parlamento,” *El País*, 4 Junio 1969, 3, Biblioteca Nacional, Montevideo, Uruguay [Hereinafter BN]. These measures also followed the cancellation of Rockefeller's visit to other nations such as Venezuela, Chile, and Peru, where there was similar upheaval.

²⁸ “Pacheco no Pedirá que el Enviado Cancele su Visita,” *El País*, 6 Junio 1969, 6, BN.

²⁹ Confidential Memo, 10 June 1969, Record Group III 15 7, Folder 83, Box 10, James Cannon Files, Subseries 2—Latin American Mission, 1969-1970, RAC; The same memo was in Uruguay's archives, carefully crafted and revised in Box 5, Folder 44, Archivo Diplomático Histórico, Montevideo Uruguay [Hereinafter Archivo Diplomático Histórico].

³⁰ Malcom Brown, “Uruguay Imposes Emergency Rule,” *New York Times*, 25 June 1969, 3.

³¹ Confidential Memo, 10 June 1969, Confidential Memo Record Group III 15 7, Folder 83, Box 10, James Cannon Files, Subseries 2—Latin American Mission, 1969-1970; RAC; “Rockefeller Shifts Uruguay Talk Site,” *New York Times*, 20 June 1969, 1.

downtown district to silence the left's "terrorist broadcast" that described Rockefeller as an "emissary of imperialism" and called for violence.³²

Ultimately, the change of venue accomplished its objective; Rockefeller did not interact with the general population.³³ In the wintry month of June, the beach town was deserted. The government limited Rockefeller's visit to meetings with ministers and high-ranking officials. Despite all the upheaval prior to the visit, most subsequent reports viewed the trip as a success. Rockefeller insisted that the visit allowed him to gather "an enormous amount of special information, much thoughtful advice, and fresh perspective on inter-American relations."³⁴ His report on the visit explored the possibility of the U.S. providing agricultural assistance, military training, and investment opportunities. It also suggested helping the nation establish a more vibrant tourism sector and hotel management school. While Rockefeller reported on a vast array of topics, he did not provide a single reference to social conditions or human rights in any evaluations of his visits.³⁵

The silence is noteworthy. As the controversy surrounding his trip illustrates, Rockefeller arrived in Uruguay amid some of the greatest unrest in the country's history, when issues of social justice dominated discussions among the general population. The economic ills and deadlocked political situation led to a search for alternative solutions "by any means at [the population's] disposal," particularly after violent repression of the protest movements.³⁶ The social discord,

³² "Uruguay Violent as Rocky Visits," *Boston Globe*, 22 June 1969, 23.

³³ Churchill, *Becoming Tupamaros*, 191-3 (ebook). The Uruguayan left did protest in Montevideo during the visit. Groups of student barricaded themselves inside both university and high school buildings, while the Tupamaros took over a radio station to broadcast an anti-Rockefeller message. The police were only able to silence this broadcast by cutting off electricity to an entire part of the capital city.

³⁴ Sylvan Fox, "Latin Tours Over, Rockefeller Urges New U.S. Policies," *New York Times*, 7 July 1969, 1.

³⁵ Nelson A. Rockefeller, Personal, Series O: Washington DC, 1969 Latin American Mission, Record Group III 4 O, Folder 900, Box 116, RAC.

³⁶ Jeffrey Gould, "Solidarity under Siege: The Latin American Left, 1968," *The American Historical Review* 11 no. 2 (April 2009), 371.

while unique to Uruguay's own social circumstances, also reflected the widespread upheaval around the region and the world. These conditions caused many to view the 1960s as a "generation on fire."³⁷ The controversy surrounding Rockefeller's trip highlighted this unrest. However, Rockefeller failed to address any of these issues or the government's handling of the situation in his discussion.

Instead, Rockefeller's report on Uruguay, and Latin America more broadly, reflected the U.S. Cold War perspective of the region. That is, while he acknowledged the emergence of Latin American military regimes, he did not argue against their heavy-handed tactics. In fact, just the opposite occurred; he urged Nixon to learn to live with these governments rather than to isolate them. In Congressional testimony a few months after he issued the report, Rockefeller explained that "military juntas were becoming forces for social change and were in many cases the only alternative to 'anarchy and chaos.'"³⁸ He urged the U.S. to send more arms to Uruguay for its police activities. Concurrently, he called on the U.S. to open its markets for the region's products along with preferential trade advantages and generous refinancing of Latin America's debt.³⁹ While neither Kissinger nor Nixon ultimately implemented much of Rockefeller's advice with regard to either the aid or trade provisions, they strongly matched Rockefeller's Cold War attitude toward the region in favoring military regimes. Indeed, Nixon's policy towards both Uruguay and

³⁷ Jeff Kisseloff, *Generation on Fire: Voices of Protest from the 1960s, An Oral History* (Lexington: University Press of Kentucky, 2006).

³⁸ "Rocky Clarifies Testimony on Latin America Regimes," *The Washington Post*, 22 November 1969, Box 5, Folder 44, Archivo Diplomático Histórico.

³⁹ "Rockefeller Urge Armas Para Uruguay," *El Popular*, 13 Noviembre 1969; "Rockefeller: 'Uruguay Necesita Armas Urgentemente,'" *El País*, 13 Noviembre 1969; 3, BN; Jose Pedro Aramendia, "La Opinión de Nelson Rockefeller Sobre Uruguay," nd, Box 5, Folder 44, Archivo Diplomático Histórico; Persico, *The Imperial Rockefeller*, 106. His staffer tried on multiple occasions, in both Panama and Brazil, to include language that would point to the abuses inflicted by the military governments and to argue for a return to democratic regimes and political freedoms. In both instances, Rockefeller removed the language, arguing that Latin Americans did not want America to "stick our nose in their business." *Ibid.*, 105.

Latin America centered on firm anti-communist principles and the idea that power should be the primary force in determining U.S. foreign policy.⁴⁰

This principle of “anticommunism at any cost” proved particularly salient in Uruguay in the coming years.⁴¹ During the 1971 election, the Colorado Party’s Juan María Bordaberry faced the Blanco Party’s Wilson Ferreira and the left’s Frente Amplio Party candidate, Liber Seregni. Nixon actively sought to prevent what he described as a “takeover” by the leftist political party. The Frente Amplio presented a platform of “legal, democratic, pacific ways” to “reform the social and economic structure...through a mixture of populist palliatives and mild socialist proposals.”⁴² However, Nixon painted them as being a threat to “Uruguay’s traditional institutions” that only sought “radical solutions” to Uruguay’s problems.⁴³ Nixon was particularly concerned about Uruguay because he wanted to prevent “another Chile.” In 1970, Salvador Allende had been elected to the Chilean presidency as a socialist candidate on the strength of a left coalition. Nixon feared a similar outcome in Uruguay. Documents now support the claim that the Nixon administration was both aware of and quite possibly complicit in rigging the election in Uruguay.⁴⁴

⁴⁰ John Lewis Gaddis, *Strategies of Containment: A Critical Appraisal of Postwar American National Security* (New York: Oxford University Press, 1982), 273–81.; John Howe to the Vice President, Memorandum, Kissinger Speech on Asia, 22 July 1976, RG 26, Nelson A Rockefeller-Vice Presidential, Series 19: Foreign Affairs and National Security; Secretary Kissinger Press Conferences and Speeches 1976, Folder 215.1, Box 8, RAC.

⁴¹ Sikkink, *Mixed Signals*, 106.

⁴² Vania Markarian, *Left in Transformation: Uruguayan Exiles and the Latin American Human Rights Network, 1967-1984* (New York: Routledge, 2005), 45.

⁴³ Embassy in Uruguay to Department of State, Airgram, Preliminary Analysis and Strategy Paper- Uruguay, 25 August 1971, Microfiche on Human Rights in Uruguay 1971-1983, Department of State Reading Room.

⁴⁴ Embassy in Argentina to Secretary of State, Telegram, Uruguayan Situation, 27 August 1971, State Department Subject Numeric files 1970-73, National Archives; Memorandum for Kissinger, 13 November 1971, Country Files-Latin America, Box 128, Henry A. Kissinger Office Files, Nixon Presidential Materials, National Archives. Nixon’s efforts also stand in contrast to Lyndon Johnson’s government, which actively sought to address Uruguay’s problems by promoting constitutional reform and forestalling any move that the Brazilian military might be making to support an Uruguayan coup. Memo from Assistant Secretary of State for Inter-American Affairs (Mann) to Secretary of State Rusk, 1 December 1964, *Foreign Relations of the United States, 1964-1968, South and Central America; Mexico* (Washington, D.C.: U.S. Government Printing Office, 2004), XXXI: 463.

The U.S. sought overt and covert activities to counter the Frente's campaign efforts. Further, Nixon supported Brazil's and Argentina's attempts to intervene in the Uruguayan election.⁴⁵

Bordaberry, the most conservative candidate, became president. The military had stopped counting votes once Bordaberry's initial lead began to narrow.⁴⁶ In the aftermath of his electoral 'victory,' he declared a state of national security emergency. In 1973, he shut down the country's legislative body. The Nixon administration responded to these actions with tepid support. Instead of speaking out directly against the suspension of democracy, the U.S. embassy declared its intentions to refrain from "giving any indications or grounds for suspicion that we are in any way intervening in developments." Instead, it stated that Bordaberry's repressive rule was a result of Uruguayans attempting to "find Uruguayan solution to Uruguayan problems."⁴⁷ Despite a growing human rights conscience in Congress, Nixon's approval of the military regime was the result of

⁴⁵ The Uruguayan Left was aware of the threat that Brazil posed and published a lead story in *Marcha* in July 1971 outlining their fear that Brazil would intervene in the country. "Brasil Amenaza con la Invasión," *Marcha*, 23 July 1971, p16-17, Archivo de Diarios, Palacio Legislativo, Montevideo. They also published an article citing the close relationship between Bordaberry and Brazil, citing Bordaberry's explanation that the two countries closely shared the goal of defending democracy and anti-communism. Reportaje en *La Nación*, July 1973 cited in "Bordaberry y Brasil," *Uruguay y Ahora Qué? Cuadernos de Crisis* no. 4 (1974), p10, Folder 4, Álvaro Barros Léméz Colección, CEIU, Montevideo, Uruguay.

⁴⁶ Questions about the legitimacy of the elections are described in more detail in previous chapters. Martin Weinstein, "The Decline and Fall of Democracy in Uruguay: Lessons for the Future," in *Repression, Exile, and Democracy: Uruguayan Culture*, ed. Saúl Sosnowski and Louise B Popkin (Durham: Duke University Press, 1993). The final results, released by the electoral tribunal on 15 February 1972, gave Bordaberry 41% of the vote, only a few thousand more than the Ferreira who received 40% of the vote. The Frente Amplio candidate received only 18% of the vote. Carlos Osorio, "Nixon: Brazil Helped Rig the Uruguayan Elections, 1971," *National Security Archive Electronic Briefing Book*, no. 71 (June 2002), Accessed 28 February 2014, <http://www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB71/>; Markarian, *Left in Transformation*, 49.

⁴⁷ Embassy in Uruguay to Secretary of State, 2 July 1973, The United States and Events in Uruguay, National Security Archive Declassification Project, accessed 31 July 2013, <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB309/>. Interestingly, in August 1973, the Peace Corps had to withdraw all operations from Uruguay due to budget constraints. The Nixon administration went out of its way to make sure that Bordaberry's government knew it was only a fiscal decision and not based on "recent events" in the country. Embassy in Uruguay to Secretary of State, Memo: Peace Corps, August 1973, Department of State Virtual Reading Room.

his idea that national security was the main interpretive framework for analyzing events, particularly in the Southern Cone.⁴⁸

As historian Michael Schmidli explains, this position was part of Nixon's belief that the military was well-placed to restore stability in the nation. More broadly, his reaction demonstrated the profound anticommunism that had characterized U.S. foreign policy since the 1940s and had grown even more intense in the aftermath of the 1959 Cuban Revolution. Nixon "exemplified a defining feature of U.S. policy towards Latin America during the Cold War" by supporting Latin American militaries as an integral component in protecting U.S. anticommunist, national security interests in the region.⁴⁹ Indeed, between 1970 and 1973, the Nixon administration dedicated 9.5 percent of its total Latin American military aid budget to Uruguay.⁵⁰ This money was primarily aimed at training Uruguayan police forces in repressing potential revolutionary threats, specifically, the popular Tupamaros. For a country with a population of fewer than three million people, this enormous percentage reflected Nixon's foreign policy emphasis on fighting communism in the region by strengthening the militaries of Latin American countries. By

⁴⁸ Despite the fact that it took a few years for Congress to hold hearings and cut aid, Congressman Fraser's papers reveal an immediate concern over events in Uruguay, which was initially addressed in his published article and papers regarding the situation in Uruguay soon after the coup. Donald Fraser to Neil Basso, Letter, 9 July 1974, Box 149.G.13.7 (b), Folder, Human Rights, Donald Fraser Papers, Minnesota Historical Society [Hereinafter Fraser Papers]; U.S. Congress, House Committee on International Relations, *Human Rights in Uruguay and Paraguay, Hearings before the Subcommittee on International Relations*, 94th Congress, 2d sess., 1976; Juan de Onis, "U.S. and Latinos: Violations of Rights vs. Aid from Congress," *New York Times*, 4 October 1976, 2.

⁴⁹ William Michael Schmidli, "Institutionalizing Human Rights in U.S. Foreign Policy: U.S. - Argentine Relations, 1976-1980," *Diplomatic History* 35, no. 2 (April 2011): 356.

⁵⁰ Lindsey Churchill, *Becoming the Tupamaros*, 104 (ebook); Jeffrey Ryan, "Turning on Their Masters: Unlearning Democracy in Uruguay," in *When States Kill: Latin America, the U.S. and Technologies of Terror*, eds. Cecilia Menjivar and Nestor Rodriguez (Austin: University of Texas Press, 2005), 282. Most of this money originated from the U.S. Agency for International Development. In 1970, Uruguay received the second highest military assistance in the entire hemisphere. This is especially notable considering Carter's cessation of such funding when he became president. Even so, it was a small drop in the bucket and probably less than \$5 million a year. See: Timothy P. Wickham Crowley, *Guerrillas and Revolution in Latin America: A Comparative Study of Insurgents and Regimes since 1956* (Princeton: Princeton University Press, 1993), 73; *World Military Expenditures and Arms Trade, 1963-1973* (Washington DC, 1975); U.S. Overseas Loans and Grants to Uruguay, InsideGov.com, accessed 18 July 1978, <http://us-foreign-aid.insidegov.com/1/186/Uruguay>.

supporting right-wing candidates and offering strategic aid, Nixon consistently pushed a strong Cold War agenda in U.S. relations with Uruguay.

Ford and Kissinger v. Congress

By the time Nixon resigned from office in 1974, the situation in both Uruguay and elsewhere in Latin America had begun to shift. Nixon's replacement, Gerald Ford, faced increased pressure to confront abusive military dictatorships from a vibrant, active international human rights movement and from Congress. Becoming more assertive after America's misadventures in Vietnam and Nixon's domestic abuses, Congress sought to neutralize the 'imperial presidency.' Henry Kissinger, who had stayed on as head of the State Department under Ford, refused to adhere to new Congressional legislation that mandated reporting on violations and reducing aid to governments that abused their citizens' human rights.⁵¹ As a result of his intransigent position, Congress implemented what historian Barbara Keys calls a "reactive, punitive, and unilateral" approach to human rights, which sought to circumvent the presidency to pressure foreign governments to respect the human rights of their citizens.⁵²

This Congressional assertiveness stemmed from the growing influence of a group called "the new internationalists" who advocated economic cooperation, cultural exchange, human rights, support for democracy, and a less interventionist foreign policy. Representatives such as Donald Fraser (D-Minnesota) and Tom Harkin (D-Iowa) emerged as dominant voices in the late 1960s, expressing the belief that foreign policy needed to be "grounded in the same kind of social values

⁵¹ As Merritt explains, under Ford, public criticism of repressive regimes was rare, and private diplomacy was at best sporadic. Jeffrey Merritt, "Unilateral Human Rights Intercession: American Practice under Nixon, Ford, and Carter," in *Diplomacy of Human Rights* ed. David Newson (Latham, Md: University Press of America, 1986): 44-51.

⁵² Keys, "Congress, Kissinger, and the Origins of Human Rights Diplomacy," 825.

that their party had promoted in the domestic realm with civil rights and other aspects of the Great Society.”⁵³ Congress grew more emboldened as abuses proliferated during Vietnam and Watergate.⁵⁴ The legislative body worked with increasingly vocal human rights groups to pass legislation such as Section 502B of the Foreign Assistance Act, to create the Bureau of Human Rights and Humanitarian Affairs, and to institute the Harkin Amendment, the last of which was proposed by the Washington Office on Latin America.⁵⁵ Kissinger actively attempted to resist these new Congressional measures, repeatedly focusing the discussion on the primacy of the national security doctrine to fight terrorism, a policy that largely ignored human rights concerns.⁵⁶

This resistance emboldened Congress to be more persistent in pursuing international human rights issues. The primary tactics available for Congress to influence foreign affairs included controlling spending measures, using individual efforts to publicize issues, and creating subcommittees to investigate countries.⁵⁷ These strategies were especially important in U.S. relations with Uruguay. For example, Edward Koch, a Democratic congressman from New York, was one of the key advocates for human rights in Uruguay within the House Appropriations Subcommittee on Foreign Operations. In this position, he had the opportunity to propose cutting off aid to Uruguay. Using the very information and discourse of the reports published by Amnesty International (AI) and the International Commission of Jurists (ICJ), he brought the House’s

⁵³ Julian Zelizer, *Arsenal of Democracy: The Politics of National Security: From World War II to the War on Terrorism* (New York: Basic Books, 2009), 276.

⁵⁴ Interestingly, the human rights issue appeared to cross political divides during this period. For example, the Harkin Amendment was noted as “unusual” in that it split both liberals and conservatives. Memo, George Lister to William Rogers, Harkin Amendment, 16 September 1975, Folder 10-W. D. Rogers, Box 12, George Lister Papers, Nettie Lee Benson Latin America Collection, University of Texas at Austin, Austin, TX [Hereinafter Lister Papers].

⁵⁵ As George Lister wrote, “along with some friends, mainly Quakers [Joe Eldridge, the president of WOLA] put together the Harkin Amendment” and was “one of the authors and main stimulator of the Harkin Amendment.” Memo, George Lister to William Rogers, Harkin Amendment, 16 September 1975, Folder 10-W. D. Rogers, Box 12, Lister Papers.

⁵⁶ Sikkink, *Mixed Signals*, 119.

⁵⁷ Keys, “Congress, Kissinger, and the Origins of Human Rights Diplomacy,” 825.

attention to the abominable human rights situation in Uruguay.⁵⁸ Throughout 1976, Koch played a significant role in utilizing these reports to question the efficacy of sending aid to Uruguay's security forces. For example, he asked whether the U.S. was "part and parcel of the torture operations" if it sent money to the country with the knowledge that Uruguayan military would use it to carry out repressive policies.⁵⁹ Furthermore, Koch made the argument to cut off aid by stating that "our continuation of military assistance to this repressive military-dominated dictatorship can only serve to signify the American government's continuing confidence in the Uruguayan regime and particularly its military."⁶⁰

Another important aspect of the Congressional campaign against the human rights violations in Uruguay stemmed from Donald Fraser's efforts after he became the head of the House Subcommittee on International Organizations. Fraser held seventeen subcommittee hearings that explicitly addressed international human rights from 1973-1976. Historian Sarah Snyder notes that these hearings, the subcommittee's subsequent reports, and the legislation that resulted from these discussions "marked a key turning point in the rise of human rights as a priority in U.S. foreign policy."⁶¹ In the summer of 1976, a hearing was held specifically to discuss the human rights situation in Uruguay.

Fraser's interest in the human rights situation in Uruguay dated back several years prior to the hearings when his constituents wrote letters to him concerning the abuses that were occurring in the nation. For example, one group sent him a report about torture in the nation, while another organization, the Authors League of Americas, Inc., wrote to Fraser requesting help in releasing

⁵⁸ Letter, José Pérez Caldas to Juan Carlos Blanco, 18 Noviembre 1976, Box 21, Folder 7, Archivo Diplomático Histórico.

⁵⁹ Congressional Record—House, H3350, 13 April 1976. Other instances of Koch's efforts in the House include: Congressional Record—House H9151, 26 August 1976; Congressional Record—House H6171, 22 June 1976.

⁶⁰ Additional Views of Edward Koch, nd, Box 21, Folder 5, Archivo Diplomático Histórico.

⁶¹ Sarah Snyder, "A Call for U.S. Leadership": Congressional Activism on Human Rights," *Diplomatic History* 37, no. 2 (April 2013): 372–73.

fellow authors that were imprisoned in Uruguay.⁶² Meanwhile, Fraser also began to hear from Uruguayan exiles seeking to bring the plight of their country to international attention. They included Wilson Ferreira, former Blanco senator and presidential candidate now in exile in London, and his son, Juan Raúl Ferreira, now in Washington DC. Both men worked with the Washington Office on Latin America (WOLA) to bring the state of Uruguay's political situation to the attention of the Congressional leadership. As WOLA cofounder, Reverend Joe Eldridge, recalled, he would go talk with Fraser and his aide, John Salzberg, and explain the need to hold a hearing on specific nations to bring their plight to the attention of the American public.⁶³ WOLA singled out Uruguay in September 1975 as Latin America's most brutal dictatorship, even more so than Chile's.⁶⁴ Government officials noted the report as "an example of Uruguay's high profile on the human rights issue."⁶⁵ Together, these constituents and human rights activists, along with the Uruguayan exiles, convinced the House subcommittee chairman that it was necessary to address the situation in Uruguay in the halls of government.

Fraser began this process by first contacting Niall MacDermot, the Secretary General of the International Commission of Jurists, who was planning a trip to survey and report on human rights abuses in the Southern Cone. In the letter, Fraser requested a full report on Uruguay's

⁶² Fraser noted in this letter that he was monitoring the situation in Uruguay, which he understood to be "just as serious as the Chilean situation." Letter, Donald Fraser to Lelio Basso, 9 July 1974, Box 149.G.13.7 (B), Fraser Papers, 1. He also sent his committee's report, "Human Rights in the World Community: A Call for U.S. Leadership" to the Authors League of Americas, Inc., which had written to him about a group of writers that was arrested and imprisoned in Uruguay. Letter, Donald Fraser to Mills Ten Eyck, 14 May 1974, Box 149.G.13.7 (B), Fraser Papers.

⁶³ Michael Schmidli interview with Rev. Joe Eldridge, 4 May 2008, Washington DC as cited in Schmidli, *Institutionalizing Human Rights*, 364.

⁶⁴ Legislative Update: Latin America, Washington Office on Latin America, September 1975, Folder 7, Box 16, Lister Papers. Similarly, Bishop Armstrong of South Dakota said "if you think Chile's bad go to Uruguay." Letter, George Lister to William Rogers, 31 March 1976, Folder 10-W. D. Rogers, Box 12, Lister Papers.

⁶⁵ Memo from George Lister, 13 October 1975, Folder 7, Box 16, Lister Papers

situation and included the possibility of holding a hearing on the topic by the Inter-American subcommittee. The hearing eventually came to fruition two years later.⁶⁶

At 2:00 p.m. on 17 June 1976, in Room 2255 of the Rayburn House Office Building, the House of Representatives Subcommittee on International Organizations convened to explore the issue of human rights in Uruguay. In light of increasing evidence of abuses by the Uruguayan government, the committee stated its purpose of reviewing 502B of the 1974 Foreign Assistance Act, which stated explicitly that no military assistance could be provided to oppressive regimes.⁶⁷ With that objective, one of the most powerful governments in the world turned its attention to the human rights situation in Uruguay.

Wilson Ferreira testified first. His presence drew widespread attention in the U.S., where there was “standing room only” during his two hours of testimony.⁶⁸ The former Uruguayan senator had firsthand knowledge of the dangerous nature of the military regime. As the leader of the Blanco party, he had run for president during the contested 1971 election that many believed had been stolen from him. During the subsequent crackdowns, he fled to Argentina. In March 1976, however, the Argentine military also seized power. Operation Condor, the coordinated effort by Southern Cone militaries plan to root out subversive activity, put Ferreira and many of his fellow exiles in danger. The Uruguayan military worked with Argentina to target various Uruguayan politicians who had sought a safe haven across the border.⁶⁹ The Argentine military kidnapped and killed Héctor Gutiérrez Ruiz and Zelmar Michelini within hours of each other on 20 May 1976. A similar attempt was made against Ferreira, but the kidnappers botched their

⁶⁶ Letter, Fraser to Niall MacDermot, 11 April 1974, Box 149.G.13.7 (B), Fraser Papers.

⁶⁷ “Hearings on Human Rights in Uruguay and Paraguay,” U.S. Government Printing Office (Washington D.C., 1976)

⁶⁸ Letter from Lister to Shlaudeman, 16 June 1978, Folder 5, Shlaudeman Box 15, Lister Papers.

⁶⁹ J. Patrica McSherry, *Predatory States: Operation Condor and Covert War in Latin America* (Maryland, Rowman & Littlefield Publishers, 2005).

mission, and Ferreira fled to exile in London. There he connected with Amnesty International, an organization that was in the middle of a campaign to bring awareness to Uruguay's human rights abuses.⁷⁰

A few months later, at the U.S. hearing, Ferreira laid out the political situation in Uruguay for the House Committee. He explained the incredible number of Uruguayan citizens who were either detained without reason or with the vague justification that they had attempted "to undermine the morale of the armed forces."⁷¹ Ferreira noted that Uruguay possessed the highest per capita number of political prisoners in the world. Furthermore, most had been subjected to some form of torture, some of which he described in detail. His testimony went on to explain how the government's violations extended beyond physical abuses to violations of political and civil rights, such as the government's decision to dissolve Congress, institute censorship, prohibit freedom of association, and monitor private communications between citizens.

After describing this situation, Ferreira requested an end to "U.S. intervention" in support of the military government. Ferreira argued that the United States' "open, public sustaining of those sectors responsible for repression" created a situation in which the U.S. contributed to the "artificial stabilization of tyranny."⁷² He ended his testimony with an impassioned plea for Uruguay to be "left alone" and to stop the "material and technical aid" of the military regime that was oppressing Uruguayan citizens.⁷³ His message highlighted the disconnect between Congress's growing concern for human rights while the executive branch still supported military regimes over human rights abuses.

⁷⁰ Lawrence Weschler, *A Miracle, A Universe: Settling Accounts with Torturers* (Chicago: University Of Chicago Press, 1998), 130.

⁷¹ Wilson Ferreira Testimony, "Hearings on Human Rights in Uruguay and Paraguay," 3.

⁷² *Ibid.*, 8, 28.

⁷³ *Ibid.*, 8.

The hearings continued a month later when political scientist Martin Weinstein, and Amnesty International's Edward (Edy) Kaufman testified before the subcommittee. Weinstein outlined the relationship between the U.S. and Uruguay and argued that by increasing aid to the Uruguayan armed forces and maintaining a close, supportive relationship with the dictatorship, the U.S. had helped strengthen the military's hold on society.⁷⁴ Weinstein called these policies "morally bankrupt and politically unwise" considering the subsequent abuses.⁷⁵ Meanwhile, Kaufman, as an Amnesty International representative, outlined the organization's efforts to document the extensive abuses occurring in Uruguay.⁷⁶ He further called on the U.S. to suspend all military aid to the country. Kaufman's testimony was particularly poignant since Amnesty's work had an enormous influence on the U.S. Congress. At the time, AI had a stellar reputation for impartial documentation. As political scientist Lars Schoultz has noted, AI helped shift the U.S. Congressional debate on Uruguay. The discussion no longer centered on whether the U.S. should single out the nation as a gross violator of human rights, but rather on what the response should be "to the accepted fact that the Uruguayan government was one of the most repressive on earth."⁷⁷ Both Congressmen and those who testified all utilized AI's widely circulated reports that focused on the issues of political imprisonment and torture.

The hearings ultimately had two main implications. Despite the fact that the State Department responded to the hearings by defending U.S. policies towards Uruguay, Congressman Ed Koch's resolution to cut military aid to Uruguay on human rights grounds passed and became

⁷⁴ Statement of Dr. Martin Weinstein, "Hearings on Human Rights in Uruguay and Paraguay," U.S. Government Printing Office (Washington D.C., 1976), 33.

⁷⁵ Weinstein Testimony, 34.

⁷⁶ Statement of Edy Kaufman, "Hearings on Human Rights in Uruguay and Paraguay," U.S. Government Printing Office (Washington D.C., 1976), 39.

⁷⁷ Lars Schoultz, *Human Rights and United States Policy Towards Latin America* (Princeton, NJ: Princeton University Press, 1981), 85.

law in September 1976.⁷⁸ This measure sent a clear message to Uruguay that its actions were censured and that U.S. policy had shifted from ardent support to at least partial condemnation. Uruguay's Ministry of Foreign Affairs closely followed the public campaigns in the U.S. As early as January 1976, it issued an internal memo to begin tracking the way in which Uruguay was being portrayed in U.S. news outlets and Congress.⁷⁹ The Ministry collected voluminous amounts of information tracking U.S. press about Uruguay and the Congressional hearings. Employees of the Ministry wrote internal reports on these topics and blamed U.S. communists for the negative attention.⁸⁰ These reports noted the chilling of relations between the countries, placing responsibility on certain Marxist sectors of the U.S. population that believed the false reports and allowed Ferreira to testify and reference Amnesty Reports.⁸¹ While attempting to marginalize the impact of the hearings, the report by the Uruguayan Ministry also noted the importance of its own campaign to speak out against the emerging negative perception of its country.⁸²

⁷⁸ Lewis Diugdi, "Congress Cuts Uruguay Aid, Rights Violations are Cited," *Washington Post*, 20 September 1976, A8; George Goodman, "Uruguayan Exile Faces Indictment," *New York Times*, 25 July 1976, 15; Koch received death threats as a result of his backing of this legislation. The CIA reported that members of the military were extremely irritated with his amendment and reported that they would have "to send someone to the U.S. to get Congressman Koch"—a threat that was taken very seriously in the aftermath of Chilean Orlando Letelier's assassination in September 1976 on U.S. soil. See Letter, Ed Koch to Ed Levi, 19 October 1976, National Security Archives Briefing, <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB112/>; Letter, Robert Eatinger to Ed Koch, 26 September 2001, Virtual CIA Reading Room; Sewell Chan, "Newly Released C.I.A. Letter Details Threat on Koch's Life," *New York Times*, 26 June 200, accessed at http://cityroom.blogs.nytimes.com/2007/06/26/newly-released-cia-letter-details-76-threat-on-kochs-life/?_r=0.

⁷⁹ Memo, 28 January 1976, Box 21, Folder 10, Archivo Diplomático Histórico.

⁸⁰ Max Holland and Kai Bird, "Siracusa, Our Man in Uruguay," *The Nation*, 19 March 1977. The Uruguayan government also called Amnesty International an organization of communists and blamed the negative attention on human rights as part of a worldwide Marxist-communist conspiracy. Informe, 29 June 1976, Box 1 Rovira Collection, Archivo Diplomático Administrativo, Montevideo, Uruguay [Hereinafter Archivo Diplomático Administrativo].

⁸¹ The Ministry of Foreign Relations closely watched the proceedings, carefully cataloging both the actual hearings as well as all the press about them. They kept multiple copies of the hearings, all mentions of Uruguay in the Congressional Record, as well as began writing regular memos on the image of Uruguay in the U.S., which began in the summer of 1976 after the hearings. José María Araneo to Don José Pérez Caldes, 23 Agosto 1976, Box 3, Folder 5, Archivo Diplomático Histórico.

⁸² There is also substantial evidence that Uruguay hired a PR firm to counteract the negative press: Sullivan, Sarria & Associate. Memos about payments and instituting new phases of the campaign were found in the government archives. Folder 4, Box 21, Archivo Historico-Diplomatico. In addition, the author was able to track down and interview a former secretary at the firm, who explained that the PR firm was intimately involved in helping dictatorships in Latin America improve their images in the U.S., which she noted was most notably Anastasio

Internally in Uruguay, these hearings also had major implications. The Uruguayan newspapers published the testimony, despite the fact that the newspapers were heavily censored.⁸³ Around Montevideo, citizens rushed to the stands to purchase papers and clustered in small groups around the capital to read, in detail, the violations their government had committed. The military had misjudged the impact of the testimony. As an isolated institution, it believed that the hearings were evidence of the slanderous claims perpetrated against the country internationally. The government went on to release a long list of international figures that it claimed were active in the international leftist conspiracy to defame Uruguay. Presumably, the list proved how important the military was in fighting against a subversive threat. However, the act of publishing the testimony ultimately revealed the gap between the military and its citizens. To many Uruguayans, the list revealed that there was growing international support against the military's abuses.⁸⁴

The termination of aid subsequent to these hearings and the justification by Kissinger also illustrated the chasm between Congress and presidential policy that weakened the possible impact of cuts in aid. Despite Congress's focus on human rights measures, Kissinger and Ford's State Department ultimately sent a different message to leaders in Uruguay by attempting to stall the Congressional measures. In fact, the State Department viewed Congress as an impediment to its foreign policy initiatives. In a meeting with Uruguay's foreign minister, Kissinger noted that for the U.S., the "biggest problem in this country is the role of the legislature. I think Congress is

Somoza in Nicaragua under separate auspices, the Nicaragua Government Information Services. While employed in her position, she was unaware of the work the firm did for Uruguay, documents detailing costs confirm that Uruguay similarly used the PR firm, thus further affirming the military government's increased anxiety over the way its nation was being portrayed in the U.S. Author interview with Alicia Riley via phone 13 March 2014.

⁸³ "Ferreira Aldunate: Amnestia Interrumpió su Disertación," *El País*, 18 de Junio 1976, 1, BN. Some papers published his testimony in detail, but also published the response by the Uruguayan government that they were mere "accusations."

⁸⁴ Howard Handelman, "Politics and Plebiscites: The Case of Uruguay," *Working Papers of the Latin American Program of the Woodrow Wilson International Center for Scholars*, no. 89 (April 1981): 7-8.

totally overplaying its hand...I don't think the U.S. public wants to see the Executive Branch totally paralyzed in its conduct of foreign policy.”⁸⁵

Sikkink notes that during Ford's administration, State Department personnel appeared to be “uninformed about the human rights situation in Uruguay.”⁸⁶ However, recent documents point to the idea that personnel were not so much unaware as intransigent. The U.S. ambassador to Uruguay, Ernest Siracusa, maintained close ties to the dictatorship and was often an “apologist” for the Uruguayan regime at the “expense of human rights.”⁸⁷ As early as 1975, Kissinger had the State Department Congressional Relations representative respond to Fraser's request for action including justifications for the Uruguayan government's actions against “subversives.” In addition, he cited the State Department's “belief [that] the number of arrests has been greatly diminished.”⁸⁸ The letter included the explanation that Uruguay's traditional democratic institutions were just undergoing a restructuring as a temporary measure to fight against the communist “menace.” In January 1976, Siracusa reiterated this viewpoint, acknowledging that the military committed human rights abuses, but it was isolated to a “small minority of people” who were members of “terrorist or subversive organizations.”⁸⁹ In essence, he understood the measures to be justified since they were part of operations that focused on national security.⁹⁰

⁸⁵ Memorandum of Conversation, Uruguayan Foreign Minister's Bilateral Meeting with the Secretary, 10 May 1975, Department of State Virtual Reading Room; Sikkink, *Mixed Signals*, 49.

⁸⁶ Ernest Siracusa to Henry Kissinger, Memorandum, Meeting with Foreign Minister, 11 September 1976, Virtual Department of State Reading Room.

⁸⁷ Max Holland and Kai Bird, “Siracusa, Our Man in Uruguay,” *The Nation*, 19 March 1977; Update Latin America: Uruguay, June 1978, Folder 6, Box 16, Lister Papers.

⁸⁸ Letter, Robert McCloskey to Donald Fraser, 12 October 1975, Folder AMR Americans-Uruguay 1974-1985, Box 6, Executive Director Files 1967-1997, AI-USA Collection, Columbia University Archives.

⁸⁹ Ernest Siracusa to Henry Kissinger, Memorandum, New Initiative in Human Rights, 20 January 1976, Virtual Department of State Reading Room.

⁹⁰ Just a month earlier, the military briefed the U.S. embassy and blamed Soviet support for the Uruguayan Communist Party, which had already been proscribed from all political activity in Uruguay in 1973. Uruguay saw this as the “most powerful threat facing the nation because of its backing from the Soviet Union.” Ernest Siracusa to Henry Kissinger, Memorandum, High-level Military Briefing on Results of Arrests of Communist Party Figures,” 29 December 1975, Virtual Department of State Reading Room.

The State Department's reaction to the Koch Amendment proved to be the most revealing measure of Ford's human rights policy. The acting Assistant Secretary for Inter-American Affairs, Hewson Ryan, endorsed Uruguay's "success in restoring order and safety for ordinary citizens after years of terrorist assaults." While admitting that some violations had occurred, he stressed that the "nature and extent of these violations, as well as the actions of the Uruguayan government with respect to them are matters that have elicited differing information and differing judgments."⁹¹ Ryan followed up by writing a letter to Koch, revealing his agitation with the Congressman. Ryan explained that he did "not share the same conclusions about the human rights situation" that "terrorism by the Uruguayan government against its own people is a well-established fact." Instead, he argued that "it is in our national interest to maintain good relations with Uruguay...Uruguay has been consistently friendly toward the United States and plays a moderating and constructive role in the Organization of American States and the United Nations." He pointed to Uruguay's siding with the U.S. on the Trade Act, on anti-Zionism resolutions, and on foreign policy initiatives towards Korea. Hewson also explained that Uruguay's human rights had improved since the fight against the Tupamaros had abated. He wrote to Koch that he was "sorry that you have sponsored an amendment" and touted the benefits of the U.S. relations with the nation.⁹²

Then, in a meeting between Siracusa and Uruguay's foreign minister, Juan Carlos Blanco Estradé, Siracusa tried to reaffirm his commitment to blocking pro-human rights measures in Congress and maintaining a strong relationship with the military. When Blanco noted his country's "extremely negative" reaction to the Koch amendment, Siracusa acknowledged that "the question

⁹¹ Ryan Statement on Human Rights in Uruguay and Paraguay, Subcommittee on International Relations, 4 August 1976, U.S. Congress, Box 1 EEUU-ROU DDHH, Archivo Diplomático Administrativo, Montevideo Uruguay.

⁹² Letter, Hewson Ryan to Edward Koch, 11 June 1976, Box 12, Folder 6, Lister Papers.

of human rights” had become the “fulcrum of relations” between the two countries, but added that the State Department had opposed the Koch amendment. Siracusa attempted to assuage Blanco’s concerns and downplay the government’s evidence of abuses. Siracusa explained that any cuts to U.S. funding had to be tied to a *consistent* pattern of gross violations of human rights. Siracusa argued that proving a consistent pattern was a “difficult question” and had “not yet been defined.” He noted that he “personally accepted the GOU’s statement that it did not advocate or condone torture,” but only that the “instances of torture and political confinement had occurred in the past.”⁹³ Through these types of legal and linguistic gymnastics, the State Department actively worked against Congressional attempts to integrate human rights into the foreign policy calculus. Ultimately, these moves succeeded in sending a weak message to the Uruguayan government about how much its northern neighbor cared about human rights violations in Uruguay.

At a basic level, Kissinger’s State Department never embraced a public human rights agenda.⁹⁴ Kissinger effectively encapsulated his and Ford’s policy towards human rights in a speech to the Synagogue Council on 20 October 1976, at the height of the Carter-Ford campaign season when Carter was pushing the issue as a defining component of his electoral platform. Kissinger explained that while he believed that the administration “must bend every effort to enhance respect for human rights,” a public crusade was not the most effective method. Therefore, Kissinger opposed attempts to deal with sensitive international human rights issues through legislation. He stated that quiet diplomacy was the answer to resolving this issue. Since human rights issues were complex, only diplomats could sort out the inherent contradictions between

⁹³ Ernest Siracusa to Henry Kissinger, Memorandum, Meeting with Foreign Minister, 11 September 1976, Virtual Department of State Reading Room.

⁹⁴ Jeremi Suri, *Henry Kissinger and the American Century* (Cambridge: Harvard University Press, 2007), 245–46. As Suri explains, Kissinger “avoided the term ‘human rights.’” Even when he did want to invoke a “moral purpose” to his policies, he advocated the position through force and diplomacy, and faith in strong leaders, rather than what he referred to as the “rights talk” that was beginning to emerge from NGOs and other sectors of the U.S. government.

universal claims, conflicts with power, and balance moral aims with finite resources and competing goals.⁹⁵ Kissinger believed human rights could be an element of foreign policy, only insofar as morality was understood to be a measure of national power. This concept ultimately structured the Ford administration's approach to addressing the abuses in Uruguay throughout his two and a half years in office.⁹⁶

Carter's Shift in Policy

Jimmy Carter's election in November 1976 fundamentally changed the integration of human rights at the highest levels of American foreign policy. The issue of human rights emerged in his presidential campaign. Carter hoped that he could convince the electorate to move past the legacy of Vietnam and the American "struggle for the soul of the country" that had followed.⁹⁷ Carter also believed human rights could appeal to individuals of all political stripes, thereby reuniting a nation that had been torn apart by political discord and government scandals.⁹⁸ The focus on human rights served as a touchstone for Carter's presidential platform and offered a fundamental change from the Nixon-Ford-Kissinger approach to foreign policy.⁹⁹

⁹⁵ John Howe to the Vice President, Memorandum, Kissinger Speech to the Synagogue Council, 20 October 1976, RG 26, Nelson A Rockefeller-Vice Presidential, Series 19: Foreign Affairs and National Security; Secretary Kissinger Press Conferences and Speeches 1976, (II, 26, 19), Folder 215.1, Box 8, RAC.

⁹⁶ Both in his time in office and while critiquing Carter's administration, Kissinger reinforced this belief. See: Memo, Harold Saunders to Warren Christopher, "Comment on Kissinger Article 'Morality and Power,'" 25 October 1977, Folder: Human Rights Theory, Box 46, Christopher Papers, The National Archives at College Park, Maryland [Hereinafter Christopher Papers]. Also see Michael Schmidli, "How Activists Changed Washington," *Foreign Affairs* (June 2014).

⁹⁷ Barbara J. Keys, *Reclaiming American Virtue: The Human Rights Revolution of the 1970s* (Cambridge: Harvard University Press, 2014), 3.

⁹⁸ Indeed, different notions of human rights were supported across the political spectrum. Cold warriors utilized a human rights discourse to target the Soviets, whereas liberals tended to foreground human rights as a pathway to restoring American ideals and escaping the bipolar Cold War strictures. Carter sought to bring both groups together during his presidency, without much success. Umberto Tulli, "'Whose rights are human rights?' The Ambiguous Emergence of Human Rights and the Demise of Kissingerism." *Cold War History* 12 no. 4 (November 2012): 573-593.

⁹⁹ Gaddis, *Strategies of Containment*, 273-81.

Carter's human rights policy was also part of his larger aim to refocus American foreign policy beyond the bipolarity of the Cold War. Carter contended that the United States' "inordinate fear of communism" had "led the United States into bad policy decisions."¹⁰⁰ Carter saw human rights as a way to organize a new, comprehensive, and long-term strategy to reflect stronger North-South ties. This emphasis provided the foundation for Carter's plan to escape the strictures of the Cold War.¹⁰¹

Carter often specifically addressed human rights in Latin America as a key area in which to advance this new moral, human rights policy. Richard Fagen, a political scientist and the president of the Latin American Studies Association, noted that particularly during Carter's first few months in office, Latin America emerged as a focal point "at a rate not seen since the Kennedy administration." Carter and members of his administration gave numerous speeches about rebuilding the U.S. relationship with the region.¹⁰² For example, in March 1977, Rosalyn Carter traveled to Latin America on a goodwill mission to talk about "strengthen[ing]...ties with our friends to the south."¹⁰³ A month later, in April 1977, Carter gave a speech before the OAS that touched upon his goal of respecting the sovereignty of "each Latin American and Caribbean nation."¹⁰⁴ Carter also addressed these issues in one of his first major policy initiatives—

¹⁰⁰ Speech, Jimmy Carter, "Human Rights and Foreign Policy," June 1977, *Teaching American History*, available at: <http://teachingamericanhistory.org/library/index.asp?document=727> (accessed 5 May 2010); and Zelizer, *Jimmy Carter*, 69.

¹⁰¹The North is generally referred to as 'wealthy developed countries,' broadly located in the Northern hemisphere. The South is generally understood as 'poorer developing countries,' broadly located in the Southern hemisphere. While the roots of the terminology are different, these terms are often used interchangeably in governmental reports with First and Third world nations, and developed and developing countries, respectively; George Herring, *From Colony to Superpower: U.S. Foreign Relations Since 1776* (New York: Oxford University Press, 2008), 810.

¹⁰² Richard Fagen, "The Carter Administration and Latin America: Business as Usual?" *Foreign Affairs* (1978), 652.

¹⁰³ Jimmy Carter, "Rosalyn Carter's Trip to the Caribbean and Latin America: Remarks of the President and Mrs. Carter Prior to her Departure from Brunswick, Georgia," (30 May 1977), accessed 2 March 2014, <http://www.presidency.ucsb.edu/ws/index.php?pid=7607>; Susanna McBee, "'Substantive Talks' are Slated for Mrs. Carter on Latin America Trip," nd, *Washington Post*, Archivo Diplomático-Histórico.

¹⁰⁴ Jimmy Carter, "Organization of American States Address before the Permanent Council," (14 April 1977), available at <http://www.presidency.ucsb.edu/ws/index.php?pid=7347>.

negotiating a new Panama Canal Treaty as part of the strategy to forge a more constructive relationship with Latin America. He sought to “show a new face of American foreign policy, one that conveyed respect for human rights, small nations, and moral principle.”¹⁰⁵ This connection between sovereignty and human rights was a measure Carter acknowledged would “naturally influence our relations with the countries of this hemisphere and throughout the world. You will find this country, the United States of America, eager to stand beside those nations which respect human rights and which promote democratic ideals.”¹⁰⁶

Congress, now with a human rights ally in the presidency who was friendlier to its initiatives, also focused on Latin America. It held a conference in September 1977 on “U.S.-Latin American Policy and Human Rights,” which brought together members of Congress along with representatives from the National Security Council, State Department, and activists from the human rights community.¹⁰⁷ The conference sought to analyze current U.S. policy and discuss alternatives for the future. The attention to the region mirrored the focus of the Carter administration on new policies towards Latin America.

Despite these speeches and conferences, Carter was initially “vague and general” about his human rights policy. Instead, he waited until there was some direction from his administration on how to bring the high ideal of promoting human rights into the difficult terrain of foreign policy implementation.¹⁰⁸ During this period, the administration began working on how to define what a human rights approach would look like in foreign policy and where these strategies could be most

¹⁰⁵ Cyrus Vance, *Hard Choices: Critical Years in America's Foreign Policy* (New York: Simon and Schuster, 1983), 156; The Canal handover was outlined in Carter's Presidential Review Memorandum 1 (PRM-1), prepared for January 21, 1977, Carter's first day in office. Adam Clymer, *Drawing the Line at the Big Ditch: The Panama Canal Treaties and the Rise of the Right* (Lawrence: University Press of Kansas, 2008), 44.

¹⁰⁶ Jimmy Carter, “Organization of American States Address before the Permanent Council,” (14 April 1977), accessed 2 March 2014, <http://www.presidency.ucsb.edu/ws/index.php?pid=7347>.

¹⁰⁷ Letter to George Lister, 21 September 1977, Folder 19, Box 8, Lister Papers.

¹⁰⁸ Memo to Warren Christopher, 28 February 1977, Comments on Human Rights Statement, Folder Human Rights, Early Efforts, Box 33, Christopher Papers.

effective. Both in the administration's Policy Review Memorandum-28 (PRM) and in speeches by Secretary of State, Cyrus Vance, Carter's administration started by articulating a classification system for human rights. The first category included the idea that human rights were to be free from governmental violations of the integrity of the individual. This was particularly important in cases concerning freedom from torture, freedom from inhumane treatment or punishment, and freedom from being denied fair public trials—issues that related closely to Southern Cone nations like Uruguay. His administration also articulated other categories, including human rights as defined by basic human needs, such as food, shelter, and health care. Finally, the third major category related to civil and political rights, such as the freedom of thought, religion, assembly, and speech.¹⁰⁹ This classification system enabled the administration to define a broad array of human rights. The next step in the process was to determine how to apply it on a case-by-case basis in foreign policy.

While these policy points signaled a change in presidential concern about human rights, they were backed up by action. Early policy drafts explained that Carter should start implementing his policy by selecting and concentrating on a "limited number of 'worst' cases...on which to focus in the hope of gathering the largest possible number of allies...to raise international standards gradually from the current 'bottom' of official murder and torture."¹¹⁰ A year earlier, Amnesty singled Uruguay out as a particularly bad case for their first targeted country campaign. Now, the country made Carter's "worst cases" list. As Sikkink noted, "the Carter administration State Department had made Argentina and Uruguay two of its three priority countries for applying

¹⁰⁹ Report, David Trask, "A Beacon to the World: Policy on Human Rights, 1977-Present," Office of the Historian March 1980, Virtual State Department Reading Room; Presidential Review Memorandum/NSC 28: Human Rights, 08/15/1977, NSC Institutional Files, 1977-1981, CREST Documents, Jimmy Carter Presidential Library, Atlanta Georgia [Hereinafter JCL].

¹¹⁰ "Draft Outline for a Human Rights Strategy for the US" and "Guidelines on US Foreign Policy for Human Rights," 2 February 1977, National Security Advisor: Subject File, Box 28, JCL.

its new human rights policy.”¹¹¹ Koch explained that the nation was just as repressive as Chile, whose aid they had cut off previously. Koch argued that Uruguay was of no real strategic importance to the U.S., which meant that it would be a natural place to “make the point with other Latin American countries that we were no longer going to sit back and support repression.”¹¹² With this targeted focus, and without other strategic calculations dominating the political terrain, the study of Carter’s foreign policy towards Uruguay exists as an outlier to Carter’s overall human rights policy. However, it is also a particularly interesting study to examine the effects of Carter’s human rights commitment.

Carter’s focus on Uruguay began early in his tenure in office. In one of the first interdepartmental meetings on 3 February 1977, administration officials discussed how to translate policy into effective action abroad to promote human rights. One step that they took was to eliminate foreign military sales (FMS) to Uruguay.¹¹³ This strategy became a public part of Carter’s policy on 24 February 1977, when Vance addressed a Senate subcommittee and explained that the administration was reducing foreign aid to Uruguay, Argentina, and Ethiopia due to their human rights violations.

This move stemmed from Congress’s efforts to amend the Foreign Assistance Act during the Ford Administration. This legislation required the State Department to submit biannual Country Reports on Human Rights Practices that provided a “full and complete report regarding

¹¹¹ Schmidli, “Institutionalizing Human Rights in U.S. Foreign Policy: U.S. - Argentine Relations, 1976-1980,” 356. Kathryn Sikkink, *The Justice Cascade: How Human Rights Prosecutions Are Changing World Politics* (New York: W. W. Norton & Co, 2011), 9.

¹¹² Max Holland and Kai Bird, “Siracusa, Our Man in Uruguay,” *The Nation*, 19 March 1977;

¹¹³ Memorandum from Robert Gates, Center for Policy Support, Central Intelligence Agency to Acting Director of Central Intelligence Knoche, the Deputy Director for Intelligence (Stevens), and the Deputy Director for Operations (Wells), 3 February 1977, *Foreign Relations of the United States, 1977-1980: Human Rights and Humanitarian Affairs* (Washington DC: Government Printing Office, 2013): II, 17. Interestingly, some officials expressed concern that Latin America received heightened targeting for policies since there were fewer conflicting US interests in the region.

the status of internationally recognized human rights” in each country to help determine whether the country would be eligible to receive foreign aid.¹¹⁴ While Ford’s Secretary of State, Henry Kissinger, had been “willing to engage in quite blatant evasion of the law” to avoid implementation, the Carter administration publicized these reports and used them to inform policy decisions.¹¹⁵

This decision meant that Carter no longer followed a long line of presidents who claimed to be unaware of the abuses occurring in other countries. Documentation of the abuses educated both the administration and the general public regarding human rights violations abroad.¹¹⁶ The reports about Uruguay detailed the incarceration of long-term political detainees, disappearances, and torture.¹¹⁷ While previous administrations had linked continued aid with America’s national interest, Carter rejected this view. Human rights groups had first laid out these abuses in their reports, and Congress now reaffirmed the information. Carter and Congress explained that the consistent pattern of torture and political imprisonment warranted cutting off all assistance. Carter followed through on this policy despite protests from the Uruguayan government and a variety of other voices. Domestic business groups that possessed economic interests in the region worried about the potential financial repercussions. In addition, some senators like Jesse Helms believed that cutting aid to countries like Argentina and Uruguay was a “mistake” because he had visited “those countries and they are absolutely anti-communist. It is wrong to undermine those

¹¹⁴ Senate Committee on Foreign Relations, *Legislation on Foreign Relations Through 2002* (Washington D.C.: U.S. Government Printing Office, 2003), 229-235.

¹¹⁵ Keys, “Congress, Kissinger, and the Origins of Human Rights Diplomacy,” 840.

¹¹⁶ Roberta Cohen, “Human Rights Diplomacy: The Carter Administration and the Southern Cone,” *Human Rights Quarterly* 4, no. 2 (July 1, 1982): 224.

¹¹⁷ Bernard Gwertzman, “Security Links Cited: Assistance is Reduced for Argentina, Uruguay, Ethiopia, Vance Says,” *New York Times*, 25 February 1977, 1; Hedrick Smith, “Aid Cut to Rights-Violating Nations is Break with U.S. Pragmatism,” *The New York Times*, 25 February 1977, 3.

governments.”¹¹⁸ Carter’s determination on this issue ultimately symbolized a change in the executive branch’s support of the human rights focus in foreign policy and underscored the change from Nixon and Ford’s intransigent dedication to anti-communism.

Carter’s human rights policy had two disparate effects—one at the domestic level in Uruguay and one at the governmental level. First, his policy gave hope to some Uruguayans who viewed his election as the triumph of peaceful democratic change and an inspired human rights policy. Although the military government’s censorship prohibited a complementary stance on Carter’s policy towards Uruguay, Enrique Tarigo, who eventually emerged as one of the strongest voices of the opposition, extolled Carter’s human rights policy towards Soviet dissident, Andrei Sakharov. He also wrote about the possibility for forces of democracy to triumph over past periods of error and poor policy. Although ostensibly speaking about the moral discrepancy between the Nixon and Carter presidencies with the Soviet Union, it was clear he was using the democratic shift in the U.S. to discuss the possibility that the forces of democracy could promote human rights in Uruguay as well.¹¹⁹ In addition, although not yet an organized group, mothers of the disappeared wrote letters to the State Department and the U.S. Embassy in Uruguay appealing for U.S. help to find their missing children. In their pleas, they acknowledged Carter’s changed human rights policies and cited the “special concern of his government with the defense of human rights.”¹²⁰

Conversely, the Uruguayan government first reacted with confusion to Carter’s morality platform. In one of the administration’s early memos on relations with Uruguay, Aparicio Méndez

¹¹⁸ Smith, *Morality, Reason and Power*, 51; Cohen, “Human Rights Diplomacy,” and “Moral Policeman of the World?” *U.S. News and World Report*, 14 March 1977, 17.

¹¹⁹ Enrique Tarigo, “Carter, El Presidente,” 20 Febrero 1977 in *Temas de Nuestro Tiempo, Tomo 1* (Montevideo, Fundación de Cultura Universitaria, 1979): 258-261.

¹²⁰ Carta a Terence Todman, 1 Agosto 1977, Carpeta 14, Archivo Madres y Familiares de los Desaparecidos y Detenidos, Montevideo Uruguay [Hereinafter Archivo Familiares]; Maria Ester g. de Islas y Luz M. de Recagno Carta a Embaja de los EEUU en Uruguay, 6 Octubre 1977, Carpeta 14, Archivo Familiares; Carta a Patricia Derian, 5 Diciembre 1978, Carpeta 14, Archivo Familiares.

is noted as not understanding the Carter administration's attacks on the country's human rights practices when just several years ago, the U.S. had encouraged his government "to suppress all forms of subversion."¹²¹ By the latter point of the year though, this confusion turned to outright obstruction. As Carter wrote in his diary, his first meeting with Méndez, in September 1977 did not go well. Méndez was in town for the signing of the Panama Canal treaty, along with twenty-six other heads of state. The press, liberals, and exile groups criticized Carter for inviting a "repressive head of state" to the White House in light of his purported human rights policy towards the country.¹²² In private, however, Carter used the opportunity to bring up his human rights agenda. When he brought up the issue of human rights, Carter wrote in his diaries that Méndez was "highly defensive." Méndez denied that there were any political prisoners at all in Uruguay, despite the fact that the U.S. government had information that Uruguay held somewhere between 2,000 – 5,000 prisoners at the time of the meeting. The Uruguayan president also rejected the possibility of the UN Human Rights Council monitoring the country. Carter noted that Méndez was highly evasive, more so than any other Latin American head of state.¹²³ Carter followed the meeting up with a letter to the Uruguayan president, encouraging him to make improvements in the country's domestic situation since "allegations of human rights violations now make it most difficult to sustain past relations [between the countries]."¹²⁴

¹²¹ Memo of Conversation, Organization of American States, 7 March 1977, National Security Council, Office of the Director of National Security, Argentina Declassification Project.

¹²² Graham Hovey, "Panamanian Leader Meets with Carter," *New York Times*, 7 September 1977, 14; "The Canal in Panama," *New York Times*, 8 September 1977, 26. Groups also held protests in front of the White House during the meetings, saying that "Carter's Human Rights Policy Unmasked" shows that his reception "of these dictators supports their efforts to legitimize their repressive regimes. It stands in direct contradiction with Carter's public position on human rights." Flyer, Dictators Come to Washington, Folder "Human Rights: Latin America," Box 38, Christopher Papers.

¹²³ Jimmy Carter, *White House Diary* (New York: Farrar, Straus and Giroux, 2010), 92–95.

¹²⁴ Letter, Jimmy Carter to Aparicio Méndez, 31 October 1977, Record Group 59, Entry UD-10D, Folder 1977 Uruguay July – December, Box 7, Department of State Human Rights Country Files, National Archives and Records Administration [Hereinafter NARA].

When Congress held the September 1977 conference on U.S.-Latin American policy and human rights, the Uruguayan government also reacted incredulously. The Uruguayan Ambassador to the U.S., José Pérez Caldas, wrote a scathing letter to Senator George McGovern, one of the conference organizers. In it, he rejected the focus on Uruguay's human rights violations as "absolutely false" and "based on wrong information about the political reality of the Southern Cone."¹²⁵ After years of mixed signals, the Uruguayan government initially reacted to Carter's diplomatic pressure the same way it had reacted to Congress in the early 1970s—with ardent denials and counter-accusations.

Méndez, along with other Latin American leaders who were criticized, also complained that the U.S. government's policies of cutting aid put pressure on them, while not acknowledging the grave domestic threats they were facing. In contrast, they pointed to how the U.S. continued to provide aid to South Korea, despite its poor human rights record.¹²⁶ These leaders also accused the U.S. of moral imperialism for interfering in domestic matters, about which the U.S. government did not know enough.¹²⁷

Uruguay believed it had been unjustifiably targeted as one of the first nations to which Carter cut aid when he took office. The government vehemently protested this policy and believed that the U.S. was "punishing" it since the U.S. had few economic or security interests there.¹²⁸

¹²⁵ Letter, Caldas to McGovern, 23 September 1977, Box 21, Folder 14, Archivo Historico-Diplomatico.

¹²⁶ Memo Prepared in the Central Intelligence Agency, 21 March 1977, *Foreign Relations of the United States, 1977-1980: Human Rights and Humanitarian Affairs* (Washington DC: Government Printing Office, 2013): II, 25.

¹²⁷ "Nota Respuesta al Departamento de Estado de los Estados Unidos de Norteamérica con Relación al Informe sobre Derechos Humanos en el Uruguay," nd, p12, Folder 4, Álvaro Barros Lémex Colección, CEIU. A note about a later visit of a Uruguayan army chief to Chile also notes that Lt. Gen. Luis Vicente Queirolo also defiantly spoke of the U.S. double standard and the importance of not ceding "to anyone the right to protect the human rights of our citizens...not permit[ing] the importation into our countries of concepts that might serve other countries well but that do not fit our sense of nationality and national dignity." Memo, Santiago Embassy to Department of State, 7 August 1980, "Visit by Uruguayan Army Chief," Virtual State Department Reading Room.

¹²⁸ Action Memorandum from the Director Policy Planning Staff (Lake) to Secretary of State Vance, 20 January 1978, *Foreign Relations of the United States, 1977-1980: Human Rights and Humanitarian Affairs* (Washington DC: Government Printing Office, 2013): II, 105; Debbie Sharnak, "Sovereignty and Human Rights: Reexamining Carter's Human Rights Policy Towards the Third World," *Diplomacy & Statecraft* 25 no. 2 (June 2014): 303-330.

Demonstrating the limitations of Carter's ability to influence human rights internationally through cutting aid, Uruguay preempted the cuts by rejecting the aid first. By spurning the aid on its own terms, Uruguay seemed to further limit U.S. influence rather than increasing it.¹²⁹ Uruguay officials argued that the U.S. had no business getting involved in internal matters. They viewed U.S. statements and actions on human rights as an "unwarranted and unacceptable interference in strictly internal affairs."¹³⁰

As Carter's first year in office came to a close, Uruguay, along with other South American authoritarian regimes, appeared impervious to the new frontier of human rights diplomacy. The Bureau of Intelligence and Research noted that human rights progress in Uruguay appeared to be blocked by the government's "unwillingness or inability to take effective measures to resolve its serious human rights problem."¹³¹ A report to the United Nations on the period of August 1977 to January 1978 similarly confirmed that "the Uruguayan government has not stopped its violations of human rights, but has in fact increased them."¹³²

Despite these initial setbacks, the continued U.S. pressure, along with that of the growing transnational human rights movement, made the government's attempts to obstruct the U.S.'s new human rights policy less effective since Uruguay's damaged public image began to impact the nation's economic prospects. The Carter administration continued to receive letters from Uruguayans and transnational human rights groups asking for help with the "disappeared" as well

¹²⁹ Sharnak, "Sovereignty and Human Rights."

¹³⁰ Memo, Memorandum Prepared in the CIA, 11 May 1977, *Foreign Relations of the United States, 1977-1980: Human Rights and Humanitarian Affairs* (Washington DC: Government Printing Office, 2013): II, 42.

¹³¹ Paper prepared the Bureau of Intelligence and Research, Progress and Retrogression in Human Rights in 1977, 11 January 1978, *Foreign Relations of the United States, 1977-1980: Human Rights and Humanitarian Affairs* (Washington DC: Government Printing Office, 2013): II, 104.

¹³² Uruguay Memo on the 34th Commission on Human Rights, 1978, Annex 5, Box 3, Folder 7, Archivo Diplomático Histórico.

as imprisoned friends and relatives in their country.¹³³ Furthermore, WOLA, working with Juan Ferreira, continued to monitor events in Uruguay and pressure the government to denounce the situation. When Carter briefly backed away from criticizing the Uruguayan government publicly, WOLA wrote to the government with extensive documentation about the way in which the torture and number of political prisoners were increasing. WOLA explained that these abuses accorded Uruguay “the dubious distinction of being the worst violator in the hemisphere.”¹³⁴ These individuals and groups kept the spotlight on Uruguay. Even into his second year in office, Carter kept up the pressure on the regime.

For example, Assistant Secretary Terence Todman helped to initiate a human rights walk-in program, during which the embassy could discuss the plight of political prisoners or disappeared with the population.¹³⁵ One memo with a large and devastating collection of stories from this program explained that the initiative had created a “tragi-comic effect” where the U.S. was almost saying “‘step right up with your tales of human rights violations!’ Pretty sad.”¹³⁶ As lines of citizens continued to grow outside the U.S. embassy, the Uruguayan government could not ignore the fact that the U.S. was promoting a human rights consciousness and a right to complain about

¹³³ Letter, Maria del Carmen Almeida to President Carter, 29 March 1978, White House Central File, Subject File, CO 169 (Uuguay), Executive, 1/20/77-1/20/81, Box CO-65, Carter Library; Letter, Cesar Chelala to Vice President Mondale, 3 October 1978, Ibid; Letter, T.P.G. Liverman to Vice President Mondale, 13 May 1977, Ibid.

¹³⁴ Letter, Eldridge and Ferreira to Vaky, October 1978, Box 64, Folder 6, Lister Papers.

¹³⁵ Todman was the Assistant Secretary of State for Inter-American affairs and one of the first African Americans to hold such a high position in the State Department. In his oral history, he stressed that human rights were important to integrate into every approach the Department took, as “part of a value system.” He also recalled at one point answering questions in Uruguay and saying publicly that “Uruguay has been known for a long time for its democracy and Uruguay should come back to being a democratic nation. And the military should find a way to get out of this position as soon as possible.” These public expressions of U.S. official had an impact in the nation. Oral History, “Being Black in a ‘Lily White’ State Department,” Association for Diplomatic Studies and Training, accessed 1 March 2014, <http://adst.org/oral-history/fascinating-figures/being-black-in-a-lily-white-state-department/>

¹³⁶ Memo to Mark Schneider, 13 September 1977, Record Group 59, Entry UD-10D , Folder 1977 Uruguay July – December, Box 7, Department of State Human Rights Country Files, NARA.

conditions on the ground. The U.S. noted that the program was well-known and widely utilized, bringing the issue to the attention of the military government.¹³⁷

The U.S. also kept up its public campaign against the human rights abuses in various multilateral forums. In January 1978, the U.S. voted against a request from Uruguay to host the Organization of American States General Assembly meeting on the basis of its poor human rights record. Then, in February of the same year, the U.S. strongly criticized the Uruguayan government during the meeting of the UN Commission on Human Rights in Geneva.¹³⁸

Nevertheless, some limited progress occurred in 1978 when the Uruguayan government allowed the American Bar Association (ABA) to send two investigators to examine the human rights situation in the country. Previous attempts at sending human rights delegations to the country had been routinely denied. However, by April of that year, the international pressure had made the denial of such requests costly. Investigators were allowed into the country for five days. The ABA subsequently issued a report which urged the Government of Uruguay to improve its human rights practices, including better treatment of political detainees, to transfer the jurisdiction of subversive crimes from the military to the civilian court system, and to increase the independence of practicing lawyers. Rather than refuting the report, Uruguayan officials responded by declaring the state's intent to publish the ABA's recommendations. While the government did little to change its practices, the attempt to assuage international criticism and formal acceptance of the report signaled a shift. Rather than an outright denial of the abuses as a national security concern, the Uruguayan government acknowledged the accuracy of some of the concerns with respect to political imprisonment. Thus, the government admitted to one aspect of a human rights problem

¹³⁷ Airgram, American Embassy to Department of State, Human Rights Walk-In Analysis, 31 May 1978, Virtual Department of State Reading Room.

¹³⁸ Update Latin America: Uruguay, June 1978, Folder 6, Box 16, Lister Papers.

in Uruguay, a starting point upon which “all previous human rights efforts have foundered,” since there had always been merely outright denial of any human rights abuses.¹³⁹ Groups such as the National Academy of Sciences found that it was well known in Uruguay that human rights advocacy was an official element of U.S. foreign policy. As a result, the Uruguayan government was increasingly concerned about its image abroad since it was subject to public opinion both at home and internationally.¹⁴⁰ The *New York Times* noted that “nobody sees a likelihood of any major changes soon, but the signs of the military concern over the international effects of its policy include the release of some prisoner and better treatment of others.”¹⁴¹ These limited steps were in many cases cosmetic and narrow in scope. However, Uruguay’s actions, of both allowing an inspection group and accepting a report, indicated a desire to diminish the U.S. focus on repressive practices, even though the regime was not committed to making major changes.¹⁴² By the midpoint of his term in office, Carter and the State Department noted that improvements had begun to occur in Uruguay. The spotlight on human rights abuses had made complete denial of such abuses impossible for the first time since the military government had come into power.¹⁴³

¹³⁹ Memo, American Embassy in Montevideo to Secretary of State, “American Bar Association Lawyers Complete Positive Visit, 1 April 1978, Virtual Department of State Reading Room.

¹⁴⁰ Report, “National Academy of Sciences Committee on Human Rights: Results of a visit to Argentina and Uruguay,” *National Academy of Sciences*, 24 April 1978, Virtual Department of State Reading Room.

¹⁴¹ Juan de Onis, “Uruguay, Once Shaken by Guerrillas, Asserts Only the Extremists Now,” *New York Times*, 29 June 1978, A3.

¹⁴² Briefing Memorandum from the Assistant Secretary of State for Human Rights and Humanitarian Affairs (Derian) to Secretary of State Vance, 10 November 1977, *Foreign Relations of the United States, 1977-1980: Human Rights and Humanitarian Affairs* (Washington DC: Government Printing Office, 2013): II, 87.

¹⁴³ Memorandum from the Special Assistant to the President’s Assistant for the National Security Affairs (Inderfurth) to the President’s Assistant for National Security Affairs (Brzezinski), 1 December 1978, *Foreign Relations of the United States, 1977-1980: Human Rights and Humanitarian Affairs* (Washington DC: Government Printing Office, 2013): II, 172. Interestingly, WOLA condemned any report that there even moderate improvements in the human rights situation. Letter, Eldridge and Ferreira to Vaky, October 1978, Box 64, Folder 6, Lister Papers. What cannot be denied, however, is the fact that the Uruguayan government for the first time acknowledged abuses and did not completely stonewall the U.S. government after two years of a multi-pronged, consistent attack on its human rights record.

Despite the fact that these actions led to signs of moderate improvement, the Carter administration kept up the pressure in the latter part of his term. First, he made sure that the State Department was focused on documenting the continued abuses by the military government. Roberta Cohen, for example, was the Deputy Assistant Secretary in the State Department's Bureau on Human Rights and Humanitarian Affairs and met with a U.S. medical team that was traveling to Uruguay to investigate the status of imprisoned doctors. She discussed the international standards on torture and medical ethics, provided the team with documents relating to these standards, and offered specific recommendations that it could make to the Uruguayan government. These recommendations included establishing a medical association in Uruguay, publishing the UN Convention on Torture in the country, and allowing foreigners to investigate abuses. These actions focused on ways to immediately decrease the rates of torture and political imprisonment through various channels.¹⁴⁴

In addition, Carter continued to reject loan requests on the grounds that torture was still rampant in the Southern Cone nation. Although some U.S. Congressmen who visited Latin America tried to accuse the Carter administration of being "overly rigid" in bringing human rights considerations into economic assistance decisions, Carter believed that withholding these loans was an effective method for encouraging the change in human rights behavior. Furthermore, he argued that congressional pressure mandating the linking of aid and loans to human rights considerations could have a significant impact.¹⁴⁵ It is important to emphasize that Uruguay was a

¹⁴⁴ Memorandum from Charles Salmon to Patricia Derian, Weekly Activities Report, 31 July 1979, Folder: Weekly Reports 2, 1979 July 5 – Nov 13, Box 1, Carter Years, Patricia Murphy Derian Papers, Duke University [Hereinafter Derian Papers].

¹⁴⁵ Memorandum from Secretary of State Vance and the Deputy Secretary of State (Christopher) to President Carter, 27 March 1978, *Foreign Relations of the United States, 1977-1980: Human Rights and Humanitarian Affairs* (Washington DC: Government Printing Office, 2013): II, 132; Report Prepared by the Interagency Group on Human Rights and Foreign Assistance, 30 April 1978, *Foreign Relations of the United States, 1977-1980: Human Rights and Humanitarian Affairs* (Washington DC: Government Printing Office, 2013): II, 139

specific country in which this policy was implemented. In responding to over 400 loan requests, the U.S. only voted against nine requests on human rights grounds, of which Uruguay was one. Furthermore, of hundreds of USAID projects with economic aid, only seventeen were denied on human rights grounds during the course of his administration. Once again, Uruguay was included in this latter group. Despite the selective and limited scope of implementation, the U.S. ambassador to Uruguay indicated that U.S. hardline policy might have begun to make a dent in the military government's impervious exterior.¹⁴⁶

Conclusion

Carter's foreign policy towards Uruguay, which focused so centrally on the human rights of being free from torture and political imprisonment, was in many ways an exception to the government's overall human rights policies. As the Assistant Secretary of State for Human Rights and Humanitarian Affairs Patricia Derian noted in an internal memo to the administration in 1979, the public understanding of the term "human rights" was "thin...behind the vague phrase 'human rights' policy."¹⁴⁷ In various countries around the globe, Carter struggled with exactly how to define his human rights policy as well as how to implement the various tenets of the policy as they related to other strategic considerations.

Carter's human rights policies had two main weaknesses. First, Carter did not offer specific insight into how to focus on the broad notion of human rights. Second, he failed to publicly acknowledge the limited impact foreign governments have to completely change the human rights

¹⁴⁶ Memorandum from the Assistant Secretary of State for Human Rights and Humanitarian Affairs (Derian) and the Director of the Policy Planning Staff (Lake) to the Deputy Secretary of State (Christopher), 16 May 1978, *Foreign Relations of the United States, 1977-1980: Human Rights and Humanitarian Affairs* (Washington DC: Government Printing Office, 2013): II, 145.

¹⁴⁷ Memo, Annual Human Rights Reports," 17 April 1979, Box 1, Folder 1976-1980 Memorabilia-Correspondence, Carter Years, Derian Papers.

situation in another sovereign state. By according the broad notion of ‘human rights’ such a prominent place in his administration, Carter raised expectations without clearly defining the limitations of human rights and the reach of its policy. This vagueness, combined with his inability to articulate the limited capacity of U.S. influence, hampered his policy and the public’s perception of his effectiveness.

In contrast to these overall policies, U.S. relations with Uruguay are striking in their specificity as a policy centered on an explicit set of individual human rights, mainly around the concepts of the right to be free from torture and political imprisonment. While often divorcing the circumstances that produced these violations from the actual horrific acts, the U.S. government utilized the coherent discourse and documentation of transnational human rights movements and to identify a “consistent pattern of gross abuses” in the very narrow category regarding torture and political imprisonment.¹⁴⁸ Therefore, Uruguay readily met the criteria for a “gross violator of human rights” and received targeted pressure.¹⁴⁹ Indeed, as policymakers had to make challenging day-to-day decisions about the implementation of human rights policies, they often struggled over which categorization was most important to promote. In the case of Uruguay, the administration’s principal preoccupation focused on the specifically defined rights of freedom from torture and political imprisonment. As a result, it was not the policymakers who granted legitimacy to the human rights movement’s claims, but rather the other way around. Years of activism surrounding Uruguay’s human rights policies helped to lend a discourse and legitimacy to pave the way for Carter’s consistent, targeted policy towards Uruguay.

¹⁴⁸ Mark Bradley, “United States and the Global Human Rights Imagination,” *Diplomatic History* 38 no. 1 (January 2014): 19; Memo, Annual Human Rights Reports,” 17 April 1979, Box 1, Folder 1976-1980 Memorabilia-Correspondence, Carter Years, Derian Papers.

¹⁴⁹ Memo, Annual Human Rights Reports,” 17 April 1979, Box 1, Folder 1976-1980 Memorabilia-Correspondence, Carter Years, Derian Papers.

The Carter administration did use the full range of diplomatic methods to attempt to address the issues of torture and political imprisonment in Uruguay, including cutting aid, denying loans, meeting with leaders, encouraging the opposition and working with NGOs.¹⁵⁰ In Uruguay, the narrow definition of human rights, along with a focused, calibrated, and sequential implementation of diplomatic pressure was consistent during the Carter administration's four years in office.¹⁵¹ As one memo on U.S. human rights policy noted, while no military regimes fell in the Southern Cone, "some political systems are becoming somewhat freer...a trend seems to have begun which could gather momentum and which already is improving the plight of individuals...and individuals are what the human rights policy is primarily about."¹⁵² The Carter administration's focus on these actions in Uruguay, especially without a conflict of other interests, made it both more effective and also fundamentally different from his policies towards other countries in the world. Years later, Julio Sanguinetti, who became president after the transition back to democratic rule, praised Carter. He believed that "in those dark years of dictatorship, those of us in the opposition had to struggle practically in the dark...One of the few significant sources of support we had was the policy of the U.S. government, which was constantly looking for human rights violations."¹⁵³

However, Carter had, at best, a limited impact. First of all, as Representative Tom Harkin noted, U.S. foreign aid to Uruguay had been minimal in the 1970s before Carter took office.

¹⁵⁰ Report, David Trask, "A Beacon to the World: Policy on Human Rights, 1977-Present," Office of the Historian March 1980, Virtual State Department Reading Room.

¹⁵¹ Many critics of Carter's human rights policy claim that he abandoned his human rights platform, particularly during the latter part of his administration when events in Iran and Afghanistan spiraled out of control. Carter lessened his criticism, for example, towards Argentina during this period in order to garner favor with the country during the USSR grain embargo. Schmidli, 157.

¹⁵² Action Memorandum from the Director Policy Planning Staff (Lake) to Secretary of State Vance, 20 January 1978, *Foreign Relations of the United States, 1977-1980: Human Rights and Humanitarian Affairs* (Washington DC: Government Printing Office, 2013): II, 105.

¹⁵³ Samuel Huntington, *Third Wave: Democratization in the Late Twentieth Century* (Norman: University of Oklahoma Press, 1993), 96.

Therefore “the denial of nominal amounts of aid [was] not likely to be felt economically.”¹⁵⁴ The strategy rested on rhetorical disapproval. Second, the democratic transition in Uruguay did not occur until almost five years after Carter had been voted out of office. As one memo on Carter’s impact in Latin America noted, “net incremental changes [in human rights practices] are difficult to identify and impossible to quantify. No government is likely to admit that it is pursuing a more civilized and humane policy toward its own citizens because of outside advice or pressure.”¹⁵⁵ Indeed, particularly within the short time frame of his administration, it is impossible to know if Carter was able to have substantial impact on the Uruguayan military’s human rights practice.

While external pressure can be a powerful contributing factor to changing domestic dynamics, social scientists have effectively demonstrated that it cannot be the only factor. To encourage change, foreign policies must align with internal calculations and agendas of domestic actors. In many cases, this was one aspect of Carter’s perception problem, even in Uruguay. Carter failed to explain that highlighting human rights abuses did not immediately change behavioral norms. In fact, international pressure could at best encourage a slow and gradual socialization or a shift in policy based on combining international advocacy with internal political factors.¹⁵⁶ Carter neglected to adequately describe this long and complex process. He did not explain that instituting a human rights policy was part of his desire to encourage the long-term improvement of human rights and that his administration could not stop every human rights violation around the globe. While Carter might have assumed that this conclusion was obvious, his failure to lay out a limited

¹⁵⁴ WOLA Memo, Congressional Record on Zelmar Michelini and Hector Gutierrez Ruiz, 22 May 1978, House of Representatives, WOLA Collection.

¹⁵⁵ Memo, Peter Tarnoff to Zbigniew Brzezinski, “Human Rights Policy Impact: Latin America,” Folder “Human Rights: Latin America”, Box 38, Christopher Papers.

¹⁵⁶ Keys, *Reclaiming American Virtue*.

vision for his human rights policy left him vulnerable to being blamed for any international violation of human rights as a problem of his foreign policy.

Despite this shortcoming, Carter's specific and coherent human rights discourse, along with targeted campaigning in Uruguay, provided a motivation for the Uruguayan regime to address its human rights situation. More precisely, it encouraged the soft-liners in the military government to begin to address the nation's abusive practices.¹⁵⁷ In the latter part of his presidency, Carter sent spare parts for the small squadron of eight A-37 warplanes to the elite air force. The Uruguayan Air Force had been the most constitutionalist institution in the nation, and, thus, the most in favor of returning the country to democracy. After years of denying any type of aid to Uruguay, this limited measure served to actively exploit the divisions in the military to encourage a change in governance.¹⁵⁸ Carter's policy helped to influence internal negotiations within the military and gave more credibility to soft-liners within the government. As one human rights report argued, the Carter administration more broadly "encouraged the democratic opposition...which had for years, regarded their neighbor to the north as the hidden power behind every dictatorship on the continent."¹⁵⁹ Therefore, the public condemnation of the Uruguayan regime encouraged activists in the nation who had been afraid to speak out. Carter, thus, might have had the greatest impact in

¹⁵⁷ The Carter administration was careful to cultivate relationship with military men with "flexibility" to act as "interlocutors" and push a human rights agenda when he had an opportunity. Memo, State Department to Montevideo Embassy, "Acting DCM Conversation with General Raimundez," 8 August 1980, State Department Virtual Reading Room.

¹⁵⁸ Edward Schumacher, "Uruguay Brass Now Tarnished, Begin to Snipe at East Other: Tarigo is the Other Opposition," *New York Times*, 28 December 1980, E3. Divisions in the military began as early as 1977 when officers began to vie for a candidate who would take over when Mendez's five years were over. Periodically, several purges of high- and mid-level officers had occurred, which further revealed the divisions within the military. Howard Handelman, "Politics and Plebiscites: The Case of Uruguay," *Working Papers of the Latin American Program of the Woodrow Wilson International Center for Scholars*, no. 89 (April 1981): 4.

¹⁵⁹ Update Latin America: Uruguay, June 1978, Folder 6, Box 16, Lister Papers.

Uruguay by providing these groups support as opposed to having a direct impact on the military regime's policy calculations.¹⁶⁰

In some ways, Carter's influence increased, albeit indirectly. By 1980, seven years into the government's military rule and long after the military had soundly defeated its leftist opposition, the government sought to re-establish its legitimacy. The pressure from Carter and the transnational human rights groups, along with domestic opposition groups and soft-liners in the military, pushed the Uruguayan government to adopt a *cronograma* (timetable) to return to a limited notion of democratic rule in the nation. This process involved initiating a plebiscite on a military-drafted constitution. The Uruguayan government thought it could use this move to appease the internal detractors and international critics. In fact, it became a critical juncture in the human rights struggle in Uruguay—just as Carter was leaving office. As we shall see, the gambit backfired.

¹⁶⁰ Sikkink, *Mixed Signals*, 144–45.

Chapter 4: Plebiscite, Politics, and the Transitional Beginning

In November 1980, as American voters sent Jimmy Carter back to Georgia in favor of Ronald Reagan, Uruguayans headed to the polls to cast a different kind of vote altogether. Earlier in the year, the Uruguayan military had drawn up a charter that would actually give the armed forces a permanent and more sizeable control of power in the country, which it now submitted to the population for approval.¹ While holding a popular vote under military rule might at first glance appear surprising, the practice of staging elections to confer legitimacy on a regime had deep roots in the region. In Uruguay, the exercise was particularly important for the military's domestic and international image in 1980. The military justified its coup in 1973 with language that invoked the danger of the armed left as imperiling the nation's survival. However, by the latter part of the decade, domestic threats had been obliterated during seven years of repressive rule. Therefore, the military sought to justify and institutionalize its continued role in Uruguayan society by writing a new constitution that explicitly conferred power on the military. Uruguay's strong democratic history also helps explain the importance of this exercise which led certain members of the military to seek out a semblance of democratic sanction from the people.

Increasing criticism from abroad compounded the domestic importance of a referendum. Exile groups had staged huge rallies in places like Mexico to protest Uruguay's use of political imprisonment, torture, and kidnapping. Transnational non-governmental organizations, like Amnesty International, highlighted the high rates of political imprisonment. In addition, the Carter

¹ Edward Schumacher, "Uruguay's Vote: Exception to the Rule," *New York Times* (6 December 1980), 3.

Administration cut aid to the nation on human rights grounds.² The military viewed the plebiscite on the new charter as a way to appease the international outcry and strengthen its rule.³

Uruguay's military government felt encouraged by its decision to conduct this exercise when on 11 September 1980, two months prior to the Uruguayan vote, Augusto Pinochet in Chile organized a similar electoral gambit with great success. Pinochet framed the referendum on a new constitution in his country as a vote for order and tranquility as well as a rejection of the constitution as a vote to return the country to disorder and insecurity.⁴ Pinochet won a landslide victory with over two-thirds of Chileans casting their ballot in his favor. He claimed that the results affirmed the regime's legitimacy.⁵ Abroad, his triumph also served to reassure Uruguayan military officers that it, with a similarly repressive military rule, would have the same success in the upcoming plebiscite. Both regimes found themselves caught between trying to carry out their military projects and trying to bolster their domestic and international legitimacy. These electoral exercises were seen as a way to overcome this tension.

However, Pinochet had sharply controlled the vote, requiring the population to cast a ballot, supervising voting tables and the vote count, and framing the debate over the constitution as being for or against peace. "No" activists were also arrested and, at times, beaten and tortured. This

² Mexico was a particularly important country for Uruguayan exiles since the nation had an official policy of accepting South American exiles. The Mexican ambassador in Montevideo was also active in trying to save Uruguayan refugees. "Convocatoria a la reunión de México," and "Declaración política realizada en México" in *La Lucha contra la dictadura: Documentos 1977-1984* (Montevideo, Compañero, 1992), 35-43; Amnesty International, "Uruguay: The Cases of Fourteen Prisoners of Conscience," March 1979, AMR/52/06/9; Don Obderdorfer, "U.S. Links Aid to Human Rights," *Los Angeles Times*, 25 February 1977, b1.

³ Efrain Olivera, "Sigue valiendo la pena." *Si decimos Derechos Humanos...* (May 2006), accessed 8 June 2012, <http://www.serpaj.org.uy/serpaj/index.php/documentos-de-interes/file/8-si-decimos-ddhh-i>.

⁴ Steve J. Stern, *Battling for Hearts and Minds: Memory Struggles in Pinochet's Chile, 1973-1988* (Durham: Duke University Press, 2006), 171-2.

⁵ Schumacher, "Uruguay's Vote: Exception to the Rule"; Alejandro Silva Bascañan y María Pía Silva Galinato, *Trato de derecho constitucional: La Constitución de 1980 antecedentes y génesis* (Santiago: Editorial Jurídica de Chile, 1997), 198; and Stephen A. Rickard, et al., "Chile: Human Rights and the Plebiscite," *An Americas Watch Report* (July 1988), 19.

violence further silenced the opposition. As a result, the ‘election’ became a one-sided ratification process.

While similarly framing the debate as a vote for or against chaos and insecurity, Uruguay’s plebiscite differed in that it allowed for limited discussion in the month leading up to the election. The military felt confident that its constitution would be ratified since it had tightly controlled the population for more than seven years. As a result, the military did not deem it necessary to closely monitor the voting tables. Both news outlets and world leaders also predicted that the military would emerge victorious. Nevertheless, criticism poured in that the vote was not being conducted in an open and free environment. Critics accused the military of using the plebiscite as a stunt to rubber stamp its repressive policies.⁶

When the results finally surfaced, no such victory emerged—Uruguayans rejected the constitutional reform by a margin of 57 to 43 percent of the popular vote. As one Uruguayan who worked against the plebiscite remarked, it “seemed like a miracle.”⁷

This chapter explores the conditions in Uruguay that surrounded this remarkable plebiscite. No vote had occurred in Uruguay since the contested 1971 election. Now, for the first time since much of the press was censored in 1973, the military allowed limited debate about the efficacy of its rule. Although the vote was closely monitored, seeing the dictatorship challenged had a huge

⁶ Letter to Alejandro Orfila, Secretary General of OAS, from representatives from Mexico, Panama, Nicaragua, Dominican Republic, Ecuador, Colombia, Peru, United States, Costa Rica, Brazil, and Bolivia, 17 November 1980, Folder, Commission for Democracy, Box 279, WOLA Collection, Human Rights Archive, Duke University Libraries [Hereafter WOLA Collection]; William L. Wipfler, “Uruguay’s Liberty Vote,” *New York Times*, 18 November 1980, A27. Literature on plebiscites conducted by totalitarian governments further supports this view. Whereas the act of casting a ballot is considered to be a democratic act, under totalitarian governments, there are often no legitimate choices, which means that plebiscites merely function symbolically under the guise of openness to legitimize and reaffirm a regime’s power in the international sphere. Matt Qvortrup, “The Paradox of Plebiscites: Why do Authoritarian Rulers Submit Issues to the Voters?” *Colloquim Referendums and the European Democratic Ideal*, France, 2013.

⁷ Olivera, “Sigue valiendo la pena.”

effect on the population and the possibility of launching a challenge to the government's tight control of society.

Most historians who write about Uruguay's transition back to democratic rule interpret the plebiscite as a critical juncture which cracked open a door to the long transitional phase. Rarely, however, have these authors taken an in-depth look at the dynamics of the plebiscite.⁸ There are many reasons for this mere cursory glance. While it was a remarkable moment, in some ways it was just that—a moment. It took four more years before meaningful elections for new representatives occurred. The military also followed attempts from civil society to mount a viable opposition movement with brutal crackdowns. However, I contend that the plebiscite launched the beginning of a domestic human rights movement and deserves further scholarly exploration.

The human rights perspective discussed in this chapter differs from most scholarship on the plebiscite which argues that the vote exemplified Uruguay's strong commitment to its democratic history. While this factor certainly played a role in the success of the “no” vote, it fails to fully explain the results. I explore the democratic history element by tracking the meaning of “democracy” during the lead-up to the plebiscite. Interestingly, both the military and the opposition movement invoked the importance of democracy to make their case either for or against the constitutional revisions. The military, for example, explained that the new constitution was aimed at restoring a “better” democracy. Meanwhile, opposition from both within Uruguay and abroad described the military's constitution as even more repressive. To the opposition, only a “no” vote

⁸ Markarian's superb book about human rights encapsulates this period, but because she focuses on exiles, she spends very little time on the actual plebiscite. Markarian, *Left in Transformation*. Weinstein describes only the basics of the events, Weinstein, *Democracy at a Crossroads*, 74-76. Gillespie focuses more on reasons for the defeat and political parties' revival in his book, which provides interesting empirical data but differs from my human rights-oriented focus. Gillespie, *Negotiating Transition*, 72-76. The most in-depth account is found in Daniel J. Corbo Longueira, *El Plebiscito Constitucional de 1980: La Derrota del Proyecto Militar Para Legitimar un Régimen Autoritario* (Montevideo: Ediciones Puerta del Sur, 2006), but it is notable for its primary sources and capturing the voices of the actors involved, whereas this chapter looks at the role of the plebiscite in an emerging human-rights discourse.

would result in true democracy. The conflicting uses of the term led to a perversion of the concept in that both sides invoked “democracy”, albeit with fundamentally different meanings. However, the human rights discourse seems to be one important distinguishing factor between the visions of the military and the opposition. When Uruguayans working for the “no” vote spoke of democracy, they invoked the ideal of a government that would no longer resort to disappearances, torture, or prolonged imprisonment—a distinctly human rights vision that opponents of the dictatorship had utilized since the mid-1970s. In this sense, the plebiscite cannot be understood without investigating the language or idea of human rights that was emerging in the nation. The results further reveal an important dynamic about the adoption and strategic use of an international discourse in domestic struggles.

A second notable factor about the plebiscite stems from the activists who invoked this new discourse of human rights to explain the specific circumstances on the ground in Uruguay. Activists for the “no” vote mobilized a population that had been suffering for years by describing human rights in terms that addressed the specific terrors of the dictatorship as opposed to invoking an expansive appeal to broad moral notions of human rights. This approach played a fundamental role in both bringing the plebiscite to fruition through international pressure and then eventually voting “no” on the proposed constitution. The rhetorical coherence and narrow invocation of human rights, which helped to temporarily unify a fractured opposition and create a specific set of limited aims, thus paved the way for the success of the “no” vote. My dissertation sheds light on how activists marshaled a consistent and limited human rights vision to achieve positive aims during this period.

Finally, the plebiscite helped provide an opening for civil society to reemerge domestically. The nature of the Uruguayan dictatorship, which relied on political imprisonment, torture, and the

monitoring of all citizens to maintain its power, meant that fear had become pervasive in Uruguay. As Lawrence Weschler notes, prior to the plebiscite Uruguayans were afraid to discuss how they would cast their ballots or even to speak about the possibility of voting against the military for fear someone would inform on them. Only after the plebiscite victory did a majority of Uruguayans learn that their neighbors, their co-workers, and their friends also wanted a change in government. The recognition of this societal cohesiveness helped create the momentum necessary to launch a domestic human rights movement, predicated on the terms that had unified the opposition during the vote. Despite the military's subsequent attempts to reassert control, the slight opening which had resulted from the plebiscite proved impossible to fully suppress again.

The long and difficult transitional process to force the military to relinquish power eventually re-divided the opposition movement, establishing new fault lines between the reconstituted political parties and human rights groups. These fissures ultimately influenced and limited possibilities for justice after the transition. However, the nature of the plebiscite deserves further exploration, both to understand the role of human rights and to open a door for civil society to reemerge, no matter how frustrating the subsequent years proved to be. This chapter attempts to do just that.

Lead-Up to the Plebiscite

While the military's constitution was only released to the public about a month before the plebiscite, the military announced a formal schedule for reorganizing the nation's political system as early as August 1977. During its initial coup in 1973, the military utilized a discourse rooted in national security terms to defend its actions in dissolving Congress and creating a national security state. It explained that the military needed to protect the fatherland and defend the nation against dangerous threats within society—primarily referring to the Tupamaros as symbols of the wider

communist peril. However, most historians now acknowledge that the Tupamaros had already been defeated prior to the coup and that the military merely used them to justify its takeover. At the time, however, the Tupamaros were an effective scapegoat. Nevertheless, over the years it became obvious that the guerrilla group was no longer a viable threat and the military had a harder time justifying the regime in terms of pressing national security concerns.⁹ As a result, the military began to seek legitimacy through institutional reform to create a more comprehensive legal framework for its continued rule.¹⁰

In 1976, Juan María Bordaberry, the civilian figurehead of the military regime, suggested a new governmental structure to eliminate traditional political parties. The military rejected his plan, in part because the proposal reduced the role of the military while strengthening the civilian leader. The military subsequently dismissed Bordaberry from his position. Alberto Demicheli served a short interim term of three months before the military empowered Aparicio Méndez as the de facto president of the nation. Méndez was willing to carry out the wishes of the armed forces.

Méndez agreed to a new institutional transition with the military to place the state under the jurisdiction of a military group called *Consejo de Seguridad* (CONSENA), which focused on national security measures. Importantly, ‘national security’ received a loose definition, broadly interpreted as the defense of “the national patrimony in all its forms, and defense of the process of development toward national objectives against internal or external aggression or interference.” Under CONSENA, national security encompassed the control of economic and educational

⁹ Mariana Achugar, “Between Remembering and Forgetting: Uruguayan Military Discourse About Human Rights (1976-2004),” *Discourse & Society* 18 (2007): 522; Henry Finch, “Democratisation in Uruguay,” *Third World Quarterly* 7, no. 3 (July 1985): 597.

¹⁰ Longueira, *El Plebiscito Constitucional de 1980*, 26–28.

policies to defend the nation against potential threats.¹¹ This meant that the military had a broad mandate for carrying out whatever measures it thought would be necessary to “protect the nation.”

The proposed alterations to the constitution placed these changes within a more permanent and legal framework which, only cosmetically and not functionally, would shift the military’s role in politics. For example, the new constitution gave the CONSENA veto power over all the actions of future Uruguayan governments.¹² Moreover, while a weak legislative and judicial body would be appointed with military approval, the military would also have the discretion to remove any member of either body without giving a reason. Most politicians that had formerly held office as Blanco or Colorado officials were proscribed from participating in politics. Those on the Left faced an even harsher fate. Anyone in the Frente Amplio coalition, ranging from Christian Democrats to communists, was permanently barred from holding office or even working in the civil service sector. The new constitution also prohibited public sector strikes. Most objectionable was the military’s proposed date of 1981 for the first election of public figures since 1971. However, the election only allowed the Blancos and Colorados to agree on a single candidate to put forward with the military’s approval. That is, no leftist party candidates would be allowed to contend for the slot. Despite all these proposed “changes,” the military would still have complete control over the government’s functioning and even increase its role in certain areas.¹³

Ironically, despite the imbalance of power articulated in the constitutional changes, the military couched the changes in a discourse of democracy. The military’s use of the term democracy to explain its project began well before the plebiscite. Throughout the 1970s, the

¹¹ Luis Gonzalez, “1980-1981: An Unexpected Opening,” *Latin American Research Review* 18, no. 3 (1983): 63.

¹² Vania Markarian, *Left in Transformation: Uruguayan Exiles and the Latin American Human Rights Network, 1967-1984* (New York: Routledge, 2005), 119–120.

¹³ Howard Handelman, “Politics and Plebiscites: The Case of Uruguay,” *Working Papers of the Latin American Program of the Woodrow Wilson International Center for Scholars*, no. 89 (April 1981): 4; Charles Gillespie, *Negotiating Democracy: Politicians and Generals in Uruguay* (New York: Cambridge University Press, 1991), 70.

military allowed two newspapers, *El Día* and *El País*, to continue to publish under heavy censorship. In a tightly controlled environment, the military permitted the papers to debate the idea of “new democracy,” and grapple with limited understanding of republican or liberal conceptions of the term. Under the government’s repression, the papers articulated a new vision for democracy that coexisted with a severe limiting of rights.¹⁴ Political scientist Paul Drake explains that the idea of democracy had developed over two centuries of Latin American history. In earlier versions, some Latin American countries provided a limited or restricted form of democracy, in which citizens had only a minimal level of rights. For example, governments had banned certain political parties and limited free speech.¹⁵ The generals aligned their vision of democracy with this older and restricted version. Despite its anachronistic appeal, most traditional political understandings of democracy would have rejected this definition on the basis that it was paired with severe censorship, torture, and single-party voting. Political scientist Robert Dahl, for example, argues that at a basic level, democracy must encompass electoral competition, effective civil and political rights, and open state-society relations. Even these elementary tenets of democracy did not exist in the military’s invocation of the term.¹⁶

The military continued to espouse this limited version of democracy during the debate over the plebiscite. For example, Méndez described the constitutional changes as a “purer, cleaner form

¹⁴ Albistur has published extensively on the ways in which these two papers debated throughout the period of dictatorship. Gerardo Albistur, “Democracia y Libertad: Un Debate Público en Dictadura (1973-1984),” *Revista Encuentros Latinoamericanos* 1 no. 2 (2012): 397-422; Gerardo Albistur, “La Libertad y la Liberal Republicana: Un Debate entre ‘acrecidos’ y ‘desplazados’ durante el régimen cívico-militar,” Seminario Permanente de Investigación Sobre Historia Reciente, Abril 2014, Montevideo Uruguay.

¹⁵ Paul W. Drake, *Between Tyranny and Anarchy: A History of Democracy in Latin America, 1800-2006* (Stanford, Calif: Stanford University Press, 2009), 4–5. Drake traces the history of democracy in the region and explains that some forms of protected or restricted democracy over the past two centuries had a minimalist definition of basic democratic governance, to which the generals were appealing during these debates.

¹⁶ Robert Alan Dahl, *Polyarchy: Participation and Opposition* (New Haven: Yale University Press, 1973).

of democracy...purged of the vices and defects.”¹⁷ The Minister of National Defense, Walter Ravenna, described the project similarly as an attempt by the leaders of the country to “work in the spirit of democratization.”¹⁸ An editorial in the heavily censored *El País* also echoed the governmental argument for democratic achievement, explaining that the plebiscite aimed to “restore the country to democratic normalcy” while still living in “peace and security.”¹⁹ Uruguay’s strong democratic traditions compelled the military to explain its project in these terms of democratic reform. In each case, the military defined democracy in terms that remained unrecognizable to Uruguayans as any form of modern democracy. In the end, the military attempted to shift normative understandings of a democratic discourse during the dictatorship closer to a restricted model. When the military announced its decision to hold a plebiscite, it was predicated on these limited terms.

The Campaign

When the campaign began, observers from all political spectrums were not very optimistic about the outcome of the vote. Instead, they believed in the adage that “dictators didn’t lose plebiscites.” The vote in Chile two months prior had reaffirmed this belief.²⁰ The Comité de la Internacional Socialista Para América Latina (The International Socialist Committee for Latin America) wrote a letter to the Secretary General of the organization to express concern “for the political farce the Uruguayan government is trying to enact by which it pretends to impose [on] the Uruguayan people a constitutional act through a plebiscite framed in an atmosphere wholly

¹⁷ “El discurso del presidente: La Democracia Liberal,” *El Día*, 30 July 1978, 6, Biblioteca Nacional, Montevideo, Uruguay [Hereafter BN].

¹⁸ “Ravenna: La Constitución se Ajusta al Proceso de Transición que Viviremos,” *El País*, 19 November 1980, 1, BN.

¹⁹ “Para confundir e intimidar,” *El País*, 21 November 1980, 6, BN.

²⁰ “El Plebiscito del Silencio,” *Boletín Socialista Internacional*, September 1980, p. 1, Folder 141, Waksman Collection, Archivos de Centro de Estudios Interdisciplinarios Uruguayos, Montevideo, Uruguay [Hereafter CEIU].

devoid of the most elementary democratic principles.”²¹ International media also predicted that the plebiscite would pass. A *New York Times* article the week before the vote noted that “Uruguayans are under pressure to approve a document about which they know very little ... there is little doubt that on Dec. 1 the Government will announce overwhelming support for the constitution.”²² The *Los Angeles Times* joined the chorus and called the vote a “political charade.”²³ Much of the exiled opposition similarly believed that the complete repression Uruguayans had been living under had scared the population sufficiently into voting for the constitution. In the remote chance that was not the case, they predicted that the government would manipulate the results.²⁴

The campaigning around the plebiscite supported these views. The military controlled most of the air waves and printed press, launching a massive public campaign in support of the “yes” vote. The military utilized the Dirección Nacional de Relaciones Públicas (DINARP), which the military founded in 1975, to produce propaganda and censor the remaining papers within the country. In 1980, the DINARP was again used to promote the constitutional changes. The military spent approximately \$30 million and used every available medium to ardently promote the plebiscite as a choice between the evils of communism and the protection of the homeland.²⁵ Members of the government reiterated that the constitution was a way to “adjust to the new realities of life in which we live.”²⁶ They painted a possible rejection of the constitutional reform as being equivalent to communism and subversion. On the other hand, a “yes” vote would secure

²¹ Letter, Comité de la Internacional Socialista Para América Latina to Kurt Waldheim, UN Secretary General, 17 October 1980, Ponce de León Collection, CEIU.

²² William L. Wipfler, “Uruguay’s Liberty Vote,” *New York Times*, 18 November 1980, A27.

²³ Robert Goldman, “Voting in Uruguay Will Erase Human Rights,” *Los Angeles Times*, 30 November 1980, E3.

²⁴ Markarian, *Left in Transformation*, 120.

²⁵ Corbo, 119. In a full page ad in *El País*, the military wrote “Dígale Si al Uruguay para que nuestra Constitución le cierre el paso al subversión y al comunismo,” 26 Noviembre 1980, *El País*, 9, BN; Gillespie reports that the military spent approximately \$30 million on its campaign in 1980. In today’s currency, that amounts to approximately \$86 million. Gillespie, *Negotiating Democracy*, 70.

²⁶ “Ravenna: La Constitución se Ajusta al Proceso de Transición que Viviremos,” *El País*, 10, BN.

Uruguayan safety and allow the military to provide services to the community.²⁷ One military commander, Raul J. Bendaham, explained his view in terms that mirrored many of the campaign ads, in which “terrorists, marxists, and other people who do not love the country are those who are inclined to vote no in the plebiscite.” Thus, he implied that only voters who were members of those despised categories would reject the constitution.²⁸

These political messages bombarded radio and TV with jingles every 15 minutes. Newspapers were used to juxtapose pictures of happy children with their families in 1980 with photos of dead bodies and bombed buildings from earlier terrorist acts.²⁹ Most of the newspapers and TV stations also openly endorsed the plebiscite, with the few holdouts remaining neutral.³⁰

In Uruguay at the time, it was difficult to speak out against the plebiscite. After seven years of harsh rule, the population already lived in a state of fear. Amnesty International noted that many of the politicians who attempted to protest the government monopoly were detained in the months leading up to the vote to further discourage voting against the military.³¹ The previous decade had enforced a silence among Uruguayans. Once vibrant cafes along avenida 18 de Julio transformed from destinations for passionate political discussion to silent spaces in which even neighbors were afraid to acknowledge one another, believing that the other might be an informant. In the years during the descent into dictatorship, the left had fractured into divided sectors over varying visions

²⁷ “Debe Aprobarse,” *El País*, 18 Noviembre 1980, 14, BN; “Existe Gran Confusion en la Opcion por el No,” *El País*, 20 Noviembre 1980, 6, BN.

²⁸ “Terroristas, Marxistas y Los Que no Quieran a Uruguay Votarían el ‘no,’” *El Día*, 13 Noviembre 1980, 13, Raul Jacob Colección, CEIU

²⁹ Full page ads appeared in the pages of *El País*, for example, on pages 8 and 9, 26 Noviembre, 1980, BN. Edward Schumacher, “Uruguayans Voting on a Charter Today,” *New York Times* (30 November 1980), 14.

³⁰ Gonzalez, “1980-1981: An Unexpected Opening,” 70. The newspapers printed long articles explaining why different major public figures were coming out in favor of the “yes” vote. On TV, the military forces also gave lengthy public addresses about the military. See, among others, “La Junta de Comandantes Se Dirigira al Pais El Lunes,” 22 Noviembre 1980, *El País*, BN; “Gallup: En El Interior Mayoria por ‘si,’” 22 Noviembre 1980, *El País*, BN; “Darracq: El Si Permitirá a los Jóvenes Asumir su Función en la República,” *El País*, 23 Noviembre 1980, 3, BN; “Callinal: Enamorado de la Paz del Uruguay,” 25 Noviembre 1980, *El País*, 2, BN.

³¹ Amnesty International Report-1981, 185, Amnesty International Online Library, <http://amnesty.org/en/library>

of political reform. By 1980, there were no longer distinct groups debating different futures, but rather individuals who were generally afraid to create any alliances based on fear.

With the domestic environment being so constrained, it was around the world that a cacophony of voices first emerged to support a “no” vote. Exile groups and international human rights organizations led the charge.³² While many exile groups were pessimistic that the vote would be fair, they still saw the plebiscite as the first opening that the military had provided since taking power. Many groups even began opposing the vote in human rights terms. For years, the opposition parties in exile had been fairly disjointed. Historian Vania Markarian notes that these groups were deeply divided over the future direction of the country and proved unable to come up with a cohesive plan to oppose the military and mount a joint challenge from abroad.³³ However, these exile groups, joined by international organizations and foreign governments, found the plebiscite as a focal point around which to rally. They called for a return to democracy and differentiated their idea of democracy from the one that the military espoused by focusing on the human rights violations committed by the Uruguayan military as the crux of the campaign.

One important group of exiles that demonstrate this view was the Grupo de Convergencia Democrática en Uruguay (CDU). Founded immediately before the plebiscite was announced in April 1980, it revealed a growing inclination to find common ground among exiles. The group strengthened its efforts to counter the plebiscite. In the first press statement issued from New York City, the group blasted the repressive military apparatus in Uruguay for continuing to carry out

³² It is a mistake to believe that there was absolutely no resistance within the country prior to the plebiscite. Recently, there have been efforts to recover some of the clandestine work of certain individuals that risked organizing against incredible risks. Particularly in 1979, members of the communist party and the unions had worked clandestinely to reconstitute a movement. Songs, such as those by Rumbo, became hymns of resistance. Therefore, in the weeks before the vote, when resistance was finally able to take a semi-legal format, the groups had a means and mode of expression. Autores Anónimos, *Gol del Pueblo Uruguayo: Crece Desde el Pie*, Biblioteca Legislativo, Montevideo, Uruguay, Chapter 4

³³ Markarian, *The Left in Transformation*.

disappearances, imprisonment, and torture.³⁴ Vowing to work across party lines, the CDU committed to working together. As the Washington Office on Latin America noted in a press release, the group “underscore[d] the antidemocratic character of the Uruguayan regime.”³⁵

In May 1980, an alliance of political party leaders in the CDU gathered in Mexico to meet for the first time. They selected the month of May for their first meeting to commemorate the deaths of Héctor Guitierrez Ruiz and Zelmar Michelini four years earlier. Led by Juan Raúl Ferreira, Wilson Ferreira’s son, and joined by members of the Blancos, Frente Amplio, and independents, the group pledged that it would fight to reestablish democracy in Uruguay on a nonpartisan basis.³⁶ The location of the group’s first meeting was also important. During the dictatorship, Mexico had served as a refuge for fleeing Uruguayan exiles. By 1980, there were more than 1,000 Uruguayan exiles in Mexico, many who had been assisted by a sympathetic Mexican ambassador in Uruguay. The country’s open immigration policies allowed Mexico to offer asylum to thousands of refugees fleeing from various other South American dictatorships.³⁷ The CDU realized that although each individual had different political, ideological, and philosophical ideas for Uruguay, they could all agree that the root of their opposition stemmed from the defense of their vision of democracy against the military’s self-described democratic trappings. Most importantly, the CDU called for an end to human rights violations.

³⁴ “Declaración Constitutiva de la Convergencia Democrática Uruguaya,” Folder 4, Álvaro Barros Léméz Colección, CEIU; “Grupo de Convergencia Democrática en Uruguay,” *Aportes* 4 no. 14 (December 1980), 35-36, Folder 4, Waksman Collection, CEIU.

³⁵ WOLA, “United Uruguayan Opposition Group Formed,” 22 April 1980, Folder 76, Waksman Collection, CEIU.

³⁶ Aureliano Rodríguez Larreta, “Una ‘Covergencia Democrática’ para Uruguay,” *El País*, 21 May 1980, BN.

³⁷ Pablo Yanquelevich, “Memoria Y Exilio: Sudamericos En Mexico,” in *La Imposibilidad Del Olvido: Recorridos de La Memoria En Argentina, Chile, Y Uruguay*, ed. Bruno Groppo and Patricia Flier (Argentina: Ediciones al Margen, 2001), 238; Renata Keller, *Mexico's Cold War: Cuba, the United States and the Legacy of the Mexican Revolution* (New York: Cambridge University Press, 2015) As Keller outlines in her book, the way Mexico operated as an asylum for so many refugees of the South American dictatorships stood in stark contrast to the repression the government invoked against its own people.

By the time the military announced the official date for the plebiscite vote, the CDU had become the most outspoken and well-defined voice of the country's political opposition. As it argued against the human rights violations, it called for a "no" vote on the plebiscite as a repudiation of the military regime.³⁸ The group connected with government officials and civil society groups across Europe, Latin America, and the United States, arguing that nothing less could be accepted than the full legalization of political parties, party leaders, complete restoration of civil liberties, and an open and free election.³⁹ Ferreira spoke out against the plebiscite, explaining that the "only way to make sure there is no torture or political prisoners is to return the government to popular rule."⁴⁰ In addition to its call for a vote against the military's new constitution, the CDU argued for a host of other human rights issues, such as liberty for political prisoners, a return of exiles, and guarantees of free speech and expression.⁴¹ The CDU also managed to downplay the ideological differences between the various parties. Instead, it tended to emphasize the goals of restoring "democratic freedoms and a political regime that will fully respect internationally recognized human rights."⁴² Therefore, while the group was dedicated to advocating a return to democracy in Uruguay, its discourse about the plebiscite emphasized and highlighted the human rights issues.

³⁸ CDU, "En el Plebiscito de Noviembre de 1980 CDU Llama a Votar Por No," in *Documentos políticos: La CDU una experiencia unitaria* (Mexico: Ediciones CDU, 1984), 33-34.

³⁹ Letter from Juan Raúl Ferreira to CDU, 28 July 1980, Folder 3, "Documentación Interna, Correspondencia, 1981-1983," Archivo Convergencia Democrática de Uruguay, CEUI; Letter from Juan Raúl Ferreira to CDU, 12 Mayo 1980, Folder 3, "Documentación Interna, Correspondencia, 1981-1983," Archivo Convergencia Democrática de Uruguay, CEUI; Informe no. 2, 29 July 1980, Folder 3, "Documentación Interna, Correspondencia, 1981-1983," Archivo Convergencia Democrática de Uruguay, CEUI; Handelman, "Politics and Plebiscites: The Case of Uruguay," 5.

⁴⁰ Discurso Wilson Ferreira Aldunate, "Si eres uruguayo, ven y pelea junto conmigo para tirar abajo la dictadura," *Aportes* (Dicimembre 1980), 41-2. Folder 4, Waksman Colección, CEIU.

⁴¹ Juan Raúl Ferreira, "Estamos de Acuerdo," in *Documentos políticos: La CDU una experiencia unitaria* (Mexico: Ediciones CDU, 1984), 28-29.

⁴² Letter, Juan Raúl Ferreira to Lord Eric Averbury, 1 August 1980, Folder 3, "Documentación Interna, Correspondencia, 1980-1983," Archivo Convergencia Democrática de Uruguay, CEIU.

This discourse linked the CDU's advocacy efforts with international human rights groups that had been gaining prestige and influence throughout the 1970s. Many of these organizations also spoke out to encourage a "no" vote, which invoked a similar human rights discourse. Amnesty International, for example, expressed its concern "that the proposed constitution would legitimize practices which have encouraged human rights violations in recent years, such as the lack of an independent judiciary and the wide powers of the armed forces."⁴³ Therefore, AI centered its efforts on garnering grassroots support and led an urgent action campaign in November 1980 to focus international attention on the upcoming plebiscite. This strategy included a letter-writing effort to Uruguayan authorities urging them to release prisoners and open public debate for campaigning in the lead up to the plebiscite.⁴⁴

Similarly, WOLA focused considerable attention on the upcoming plebiscite. Its strategy concentrated on lobbying governments and multilateral organizations. For example, the organization's president, Joseph Eldridge, joined a group of government officials to form the Comisión por la Democracia en Uruguay (Commission for Democracy in Uruguay). The group organized directly in response to the military's plebiscite by working to reject the constitution. The group explained its opposition on the basis of stopping torture and freeing political prisoners.⁴⁵ It

⁴³ Amnesty International, *Annual Report 1981*, 184, Amnesty International Online Archive.

⁴⁴ Ellen Lutz to All AIUSA Staff, Memo re: Uruguay Special Action, 31 October 1980, Folder: Country Files: Americas- Uruguay, Series IV 1.3, Box 17, Membership Mobilization, Amnesty International USA Collection, Columbia University Archives [Hereafter AIUSA].

⁴⁵ Letter to Alejandro Orfila, Secretary General of the OAS, 17 November 1980, Folder: Commission for Democracy, Box 279, WOLA Collection. The other members included Gustavo Carwajal Moreno, the president of PRI in Mexico, Miguel D'Eseto, the minister of foreign relations from Nicaragua, Jose Pena Gomez, the President of the IS for Latin America and the Caribbean and Hatuey de Camps, the head of the legislature, both from the Dominican Republic, Ricardo Moreno Cornejo of the Vice President of the Democratic Party, Peter Cannock and Horacio Sevilla Secretary of the Latin American Association for Human Rights, both from Ecuador, the Secretary of Foreign Relations in Peru, Alfredo Vasquez Carriso, the ex-Foreign Minister from Columbia, Jorge Ritter, the Secretary Counselor of the President from Panama, Mario Caazo, Collaborator of the President and Jorge Poveda, Ex-Vice Minister of the president of Costa Rica, Marcos Freire, Senator Federal and Jose Gregori Vice President of Justice and Peace, both in Brazil, Alfonso Zegbe, Secretary General of the Conference of Political Parties of Latin America in Mexico, and Jaime Paz Zamora, Constitutional Vice President in Bolivia.

lobbied the OAS, raised public awareness, and met with U.S. Congressmen to discuss the situation in Uruguay. It was the first time that so many important Latin American political leaders came together to voluntarily discuss and take action on a human rights situation in a neighboring country.⁴⁶ Its efforts were joined by declarations of support by the governments in Sweden, Holland, Spain, France, and the U.S. who all sought to focus attention on rejecting the constitution in the name of democracy and human rights.⁴⁷

The U.S. had a particularly interesting position in this regard. After hammering Uruguay's military government's human rights record for much of his presidency, Carter believed the plebiscite was a positive sign. Therefore, Carter was more muted publicly towards the government in the months leading up to the vote. Memos from the State Department note the extreme sensitivity of Uruguayan military prior to the constitutional plebiscite.⁴⁸ Although exile groups lobbied the Carter administration to take a hard public stance against the "farce of pretended democratic intentions...in open and grotesque imitation of the Chilean dictatorship," Carter opted for a behind-the-scenes approach to avoid potential accusations of interference in the electoral results.⁴⁹ Privately, the Carter administration warned the military that the vote would only be viewed as credible internationally if the military allowed freedom of the press and did not ban opponents' political participation.⁵⁰ Publicly, however, Carter noted the "substantial improvements" in the Uruguayan human rights situation and endorsed the plebiscite vote as "an

⁴⁶ Press Release, Latin American Leaders Open First Meeting of Commission for Democracy and Human Rights in Uruguay, 7 November 1980, WOLA, Folder: Commission for Democracy, Box 279, WOLA Collection.

⁴⁷ "Informaciones del Uruguay," *Boletín Socialista Internacional*, October 1980, p. 2, Folder 141, Waksman Collection, CEIU

⁴⁸ Memo, From State Department to USSouthCom, "Amparts Article Provokes War College Flare Up," 30 September 1980, State Department Virtual Reading Room.

⁴⁹ Letter, Socialist International Committee for Latin America and the Caribbean to Secretary of State Edmund Muskie, 17 October 1980, Folder 55, Colección Ponce de León-Vilaró, CEIU.

⁵⁰ Memo, State Department to Montevideo Embassy, "Acting DCM Conversation with General Raimundez," 8 August 1980, State Department Virtual Reading Room.

encouraging effort to restore normality” to the country.⁵¹ Carter was criticized for praising the regime’s human rights improvements, even as he kept the issue of human rights at the forefront of his message.

Whether as a result of this encouragement and pressure, or more broadly the need to make the plebiscite seem legitimate, the Uruguayan military government did ultimately allow debate about the constitution—to a limited extent. During the final weeks of the campaign, the government permitted a limited expression of contrary opinions. For example, on 14 November 1980, the military granted the drafters of the constitution and its opponents the opportunity to debate its merits on national television for two and a half hours. In this venue, Uruguayans watched the government being criticized openly on TV sets across the nation. No one had dared to speak out against the military for years. It marked a critical juncture in the political campaign.⁵² The Uruguay Catholic Church, a traditionally weak institution in the country relative to its regional counterparts, also issued a public declaration that criticized the constitution and called for “open channels of participation” in order to ensure the protection of rights.⁵³

With the slight political opening, Enrique Tarigo surfaced as a domestic force behind the “no” vote in those final weeks. Born in Montevideo, Tarigo started his career as a lawyer, teaching at the country’s only public university, La Universidad de la República, until 1973 when the military took over. During the early years of the dictatorship, he worked as a somewhat obscure magazine columnist for *El Día*, one of the few Uruguayan newspapers still allowed to publish. In the late 1970s, when the military announced the possibility for a cronograma, Tarigo emerged as

⁵¹ William L. Wipfler, “Uruguay’s ‘Liberty’ Vote,” *New York Times*, 28 November 1980, A27.

⁵² Schumacher, “Uruguay’s Vote: Exception to the Rule.”

⁵³ “Ante el Próximo Plebiscito Constitucional: November 12 1980,” <http://iglesiacatolica.org.uy/wp-content/uploads/2012/08/Ante-el-proximo-Plebiscito-Constitucional.pdf>, accessed June 2015; Amy Edmonds, “Moral Authority and Authoritarianism: The Catholic Church and the Military Regime in Uruguay,” *Journal of Church and State* 56, no. 4 (2013): 656; Jeffrey Klaiber, *The Church, Dictatorships, and Democracy in Latin America* (New York: Orbis Books, 1998), 116.

an outspoken critic of the process. His editors feared reprisal, and he ended up leaving the paper. However, when the government opened up the debate on the constitution in the lead-up to the plebiscite, he resumed his campaign against the new constitution. After an incredibly difficult approval process, he founded his own weekly paper, *Opinar*.⁵⁴ Covering “no” rallies and promising to provide an independent perspective, circulation soared in the final weeks before the plebiscite.⁵⁵ Tarigo also offered a voice for the opposition in the public debates with the military about the efficacy of the new constitution and the need to protect Uruguayan citizens from human rights abuses.

Another newspaper, *La Plaza*, surfaced outside of Montevideo in the Department of Canelones. This publication also criticized the plebiscite very subtly. Founded in 1979, it had the original aim of “playing an educational role in our city [Las Piedras].”⁵⁶ During the period leading up to the plebiscite, the magazine challenged the military’s propaganda for a “yes” vote. For example, some articles addressed the broad idea about the importance of political parties in a democracy, which the current constitution would have not empowered.⁵⁷ In other places, the magazine published pictures of two windows, one closed with “si” in it and one open with “no” in it, referring to the magazine’s stance towards the plebiscite.⁵⁸ Many of the authors also worked tirelessly going door to door to campaign against the plebiscite and used the magazine as a place to discuss ideas of freedom, democracy, and how to achieve these ideals under the dictatorship. Both *Opinar* and *La Plaza* were closely monitored and as a result, human rights language was not explicitly used in

⁵⁴ Tarigo recounted the difficult approval process in the first edition of *Opinar* “Por qué no salimos la semana pasada,” *Opinar*, 6 Noviembre, 1980, 1, BN.

⁵⁵ “Si-No,” *Opinar*, 6 Noviembre, 1980, 2, BN; “Nuestro Primer Editorial,” *Opinar*, 6 Noviembre, 1980, 3, BN; “Uruguay’s Military Ruler’s Challenged by Newspaper,” *Boston Globe*, 10 March, 1981, 17.

⁵⁶ “Para Hoy, Comenzar,” *La Plaza*, November 1979, 1, BN.

⁵⁷ “Meteorología política: soplan nuevos vientos,” *La Plaza*, February 1980, 1, BN.

⁵⁸ “Marcos Carámbula y la Revista Plaza,” *El Espectador*, 30 November 2000, accessed 25 November 2014, <http://www.espectador.com/text/especial/no/carambula.htm>

the articles. However, the papers provided important alternative spaces in which to discuss challenges to the military dictatorship during a period where censorship still dominated. They gave an organized voice to the domestic opposition for the first time in seven years.

In addition to permitting only limited dissent in the press, the military approved exactly three rallies against the constitutional changes. Despite being heavily monitored and the military requiring that they be held in rented auditoriums and not in the streets, these rallies were widely attended.⁵⁹ Surreptitiously, some opposition members even distributed small “no” pamphlets around the city. Furthermore, they worked to circulate tape-recorded speeches and messages of support from exiled Blanco leader, Wilson Ferreira, which were smuggled into the country. Lacking the same powerful mouthpiece as the military government, the opposition relied on the furtive activities and the few permitted spaces to hear alternative sources of information. Much of the information able to filter in explained the differences between the military and the opposition as predicated on a democratic vision that protected basic human rights.⁶⁰

The Results

Despite these aforementioned opposition activities, most voters believed that “the results were a foregone conclusion...everyone assumed that everyone would be voting with the military.”⁶¹ The military had established such control over the population that no one dared to speak openly about opposing the military. In addition, those on the left who were more inclined to actively oppose the new constitution had been proscribed from all political activity, including

⁵⁹ “Si-No,” *Opinar*, 6 Noviembre, 1980, 2, BN.

⁶⁰ “Blanco: “El si ofrece posibilidades de accion partidaria proxima y cieta,” *El País*, 21 Noviembre 1980, 1, BN. The debates, on the TV program “El Diálogo” were covered by the local papers but were also careful to stress the “yes” side of the debate.

⁶¹ Lawrence Weschler, *A Miracle, A Universe: Settling Accounts with Torturers* (Chicago: University Of Chicago Press, 1998), 150.

voting, ever since the military established Institutional Act No. 2 in 1976.⁶² While the voting tables were not monitored, it was largely because the military did not believe the “no” vote could win.⁶³ Early polls supported this idea and had the military leading by more than 2 to 1, although poll takers said that almost half of the individuals they approached had refused to respond, illustrating the extent to which the Uruguayans feared the government.⁶⁴ A week before the election, however, at least one poll indicated that the gap had closed. The pollsters did not dare to publish the results unsure about how the government might respond. Going into the election, the outcome was uncertain although most assumed that the military would find a way for the constitution to be approved.⁶⁵

Despite these odds, Uruguayans headed to the polls on 30 November 1980 to cast their first vote in nine years. An estimated 12,000 people returned from abroad, mainly from neighboring Argentina, to participate in the electoral exercise.⁶⁶ Of the 1,944,941 permitted to vote, 1,689,424 Uruguayan submitted a ballot; which equals 86.9% of those with valid registration.

What came next shocked many Uruguayans and the world. When the vote tally was finally announced, Uruguayans had rejected the new military-drafted constitution by a margin of 57 to 43 percent of the popular vote. Despite all the predictions of failure, despite seven years of oppressive military rule, despite all the military’s censorship and propaganda, the Uruguayan people voted against the new charter. The citizens’ voices had prevailed.

How the military would react to this triumph was still unknown. It sent an ominous sign to the population by banning all political activity and press commentary for three days while the

⁶² Corbo, 195.

⁶³ “Habla el Gral. Alberto Ballestrino,” *Posdata* (26 Enero 1996), 26. BN.

⁶⁴ Charles Gillespie, *Negotiating Democracy: Politicians and Generals in Uruguay* (New York: Cambridge University Press, 1991), 71; Corbo, 132-3.

⁶⁵ Edward Schumacher, “Uruguayans Voting on a Charter Today,” *New York Times* (30 November 1980), 14.

⁶⁶ Corbo, 202.

military “reconsidered” the political liberalization program.⁶⁷ Continuing under the censorship that had governed the press for the past seven years, the major papers failed to ascribe any significant meaning to the vote. Instead, they merely reported the tallies without any political analysis of what the results might mean for the military. After weeks of printing articles in support of a “yes” vote, papers spent two days covering the president’s cautious remarks praising the “calm and participatory” nature of the elections.⁶⁸

Nevertheless, to many Uruguayans who had suffered for years under the regime, the outcome was incredible. Wilson Ferreira’s wife recalled learning about the results from exile in Brazil:

When we heard the first news reports from *El Espectador*, we were all silent, each one of us thought we had heard wrong. There was a tremendous silence, and then someone began to cry and the rest of us began to yell and applaud “como el Uruguay no hay!” How amazing that we can celebrate a victory after so many years of suffering and shame! Then, we all sang the national anthem and honored the courage of the Uruguayan people.⁶⁹

Susana Ferreira’s reaction captured what the rejection of the military meant to so many Uruguayans, both at home and in exile, after living so long under a repressive dictatorship. For them, the results helped citizens “regain their dignity and hope... [after] seven years of humiliation.”⁷⁰ The vote had clearly expressed the disapproval that many felt towards the dictatorship and was, as *Opinar* noted, “an unforgettable day of democratic affirmation.”⁷¹

The “no” vote allowed Uruguayans to hope and celebrate possibilities for the return of rule of law, political activism, and a resurgent human rights culture that could end the torture and

⁶⁷ Grupo de Información y Solidaridad Uruguay (GRISUR), *Violaciones de Derechos Humanos en Uruguay: Documentos Marzo-1980-Septiembre 1981*, 13, Folder 6, Derechos Humanos Colección, CEIU. Edward Schumacher, “Uruguay Army Silent on Setback Vote,” *New York Times* (2 December 1980), pA3.

⁶⁸ “Núñez: ‘Las FF.AA. o Tienen Apetitos de Poder Como un Todo o Liderando a Nadie,’” 1 Diciembre 1980, *El Pais*, 3, BN; “Mendez: Gobierno Cumplio y Continúa la Reconstrucción,” *El Pais*, 2 Diciembre 1980, 1, BN.

⁶⁹ Carte de Susana Wilson a Carlos Julio Pereyra, 22 Diciembre 1980, in *Wilson: Las Cartas del Exilio*, ed. Carlos Julio Pereyra (Montevideo: Ediciones de la Banda Oriental, 2013), 123.

⁷⁰ “Carta de Uruguay,” *Aportes* (Diciembre 1980), 3; Folder 4, Waksman Colección, CEIU.

⁷¹ “El Pueblo Dijo No,” *Opinar*, 4 Diciembre 1980, 1, BN.

political imprisonment that had been the focus of so much global attention. One newspaper article extolled the restoration of democratic principles after the long winter of repression. It captured the renewed excitement by exclaiming: “What a wonderful blessed country is Uruguay! What wonderful people in this blessed Uruguay in which all of us were born by chance but if we had the possibility, surely we would have chosen it!”⁷²

Others around the country were a bit more wary, unsure of what the vote would mean in concrete terms. Marcos Carábula, a founder of *La Plaza*, remembers that Uruguayans did not celebrate in the streets, but rather the next day they displayed their happiness with smiles and flashes of the V-sign, waiting for indications about how the military would respond.⁷³ Their caution reflected a wariness that had built up after years of fear and repression.

On the other hand, from abroad, the accolades flowed in. WOLA’s director, Joseph Eldridge, whose organization had been persistently working against the dictatorship declared that “in a most remarkable test of political will, the Uruguayan people have sharply reproached the military and unequivocally repudiated their plan for permanently participating in the government.” He called the military the “bearer of one of the worst human rights records in the hemisphere” and heralded the victory as bringing “renewed hope” to all of Latin America.⁷⁴

U.S. Senator Edward Kennedy followed suit, explaining that he had long been an advocate against the military government in Uruguay. Kennedy “was heartened by the recent popular rejection of a new constitution which would prolong military rule virtually indefinitely in that nation...the plebiscite is one more reminder of the historic importance of the struggle for

⁷² “Qué país, el Uruguay!” *Opinar*, 4 Diciembre 1980, 7. BN

⁷³ “Marcos Carábula y la Revista Plaza,” *El Espectador*, 30 November 2000, accessed 25 November 2014, <http://www.espectador.com/text/especial/no/carambula.htm>

⁷⁴ Washington Office on Latin America (WOLA), “Uruguay’s Military Decisively Repudiated by Plebiscite Vote,” 1 December 1980, Folder 6, Inventario Derechos Humanos, CEIU.

democracy and liberty throughout Latin America.”⁷⁵ The U.S. press also praised the vote, calling on Carter to “nourish” the democratic event and stating that the vote “vindicates the Administration’s periodic pleas for human rights in Uruguay.”⁷⁶ After years of criticism of Carter’s human rights policy, the now lame-duck president finally received some praise. Overall, there was a mix of caution and elation while everyone waited to see how the military would respond to the vote.

The Aftermath

All around the world, the vote was seen as a historical novelty and an “unexpected opening.”⁷⁷ Nevertheless, what the vote would mean in lived experience varied. At a basic level, debates both within Uruguay and around the world had focused around a return to democracy. However, ambiguity surrounded whose conception of democracy would prevail. The military had perverted the term by advertising a “yes” vote on the basis that its reforms were being conducted in the name of democracy. Meanwhile, opposition groups had called on Uruguayans to vote “no” on the basis that a true democratic vision would allow for an independent legislature and judiciary, a free press, but perhaps most importantly, a government that endorsed the right to be free from disappearances, torture, and political imprisonment. The work of exiles and activists abroad had defined this human rights discourse, which had been adopted in U.S. foreign policy under Carter. Together they helped define the contours of the debate that surrounded the plebiscite. The question remained as to whether the military would understand the defeat in the polls as a vindication of

⁷⁵ Kennedy, “For Democracy in Uruguay,” Senate Congressional Record, 96th Congress, Second Session, vol. 126, no. 173, 9 December 1980.

⁷⁶ “The Surprising Answer in Uruguay,” *New York Times*, (4 December 1980), a30.

⁷⁷ Gonzalez, “1980-1981: An Unexpected Opening,” 73.

these ideals or whether it would cling to power and attempt to reinterpret the election returns. This uncertainty produced a cautious side to the widespread excitement, particularly within Uruguay.

A few days after the results were announced, the military's response became clear: it would try to manage the results and maintain power. The civilian figurehead of the government, Aparicio Méndez, tried to twist the meaning of the "no" vote and rejected the idea that it indicated a political setback for the government. Instead, he explained that the results were actually a "defeat for the people."⁷⁸ The leader of the military junta, General Luis Quierolo re-invoked the national security justification and said that "all emergency periods, like the ones we have suffered to date, cannot suffer a brusque change ... the transition from this process to the next of complete normalization should be slow."⁷⁹

The military leaders began to suggest that the vast majority of those who voted "no" did so because they were content with the current governance structure and did not want a change. According to this logic, the "no" vote was not a rejection of the military, but rather represented the fact that the people "preferred the current situation."⁸⁰ Clearly, this interpretation differed from the pre-electoral assertions that only Marxists, terrorists, or unpatriotic citizens would vote "no." However, the explanation served to justify the military's continued power in the face of the defeated charter.

Indeed, the government largely ignored the vote. Less than a year later, a thirty-five-member Council of the State was installed, and a new president, Gregorio Álvarez Armelino, took office without a vote. The Council of the State also took on expanded responsibilities, which included the ability to call constitutional assemblies, plebiscites, and general elections. This

⁷⁸ Schumacher, "Uruguay's Vote: Exception to the Rule."; Aparicio Mendez, "Diría Que es Una Derrota Para el Pueblo," *Aportes* (Diciembre 1980), 64-5; Folder 4, Waksman Colección, CEIU

⁷⁹ Edward Schumacher, "Uruguayan Regime Unbowed by Defeat," *New York Times*, 7 December 1980, 11.

⁸⁰ Handelman, "Politics and Plebiscites: The Case of Uruguay," 9.

Council of State was not an elected body. Rather, it supported Álvarez and acted as an arm of his military rule, as opposed to a check on the balance of power.

Conclusion

Despite its intransigent actions, the same level of repression that the military employed before the plebiscite proved impossible to maintain. Thus began a long negotiation process over the transition back to democratic rule. The vote galvanized a population that had previously been too fearful to work overtly against the dictatorship. For years, many Uruguayans had been afraid to talk to each other about the horrors of the dictatorship. No one knew who might inform on them, which could result in torture, incarceration, and possibly worse. However, armed with the plebiscite results, Uruguayans now knew that others also yearned to return the country back to democratic rule. There was no longer the same fear about speaking out against the dictatorship. As one editorial in *Opinar* explained, at the end of 1980 and the beginning of 1981, there was a “climate of expectation in Uruguay, and of hope. Of hope for a new national direction that is to say, hopes of reuniting the country.”⁸¹

This editorial illustrates that the plebiscite opened a door that had previously been tightly closed to any potential activism. As this chapter has explained, the plebiscite represented more than merely the first crack in the dictatorship’s tight control on society. Instead, it has examined how the “no” vote helped spark a human rights discourse within the country.

This adds to many initial analyses on the plebiscite conducted by political scientist Charles Gillespie. Gillespie interviewed the members of the reconstituted political parties and the military shortly after the vote in 1980. In these discussions, he asked specifically whether people believed

⁸¹ Anibal Luis Barbagelata, “Y por siempre,” *Opinar*, 26 Diciembre 1980, 4, BN.

that “the persistence of democratic values in the culture” led to the “no” victory. The majority agreed with this statement.⁸² However, he did not ask about human rights directly. My research reveals that while democracy had become a more contested term during the 1970s, the idea of human rights ultimately made a substantial difference as well—a factor that has frequently been omitted from the story. Despite years of discord among the opposition with regard to exiles, former members of political parties, and civil society, the plebiscite was a unique moment of coherence around the concept of stopping very specific types of human rights abuse—political imprisonment, torture, and disappearances. In this sense, it shaped both a cross-class and cross-party alliance that had eluded the Uruguayan population for years.

During the dictatorship, there had been very little human rights opposition in Uruguay, but the plebiscite proved critical in encouraging the reemergence of civil society, despite the difficulties it would encounter during the long transitional process. As a result, the plebiscite provides an important point of origin for the domestic rights discourse. Whereas the 1970s had been an important decade for the mobilization of transnational groups, the vote became a defining moment domestically. The ensuing years would prove how difficult maintaining that cohesion would be. However, the plebiscite is an example of what human rights had begun to encapsulate at this very specific moment in time as a response to the abuses of the dictatorship that Uruguayans had endured throughout seven years of harsh rule. Thus, the event, revealed the complex dynamics of what can happen when opportunity and transnational advocacy converge to create new local social movements, in this case with a long-lasting impact.

⁸² Gillespie, 73.

Chapter 5: Resurgence and Crackdowns: The Long Transition

April 1984 marked three and a half years since the “no” vote for the plebiscite that had rejected the military’s proposed constitution for a permanent and more sizeable amount of power in the country. After the electoral exercise in November 1980, a vibrant civil society had reemerged to protest the continuing brutality of the dictatorship. However, Uruguay’s transition was still anything but assured. The military desperately clung to power. While discussions had been attempted between political leaders and the military to arrange a transition to democratic rule, progress had frequently been halted by fundamental disagreements. Fissures had also begun to appear between civil society and the reconstituted political parties. The military insisted on conditions that were difficult for these groups to accept, and the opposition movement differed over exactly which democratic principles were, or were not, negotiable.

The growing opposition within the country and human rights claims from around the world did not appear to affect the military’s actions. Rather, the military focused on how to maintain its prestige by returning to the barracks under favorable conditions. The military used continual crackdowns to influence these possibilities. In early April, it shut down two papers, *Cinco Días* and *Frente Amplia*, that had emerged in opposition to the regime.¹ The military also dispersed protests by force, at time injuring dozens of individuals in the process to suppress the growing opposition.² Amnesty International kept up its pressure by organizing Urgent Actions against the Uruguayan government in response to extended imprisonments.³ Perhaps most emblematic of the

¹ “Uruguay Government Closes Two Opposition Publications,” *New York Times*, April 16, 1984. *Cinco Días*, particularly, focused on workers strikes, human rights activities, and the Frente Amplio’s program before being shut down. See, among others, “Aldolfo Aguirre González, “Naturaleza de la organización frentista,” *Cinco Días*, 13 Abril, 1984, 3; “Paran 72 horas trabajadores de ONDA,” *Cinco Días*, 13 Abril, 1984, 1; Luis Pérez Aguirre, “Hasta cuándo, Caín?” *Cinco Días*, 11 Abril, 1984, 3, Archivo Diarios, Biblioteca Palacio Legislativo, Montevideo, Uruguay [Hereinafter Archivo Diarios].

² “Dozens of Protesters Hurt in Uruguay,” *The Globe and Mail*, 4 June 1984.

³ “Limited Medical Letter-Writing Action, Marco Rivas Borba,” 15 October 1984; “Health Concern, Uruguay,” 18 September 1984; “Further Information on Medical Letter-Writing Actions, Angel María Yoldi Aricet,” 24 August

difficult transition was Vladimir Roslik's death during a torture session in San Javier, a small town in the western part of the country bordering Argentina.

Roslik was well known in his community as one of the town's few doctors. San Javier was founded in 1913 by 750 religious dissidents who had fled Czarist Russia in search of religious freedom. By the time Roslik arrived to practice medicine, some Soviet influence still remained in the town. Most residents, however, were two or three generations removed and had assimilated to their new home. Nevertheless, the town's historic relations with the Soviet Union resulted in increased scrutiny by the military. Roslik was among those targeted. He was a member of the Communist Party and had received his degree from the Soviet Union on a scholarship during the 1960s.⁴ In 1980, the military raided the town and arrested about a dozen residents, including Roslik. Roslik was questioned and tortured, remaining in jail for fifteen months. Even after his release, the military continued to keep an eye on him.

On 15 April 1984 at approximately 4:00 a.m. the military showed up at his house. Dragging him out of his bed, members of the armed forces blindfolded Roslik and took him in for questioning with six other people from the area. Roslik's wife never saw him alive again. The next day, the military informed her that Roslik had died of cardiac arrest in detention. Roslik was forty-two years old, the father of a four-month-old child.⁵

His wife was told to collect the body. Unwilling to accept the idea that her otherwise healthy husband had a heart attack, she secretly had another autopsy done where it was determined that he was killed from injuries that he had suffered during torture.⁶ She later learned from the

1984; "Death in Detention," 10 August 1984, Folder 46, Box 269, Amnesty International USA Archives, Columbia University [Hereinafter AIUSA].

⁴ Martin Andersen, "Uruguayan Military Sees Red in Ancestry," *The Globe and Mail*, October 3, 1984.

⁵ Urgent Action, "Death in Custody/Fear of Torture," 3 May 1984, Folder 46, Box 269, AIUSA.

⁶ *Tribunal Permanente de los Pueblos* (Montevideo: Graphis Ltda, 1990), 167-70

other men who had been brought in for questioning that the military had accused the group of having arms hidden around town. The military believed the men had secretly brought the weapons into the country, possibly from the Soviet Union. The men had been questioned and tortured for hours despite the fact that none of them had any knowledge of weapons in the area. What Roslik's death exposed was the continued use of state violence by the military to maintain control over the Uruguayan population.

The murder of another citizen, so late into Uruguay's transitional period, was in many ways emblematic of the regime's continued willingness to exert force on its citizens. Political scientist Martin Weinstein suggests that "if Uruguay's descent into dictatorship was slow and occurred in stages, much the same may be said of the return to constitutional government."⁷ Even four years after the plebiscite victory, the military continued to squash any perceived leftist subversion. Indeed, the plebiscite victory was only the first step in a five-year battle for democratization. Roslik's death highlights just how intransigent, prolonged, and arduous the process really was.

In contrast to earlier deaths and disappearances that had been brushed under the rug by the military and ignored in the press, journalists from various publications within Uruguay reported widely on Roslik's death. In addition, many domestic human rights groups had formed in the years since the plebiscite. They also worked to spotlight his murder as a reason to push for a transition.⁸ This chapter traces how an Uruguayan civil society first emerged after the plebiscite to get to a point of influence after Roslik's death. In this period, a human rights struggle surfaced between the reconstituted political parties and civil society actors, who sought to assert their voice after

⁷ Martin Weinstein, *Uruguay: Democracy at a Crossroads* (Colorado: Westview Press, 1987), 74.

⁸ "Sin Justicia No Habrá Democracia," September 1984, Madres y familiares, ACEEP y Comisión por la Amnistía y los DDHH, Colección Julio Ruginz, Archivo General de la Universidad, Montevideo, Uruguay [Hereinafter Archivo General]; "Oremos por el alma de Vladimir Roslik," *Jaque*, 28 April 1984, 2, Biblioteca Nacional, Montevideo, Uruguay [Hereinafter BN].

having been silenced and repressed throughout the dictatorship, and the military, who fought to maintain control over the direction and pace of any political changes.

The clash produced victories and casualties on both sides. However, at the center of the fight was a discussion over the beginning of a domestic human rights movement. The rise of NGOs, the discourse being utilized by a resurgent press, and international funders all played a role in the debate over what principles would be enshrined in a new Uruguayan democracy. This chapter examines how these human rights battles played out in the path towards democratization after the plebiscite.

In some ways, the strength of the international human rights movement in the 1970s offered both a discourse and strategic direction that could be utilized domestically. Furthermore, the connections and utilization of an international language of human rights gained in those years were essential to garnering support, both symbolically and materially, from the philanthropist community that contributed funds for grassroots groups that were working against the dictatorship. However, to consider the international human rights regime to be the dominant influence in Uruguay overlooks the enormous effect that regional advocacy groups played in inspiring Uruguay's civil society. Facing similarly repressive governments, Argentina and Chile differed from Uruguay in that the regimes permitted some domestic human rights groups to operate in those countries, even during the dictatorship's harshest years. With respect to Uruguay's own reemerging civil society movement, its regional counterparts and connections were essential in providing support and examples of effective advocacy against similarly intransigent governments. As a result, Chapter 5 re-centers the influence of a human rights discourse in a regional context. Uruguayans were not only inspired by international groups like Amnesty, but also groups in neighboring Argentina where *Servicio Paz y Justicia* [Service for Peace and Justice (SERPAJ)]

and *Centro de Estudios Legales y Sociales* [Center for Legal and Social Studies (CELS)] provided important models.

An important aspect of the story surrounding the birth of a domestic human rights movement included the limitations imposed by the military's subsequent crackdown. Using further arrests, censorship, and intimidation tactics, the military attempted to control the negotiations to reestablish democratic rule in order to maintain some power and preclude prosecution for any actions during the military rule. Moreover, political actors had been able to agree on a vision of democracy that brought an end to torture and political imprisonment in the lead-up to the plebiscite. These actors found it much more difficult to agree on a coherent definition for human rights after a return to democracy. This tension became especially poignant in light of the difficult negotiation process, which produced fault lines within the opposition movement over exactly what human rights tenets should take priority.

These debates grew even more pronounced as the narrow discourse of human rights utilized during the plebiscite expanded during the transitional period. When civil society surged in the aftermath of the plebiscite, a reconstituted labor and student movement utilized the powerful language of human rights to articulate their own projects. The grueling negotiation process exposed each groups' priorities, which differed substantially despite a common call for "human rights." The term had come to encompass a broader vision. Ultimately, the excitement following the plebiscite proved essential to restarting civil society's forces domestically, but the subsequent crackdown and lengthy negotiations exposed the fissures over the place human rights would play in a return to democracy. These divisions affected politicians' support of the movement as well as many Uruguayans' expectations regarding which original human rights promises would be feasible within a reconstituted democratic nation.

First Signs: The Press

One of the first signs of a reemerging civil society came from the founding of a variety of newspapers. Since 1973, when the military had shut down most of Uruguay's newspapers, there had been a dearth of independent reporting and news from within the country. However, the "no" vote in the plebiscite opened up the space to permit a greater degree of freedom of expression than had been allowed in the previous seven years. *Opinar* and *Plaza* continued to operate, and others began to publish as well, including *Jaque* and *Aqui*. While their mere existence signaled an important change in the post-plebiscite period, the papers also became important spaces for discussing the emerging discourse of human rights. At first indirectly, and then increasingly directly, they challenged the military dictatorship's policies and practices.

Opinar, the weekly newspaper founded by Enrique Tarigo, grew in importance. In many articles, the newspaper questioned the regime's authority. Although the publication was free of "Marxist rhetoric," the opinions were considered to be daring by Uruguayan press standards after years of censorship. In the first issue after the plebiscite, for example, the writers stressed that they would continue to fight for the freedom of expression.⁹ Reporters focused on highlighting Uruguay's historical commitment to liberty and called for restoring political rights.¹⁰ Despite its leftist position, the newspaper did not dare broach the topic of torture or political imprisonment.¹¹ Throughout its first year of publication, the only reference that invoked the specific term human rights was centered on covering the launch of SERPAJ-Uruguay and the visit to Uruguay by Noble Peace Prize winner Adolfo Pérez Esquivel. The article merely provided a summary of Esquivel's

⁹ "La imprescindible libertad de expresión," *Opinar*, 4 Diciembre 1980, 3 [BN]. *Opinar* had a circulation of approximately 11,000.

¹⁰ There are many examples of this focus, including "Posición de la juventud," *Opinar*, 30 July 1980, 4; Luis Antonio Hierro, "La Apertura está en nosotros," *Opinar*, 6 Agosto 1981, 4; "Libertad de Prensa," *Opinar*, 13 Agosto 1981, 5; "La clausura de 'La Democracia,'" *Opinar*, 24 Setiembre 1981, 3; "Prensa libre y responsable," *Opinar*, 5 Noviembre 1981, 3, BN.

¹¹ "Nosotros somos más bien modelos que imitadores de otros," *Opinar*, 18 Diciembre 1980, 3, BN.

message because the newspaper feared the potential reprisals of a larger discussion.¹² Despite this restraint, a *New York Times* article covering Tarigo's efforts made the notable observation that he kept a copy of the Universal Declaration of Human Rights on the wall in his office behind his desk.¹³

La Plaza also continued to publish after the plebiscite. The newspaper was similarly cautious in its approach to criticizing the government. Writers frequently focused on cultural issues, such as the return of Uruguayan art and movies during the initial period after the vote. But they also went a step further than *Opinar* and extended the conversation to explore controversial topics about issues affecting life under the dictatorship.¹⁴ First, the paper discussed a possible path towards democratization, which included lifting the restrictions on political parties.¹⁵ Other articles mentioned Argentina's struggle with human rights through SERPAJ-Argentina. Through this lens, the paper discussed Esquivel's efforts in defense of Uruguayans who had disappeared in Argentina, albeit without discussing the Uruguayan government's own complicity.¹⁶ The paper was generally careful not to directly criticize the military government. Instead, it indirectly addressed issues of human rights by discussing the topic through the lens of other Latin American nations such as neighboring Argentina. This tactic allowed the paper to write about torture and disappearances since all Uruguayans knew that Argentina's issues closely resembled their own. In this way, the paper began to approach a discussion about international human rights, but it was cautious about the extent to which it challenged the Uruguayan government's conduct.

¹² "La Paz se basa en la Justicia," *Opinar*, 24 Diciembre 1981, 32, BN.

¹³ Edward Schumacher, "Uruguay Editor Is Taking Lead As Army Critic," *New York Times*, 31 May 1981, 11.

¹⁴ J. Mastromatteo, "El Arte Como Necesidad," *La Plaza*, January 1980, 14; and Luis Elbert, "El Cine Uruguayo Debe Ser Nacional," *La Plaza*, January 1980, 15-16, BN.

¹⁵ "Plan Tentativo de Democratizacion," *La Plaza*, February 1981, 4-5; "Sigamos Hablando con Franqueza," *La Plaza*, July 1981, 1, BN.

¹⁶ Luis Perez Aguirre, "El 'Desconocido' Nobel de la Paz o la Conspiracion del Silencio," *La Plaza*, February 1981, 25-6, BN; "Uruguayos Desaparecidos en Argentina," *La Plaza*, August 1980, 12, BN.

Aqui was another weekly publication that appeared during Uruguay's political opening, but further into the transitional period. Thus, it proved to be a bit bolder in confronting the dictatorship. For example, in its first issue in April 1983, writers explained the paper's purpose as assuming a "promise and responsibility" to contribute to the democratization process already underway, and to assist in the search for solutions with truthful and independent reporting. The article openly explained the history of "individual rights" and its hope of transforming fear into liberty through the open discussion of ideas.¹⁷ While focused on the freedom of the press, similar to the earlier weeklies, it also spotlighted the conversations in Argentina regarding the disappeared.¹⁸ In contrast to the other papers that first appeared in 1980 when Argentina was still struggling with human rights violations under a dictatorship, 1983 proved to be different. The country was openly transitioning to a democratic government and discussing accountability for the crimes of the dictatorship. Therefore, without talking directly about issues of human rights violations in Uruguay, *Aqui* continually highlighted conversations of truth and justice regarding the military's disappearances in Argentina. These articles included examining the actions of the *Madres de uruguayos detenidos-desaparecidos en Argentina*.¹⁹ These actions helped expose Uruguayans to possibilities of accountability without directly discussing Uruguay's own plight.

Jaque followed *Aqui*'s creation in the latter transitional period to "contribute to the effort to create a free and democratic press."²⁰ Manuel Flores Silva, the son of former Colorado representative Manuel Flores Mora, founded this weekly after working at *Opinar* for two years. He recognized the importance of a new cultural and intellectual press in these critical years,

¹⁷ "Transformar el miedo en libertad," *Aquí*, 19 Abril 1983, 1, BN.

¹⁸ "La libertad de prensa: un tema que preocupa," *Aquí*, 19 Abril 1983, 7; "Políticos argentinos quieren esclarecer los 'desaparecidos'," *Aquí*, 19 Abril 1983, 15, BN.

¹⁹ "Una avalancha de críticas sepultó al documento military," *Aquí*, 3 Mayo, 1983, 13; "Enérgica respuesta de madres uruguayas," *Aquí*, 10 Mayo 1983, 13; "Reclaman madres uruguayas," *Aquí*, 20 Mayo 1983, BN.

²⁰ "Jaque y Asamblea," *Aquí*, 22 November 1983, BN.

particularly for his younger generation who came of age during the fear and silence of the dictatorship.²¹ The first issue set the parameters of these objectives:

Jaque is not just another weekly that tries to provide an additional layer of commentary. It comes, on the contrary, to fill a gap with a new model and a different message. Because we feel we are natural representatives of a different generation, a generation that was integrated into national life in the darkest moment in the history of the country's liberty. We come from a generation that does not hold resentment but also that does not have the luxury of unrecognized innocence. Our generation arrives without our eyes closed to the reality of politics. A generation which grew up in the eclipse of the rights of speech and assembly. And one that learned to read looking beyond an immediate message between the lines. A generation reclaiming their place and voice. Because there are many things to say.²²

The newspaper discussed various topics in its first few weeks, including the reappearance of a union movement and press freedoms.²³ However, the paper also addressed human rights. For example, in the 9 December 1983 issue, the magazine had a full page spread on the disappeared throughout Latin America, including statistics on Uruguay.²⁴ Then, a week later, in the 16 December issue, an article commemorated International Human Rights Day and the need to return the concept of human rights to the hands of the people. Previously, treaties had been signed and enforced by generals and leaders of countries. This issue of the newspaper argued that it was now time for human rights to be entrusted to the hands of the people who understand the pain of violation.²⁵ It was a powerful call to adopt a domestic approach to the universal conception of human rights protection. While in the past, human rights had at times been understood as moral imperialism, *Jaque* readily embraced human rights as an issue to motivate democratization in

²¹ Author interview with Manual Silva Flores, 24 July 2014, Montevideo, Uruguay. *Jaque* had a circulation of about 16,000.

²² "El País exige una apertura real," *Jaque*, 18-25 Noviembre 1983, 1, microfilm 78.717 reel 155, BN,.

²³ "El Hombre Prevalecerá," *Jaque* (18 Noviembre 1983), 7; "Apoya político e internacional a jornada del PIT," *Jaque*, 18 Noviembre 1983, 6, microfilm 78.717 reel 155, BN,.

²⁴ "Los desaparecidos en Latinoamerica," *Jaque* (9 Diciembre 1983), 6, microfilm 78.717 reel 155, BN,.

²⁵ Alejandro Bonasso, "Día Internacional de los Derechos Humanos," *Jaque*, 16 Diciembre 1983, 8, microfilm 78.717 reel 155, BN.

Uruguay as part of a vision for a better future for the country. This shift exemplified the evolution of a domestic human rights discourse to articulate the people's struggle against the dictatorship.

Between the plebiscite in November 1980 and the elections four years later, over a dozen papers ultimately emerged. However, many of them struggled with how to advocate for democracy against the periodic crackdowns by the military.²⁶ As this chapter will discuss, many of these publications suffered from closures by the military as it attempted to maintain control over the transitional process. However, the mere existence of these publications after years of censorship demonstrates how the press became one of the avenues through which an 'unexpected opening' appeared in Uruguay. Citizens clamored for a space to begin to voice their diverse and tentative opinions about human rights. The social environment was far from being open and free. However, there was an important change. Before the dictatorship began in 1973, papers rarely discussed human rights directly. Now, a flurry of articles surfaced to demonstrate how the emergence of a human rights discourse had become relevant in the prolonged battle to push the government towards a transition to a more democratic society. The tenuous terrain of this reemerging press, however, was not the only sphere in which human rights began to be debated. Other civil society groups also materialized to play a critical role in this project.

The Formation of Human Rights Groups

During the first seven years of military rule, no human rights groups existed openly in Uruguay. While operating in difficult circumstances, active human rights groups did protest against military rule in both Chile and Argentina even during each countries' initial years of

²⁶ Although it is not discussed in detail here, one of the other important papers launched during this period was *La Democracia* in July 1981, a paper aligned with the Wilson Ferreira faction of the Blanco party. Gillespie, 85.

dictatorship, while the nature of Uruguay's repression precluded the possibility.²⁷ Thus, in addition to other forms of popular protest following the plebiscite, civil society's reemergence encapsulated a burgeoning domestic human rights movement which often looked to its regional counterparts for how to organize.²⁸ According to Maria Delgado, defending human rights became one of the first expressions of civil disobedience in Uruguayan society. After such a long time under repressive rule, it was the first type of public protests considered lawful—to a limited extent.²⁹

As explored in Chapters 2 and 3, international human rights groups, such as the Washington Office on Latin American (WOLA) and Amnesty International (AI), provided important momentum for the emergence of an international human rights awareness. Eventually, this awareness extended to the adoption of a U.S. human rights policy. However, while many scholars argue that human rights gained traction in the West and spread to other parts of the world, the groups that emerged in Uruguay relied more heavily on its neighbors for inspiration.³⁰ Uruguayan groups combined a deep historical commitment to Uruguay's own social justice history along with a regional conception of how to protest against military rule.

²⁷ Mara Loveman, "High-Risk Collective Action: Defending Human Rights in Chile, Uruguay, and Argentina," *The American Journal of Sociology* 104 no. 2 (September 1988): 477-525. In Argentina, the Madres de la Plaza de Mayo began marching as early as April 1977, the very first year of the dictatorship. Donald C. Hodges, *Argentina's "Dirty War": An Intellectual Biography* (Austin: University of Texas Press, 1991), 254. Similarly SERPAJ had operated since 1974 in Argentina which was before the dictatorship began, although it became a prominent voice of the opposition to the military government in 1977. Kathryn Sikkink, *The Justice Cascade: How Human Rights Prosecutions Are Changing World Politics* (New York: W. W. Norton & Co, 2011), 63, 67–68.

²⁸ Anna-Karin Gauding argues that: "In Uruguay, more than any other country in Latin America, the process of democratization appears linked to the work of human rights organizations." Anna-Karin Gauding, *Es mejor encender una luz que maldecir la oscuridad: sobre el trabajo de Diakonia por los derechos humanos en América Latina* (Santiago de Chile: Diakonia, 1991), 80.

²⁹ María Delgado, "'So the people can decide': The Experience of the Referendum Against the Impunity Law in Uruguay," (November 1999).

³⁰ Before the 1960s, Loveman explains that there was only one organization in the Southern Cone that was explicitly concerned with human rights, the Liga Argentina por los Derechos Humanos. This group emerged in 1937 in response to the political persecution of an earlier Argentine military rule by José Feliz Benito Uriburu y Uriburu in 1930. Loveman, "High-Risk Collective Action," 479.

One group that emerged in Uruguay became known as *el Grupo de Madres y Familiares de Uruguayos Detenidos y Desaparecidos*.³¹ As early as 1976, groups of women began traveling to Argentina in search of their loved ones who had disappeared in Argentina after the neighboring country experienced its own military takeover.³² In documents relating to organizational history, the founders explain that they had met each other in the desperate search for their sons, brothers, and spouses.³³ In contrast to Uruguay, where organizing political activity was not allowed by the military regime, in Argentina, the government dismissed the women who began to organize in search for their loved ones as “locas (madwomen)” rather than view them as a legitimate threat and put an end to their demonstrations immediately. Scholar Jean Franco explains that the military believed nobody would take a group of “old, tired, and obviously crazy women” seriously.³⁴ The *Madres de la Plaza de Mayo* began marching as early 1977 in Argentina, within a year of the country’s military takeover.³⁵

Both because Argentina allowed for limited protests, and because many Uruguayans had been disappeared in Argentina, Uruguayan women joined with their suffering Argentinian compañeras. Together they presented petitions of habeas corpus, submitted complaints to governments in Uruguay and Argentina and connected with international organizations like the

³¹ Hereafter, I refer to the group as either “Madres y Familiares” or simply, “Familiares” as other authors do because the own members of the group most frequently refer to themselves as “familiares.” Garbiel Bucheli et al., *Vivos los llevaron...Historia de la lucha de Madres y Familiares de Uruguayos Detenidos Desaparecidos (1976-2005)* (Montevideo: Ediciones Trilce, 2005), 7.

³² The group that eventually became known as Madres y Familiares is actually the integration of three separate groups that emerged in the late 1970s as a result of the search for missing and detained relatives. First, el grupo de madres de uruguayos desaparecidos en Argentina, then los familiares residentes en el país de uruguayos desaparecidos en Uruguay, and then, finally, the Asociación de Familiares de Uruguayos Desaparecidos (AFUDE). *Vivos Los Llevaron*, 22.

³³ “Breve Historia del Grupo,” 1989, Carpeta 2, Archivo de Madres y Familiares de los Desaparecidos y Detenidos, Montevideo, Uruguay [Hereinafter Archivo Familiares].

³⁴ Jean Franco, “Gender Death, and Resistance,” in *Fear at the Edge: State Terror in Latin America*, ed. Juan E. Corradi (Berkeley: University of California Press, 1992), 113. Eventually the government of Argentina did recognize the threat this group posed, and some members were also disappeared including Thelma Jara de Cabezas. Letter, Townsend Friedman to Gerald Whitman, 5 December 1980, State Department Virtual Reading Room.

³⁵ Hodges, *Argentina’s “Dirty War”*, 254.

UN, the Red Cross, and Amnesty International.³⁶ During those initial years, complaints from the shores of Argentina were completely ignored within Uruguay where the repression continued through torture, jail, and in some cases, disappearances. No domestic news outlets covered these women's pleas since the press was so heavily censored.³⁷ When Aparicio Méndez announced the plebiscite in 1980, Familiares sent him a note urging for a fair vote and for information regarding the disappeared. The government denied the group's claims in all cases and refused to answer any of its letters.³⁸

After the plebiscite, however, Familiares was able to gain some traction domestically for the first time. The group began to grow in size as it incorporated grandmothers into the movement, and then eventually men as well.³⁹ Human rights, as one madre, Quica Salvia, explained, began as a women's movement but grew as a space for many who were looking for a solution to the state-sponsored violations.⁴⁰ The group also expanded its aims. While members continued to work in Brazil and Argentina to connect its message to international organizations, it also started conversations with the newly reconstituted political parties in Uruguay. In addition, the reemerging domestic press reported about the women's work for the first time, including a list of disappeared Uruguayans.⁴¹ Finally, in 1982, the women created a group within Uruguay, *Familiares de Uruguayos Detenidos-Desaparecidos en Uruguay*, which consolidated with other Madres y Familiares sections from abroad the following year. Among other events that took place that first year in Uruguay, the group participated in a "*Semana del Detenido y Desaparecido*" (Week for

³⁶ "Grupo de Madres y Familiares de Uruguayos Detenidos Desaparecidos," nd, Carpeta 2, Archivo Familiares.

³⁷ Ibid.

³⁸ "Grupo de Madres y Familiares de Uruguayos Detenidos Desaparecidos," Febrero 1988, p1, Carpeta 2, Archivo Familiares.

³⁹ *Vivos los Llevaron*, 28.

⁴⁰ Ibid.

⁴¹ "Grupo de Madres y Familiares de Uruguayos Detenidos Desaparecidos," nd, Carpeta 2, Archivo Familiares, 2; the group also received a Peace and Justice award from SERPAJ in December 1982, "Entragaron Premios Paz y Justicia," *Opinar*, 23 December 1982, BN.

the Detained and Disappeared) in May to protest the growing number of disappearances across the region.⁴²

One of the distinguishing factors about las Madres y Familiares is that both before and after the plebiscite, the group maintained two very specific goals: the search for children and spouses who had disappeared and the release of loved ones who were being held in prison. Women seeking information about their sons and daughters banded together at a time when political parties and political action did not exist. At the time, there were few institutions that could mediate between the state and the individual. Franco notes that the loss of their children transcended the fear of death and moved women from the domestic realm into a direct confrontation with the state. This marked a profound shift from the state being a protector of women, children, and family to one in which the state was seen as the enemy to the very people and values it was once seen as protecting.⁴³ Particularly striking against the all-male military regime, women dominated the organization and exploited the traditional view that mothers were just the “vessels of reproduction.” These women transformed the traditional role of motherhood being a private calling into a more broadly ethical mission. Crossing traditional national and class boundaries, the group provided an alternative public sphere of protest.⁴⁴ The Ford Foundation also noted that by 1980, a “genuine Latin American feminist movement” had emerged in the region, bolstering the efforts of women who were increasingly becoming involved in public life.⁴⁵ Particularly in Uruguay, Ford

⁴² Agrupación de Familiares de Uruguayos Desaparecidos, “Uruguay Desaparecidos,” 1982, p. 3, Carpeta 1, Archivo Familiares.

⁴³ Franco, “Gender Death, and Resistance,” 113.

⁴⁴ Ibid., 116. The gender dynamic in the reemerging democracy extended beyond just female participation in human rights groups. A seminar in 1981 discussed the changing role of women in the public sphere, understanding that the recuperation of democracy provided both challenges to society, but also might allow for women to participate now. “La Mujer y Su Participacion,” *La Democracia* (28 Augusto 1981), Archivo de Centro de Estudios Interdisciplinarios, Montevideo, Uruguay [Hereinafter CEIU].

⁴⁵ Inter-Office Memo, Cornelia Butler Flora to Richard Dye, 31 January 1980, “Recommendations for “A” Status: Proposed FY 1980 Activities on Women and Development,” 3, Grant 080000635, Reel 3701, Ford Foundation, Rockefeller Archive Center, Sleepy Hollow, NY [Hereinafter RAC].

notes that women had been granted benefits in the country for women as part of the Batlle regime at the beginning of the 20th century. Therefore, there was not a strong, pre-existing organizational structure within the country for women to advocate for their rights against the state. However, this situation changed during the dictatorship as the repression increasingly put women in a precarious position. In turn, they were motivated to become more involved in public life to advocate for rights. Women emerged as a strong societal force.⁴⁶

Familiare's goals changed only slightly to include a more expansive vision in 1983. Emboldened by the possibility of forming a partnership with other groups, it took the lead in creating a movement to defend human rights more broadly. Starting in 1983, human rights committees began to form in trade unions and student organizations. With the strong influence from Argentina in Familiare's founding, the group followed Argentina's discursive change as well. Its calls shifted from merely finding out what happened to loved ones to using the phrase "Truth and Justice," which was being sought with some success in Argentina immediately following the demise of the country's military regime. It now seemed possible to advocate for these terms in Uruguay as well.⁴⁷ Even before the last prisoners were released, Familiare began to explain its desire for truth and justice. The group said that if Uruguay was going to try to build a strong democratic foundation, it was necessary to know what happened to the young lives that were lost. The group began to print calls asking both "when?" referring to justice, but also "how and why?" One memo, in particular, went on to explain that this process was necessary to ensure that those who were gone would not be forgotten. The memo also advocated that those who were responsible be brought to justice. Familiare argued that the state should establish that the "use of

⁴⁶ Ibid.

⁴⁷ "Historia del Grupo," 1989, Carpeta 2, Archivo Familiares, 2.

power to torture and kill” contradicted Uruguay’s principles. Justice would help guarantee that such injustice would not happen again.⁴⁸

Familiares was not the sole organization that began to organize abroad, only to expand into Uruguay after the plebiscite.⁴⁹ SERPAJ also played a key role in forming the beginnings of a domestic human rights movement in Uruguay. Its vision was more expansive, but one that also encapsulated the central principles of truth and justice. Led by Luiz Pérez Aguirre, a small group of activists began to organize after the plebiscite to open a branch of SERPAJ in Uruguay.⁵⁰ Pérez Aguirre was a young Jesuit priest who had actually been one of the founders and early writers for *La Plaza*. Although he came from a prestigious and wealthy family, he decided early in his life that he aspired to deeper fulfillment to help address the suffering that he saw around him. This led him to enter a Jesuit seminary. He was ordained in Uruguay in 1970 and began his work with university students and prostitutes. By the latter part of the decade, he wanted to work more directly against the suffering that the military government caused among the population. Pérez Aguirre started work at *La Plaza* to write freely about what was occurring in the country.⁵¹ After covering the work of Esquivel in SERPAJ-Argentina for the magazine, he began to discuss how to found an Uruguayan branch of the organization.⁵²

SERPAJ-Argentina had already been involved in Uruguay’s human rights plight since it began receiving appeals as early as 1979 to help with cases of Uruguayans who disappeared in

⁴⁸ “Denuncia,” 1984, Carpeta 2, Archivo Familiares.

⁴⁹ Minutos, Comité Ejecutivo, 23 Febrero 1987, Archivo de SERPAJ, Montevideo, Uruguay [Hereinafter Archivo SERPAJ]. In this memo, the group explained that the sole purpose of Madres y Familiares was the fight for truth and justice, while acknowledging that other groups had more expansive visions. The group acknowledged that at the time, it would be useful to integrate their organizations.

⁵⁰ SERPAJ – Latinoamérica was founded in 1974.

⁵¹ Lawrence Weschler, *A Miracle, A Universe: Settling Accounts with Torturers* (Chicago: University Of Chicago Press, 1998), 154.

⁵² Carta, Esquivel a Aguirre, 8 Junio 1981, Archivo SERPAJ.

Argentina.⁵³ By 1981, after discussions with Pérez Aguirre and others working in Buenos Aires, Esquivel offered external support in founding SERPAJ in Uruguay, even though the situation in Uruguay was still very dangerous. As Pancho Bustamante, one of the earliest members of the organization recalled, many people thought “that we were completely crazy” for opposing the military outright.⁵⁴ Many of the group’s founders persevered and SERPAJ became the first national organization to publicly oppose the military violence on human rights grounds. Aguirre noted in October 1981 that the government was “watching us closely” as the group worked to establish a presence within the country.⁵⁵

Due to the repressive environment in Uruguay, SERPAJ was careful in how it articulated its mission. SERPAJ promoted a broad vision of human rights, not directly challenging the military at first. In *La Plaza*, Aguirre continued to write to explain the goals of his new organization. He described human rights broadly and the week SERPAJ launched, Aguirre wrote a long article about the rights of the disabled and the UN mission to help in the quest to bring disability rights visibility.⁵⁶ Furthermore, *La Plaza* published a letter from Esquivel describing SERPAJ as helping those who were poor and most in need.⁵⁷ Another article in the same edition went on to explain SERPAJ in more detail, touching upon the mission of the organization, which sought to affirm respect for human rights, to search for the promotion of these values, and to defend all against human rights violations.⁵⁸ As a result, SERPAJ emerged on the scene attempting to cautiously promote the idea of broad human rights values. Many members who worked at SERPAJ

⁵³ Monique Brunier a SERPAJ-Argentina, 1979, Carpeta 14, Archivo Familiares.

⁵⁴ Author interview with Pancho Bustamante, 11 September 2014, Montevideo Uruguay.

⁵⁵ Carta, Aguirre a Esquivel, 25 October 1981, Archivo SERPAJ, Montevideo Uruguay.

⁵⁶ Luis Perez Aguirre, “Su Atencion Por Favor...” *La Plaza*, August 1981, 25-6, BN

⁵⁷ “Honrosa Actitud Distincion,” *La Plaza*, August 1981, 29, BN

⁵⁸ “Acerca del Servicio Paz y Justicia,” *La Plaza*, August 1981, 29-30, BN

during those initial months noted that the repression in the country made it difficult to organize even as they advocated for a general moral platform.⁵⁹

However, SERPAJ began to take cautious steps to begin to address the Uruguayan human rights situation in relation to the dictatorship. For example, while it was very careful to define human rights broadly as defending the right to life, the right to health, socio-economic rights, and political-cultural rights, SERPAJ also articulated the right to be free from torture and political imprisonment.⁶⁰ To counter claims of subversion, SERPAJ also defined its mission very specifically as a service, and not a movement with any political leaning.⁶¹ This careful positioning carried over into SERPAJ's first public actions, which were geared to organize a day of support for families of the Uruguayans who were disappeared in Argentina, noticeably not in Uruguay. This led to other churches organizing days of support for peace in El Salvador, against war in the Malvinas, and for a broad call not to kill "with hunger or bullets."⁶² These actions were not aimed at the dictatorship, but rather sought to position the group as a broader peace movement. In this respect, SERPAJ became a symbol of a reviving civil society sector and a place for individuals to begin to gather and speak against what was happening in their own nation. It tested what the military dictatorship would allow in the post-plebiscite period while simultaneously trying not to directly incur the wrath of the dictatorship.

Within a few months, though, Perez Aguirre began to speak and write more publicly about Uruguay's own human rights problems. He urged national reconciliation where justice could help form a true peace in the country.⁶³ By 1983, Aguirre explained in an interview that SERPAJ had

⁵⁹ Olivera, "Sigue valiendo la pena," 5.

⁶⁰ Memo, "Rogamos la Difusion Urgente," 10 Diciembre 1981, Archivo SERPAJ; JFB, "La Voz de los que no tienen voz," *La Plaza*, Diciembre 1981, 17, BN.

⁶¹ Memo, "Breve Informe Pasa el Sr. Adolfo," 15 Octubre 1981, Archivo SERPAJ.

⁶² Olivera, "Sigue valiendo la pena," 7.

⁶³ "Se agrava la Situación de los Derechos Humanos," *Opinar*, 23 Diciembre 1982, Folder 31, Waksman Colección, CEIU; Luis Pérez Aguirre, "El guerrero y la paz," *La Plaza*, Marzo 1982, BN.

different foci within the organization: one on political prisoners, one to support the families of the disappeared, and another to approach union issues.⁶⁴ SERPAJ took the lead in denouncing the torture of university students; soon thereafter Aguirre also led a fast to protest the torture of political prisoners in the country. This protest was not joined by other religious leaders in the country and put SERPAJ squarely in the national consciousness as standing up to the government.⁶⁵ In this way, the organization began to narrow its focus from a broader list of rights within a peace movement to advocating for the resumption of a specific set of rights based on countering the repression of the dictatorship. This shift revealed both the basis for the emergence of a human rights discourse under a broad banner in Uruguay, but also the specific application of how groups would focus on utilizing the term to advocate for change during this transitional period.

Another important group to emerge during this period was the *Instituto de Estudios Legales y Sociales* [Institute for Legal Studies (IELSUR)]. Although the group was officially founded in 1984, it had begun its work a few years earlier as a small group of progressive lawyers who were frustrated by the unwillingness of the Uruguayan Colegio de Abogados to work for the legal defense of human rights abuse victims.⁶⁶ Many of the lawyers were younger and had graduated from law school wanting to make a difference, particularly by helping the large number of political prisoners within the country.⁶⁷ It was modeled after CELS in Buenos Aires that had emerged in 1979 to foster and protect human rights. CELS focused on investigating the disappeared, providing legal help to the families of the disappeared, and documenting the terrorism of the state. One Ford Foundation officer, Margaret Crahan, believed that CELS was “doing the most important human

⁶⁴ Entrevista al Padre Luis Pérez Aguirre, *Dialogo*, June 1983 in *Aportes*, August 1983, 27, Folder 1, Colección Jesus Betancourt, CEIU.

⁶⁵ Weschler, 155-5; Oscar Mazzeo, *Memorias del Voto Verde* (Montevideo: Rosebud Ediciones, 1999)

⁶⁶ Louis Bickford, “Human Rights Archives and Research on Historical Memory: Argentina, Chile, and Uruguay,” *Latin American Research Review* 35, no. 2 (2000): 178.

⁶⁷ Author interview with Jorge Pan, 21 August 2014, Montevideo, Uruguay.

rights legal work...and is highly effective.”⁶⁸ IELSUR attempted to follow CELS’s lead by clarifying the fate of the disappeared in Uruguay. However, the group also sought a more diverse range of activities that reflected the particularities of Uruguay’s dictatorship. For instance, it focused on advocating to release the remaining prisoners, repealing the nation’s repressive laws, and winning amnesty for political prisoners and exiles.⁶⁹

During those initial years, IELSUR also worked abroad in attempts to discover what had happened to the many Uruguayan nationals who had disappeared in other Southern Cone countries during the dictatorship, particularly in Paraguay, Chile, Argentina, and Brazil.⁷⁰ The group’s legal claims would expand dramatically after the country transitioned to democratic rule, but during those first years, it worked with SERPAJ and Las Madres to begin to advocate for a set of rights that the dictatorship had denied the population.⁷¹ Similar to the other civil society groups that emerged in the initial years, the organization was born out of a human rights ideal that focused on promoting the human rights of current or former political prisoners, a set of rights that required robust advocacy efforts in the transitional phase. The gender dynamics of IELSUR differed from those of the other groups. Familiares was dominated by women; SERPAJ was led by a man but four of the thirteen founding members were women, whereas only one woman was on the staff of IELSUR, a political scientist and not a lawyer when the group was primarily a legal organization.⁷²

Each organization played a different and critical role during this period, emerging and growing at various points before the formal transition occurred. However, there are a few

⁶⁸ Unpublished Report, Margaret Crahan, “Human Rights in Latin America: Report on 11/26/82-12/11/92 trip to Peru, Chile, and Argentina,” Report #008234, Box 349, Ford Foundation, RAC.

⁶⁹ Letter, IELSUR to A. Gridley Hall, 8 Diciembre 1984, Grant 08550674, Reel 5703, Ford Foundation, RAC

⁷⁰ Author interview with Martin Prat, 19 August 2014, Montevideo Uruguay.

⁷¹ Author interview with Jorge Pan, 21 August 2014, Montevideo, Uruguay.

⁷² “Breve Informe para el Sr. Adolfo Alencastro,” 15 October 1981, Archivos de SERPAJ; Inter-Office Memorandum, A. Gridley Hall to William D. Carmichael, “Delegated Authority Grant,” 20 May 1985, Grant 08550674, Reel 5703, Ford Foundation, RAC

fundamental similarities among these three main civil society groups in the initial period after the plebiscite. First, they were all profoundly influenced by other regional human rights groups. While Argentina, Brazil, and Chile had all suffered under similarly repressive dictatorships, the three countries also had a substantial domestic human rights presence prior to Uruguay's November 1980 plebiscite. Therefore, after the space opened for a domestic rebirth of civil society in Uruguay, these countries provided the most important models and, at times, organizational support to Uruguay's own burgeoning human rights movement. Scholars are now beginning to study this dissemination effect, drawing strong connections in the flow of ideas and inspiration to mobilize national movements.⁷³ In Uruguay, it appears clear that this occurred at a regional level. Thus, the most important connections and influencers were not distant international actors, whom many Uruguayans, particularly on the left, often viewed with suspicion. Rather, other regional actors had a stronger human rights presence throughout the years of their own dictatorships that provided a model for Uruguayans.

Second, the human rights discourse of the initial period had a very specific and coherent focus, which centered on discussions of torture, political imprisonment, and disappearances. This coherence emerged from the conditions on the ground and the narrow opening that the plebiscite provided for civil society. Whereas political parties were forced to negotiate with an intransigent military, these groups began utilizing a narrow but coherent language of human rights.

Third, all three groups included general and unrestricted amnesty for political exiles and political prisoners as an aspect of their early advocacy goals. Although considered to be outside the list of rights that had begun to characterize a domestic, explicit emergence of human rights language, amnesty proved to be important to civil society actors' early goals. For example, in one

⁷³ Scott Mainwaring and Aníbal Pérez-Liñán, *Democracies and Dictatorships in Latin America: Emergence, Survival, and Fall* (New York: Cambridge University Press, 2014), 212.

of the early meetings of Familiares in Uruguay, the group explained that its objective was to obtain truth and justice with respect to the disappeared, to punish those responsible for the disappearances, and also to ensure that those still in prison received general and unrestricted amnesty.⁷⁴ Similarly, Pérez Aguirre, writing in *La Plaza* as the leader of SERPAJ, reiterated the idea that amnesty was necessary as part of the country's transition to reconciliation and peace. He asked the country for its "hand to fight together for these goals that are necessary and noble."⁷⁵ Aguirre also led SERPAJ to sign a public letter in 1982 to ask President Álvarez for amnesty for political prisoners.⁷⁶ In organizing during those early years, SERPAJ consistently included amnesty for those still in jail as an important component of its primary goals, citing its "hope that amnesty would serve as a base for reconciliation for all."⁷⁷

Thus, amnesty for political prisoners was a critical aspect of civil society demands for transition. Subsequently, it influenced later debates over the amnesty law for the military that was passed in 1986. The significance of the term amnesty shifted over the course of the transitional decade. During the period of civil society's rebirth, amnesty was invoked in its more traditional interpretation, relating to forgetfulness or oblivion. These organizations hoped that the false accusations that had kept so many Uruguayans in prison over the course of the dictatorship would, indeed, be forgotten or cleared.⁷⁸ What became discursively challenging a few years later was when the government invoked amnesty for the military, requesting the same treatment of the military's much more extensive list of human rights violations. In this sense, the new democratic

⁷⁴ "Actividades del Grupo de Familiares de Desaparecidos en Uruguay," April 1983-March 1984, 5, Carpeta 1, Archivo Familiares.

⁷⁵ Luis Pérez Aguirre, "Año nuevo: entre la frustración y la reconciliación nacional," *La Plaza*, January 1982, 31, BN.

⁷⁶ Janet Sommerville, "Canadians Speak Out for Threatened Uruguayan Jesuit," *Catholic New Times*, 3 October 1982, 12, Folder 2, Colección Ponce de León-Vilaró, CEIU.

⁷⁷ "Perez Esquivel," Folder 31, Colección Waksman, CEIU.

⁷⁸ Renée Jeffery, *Amnesties, Accountability, and Human Rights* (Philadelphia: University of Pennsylvania Press, 2014), 4-5.

government equated the crimes of the Tupamaros with those of the military dictatorship. Amnesty for the military would be a way for the armed forces to evade accountability for crimes that had occurred during the long period of military rule. As a result, amnesty became a contested term that influenced the direction and values of the new democracy. Prior to 1986 though, amnesty still held the unique quality of erasure, which is the way in which civil society groups invoked the term for those political prisoners still in prison. Therefore, amnesty became a central organizing feature that played a role in the emergence of a domestic human rights movement.

International Support

While these groups received substantial ideological support from other human rights movements in the region, international philanthropic organizations, like the Ford Foundation, began to financially support Uruguayans who were working towards a transition. Sociological research on resource mobilization explains that access to external funding is crucial to explain when and why social movements emerge. In this case, Uruguay is no exception.⁷⁹ Therefore, it is important to explore how the Ford Foundation became a particularly important institution in Uruguay during this period.

Ford's first experience working with Uruguay began in 1978 when it commissioned a report on the high rate of physician imprisonment. In this case, as described in Chapter 2, the Uruguayan military stonewalled attempts by the Foundation to investigate conditions on the ground. Attempts to fund groups in Uruguay were met with fear from lawyers and activists. Following the plebiscite, however, Ford finally made some headway in working with domestic groups.

⁷⁹ Loveman, 495.

November 1980 was around the same time that human rights became one of six major programmatic themes of the foundation.⁸⁰ In Latin America, the organization first supported an explicit human rights grant in 1981 when Ford offered a grant to Howard Wiarda for research on “cross-cultural conceptions of human rights in the United States and Latin America.” His work explored the “meaning of political and human rights in Latin American society and the different interpretations of fundamental terms such as representation, participation, and democracy in Latin America and the United States.”⁸¹ While the project did not specifically conduct research in Uruguay, Wiarda’s work was one of the first explicit projects that illustrated the Ford Foundation’s emerging emphasis and focus on human rights in the region.

Soon thereafter, Ford also began to directly fund projects in Uruguay related to human rights. The *Centro de Informaciones y Estudios de Uruguay* [Center of Information and Studies of Uruguay (CIESU)] received the first grant. CIESU was a group of social scientists that investigated women’s participation in the labor force as well as public policies that impacted women’s position in society. Women had been imprisoned at lower rates than men during the dictatorship, but were often forced to become the primary breadwinners and take on the economic burden for the household.⁸² CIESU sought to study the effects of this phenomenon. The grant supported the work of the organization for three years, at which time the Foundation Ford’s Lima office began to search for a more expansive approach to the human rights situation in the country.

Ford began by writing a report which began to explore Uruguay’s transition. It argued that the Foundation’s efforts in the country should focus on “a broader, long-term approach to human

⁸⁰ Ibid., 61.

⁸¹ “Rockefeller Foundation Humanities Fellowships,” 1 April 1981, Folder 398, Box 33, Record Group 3.2, Series 911, RAC.

⁸² Inter-Office Memo, Susana Lastarria to William Saint, 29 December 1983, “Final Evaluation,” Grant 08550674, Reel 5703, Ford Foundation, RAC

rights problems that would permit [human rights groups] to continue to play a useful ‘watchdog’ role after power was transferred back to civilian authorities.”⁸³ Ford found that IELSUR met this criterion. IELSUR’s work centered on defending the rights of former political prisoners, former public employees dismissed by the military government for political reasons as well as the mentally handicapped. Thus, IELSUR provided an opportunity for Ford to offer critical support to the resurgent civil society movement in the nation. Ultimately, Ford’s support for IELSUR and CIESU demonstrated the shift in the Foundation’s priorities as information emerged about the repressive practices in the region. In Uruguay prior to the plebiscite, Ford was less able to contribute to the country, since so few civil society forces existed. As a result, Ford waited until after the November 1980 plebiscite to focus its philanthropic energies on strengthening and encouraging democratic possibilities. In this way, the Foundation proved critical to providing financial support during a period of human rights emergence in Uruguay.

The Student Movement and Unions

Along with the emergence of various human rights groups, the labor movement resurfaced under the new name of *Plenario Intersindical de Trabajadores* (PIT). Furthermore, the military allowed a new student movement to form, the *Asociación de Estudiantes de la Enseñanza Pública* (ASCEEP).⁸⁴ Both had been proscribed during the military dictatorship and their reemergence proved important to restarting a broad civil society movement.

Unions saw an opening after the plebiscite when the military passed a 1981 law which granted unions the possibility of operating as long as they received governmental approval.

⁸³ Inter-Office Memorandum, A. Gridley Hall to William D. Carmichael, “Delegated Authority Grant,” May 20, 1985, Grant 08550674, Reel 5703, Ford Foundation, RAC.

⁸⁴ Eventually, the union would change its name to reflect its earlier history and become the PIT-CNT.

However, initially approval was difficult to obtain, and only a few were able to cross that threshold. In addition to the problems with receiving approval, the military passed a series of other restrictions, which included prohibiting anyone who had held a union post prior to 1973 to assume a leadership position. Unions resumed activity, but ultimately did little to follow these strict rules. In the first protest since the early years of the dictatorship, the unions organized a May Day demonstration in 1983 to push towards democratization. This first major public action was organized under the banner of 'peace and freedom,' where over 100,000 demonstrators gathered, representing forty-eight reorganized unions. The unions called for an end to the aggression and injustice within the country, and union leaders declared the event to be an historic success.⁸⁵ The large numbers of protesters helped to establish the importance of unions as a force within civil society. Subsequent demonstrations were held in September for "freedom, jobs, higher wages, and amnesty."⁸⁶ The unions revived many of their old demands such as higher wages and more jobs. However, these unions now also included a unique anti-dictatorship bent including a call for amnesty for imprisoned comrades. The groups also advocated for "freedom," vaguely defined but widely understood as freedom to organize, to participate in union activities, and to speak out against the dictatorship.⁸⁷

One of the most important unions to resurface during this period was the student movement, ASCEEP. This group replaced the old *Federación de Estudiantes Universitarios del Uruguay* (FEUU). Since the University had been an active site for organizing during the 1960s and 1970s, the military government had taken control of the university during its rule, purging

⁸⁵ "El Movimiento sindical uruguayo: un balance del '83 y una visión para el '84 a cargo de su dirigencia," *Aquí*, 14 Abril 1984, 3.

⁸⁶ Carlos Llanos, "Libertad, Trabajo, Salario, Amnistia," *Jaque*, 16 December 1983, 14.

⁸⁷ Robert J. Alexander and Eldon M. Parker, *A History of Organized Labor in Uruguay and Paraguay* (Westport, Conn.: Praeger, 2005), 76.

professors, banning the student union, and controlling the educational agenda and budget. ASCEEP announced its founding in April 1982 as a way to unite students after the “individualism and silence of dictatorship.” In addition, ASCEEP sought to fight against the “the lack of autonomy” that characterized the university under the dictatorship.

The new student movement differed from other groups that were reorganizing out of the wreckage of repression. Political parties and most other unions had leadership from the period prior to the dictatorship that now stepped back into prominent positions. The student movement, however, was comprised of entirely new individuals, a younger generation who had grown up largely under the cloud of dictatorship. The group joined other movements organizing events to pressure the dictatorship for change. Yet, it also focused on solutions to problems within the university and bringing a student perspective to the university administrators.⁸⁸ As one prominent member of the student movement explained, “first clandestinely and then through legal spaces that we had reconquered, we questioned the intervention [of the military in the university system] and little by little we opened up more spaces for participation.”⁸⁹

The student movement proved to be an important constituency that continued a strong worker alliance to advocate for the end of the dictatorship. Nevertheless, it proved to be less focused on justice for past issues and much more centered on university reforms after such a long period of military intervention. Its two main goals from the outset centered on winning amnesty for those still imprisoned and achieving democratic education free from the hold of dictatorship.⁹⁰ In its materials published and distributed around the university, ASCEEP explained its goals in the initial years as a long list, including the fall of dictatorship, general and unrestricted amnesty,

⁸⁸ “Enseñanza y Dictadura,” CNT Uruguay, Noviembre 1983, Folder 6, Colección Ponce de Leon, CEIU.

⁸⁹ Vertiente: Boletín del Frente Independiente Universitario, 1984, Colección Gustavo Olmos, Archivo General.

⁹⁰ “ASCEEP: Histórica semana estudiantil,” *Convicción*, 6 October 1983, Folder 6, Colección Ponce de Leon, CEIU

liberty for all political prisoners, information on the disappeared, free return of exiles, justice for all those that committed crimes against humanity, dismantling of repressive apparatus, reinstatement of all those who had been dismissed for political reasons from the university, civilians to be tried in civilian courts (not military ones), open elections, and freedom of press. Reinvigorating the union-student alliance from the 1960s, the group also pushed for workers to unionize, have health services, and find solutions to the social security problem. Economically, it sought to remove Uruguay from World Bank economic pressures, to allow for civil society to participate in decisions with respect to the national economy, and to redistribute the wasteful security and defense budgets to health and education. With this lengthy list of goals, the ASCEEP focused most explicitly on education reform, advocating for no private universities, opening a school of fine arts, and reclaiming the autonomy of the university.⁹¹ While the group protested and wrote pamphlets declaring the importance of all these issues, one of the more successful events occurred in September 1983. ASCEEP organized a week-long conference to commemorate the statute that had granted the university autonomy twenty-five years earlier, highlighting the contrast the current military control. The conference ended in a march, which was estimated to have 60,000 protesters. The strength of these events demonstrated the resurgence of the student movement after having been thoroughly targeted during the early years of the dictatorship.

The revival of both the unions and the student movements revealed the strengthening of civil society during the initial years after the plebiscite. The military government felt increasing pressure as the human rights groups worked alongside unions and the student movement to push for a transition back to democratic rule. What is most significant though is the discrepancy in these groups' understanding of human rights. At a basic level, the student movement, unions, and human

⁹¹ "Fundamentacion de la posicion sobre concertacion," 1984, Caja 2, Coleccion Gustavo Olmos, CEIU.

rights group were all working for a transition. However, whereas the human rights groups focused on eliminating political imprisonment, torture, and disappearance, the unions and student movement had much broader concerns that were equal in weight or exceeded the narrow emphasis of the human rights groups. Although the goal of a transition transcended these discrepancies in the initial years, below the surface, fundamentally different ideas existed about what constituted human rights. What banded them together in the early 1980s was a common enemy: the enduring repression of the dictatorship.

Crackdown

Even as civil society emerged from a variety of sectors to challenge the government, the military's continued crackdown often stymied substantial progress.⁹² Americas Watch reported that in the first year after the plebiscite, the torture and poor conditions in prisons persisted.⁹³ Despite the fact that the military had re-legalized political parties and called for internal party primaries in 1982, the former top leaders of both the Blancos and Colorados remained proscribed from running for internal leadership positions.⁹⁴ Voting occurred in November 1982. Despite these restrictions, anti-military candidates running in both the Blanco and Colorado parties received approximately 77 percent of the vote.⁹⁵ As the results came in, hundreds of people streamed out onto the main street of 18 de Julio to celebrate the victory.⁹⁶ Gillespie explains that "the clear message of the primaries was an even greater rejection of the regime than in the plebiscite held

⁹² Enrique Mazzei and Graciela Prat, "El Movimiento Pro-Referendum en Uruguay, 1986-1987," *Ciencias Sociales* 4 (1990), 30.

⁹³ "Critique of the U.S. State Department's 1981 Report on Human Rights Practices in Uruguay," Draft Report by Americas Watch, February 1982, Box 12, Series IV.3, AIUSA

⁹⁴ Many individuals were not allowed to participate in this vote. First, the Frente Amplio was banned as a political party; only Colorados and Blancos ran. Second, Wilson Ferreira was also not allowed to run within the Blanco camp. Therefore, the military tightly controlled these elections. Weschler, *A Miracle, A Universe*, 153.

⁹⁵ Henry Finch, "Democratisation in Uruguay," *Third World Quarterly* 7, no. 3 (July 1985): 598.

⁹⁶ "Domingo de noche: un pueblo de fiesta," *Opinar*, 2 December 1982, 15, BN.

two years previously.”⁹⁷ Instead of prompting a quicker transition, it only served to further reinforce the military’s recalcitrance. The military wanted to maintain control.

Rodney Arismendi, a leader of the Communist Party in Uruguay, noted that despite General Alvarez’s public avowals that the military wanted to open up a conversation with the country about Uruguay’s future, “a dialogue was not possible...while the military was threatening the people and practicing repression... disappearances, torture, and censorship.”⁹⁸ The military used all means possible to appear stronger than it actually was in order to gain the upper hand in the negotiations and keep a semblance of control over the nation.⁹⁹

One example of the military asserting its authority became evident when the military increased censorship. This began as early as April 1981 when the military closed *Opinar* for four weeks after the paper published two articles calling for elections and criticizing the armed forces.¹⁰⁰ Shutdowns increased as self-censorship by the press declined. The military temporarily shut down a dozen newspapers and magazines including *Jaque*. The military closed others such as *La Plaza* permanently. At first, the military had just temporarily shut down the paper after Aguirre published an article on the human rights implications behind the murder of Oscar Romero in El Salvador.¹⁰¹ *La Plaza* received a final notice to close after it called for political amnesty of political prisoners in Uruguay.¹⁰² Other papers were closed for mentioning banned politicians, criticizing government policies, or asking questions about the nations’ disappeared.¹⁰³ Weeklies had to be approved by the military before they could be sold, although a number of issues were rejected

⁹⁷ Gillespie, *Negotiating Democracy*, 95.

⁹⁸ “Informe a Rodney Arismendi,” 5 Octubre 1981, Folder 57, Waksman Colección, CEIU.

⁹⁹ Rodney Arismendi, “Opiniones de un Presente,” Febrero 1982, Folder 141, Waksman Colección, CEIU

¹⁰⁰ Edward Schumacher, “Uruguay Editor Is Taking Lead As Army Critic,” *New York Times* (31 May 1981), 11.

¹⁰¹ “Mons. Oscar Arnulfo Romero,” *La Plaza*, April 1982, 15-21, BN.

¹⁰² Luis Pérez Aguirre, “Año Nuevo: Entre La Frustracion y la Reconciliacion Nacional,” *La Plaza*, January 1982, 29-31, BN; “La libertad de todos los presos políticos es una cuestión de principios,” *Aportes*, August 1983, 3-4, Folder 1, Jesus Betancourt Colección, CEIU; Gillespie, *Negotiating Democracy*, 115.

¹⁰³ *Ibid.*

before they went to press.¹⁰⁴ The Committee to Protect Journalists (CPJ) wrote to UNESCO to protest the closures of *Cinco Días*, *Tribuna Amplia*, *Somos Idea*, and *Convicción*. In the complaint, the CPJ explained that the dictatorship still enforced decrees forbidding “news reports or media commentary about political activities, attacks on the morale of the armed forces, news coverage of politically banned persons, reports on strikes, rallies or trade union activities, and any direct or indirect criticism of the government.”¹⁰⁵ During this period, the military proved willing to arrest and imprison editors or journalists.

The military also targeted the emerging human rights organizations in the country. From its founding, SERPAJ had grown increasingly bold in calling attention to human rights abuses in the country. Members of the group denounced the torture of twenty-five detained youths and went on a hunger strike to shine the spotlight on human rights abuses.¹⁰⁶ In April 1983, *El País*, the national newspaper that was largely controlled by the military, published an article accusing SERPAJ of being a “very suspicious organization with deceitful aims.”¹⁰⁷ Despite SERPAJ’s attempts to counter the claims, shortly thereafter the military closed down SERPAJ’s office and confiscated much of its materials. Most of the organization’s files were destroyed and never recovered. From this point forward, SERPAJ was forced to operate clandestinely until after the transition.¹⁰⁸

The head of SERPAJ, Father Luis Pérez Aguirre had been confronted with the “wrath of the dictatorship” since SERPAJ’s beginning. He was arrested and imprisoned multiple times for

¹⁰⁴ Edward Schumacher, “Uruguay Public Discontent Spurs Crackdown on Dissent,” *New York Times*, 16 January 1984, A1.

¹⁰⁵ Letter, Barbara Koepfel to Karel Vasek, 13 July 1984, Folder 4, Álvaro Barros Lémex Colección, CEIU.

¹⁰⁶ Jeffrey Klaiber, *The Church, Dictatorships, and Democracy in Latin America*: (New York: Orbis Books, 1998), 117.

¹⁰⁷ ““Paz y Justicia” aclara conceptos,” *Aquí*, 3 May 1983, 9, BN,.

¹⁰⁸ Bickford, “Human Rights Archives and Research on Historical Memory: Argentina, Chile, and Uruguay,” 176–7.

his involvement with the organization.¹⁰⁹ SERPAJ also struggled with external funding for the same reason. Many citizens were fearful of being arrested and tortured for accepting international money, which was viewed with suspicion by the highly nationalist military. As opposed to Chile, where money funneled in through the church acted a moral shield, SERPAJ's founders did not want to risk their safety by accepting international assistance during those initial years.¹¹⁰ Human rights groups were particularly vulnerable to the military's abuses. As political scientist Alexandra Barahona de Brito notes, although the regime in Uruguay lost the plebiscite in 1980, the victory was unexpected for everyone, which meant that opposition parties did not have the time to develop an inter-party practice of human rights defense in cooperation with the nascent human rights organizations.¹¹¹ In this initial transitional period, each group acted alone to protect themselves against the armed forces.

The reconstituted student movement and labor unions also faced harassment by the military as it attempted to reassert control.¹¹² Soon after, the May Day protest in June 1983, the military detained and tortured several dozen protesting university students.¹¹³ In addition, the military re-arrested members of the Communist Party of Uruguay (PCU). For example, Juan Acuna was a former member of the PCU, who was held in prison for his membership in the Party from 1977-1980. Although he was released in 1980, he was re-arrested in March 1983 with his wife and mother-in-law as part of a general crackdown. He is only one example of many during this period

¹⁰⁹ Comité de Defensa de los Derechos Humanos en Uruguay, Letter to Supporters, 7 September 1982, Toronto, Canada, Carpeta 25, Daniel Waksman Colección, CEIU,.

¹¹⁰ Loveman, 506-7, Gauding, 87.

¹¹¹ Alexandra Barahona de Brito, *Human Rights and Democratization in Latin America: Uruguay and Chile* (New York: Oxford University Press, 1997), 82.

¹¹² "Manifestación: repercusión sindical," *Aquí*, 15 November 1983, BN.

¹¹³ Weschler, *A Miracle, A Universe*, 153.

of negotiation and supposed transition where individuals were re-incarcerated and tortured for political reasons.¹¹⁴

The contradiction of the political aperture with continued repression was captured in a letter by Ema Julia Massera, the daughter of imprisoned mathematician José Luis Massera. In 1982, she wrote to a professor who was helping garner international pressure to petition the Uruguayan government to release her father. She described the domestic situation, explaining that while some openings have emerged, “more censorship appears...with violent repression of various opposition groups, closing of newspapers, etc. and within prisons, this is manifested with brutal treatment like, my father who endured three attacks earlier this year.”¹¹⁵ A recent book puts this period in perspective. It argues that although many academics write about 1980-1985 as a period of transition, the true nature of a transition is questionable since the military’s repressive apparatus was largely still in place and hundreds of Uruguayan citizens were still being tortured and detained.¹¹⁶

Negotiations Stalled

Paired with the crackdowns were further setbacks in negotiations to find a political path to return the government to civilian rule. By late July 1983, three months of talks at the Parque Hotel collapsed amid disagreements over national security and continued crackdowns. The Blancos and Colorados had submitted a list of conditions for the talks to continue, which included allowing more political involvement, opening the press, and trade union freedoms. Meanwhile, the military’s demands had hardly shifted from the 1980 plebiscite. Its proposals included keeping the

¹¹⁴ Urgent Action, “Juan Acuna, Health/Legal Concern,” 23 March 1983, Folder 46, Box 269, AIUSA.

¹¹⁵ Letter from Ema Julia Massera, 14 March 1982, Box 23, Folder I, Massera Collection, Archivo General.

¹¹⁶ Autores Anónimos, *Gol del pueblo uruguayo* (Digitalgraf, 2013), 38–9.

National Security Council, allowing the president to declare a state of subversion, holding suspects for fifteen days without trial, and incorporating military judges into the judiciary.¹¹⁷ Unable to bridge the gap amidst continued arrests of politicians, the parties felt obliged to withdraw in protest. The hope for progress dissolved yet again.¹¹⁸

By the end of 1983, few advances had been made towards the transition. For almost a year after the Parque Hotel talks failed, any attempts to return to a formal negotiation process were thwarted by an unwillingness on both sides to agree on the terms of discussion. This difficulty was evident in some of the more prominent and contradictory cases of political imprisonment. For example, Liber Seregni, the leader of the Frente Amplio who had been in jail for nine years of the military dictatorship, was released in March 1984. Upon his release, he called for all sides to come together for a negotiated transition. While this seemed like a positive improvement, the military then turned around to arrest former Blanco leader, Wilson Ferreira, soon after his return to Uruguay. In June 1984, the former leader of the Blanco party came back to his home country with his son following eleven years of exile. Awaiting his ferry from Buenos Aires was a large group of supporters and journalists. Upon stepping onto the Uruguayan shores, the two men were immediately imprisoned. The elder Ferreira was charged with aiding the Tupamaros and inviting foreign intervention by criticizing the military.¹¹⁹ For most of the dictatorship, any public references to his name or references in newspaper articles had been prohibited. In addition, the military proscribed him from participating in politics. This latest arrest was the final straw. Ferreira's imprisonment stymied attempts at negotiation. Members of his party pulled out of the

¹¹⁷ Gillespie, 117.

¹¹⁸ *Ibid.*, 119.

¹¹⁹ Urgent Action 154/84, "Legal Concern," 18 June 1984, Folder 46, Box 269, AIUSA.

negotiations until the military would release him from prison.¹²⁰ The push and pull of these advancements and setbacks continued to occur throughout this period.

Amid these setbacks, the Uruguayan economy faltered. Right before the primaries in 1982, the peso collapsed in value.¹²¹ From 1982-1983, GDP fell by 14 percent and inflation exceeded 50 percent in 1983.¹²² This caused the population to further lose faith in the military and its economic project, compounding an already mounting frustration.

The stalled talks ultimately produced paradoxical results. On the one hand, civil society actors grew more emboldened as the intransigence of the military became evident. On Independence Day, 25 August 1983, Montevideans staged a *caceroleo*, a coordinated banging of pots and pans across the city to protest the continued military rule. As negotiating delays dragged on, the protest movement grew. In late November of the same year, over 300,000 citizens converged at the Obelisco to call for the military to abrogate power and return the country to democracy.¹²³ Read by one of Uruguay's most well-known actors and writers, Alberto Candéau, the people presented a proclamation declaring their right to exercise suffrage and reinstitute democracy in Uruguay.¹²⁴ Among those gathered were Familiares who took to the Montevidean streets for the first time.¹²⁵ The protest activity continued in January 1984 with a coordinated general strike that paralyzed the capital. Another strike in June preceded the restart of talks, this time at the Naval Club.

While civil society grew more emboldened, the crackdown and continual failed negotiations tempered expectations and revealed the limits of the transition. For example, after the

¹²⁰ Edward Schumaker, "Is There a Way Out for the Uruguayan Military?" *New York Times*, 24 June 1984, E5.

¹²¹ Gillespie 104.

¹²² Finch, "Democratisation in Uruguay," 596.

¹²³ The front page of *Aquí* plastered pictures of the protest with thousands of protesters and the words, "el pueblo pidió que se vayan". *Aquí*, 1, 29 November 1983, BN. *Ibid.*, 598.

¹²⁴ Omar Mazzeo, *Memorias del Voto Verde* (Montevideo: Rosebud Ediciones, 1999), 15.

¹²⁵ Actividades Grupo de Familiares de Desaparecidos en Uruguay, 1984-1984, Folder 4, Box 1, Archivo Familiares.

January 1984 strike, the military outlawed the PIT and forbade the press from publishing any information about strikes and workers' occupation.¹²⁶ Roslik was killed in San Javier a few months later. These new rules and decrees as late as 1984 sent a powerful signal to the population about the difficult process of negotiating with the military. The military appeared intent on retaining some semblance of power. Behind the scenes, military officers were also in the midst of their own power struggle between those who believed that losing the plebiscite meant continuing the redemocratization process, and those who thought democracy should be taken off the table completely.¹²⁷ Nevertheless, politicians were determined to find a solution and made more and more compromises to try to find a pragmatic transition. At a basic level, the transition centered on the negotiations with the political elite rather than those involved in the social mobilization.¹²⁸ In fact, in a survey conducted by Gillespie, he found that Blancos and Colorados had very little contact with human rights organizations during the 1980-1984 period. Only the Frente Amplio maintained consistent contact. However, the military sidelined the Frente Amplio Party for much of the negotiation process because of their leftist beliefs.¹²⁹ As a result, the issue of human rights was notably absent from negotiations. Once the transition occurred, these factors had deep implications. The very long and difficult process to agree on the conditions of democratic rule discouraged contentious topics in the interest of pursuing further negotiations.¹³⁰ Bringing up human rights issues could immediately derail a negotiation attempt. As we shall see, politicians had long memories with respect to how easily human rights and accountability could cause a breakdown in discussions.

¹²⁶ Alexander and Parker, *A History of Organized Labor in Uruguay and Paraguay*, 77.

¹²⁷ Gillespie, *Negotiating Democracy*, 80.

¹²⁸ Brito, *Human Rights and Democratization in Latin America*, 82–3.

¹²⁹ Gillespie, 86. See Table 5.3

¹³⁰ Francesca Lessa, *Memory and Transitional Justice in Argentina and Uruguay: Against Impunity* (New York: Palgrave Macmillan, 2013), 133.

Foreign Policy

Another factor affecting the slow transition was the fact that human rights pressure from the United States eased considerably in the early 1980s. Even though the referendum had opened a window for civil society's reemergence and garnered attention from the international philanthropic community, there was a decrease in the U.S. government's human rights policies after Ronald Reagan took over the presidency.¹³¹ While Carter is often criticized for his diminishing concern for human rights over the course of his presidency, especially as other international events spiraled out of control in places like Afghanistan and Iran, Reagan shifted the emphasis of a human rights policy altogether. He refocused U.S. foreign policy squarely within an anti-communist framework, particularly in the first years of his administration.¹³²

These changes were reflected clearly in some of Reagan's choices for key cabinet positions. First, Reagan nominated Jeanne Kirkpatrick as the U.S. Ambassador to the United Nations. In 1979, Kirkpatrick had published an influential article in *Commentary*, which expressed her belief that the Carter administration's foreign policy had failed. In her estimation, his support for human rights and push against traditionally strong allies for rapid liberalization delivered countries like Nicaragua to Marxist-Leninists. Therefore, she argued, instead of his policies creating stronger democracies, he created more enemies internationally and ruined partnerships. Kirkpatrick instead called for a more strategic application of liberalization to favor slow and

¹³¹ Morley and McGillion believe that Carter had focused on human rights, but was not as focused on democratization efforts as an end in themselves—just the end of abuses. By the time the plebiscite was complete and Reagan took office, the foreign policy calculations had already shifted. Morris Morley and Chris McGillion, *Reagan and Pinochet: The Struggle over US Policy toward Chile* (New York: Cambridge University Press, 2015), 10.

¹³² George Herring, *From Colony to Superpower: U.S. Foreign Relations Since 1776* (New York: Oxford University Press, 2008), 865; Jim Mann, *The Rebellion of Ronald Reagan: A History of the End of the Cold War* (New York: Viking, 2009); Hal Brands, *Latin America's Cold War* (Cambridge, Mass: Harvard University Press, 2010), 245.

gradual transformation, even with countries that had an authoritarian bent.¹³³ Kirkpatrick's nomination signaled Reagan's priorities for anti-communist governments over democratically elected, left-leaning ones. Kirkpatrick, along with ambassador Vernon Walter, was dispatched in the early days of the administration to South America to repair relations with the very military governments Carter had repudiated for their anti-human rights policies.¹³⁴

Similarly, Reagan nominated Ernest Lefever to replace Patricia Derian as the Assistant Secretary of State for Human Rights and Humanitarian Affairs. Derian had been a forceful advocate behind Carter's human rights policies, particularly in Latin America.¹³⁵ Lefever, on the other hand, openly admitted his belief that the U.S. had "no rights or power to promote human rights in other sovereign states" in his nomination hearing before the Senate Committee on Foreign Relations.¹³⁶ The *New York Times* penned an editorial about the hearing, saying that Lefever tried to justify his opinions by arguing against "moralizing about the use of torture in Argentina and Chile because, however deplorable, it is 'a residual practice of the Iberian tradition.'" The paper found this line of reasoning ridiculous and regarded his nomination as "frivolous" since he would be heading a "bureau whose function he derides."¹³⁷ The Senate committee agreed and the panel voted 13-4 to recommend that the Senate reject his nomination. Soon thereafter, Lefever withdrew his name from consideration.¹³⁸ Elliott Abrams was eventually confirmed for the position, although he, too, was not a strong rights advocate, illustrating the relatively low importance Reagan placed on human rights as a component of his foreign policy.

¹³³ Jeanne Kirkpatrick, "Dictatorships and Double Standards," *Commentary* (1979), 34-45

¹³⁴ Brands, *Latin America's Cold War*, 245.

¹³⁵ William Michael Schmidli, *The Fate of Freedom Elsewhere: Human Rights and U.S. Cold War Policy toward Argentina* (Ithaca: Cornell University Press, 2013), 95.

¹³⁶ Douglas Martin, "Ernest W. Lefever, Rejected as a Reagan Nominee, Dies at 89," *The New York Times*, August 5, 2009.

¹³⁷ "The Case Against Mr. Lefever," *New York Times*, 2 March 1981, A18.

¹³⁸ Judith Miller, "Rebuffed in Senate, Lefever Pulls Out As Rights Nominee," *New York Times*, 6 June 1981, 1.

The Reagan administration change in human rights policy became evident in direct U.S. relations with Uruguay. In one report, which the Uruguayan government carefully catalogued in its foreign diplomacy office, U.S. Representative Clement Zablocki stated that “there would be a revision of foreign policy based” not just on human rights “but based on the interest of national security.” This change included a review of U.S. “sale[s] of military equipment to Latin America including perhaps the sale to some places that they didn’t current[sic] sell.”¹³⁹ This news was particularly interesting to the Uruguayan government which saw decreased international criticism after the plebiscite. Soon, the military received word that Reagan would reevaluate foreign aid standards. Responding to the possible change in receiving military aid in March 1981, Vice Admiral Hugo Marquez told reporters that he was “very satisfied with the presence of Ronald Reagan in the U.S. government. He is a man with the right idea about things.”¹⁴⁰ Reagan met with Argentina military president-designee, Roberto Eduardo Viola, in the same month and indicated that the U.S. would like to resume assistance, a move which flashed a clear signal across the Rio de la Plata of similar aid renewals.¹⁴¹

In July, Reagan went a step further by reversing Carter’s policy of blocking loan requests from Chile, Argentina, Paraguay, and Uruguay in development banks. Much to the delight of the Uruguayan military government, which sent a flurry of excited memos back to Montevideo about the news, the Reagan administration cited its improvement in human rights conditions. It stated that the U.S. no longer viewed these punitive measures as an effective means to pressure

¹³⁹ Memo, 25 January 1981, Box 23, Folder 32, Archivo Diplomatico Historico.

¹⁴⁰ Press Release, “WOLA Survey Notes Deterioration of Human Rights in Latin America after Reagan’s First 100 Days,” 23 April 1981, Folder Press Releases, Box 282, WOLA Collection.

¹⁴¹ James Nelson Goodsell, “US Policy Tilts Towards Selling Arms to Argentina,” *Christian Science Monitor* (19 March 1981); White House Visits by Foreign Leaders of Argentina, U.S. Department of State Office of the Historian, available at <https://history.state.gov/departmenthistory/visits/argentina> (accessed 15 July 2014); Howard Handelman, “Politics and Plebiscites: The Case of Uruguay,” *Working Papers of the Latin American Program of the Woodrow Wilson International Center for Scholars*, no. 89 (April 1981): 10.

governments.¹⁴² Instead, the Reagan administration explained that it sought to improve relations between the U.S. and the countries of the Southern Cone, which Reagan saw as the “true bastions of anti-communism in Latin America.”¹⁴³ Other members of Congress, like Representative Tom Harkin, argued against this policy shift, citing continued reports from these nations that the same violations were still occurring. Despite the domestic opposition, Reagan effectively began to overturn Carter’s hardline policy towards Uruguay. Implicit in this shift was a fundamental change where human rights concerns no longer stood at the center of U.S. foreign policy towards Uruguay. Secretary of State Alexander Haig admitted as much in a press conference when he asserted that “stabilizing existing regimes against internal unrest must take priority over the maintenance of human rights.”¹⁴⁴

While the military applauded these shifts, voices of the Uruguayan opposition who were fighting to gain momentum in the aftermath of the plebiscite found these policy shifts unsettling. When Juan Raul Ferreira testified before the Senate Committee of Foreign Relations in September 1981, he noted that the Reagan government had been applauding Uruguayan talks of a possible transition and viewed General Álvarez’s takeover as president as a positive development. However, Ferreira argued against this perception. He chastised the U.S., explaining that the administration’s “rush to applaud” these events “undermined the context in which they were made and did not focus on whether any real steps were to be taken to improve the human rights record of the regime.”¹⁴⁵ As Ferreira went on to explain, the Reagan administration’s actions “have

¹⁴² Memo, Ambassador Juan Pedro Amestay to Minister of Foreign Affairs Estanislao Valdés Otero, 6 July 1981, Folder EEUU-ROU DDHH, Archivo Diplomático Administrativo, Montevideo, Uruguay; Memo, from Uruguayan Embassy in Washington, 8 July 1981, Folder EEUU-ROU DDHH, Archivo Diplomático Administrativo. “Reagan Reverses Rights Policy,” *Chicago Tribune*, 9 July 1981, p 2.

¹⁴³ Memo to the Minister of Foreign Affairs, 9 July 1981, Folder EEUU-ROU DDHH, Archivo Diplomático Administrativo

¹⁴⁴ Memo, 25 January 1981, Box 23, Folder 31, Historico Diplomático Historico.

¹⁴⁵ “Statement by Juan R. Ferreira,” Subcommittee on Human Rights and International Organizations hearing on Uruguay, Washington DC, 15 September 1981, Folder 141, Waksman Colección, CEIU.

strengthened the position of the dictatorship in our country and the position of hardliners within the regime, precisely at a time when the pressure of the democratic forces in Uruguay and the initiative of the democratic sectors of the Armed forces were making a political opening realistically possible.”¹⁴⁶

The recently resurgent Uruguayan press also reacted against this new U.S. foreign policy, publishing articles with the blazing headline “Go Home Kirkpatrick!” when the UN ambassador was in Montevideo. At times unable to directly criticize the Uruguayan government, it was within its new freedoms to excoriate the U.S.’s resurgent focus on battling anti-communism in Latin America by supporting military regimes.¹⁴⁷

These rebukes appear to have had no effect on the Reagan administration. Just a few weeks later on 24 September, Haig met with Uruguay’s Foreign Minister and confirmed friendly relations with the Uruguayan military in a meeting that was “noteworthy for the high degree of candor and goodwill evident on both sides.” Reaffirming all of Ferreira’s criticisms, Haig lauded Uruguay for “insisting upon a return to the democratic process, thereby serving as a model of encouragement for the rest of Latin America.” The Uruguayan government, clearly rattled by Carter’s human rights stance, sought assurances that the U.S. would no longer criticize its human rights record. It asked for a statement of public support and questioned what would happen if Reagan was not reelected. In addition, Valdes requested the administration to control the State Department and other unfriendly acts by Congress and the U.S. press which criticized Uruguay’s human rights record. Finally, Uruguay touted the administration’s anti-Marxist stance and praised its strength in facing subversives in places like Nicaragua. In return, Haig was both reassuring and

¹⁴⁶ “Statement by Juan R. Ferreira,” Subcommittee on Human Rights and International Organizations hearing on Uruguay, Washington DC, 15 September 1981, Folder 141, Waksman Colección, CEIU.

¹⁴⁷ “Go Home Kirkpatrick,” *La Democracia* (14 August 1981), p. 16, CEIU.

complimentary of the Uruguayan government, further affirming the U.S.'s changed stance from the pressure Carter had imposed with regard to human rights.¹⁴⁸

Despite the long negotiation process back to democracy, and repeated reports of continued torture and political imprisonment from international human rights groups around the world, Reagan continued to support the Uruguayan military. He praised them for holding the plebiscite and internal elections, despite the murky details about the transition and the clear apprehension on the ground about whether the *cronograma* would go forward amidst continued torture.¹⁴⁹ The Reagan administration also failed to reproach the Uruguayan government for jailing Ferreira, a silence that the *New York Times* called “stunning.” Instead, Reagan’s team just said Wilson’s return to the country represented a “complicating factor” in the elections.¹⁵⁰ The State Department stood behind the Uruguayan military despite repeated reports that repression was continuing. In Reagan’s State Department, the 502B country report on human rights praised the way that the military’s timetable for transition “has been adhered to, and the Government has often renewed its commitment to it.” The report emphasized these cosmetic moves, even in the face of political actors being prohibited from participating in elections and the continual collapse of talks between the military and the civil society.¹⁵¹ Ralph D. Griffin, the Uruguayan Desk Officer in the State Department, commended the Uruguayan government for the “human rights situation” that has “improved significantly in recent years.”¹⁵² There was a disconnect between how the U.S.

¹⁴⁸ Memo, Secretary’s Meeting with Uruguayan Foreign Minister, 9 October 1981, Virtual Reading Room U.S. Department of State.

¹⁴⁹ Memo, Uruguayan embassy in Washington, 5 May 1983, Folder: EEUU-ROU DDHH, Archivo Diplomático Administrativo.

¹⁵⁰ Max Holland and Kai Bird, “Shunning a Latin Friend,” *New York Times*, 1 August 1984, A23.

¹⁵¹ “Informe del Departamento de Estado de los EEUU sobre la situación de derechos humanos en Uruguay,” 1983, Box ROU-EEUU DDHH, Archivo Diplomático Administrativo.

¹⁵² Letter, Griffin to Frances R. Cousins, 27 August 1981, Box 17, Series IV 1.3, AIUSA.

government spoke of Uruguay's transition as being orderly and on schedule, as opposed to the tenuous and fraught advances that were occurring on the ground.

As historian Hal Brands explains, Reagan's policy towards Latin America more broadly supported a shift to democracy, but "a rather simplistic view of what constituted democracy."¹⁵³ In other words, he considered that countries had reached a basic threshold of democracy if they elected a government (or in the case of Uruguay, were moving towards elections). This proved true even if the country's practices were undemocratic, or even if the elections were not completely fair and open. As the U.S. stated in 1983, "our interest remains constant: to encourage Uruguay's return to democracy as the best means of restoring the country's longer-term political stability, and to support the government's commitment to an open economy as the most effective means for economic recovery and sound growth." Reagan paired democracy and economic liberalization as being fundamentally intertwined, and therefore encouraged political reform as part of a push towards neoliberalism. However, human rights standards were usually left out of the equation, allowing the Uruguayan military to pursue crackdowns without condemnation from the U.S. government.

By the time the final round of talks began in June 1984, opposition politicians at the negotiating table had reduced their major issue to "how to persuade the military (which still had complete control of the country) to hand over power to democratically elected civilians."¹⁵⁴ Meanwhile, the military leaders hoped to figure out "how to extricate themselves from rule without damaging their institution or risking human rights trials."¹⁵⁵ Even so, there were various times when it appeared the talks would collapse. Finally in August, both sides announced that there

¹⁵³ Brands, *Latin America's Cold War*, 246–250.

¹⁵⁴ Gillespie, *Negotiating Democracy*, 160.

¹⁵⁵ *Ibid.*

would be elections for November of that year to pave the way for a democratic government to take over in March 1985. A compromise had finally been reached.

Conclusion

It had taken four years from the date of the plebiscite to reach an agreement on the transitional terms amid continued repression and suffering. At the end of it, a great deal of controversy came to surround what was explicitly agreed upon in the talks regarding human rights. Much of the discussion focused on the relationship that would exist between the military and a new civilian government as well as when the military would be able to intervene in the state. At one point in early August when the talks were almost complete, some of the politicians almost abandoned the discussion over disagreements about whether civilians would still be allowed to be held without charges. Military justice similarly created stumbling blocks. Disagreements continued over whether crimes committed by the military “within their exercise of duty” would be handled by civilian or military courts and even over which courts civilian could be tried in. These conflicts illustrated the extent to which the negotiations struggled with the most basic questions the military’s future role in a democratic environment.

In the month that followed the talks, the military repealed many of its institutional acts that created the repressive apparatus in the country. Meanwhile, arrangements for elections accelerated.¹⁵⁶ What was still largely being debated was whether there was an agreement about impunity for the military, or at the very least, a tacit recognition of the military’s institutional autonomy.¹⁵⁷ There is evidence suggesting that while such a pact might have been implicit in the

¹⁵⁶ Weschler, *A Miracle, A Universe*, 158.

¹⁵⁷ During the legislative debates on the amnesty law, many in the Colorado party vigorously denied that the topic had been explicitly addressed, stating that it had been sidestepped during negotiations. For example, Manuel Flores Silva, 20 y 21 Diciembre 1986, p 135, Camara de Senadores, Biblioteca Palacio Legislativo.

success of such difficult negotiations, participants most likely did not even discuss the issue of trials openly. The negotiations had stalled many times over controversial issues, such as the military's ability to declare a state of emergency and the imprisonment of powerful individuals like Wilson Ferreira. Gillespie explains that one of the reasons that the Naval Club talks were even possible was due to the ambiguity of some of the thornier issues, a lesson that all the sides had learned after the collapse of the talks at the Parque Hotel. Any insistence on the total resolution of all of these disputes would have resulted in another collapse of the talks, which is partially why no formal document ever emerged from these talks.¹⁵⁸

The difficult negotiating process further exposed the tenuous alliance between the political elite and civil society. The political elite focused on negotiation and agreed to a more limited vision of a reconstituted democratic country. Therefore, hopes for promoting human rights considerations were considerably dampened. As editor and future politician Manuel Silva Flores would later state, "It is not whether the subject of human rights were considered or not at the Naval Club. There is a consensus that the topic was not addressed but sidestepped."¹⁵⁹ In contrast to Argentina where the entire negotiation process and the elections discourse focused on human rights violations, very few political conversations in Uruguay grappled with these issues as part of the negotiation process. Instead, a much smaller list of human rights concerns was pushed, focusing primarily on amnesty for political prisoners, the return of exiles, and job restoration for the thousands of individuals who had been fired for political reasons. In the end, the decision to sidestep the topic of possible trials during negotiations left the issue of accountability to be fought over by future politicians and civil

¹⁵⁸ Gillespie, *Negotiating Democracy*, 175–7.

¹⁵⁹ "Diario de Sesiones de la Camara de Senadores," Tomo 304, Diciembre 1986, p116, Biblioteca Legislativo, Montevideo.

society actors, creating new fault lines and an even wider gap between those that had suffered losses during the dictatorship and many who would go on to hold political power.

Ultimately, 1981 to 1984 encompassed a period of profound and challenging transition in Uruguay. While the rebirth of the human rights movement reflected the resilience of the population, the long negotiations and crackdowns exposed the gaps in what human rights in a new democracy would focus on, and the extent to which activists and politicians might diverge on their priorities. On a broader level, the long process of negotiation demonstrated the blurry boundaries between dictatorship and democracy that had also characterized Uruguay's slow descent into military rule. Gillespie described this process in the early 1980s as a "torturous path to democratic transition."¹⁶⁰ Perhaps his description was in part ironic based on the human rights violations so many Uruguayans had experienced, but it had a grain of truth in describing just how difficult negotiations truly were. The effects of this arduous process were felt immediately, but became even more evident in the initial years after a civilian government was finally restored.

¹⁶⁰ Gillespie, *Negotiating Democracy*, 13.

Chapter 6: Twenty-Two Months: The Evolution of Justice from Elections to Amnesty

The Uruguayan election was far from perfect. In November 1984, the military permitted Uruguayans to vote for new representatives for the first time in thirteen years, but many restrictions remained in place. Blanco leader, Wilson Ferreira, languished in prison and was prohibited from appearing on the ballot. Liber Seregni, the founder and spiritual head of the Leftist Frente Amplio, had been out of jail for eight months but the military still proscribed him from participating in the election. Only the center-right Colorado party had its top candidate, Julio María Sanguinetti, lead the ticket without any major obstacles imposed by the military. Sanguinetti further benefitted from the backing of the U.S. government as the Reagan administration flew him to the United States earlier in the year for top-level meetings with various U.S. officials.¹

The numerous controversies surrounding the election compounded the already difficult conditions in which the voting took place. When polls finally opened, four long and arduous years had passed since Uruguayans rejected the military's repressive charter and launched the transitional phase. Despite the excitement following the success of the "no" vote, further crackdowns and stalled negotiations had tempered citizens' expectations about the possibilities of a new democracy as month after month went by with continued military rule.

A breakthrough in negotiations had finally occurred in mid-1984. By the time election day arrived in November, the atmosphere in Uruguay reflected little of this difficult history. Reporters chronicled the week leading up to the vote in which buses, ferries, and planes from neighboring countries filled with eager expatriates returning to cast their ballots. Many of the passengers had been living in exile and came streaming back across the border to participate in the momentous election.²

¹ Max Holland and Kai Bird, "Shunning a Latin Friend," *New York Times*, 1 August 1984, A23.

² William D. Montalbano, "Uruguay Voting Today After 13-Year Wait," *New York Times*, 25 November 1984, A8.

As the polls opened on the morning of 25 November, the excitement was palpable. Smiling citizens filled the streets on their way to cast their ballots, while jubilant gatherings took place at restaurants throughout the country. Tables were filled with families indulging in celebratory sausages and juicy steaks. Cars drove through the streets honking enthusiastically, waving Uruguayan flags from the roofs and windows.³ For a brief moment in time, the election results mattered less than the physical act of casting ballots after such a long wait. One poll worker for the Frente Amplio, the coalition party that received the smallest portion of the vote of the three major parties, remarked with a smile, “this is what we have been waiting for.”⁴

Two days later, the country did turn its attention to the results. The electoral commission declared Sanguinetti the winner. Almost 90 percent of eligible voters had cast their ballot with just over 40 percent in favor of the moderate Colorado Party. The Blancos, traditionally the other strong party in the country, accrued approximately 34 percent of the vote. Meanwhile, the Frente Amplio also saw a strong showing in the capital city and garnered just over 20 percent of the national vote—far behind the other two parties, but more than the military had projected after proscribing so many of their candidates. While it was another three months until Sanguinetti or a new legislature assumed power, the military government’s departure was officially underway.

What was less predictable was what the restored democracy would look like. Ever since the 1980 plebiscite, citizens had battled to reconstruct civil society through the reemergence of a vibrant student movement, unions, and new human rights groups. However, the difficult transitional years had revealed divisions between these sectors, particularly over their different conceptions of human rights. During the lead-up to elections, different factions began to focus

³ Alan Ridings, “Uruguay to Pick Civilian Leader in Election Today,” *New York Times*, 25 November 1984, 1.

⁴ William D. Montalbano, “Moderate Takes Lead in Festive Uruguay Vote,” *New York Times*, 26 November 1984, A6.

beyond minimalist visions of being free from torture, political imprisonment, and disappearances. In many cases, groups began to advocate for a more expansive vision of human rights based on a socioeconomic rights platform. For example, unions turned their attention to the right to fair wages, while the student movement focused on recovering an autonomous education system. Based on their own concerns and advocacy aims, these groups often diverged along interest lines as other important projects of reconstituting democracy took center stage.

These divisions became even more evident after Sanguinetti was inaugurated. Both the legislature and civil society groups advocated for a much broader rights vision that oftentimes recovered earlier social justice visions from the 1960s. The difference in the post-dictatorship period was that it was now articulated within a human rights discourse that had grown in prominence throughout the 1970s. In this way, there was a paradoxical cost of human rights success. The powerful international language bolstered a varied and robust rights agenda but also lessened the impact and focus over the accountability for the military's crimes. This became a major issue as the new government grappled with whether it would address the topic of justice for the military's past human rights abuses. The debate over accountability became an even more pressing concern as Uruguay watched neighboring Argentina struggle with the consequences of bringing generals of its military regime to trial for crimes during its dictatorship.

This chapter explores these dynamics and the changing uses of a human rights discourse between the elections on 25 November 1984 and 22 December 1986 when parliament passed an amnesty law for the military's crimes. Fundamentally, it examines claims within the literature on this period, which tends to trace the amnesty law directly to the Naval Club Pact in August 1984, when political parties and the military agreed to hold elections. Many accounts of this period draw a direct link between the two events, supporting claims that part of the deal to hold elections

involved the promise not to prosecute members of the military for human rights abuses.⁵ Instead, careful historical research on this period reveals that justice for human rights abuses committed during the dictatorship was hotly debated at various societal levels after the election. Governmental debates, newspapers, and the archives of human rights groups expose that it initially appeared probable that there would be some societal reckoning with these past violations. Among other moves, parliament passed various measures to begin investigations into the crimes of the dictatorship and human rights groups began to file cases within the court system—actions that existing scholarship has largely overlooked.

However, as Sanguinetti began to work more closely with the military and received increasing pressure to stop these moves towards accountability, the sense of anxiety about the hard-won pact for elections spread throughout society. By reigniting fears about the dictatorship and a difficult transition, the hope that justice for the human rights issues could actually occur diminished, especially as amnesty proposals began to flood the legislature. On the one hand, the legislative move toward amnesty reunited a civil society that had fractured along interest lines. Together, they advocated to continue measures for justice. On the other hand, it also exposed the fragility of the new democracy and human rights culture in Uruguay at this critical moment.

By surveying the period between the November 1984 elections and the passage of the amnesty law, key insights into the shifting human rights discourse in the nation emerge. First, this chapter traces the initial accountability measures that the new government attempted to enact, challenging historiographical narratives that brush over these important initiatives. By

⁵ Francesca Lessa, *Memory and Transitional Justice in Argentina and Uruguay: Against Impunity* (New York: Palgrave Macmillan, 2013), 133–4; Lawrence Weschler, *A Miracle, A Universe: Settling Accounts with Torturers* (Chicago: University Of Chicago Press, 1998), 166–71, Luis Roniger and Mario Sznajder, *The Legacy of Human-Rights Violations in the Southern Cone* (New York: Oxford University Press, 1999), 80.

investigating these actions, this work reveals the way the commitment to accountability measures evolved in the initial years after the elections.

Second, the chapter uses this lens to probe the fragility of the Uruguay's pacted democratic transition and the competing rights concerns during this period. It investigates how, in addition to the abuses of the dictatorship, human rights came to include social and economic rights. This discourse recaptured many of the tenets of the 1960s social justice visions that had been subsumed during the direct battles against the military.

Lastly, and as an integral part of this process, this chapter explores the complex reintegration of the political parties as human rights allies in flux. Many of the fiercest critics of the dictatorship on human rights grounds were much less concerned about justice for these abuses once they assumed positions of power and began working with the military to maintain a tenuous balance of power. Specifically, the chapter examines the legislative debates over the amnesty law, in which the three political parties split along clear lines. The Colorados, who also held the presidency, argued vociferously against trials; the National Party, or Blancos, generally viewed the amnesty law as a necessary evil to sustain the democracy and avoid a military coup; and the Frente Amplio refused to accept this justification and argued for the triumph of human rights accountability. Examining these three disparate groups' platforms raises questions about the changing human rights terrain, not only among leftist activists, but also among various political groups in the complex interplay between justice and access to power particularly in this key transitional period.

The Election

Campaigns for November elections began as soon as the date was set at the conclusion of the Naval Club talks in August, albeit under continued military censorship and further threats of proscription.⁶ A year earlier in Argentina, the campaign for the presidency openly debated human rights issues. Raul Alfonsín's candidacy had hinged on promising to investigate human rights abuses, while his opponent, Peronist candidate, Ítalo Luder, guaranteed to uphold the military's self-amnesty. No such debate occurred in Uruguay.⁷ While the Blanco and Frente Amplio candidates did express tepid support for those who advocated for accountability, they did not "consistently or determinedly champion it" as part of their electoral platform.⁸ Therefore, under the military's careful watch, politicians in Uruguay limited the terms of debate during the election and no accountability campaign promises emerged in the official political agenda.

Instead, the elections took place among what some scholars have called a "unanimous rejection of the regime's economic policies."⁹ Most of the campaign focused attention on economic issues. Inflation in 1984 reached 66 percent while unemployment in Montevideo lingered at about 13 percent. Meanwhile, real wages were half the level they were when the military first came to power in 1973.¹⁰ These concerns animated debates about the election, while also serving to distract Uruguayans from any discussion about the crimes committed during the dictatorship. For example, many young writers defined their vision for a new democracy in economic terms. Instead of framing ideas for the future in terms of being free from torture, they disparaged the military for their poor policies that put so many Uruguayans in a precarious

⁶ "El 17 definen las candidaturas a nivel capitalino," *Jaque*, 10 Agosto 1984, 2 Bibloeca Nacional, Montevideo, Uruguay [Hereinafter BN].

⁷ Lessa, *Memory and Transitional Justice in Argentina and Uruguay*, 51.

⁸ Alexandra Barahona de Brito, *Human Rights and Democratization in Latin America: Uruguay and Chile* (New York: Oxford University Press, 1997), 127.

⁹ Henry Finch, "Democratisation in Uruguay," *Third World Quarterly* 7, no. 3 (July 1985): 596.

¹⁰ *Ibid.*

economic condition. While editorials called for a transition that would ensure that the military would be outside of the governing structure, Juan Carlos Doyenart was one of many writers who began to imagine a country where workers were “the main beneficiaries” of a new social order, “achieving substantial improvements in the level of wages, employment opportunities and freedom of union activities...all which gives them the real capacity to negotiate and participate in the definition of economic policies.”¹¹ These concerns were motivated by the poor economic conditions of the early 1980s that helped drive the military from power, but also it also helped to define the terms of a future democracy.

Other election issues focused on the myriad of other concerns the nation faced in the light of the military’s transition. This included how to reconstitute a vibrant and independent university system, the reinstatement of social security benefits, and the guarantee of workers’ rights. Candidates and the press all agreed that these issues needed to be addressed.¹² In the months leading up to the election, candidates wrote articles about these concerns, and the press covered their responses to a variety of economic and social concerns that animated the electoral debate. However, in all the media attention devoted to the impending vote, rarely did anyone address how the nation would deal with the military’s crimes.

One forum that did debate the issue of human rights was the *Concertación Nacional Programática* (CONAPRO), which was organized in September 1984. This group was comprised of political party representatives, social organizations, unions, and employers in the country that worked to secure a consensus on transitional issues ranging from the reincorporation of returning

¹¹ Juan Carlos Doyenart, “Debemos construir una nueva democracia,” *Aquí*, 20 June 1984, 5, Archivo Diarios, Palacio Legislativo, Montevideo, Uruguay [Hereinafter Archivo Diarios].

¹² “La transición universitaria,” *Jaque*, 14 September 1984, 5, BN; “La Naturaleza de las políticas sociales en el cambio,” *Jaque*, 14 September 1984, 14. BN.

exiles, housing and health policies, educational concerns, and human rights topics.¹³ The goals centered not only on an institutional transition from the military, but also a project of reconstructing the country and recovering a civil society that had been devastated during the twelve years of the dictatorship from an economic, social, cultural, and moral perspective. Within CONPARO, the subject of human rights earned some consideration in the sense that the group worked on specific aspects of how to recover guarantees of human rights in a democratic society and how to confront the possibility of moving forward with trials into crimes against humanity. These efforts showed that human rights were not completely forgotten during the electoral period. Included in CONAPRO's larger discussion was an ambiguous call to the "moral duty of the future democratic government to see that all those crimes be investigated and judged, no matter what governmental authority was responsible."¹⁴ In addition, the discussion involved empowering the judiciary to be able to carry out these investigations. While at best vague, the group illustrated a degree of coherence among the groups and a moderate desire to see some sort of investigation carried out about the human rights abuses of the dictatorship. Belying the idea that the Naval Pact a few months earlier had shut the door completely, CONPARO illuminates a commitment by the political parties to address the abuses if they were in office.¹⁵

However, most mentions of human rights, both from the press and from CONAPRO focused on securing an agreement to release all political prisoners who were still incarcerated.¹⁶ Instead of concentrating on future accountability measures, the debate regarding human rights

¹³ "El arma se llama Concertación Programática Nacional," *Jaque*, 7 Setiembre, 1984, 1; Finch, "Democratisation in Uruguay," 600-1.

¹⁴ Maria Delgado, "'So the people can decide': The Experience of the Referendum Against the Impunity Law in Uruguay," November 1999, 12.

¹⁵ *Ibid.*

¹⁶ Memorandum, "Evolución de la situación de los derechos humanos en Uruguay desde Octubre de 1984 a Junio 1986," Grant 08550674, Reel 5703, Ford Foundation, Rockefeller Archive Center, Sleepy Hollow, NY [Hereinafter RAC].

centered on officially ending torture as a governmental policy and on the release of the hundreds of people still in prison.¹⁷ Accountability, while discussed, was not the emphasis.

Therefore, while CONAPRO provides evidence that all three political parties were concerned, at least in vague terms, about human rights, the election debates eventually split along traditional party lines as jockeying for power took center stage. The temporary unity against the dictatorship dissipated as the groups battled over who would be elected to lead the country in its new democratic period. The *Convergencia Democrática Uruguaya* (CDU), which had been such an important force in uniting the political parties during the 1980 plebiscite, dissolved in the final stages of negotiations in 1984. In part, the rupture revealed diverging platforms over what took precedence in establishing a new democracy, and also a growing realization of party interests in the upcoming elections.

Even candidates on the Left, those most sympathetic to accountability claims, did not focus on this issue during the campaign. Many Frente candidates concentrated on ensuring that amnesty for their fellow compatriots was part of the transitional process. While some prominent Frente Amplitas had been released in the months leading up to the elections, hundreds remained in jail and thus provided a focal point for some campaigns.¹⁸ Other prominent members of the party were also concerned about unifying the Frente Amplio coalition around modest objectives and not upsetting the tenuous agreement to hold elections. Raúl Sendic, the Leftist leader and former Tupamaro had been in jail from September 1972 to March 1984. He contributed to this moderating impulse by encouraging his former Tupamaros to engage in political activity, despite concerns

¹⁷ “El proceso político avanza en medio de granted interrogantes,” *Jaque*, 10 Agosto 1984, 3, BN; “Amnistia General e Irrestrica,” *Jaque*, 21 September 1984, 8, BN.

¹⁸ “Con la IDI al Frente crottogini D’Elia Arana,” nd, Folder 48, Waksman Colección, Archivos de Centro de Estudios Interdisciplinarios Uruguayos, Montevideo, Uruguay [Hereinafter CEIU].

about the large number of leftists being proscribed from the ballot.¹⁹ Once the leader and founder of the guerrilla movement that had organized for the violent overthrow of the government rather than participate further in a broken political system, his advocacy for getting involved in the electoral process contributed to the process of pacification and democratization. Sendic's shift reflected a widespread feeling that the overriding national aim was to bring the regime to an end rather than pushing a controversial political agenda.²⁰

The *Izquierda Democrática Independiente* (IDI) also demonstrated this impulse, pairing its electoral campaign within the Frente Amplio platform on how to revive a movement that had been oppressed and exiled during the military government and channel its energies into legitimate political avenues. Human rights and justice were not central aspects of the electoral program, which was illustrative since many members in the party had been those hardest hit by the military's oppressive rule. Instead, candidates explained their new policy as predicated on "the construction of a just society based on nationalism and progressivism." They articulated this platform by advocating policies of agrarian reform, nationalization of the banks, restoration of labor party rights, and domestic energy development.²¹ Those who had argued persuasively for individual human rights claims from 1980-1984 to weaken the dictatorship now brought an alternate vision to the fore during the elections. It was a platform which rested on an expansive vision of socioeconomic human rights—which more closely mirrored some of the collective rights vision from the pre-dictatorship period.

¹⁹ Sendic had first been arrested in August, 1970 for actions associated with the Tupamaros. He escaped in September, 1971 and remained a fugitive until he was recaptured in 1972.

²⁰ Finch, "Democratisation in Uruguay," 600. This is not to say that there were not others who were furious at Sendic for supporting the electoral process. However, overall, many former Tupamaros did participate in the electoral process, eventually returning to politics under the umbrella of the Frente Amplio, perhaps no one more famous than former Tupamaro Jose Mujica.

²¹ "Resolución de la Junta Nacional," 31 Agosto 1984, Folder 48, Waksman Colección, CEIU.

Another important factor moderating the call for justice of the military's crimes was the absorption of some of the most outspoken opposition activists into formal political channels. Political scientist Charles Gillespie explains that the most significant renovators in the Colorado party were Enrique Tarigo, who helped form *Libertad y Cambio*, and Manuel Flora Silva who led the *Corriente Batllista Independiente* (CBI), a party with a younger, more progressive following.²² These men had been two of the most ardent protestors against the dictatorship, founding two critical newspapers during the early 1980s, which called for respecting human rights.²³ During the plebiscite and pre-transition period, they used informal political channels to protest and challenge the military regime. Throughout the campaign period, however, the introduction of elections and reemergence of political parties allowed for formal political participation. As a result, their calls for change became less radical within the constrained and censored environment as they sought to gain political office.²⁴ The two former agitators assumed the Colorado's more moderate position to negotiate with the military in the final stages of the election.²⁵

What all these various voices demonstrate is that from August to November 1984, the campaigning period witnessed a general moderating impulse, particularly with respect to human rights issues. Worried that the military might crack down again, or perhaps even call off the elections, candidates and social actors from across the political spectrum did not focus on the possibility for justice. Instead, they emphasized the less ambitious goal of ensuring that the

²² Charles Gillespie, *Negotiating Democracy: Politicians and Generals in Uruguay* (New York: Cambridge University Press, 1991), 80.

²³ Tarigo founded *Opinar* and Silva founded *Jaque*, which were both described in detail in the previous chapter.

²⁴ Canel explores how access to structures of political power at times proved to be more important than independent organizing during this period, which weakened some of the human rights vigor during the democratization efforts. Eduardo Canel, "Democratization and the Decline of Urban Social Movements in Uruguay: A Political-Institutional Account," in *The Making of Social Movements in Latin America: Identity, Strategy, and Democracy*, ed. Arturo Escobar and Sonia E. Alvarez (Boulder: Westview Press, 1992), 276–290.

²⁵ Interestingly, they were just two of three former newspaper editors elected to office in 1984, along with Alberto Zumarán who founded *La Democracia*. However, all three of them failed to be reelected in 1989. Interview with Manuel Flores Silva, 24 July 2014, Montevideo, Uruguay.

elections were carried out. Human rights rhetoric, to the extent that there was one, largely centered around freeing the remaining political prisoners rather than other accountability measures. This abatement in terms of justice for human rights concerns, however, did not mean that leftist candidates had abandoned their advocacy for a more democratic society. Instead, editorials and organizational minutes illustrate that many Uruguayans began to slowly move toward recovering a broad array of collective rights that included claims for a strong labor union, fair living wages, and vibrant universities rather than focus on the individual rights claims that had been prominent in the lead-up to the vote.

The final tallies of the election in late 1984 reflected much of this moderation. For the first elections in thirteen years, the biggest surprise was perhaps the relative continuity with whom the voters came out to support after all these years. Even with all the turmoil from over a decade of dictatorship, no party received more than a 5 percent difference in the voting percentage from the last elections in 1971. The primary difference came from those leaving the Blancos and voting for the Frente Amplio, which many attributed to the main Blanco candidate being in jail for the elections. When the votes were all counted, the Colorados received 40.2 percent; the Blancos 34.2 percent; and the Frente Amplio 20.8 percent.²⁶ These results served to reaffirm traditional party politics that had largely broken down prior to the coup. It suggested that the voters sought stability and reassurance within traditional party structures over the more radical but less predictable alternatives. With these results, Sanguinetti became the first democratically elected president of the country since 1971.

²⁶ Uruguay, Corte Electoral, Elecciones Nacionales 1984 accessed at 2 December 2014, <http://www.corteelectoral.gub.uy/gxpsites/page.aspx?3,26,294,O,S,0>. In Parliament, the breakdown resulted in Senators: 13 Colorados; 11 Blancos; 6 Frente Amplio and Diputados: 41 Colorados; 35 Blancos; 21 Frente Amplio and 2 Civic Union.

The Return to Democratic Rule and Moves Towards Accountability

On 1 March, Sanguinetti, along with his Vice President, Enrique Tarigo, were sworn in amid great fanfare. The president drove in an open vehicle from Congress to the Government House in Independence Plaza, while cheering crowds lined the streets to celebrate their new leader. Foreign dignitaries from around the globe also marked the momentous occasion with their presence, including the U.S. Secretary of State, George Shultz.²⁷ Sanguinetti carried this goodwill into one of his first actions of president—a proposal to release the remaining 340 political prisoners who were still in jail. The move garnered praise across the political spectrum.

In some accounts, the election is seen as the end of the transition—and indeed, it marked the official shift from military rule to elected representation. While some papers declared an end to the military rule on the day of the elections back in November, other papers, like the *Washington Post*, saw the inauguration of Sanguinetti four months later as the official end to the dictatorship.²⁸ The basic assumption of these various news outlets was that elections denoted democracy. Officially, the president and Parliament assumed control over military issues like promotions, budgets, and missions, while establishing civilian authority over the Ministry of Defense.²⁹ However, although the military was again legally subordinated to an elected government, questions remained regarding exactly how much influence the military would continue to have over the newly elected government and if there would be accountability for the crimes committed during the dictatorship.

²⁷ Alan Riding, “Uruguay Installs Civilian President,” *New York Times*, 2 March 1985, 1.

²⁸ Jimmy Burns, “Uruguay elects moderate civilian to end military rule,” *Christian Science Monitor*, 28 November 1984; Jackson Diehl, “Military Rule Ends After Nearly 12 Years,” *Washington Post*, 1 March 1985, A15; “Rightest military rule ends in Uruguay,” *The Day*, 1 March 1985, 29.

²⁹ Stephan Haggard and Robert R. Kaufman, *The Political Economy of Democratic Transitions* (Princeton University Press, 1995), 116.

On some level, the threat of military action to stop accountability efforts was a dark threat that hung over the new administration's triumphant inauguration. For example, on the eve of Sanguinetti taking office, Lieutenant General Hugo Medina warned that "if we are obliged (by the courts), we will have no choice but to carry out another coup d'état," explicitly stating Uruguayans' greatest fears and stirring a political storm.³⁰ These statements and the moderate nature of the elections with respect to addressing human rights has led some scholars to trace a direct line between the agreements made in the 1984 Naval Club Pact and the amnesty law's passage twenty-two months later.³¹ Still, careful historical research reveals that the amnesty was not a foregone conclusion. The excitement of a democratic transition had brought hope to many citizens. Indeed, the initial months of Sanguinetti's presidency showed some promise in terms of moving towards a human rights definition that included truth and justice for the military's abuses.

Sanguinetti's first actions in office reflected two main priorities—the economy and human rights. First, he began to adopt neoliberal policies to address the economic crisis. In attempt to reduce the fiscal crisis, Sanguinetti made an International Monetary Fund (IMF) agreement and implemented fiscal adjustments like drastic reductions in public expenditures, trade liberalization measures, limitations on wage increases, and moves towards privatization of the economy.³² These moves upset some on the left for the way that these initiatives conflicted with attempts to reconstitute the union movement. However, human rights accountability for past abuses was also very much part of these initial government conversations. On a visit to Venezuela even before he took office, Sanguinetti declared that the military should be judged in civilian courts for any crimes

³⁰ Alan Riding, "Uruguay's Civilian President to Face Legacy of Army Rule," *New York Times*, 1 March 1985, A8.

³¹ Lessa, *Memory and Transitional Justice in Argentina and Uruguay*, 133–4; Lawrence Weschler, *A Miracle, A Universe: Settling Accounts with Torturers* (Chicago: University Of Chicago Press, 1998), 166–71, Roniger and Sznajder, *The Legacy of Human-Rights Violations in the Southern Cone*, 80.

³² Haggard and Kaufman, *The Political Economy of Democratic Transitions*, 212–17; Martin Gargiulo, "The Uruguayan Labor Movement in the Post-Authoritarian Period," in *Labor Autonomy and the State in Latin America*, ed. Edward Epstein (Boston: Unwin Hyman, Inc., 1989), 233–34.

committed during the dictatorship.³³ Then, it was a mere two weeks into his tenure that he signed the Law on National Pacification. Sanguinetti had immediately proposed releasing the final political prisoners upon taking office, and now he made good on the idea. While Parliament had begun debating and proposing amnesty terms for the remaining political prisoners as early as February, a compromise bill passed on 8 March 1985, and one week later, on 14 March 1985 the last political prisoners were released. Although prisoners accused of violent crimes involving bloodshed were not given amnesty, their sentences were reduced and prisoner conditions improved.³⁴ The rest were finally free. Assets that had been seized by the military were also returned to those who received amnesty. As part of the law, public employees fired by the dictatorship for political reasons were rehired, and the law supported the reinsertion of exiles and ex-prisoners into society.³⁵ Article 5 also explicitly stated that the military was not included in the law's amnesty.³⁶ This first major piece of legislation also ratified the American Convention on Human Rights, which Uruguay had, until this point, avoided. These actions were followed closely by Uruguay signing the UN Convention Against Torture to affirm a new sense of rule of law in the country.³⁷

The extent to which the law addressed the conditions of those who had been most adversely affected by the dictatorship has at times been lauded as a model for political transition. For

³³ "Aportes a la discusión," nd, p. 4, Colección Julio Ruginitz, Archivo General de la Universidad, Montevideo Uruguay [Hereinafter Archivo General]

³⁴ Louise Mallinder, "Uruguay's Evolving Experience of Amnesty and Civil Society's Response," *Working Paper No. 4, Beyond Legalism: Amnesties, Transition, and Conflict Transformation* (Queen's University of Belfast, March 2009), 31. The actual terms of the debate were hotly contested between the three parties with respect to whether blanket amnesty would be passed or blood crimes would warrant further detention. The tensions created in this debate, although eventually resolved in an all-night parliamentary debate session, prepared the ground for confrontation in December 1986.

³⁵ Lessa, *Memory and Transitional Justice in Argentina and Uruguay*, 135.

³⁶ Mariana Achugar, *What We Remember: The Construction of Memory in Military Discourse* (John Benjamins Publishing, 2008), 79–80.

³⁷ "Uruguay no perdonará en el futuro lo que el gobierno quiere perdonar del pasado," *Brecha*, 31 October 1986, 2, Archivo Diarios.

Uruguay in 1985, it proved essential in moving towards strengthening the democratic government, both through the release and reinstatement of prisoners as well as attention to exiles and those who had been fired for political reasons. It was an important first step towards committing the government to justice initiatives. The battles undergirding Article 5, however, would reappear.

During Sanguinetti's second month in office, he affirmed his intention to try members of the military. He gave a speech in which he declared that "the civil justice system would judge the members of the military that had violated human rights."³⁸ Parliament also assumed a large role in beginning to open national discussions on accountability, which demonstrates the ways in which the country began to grapple with the legacy of abuses more broadly. First, representative Eduardo Jaurena looked across the border at Argentina's *Nunca Más* report and without directly accusing Uruguay, questioned the coordination and role Uruguay played in the atrocities across the Rio de la Plata. He encouraged Uruguay to confront its own chapter of violence.³⁹ Representative Yamandú Sica Blanco also invoked Vladimir Roslik's memory, the last death of the Uruguayan dictatorship, to call for justice "and those responsible for [his] death to be found."⁴⁰ Soon after, Parliament established two commissions which were tasked with investigating the deaths of Héctor Gutiérrez Ruiz, Zelmar Michelini, and the other disappeared.⁴¹ The commissions were less expansive than Argentina's truth-seeking efforts but still indicate a governmental initiative towards grappling with the abuses that had occurred during the dictatorship. One of the main human rights

³⁸ "Denuncia," nd, Folder 8, Archivo de las Madres y Familiares de los Desaparecidos y Detenidos, Montevideo, Uruguay [Hereinafter Archivo Familiares].

³⁹ "Exiliados uruguayos desaparecidos en la República Argentina," *Diario de Sesiones de la Cámara de Representantes* (9 Abril 1985), p22-27, CEIU, Montevideo Uruguay.

⁴⁰ "Doctor Vladimir Roslik," *Diario de Sesiones de la Cámara de Representantes* (16 Abril 1985), p. 163-7, CEIU, Montevideo Uruguay; Inter-American Commission on Human Rights, accessed 8 August 2014 <http://www.cidh.oas.org/annualrep/84.85eng/Uruguay9274.htm>.

⁴¹ "Denuncia," Abril 1986, Carpeta 8, Archivo Familiares; "Personas Desaparecidas," and "Secuestro y Asesinato perpetrados contra los legisladores," *Diario de Sesiones de la Cámara de Representantes* (9 Abril 1985), p59 and 63, CEIU, Montevideo Uruguay; "Uruguay en la Coyuntura," 14 a 21 Julio 1985; no. 18; Folder 32, Waksman Colección, CEIU.

organizations, las Madres y Familiares de los Desparecidos y Detenidos later called this the high point of hope for accountability in the new democracy.⁴²

Indeed, these groups used the positive signs stemming from the government as an opening for other actions. Following the establishment of an investigatory commission, various Uruguayans filed petitions in court in the hope that trials would move forward.⁴³ Twenty lawyers began gathering information on human rights violations, particularly regarding disappearances, and announced they would file lawsuits against people they found had committed abuses.⁴⁴ Within Parliament, one representative also suggested building memorials for those “that shed their blood for the tree of liberty, democracy, and justice.”⁴⁵ As these claims and proposals poured in, many Uruguayans were hopeful about the country’s democratic direction. Between the opening of investigation commissions, and proposals for memorials, trials, and restitution for former political prisoners, the first few months of Uruguay’s return to democracy showed a great deal of potential for a multi-pronged approach to seeking justice for the crimes of the dictatorship. In the proposals put forth, the government resolutely linked ideas of justice and accountability to consolidating democracy.

Civil Society and the Push for Justice

This optimism was strengthened by the reemergence of civil society during the period. In addition to the measures above, a legislative decree reopened SERPAJ in early 1985 since the

⁴² “Denuncia,” nd, Folder 8, Archivo Familiares, Montevideo, Uruguay.

⁴³ “Militares indagados,” *Uruguay en la Coyuntura*, 26 Agosto a 1 Setiembre, Folder 32, Waksman Colección, CEIU

⁴⁴ “Uruguay: Legal Action Announced Against Human Rights Abuses,” 29 March 1985, Folder Issue Human Rights, Box 279, WOLA Collection, Human Rights Archives, Duke University Libraries [Hereinafter WOLA Collection].

⁴⁵ “Sucesos ocurridos el 17 de Abril de 1972 en el local de la seccional 20 del Partido comunista,” *Diario de Sesiones de la Cámara de Representantes* (17 Abril 1985), p. 191-2, CEIU.

organization had been operating clandestinely or in international forums ever since the military had closed its office in 1983.⁴⁶ As Parliament began to discuss and pass measures to deal with some of the abuses, SERPAJ's president Luis Pérez Aguirre, forcefully argued in favor of the country taking substantial steps that would address past abuses. Writing in the leftist paper, *Brecha*, he advocated for not only allowing organizations to reopen, but for the legislature to deal with the human rights abuses of torture, political imprisonment, and disappearances. He also addressed the kidnapping and disappearances of pregnant women and their children, who many believed were perhaps alive in the country but whose whereabouts were unknown. He said that "we do not want a democracy based on forgetting without memory. We do not want a peace based on impunity of terrorism without justice."⁴⁷

SERPAJ also launched a campaign for human rights specifically around the issue of justice for crimes against humanity committed during the dictatorship in July 1986.⁴⁸ The organization called the campaign "justice for peace" because, it argued that those who violated human rights are a threat to peace.⁴⁹ Calling on other human rights groups to join them, SERPAJ wrote a letter to colleague organizations and political partners, like the Frente Amplio, to urge these groups to promote the idea of human rights and justice. The main slogan was: "Uruguayans want to live without fear and impunity of those who violated human rights, it is a threat to our peace. Justice for peace (*Justicia para la paz*)."⁵⁰ In addition, in a press release, SERPAJ explained the campaign as the need to "clarify all of the allegations of human rights violations during the previous regime

⁴⁶ Louis Bickford, "Human Rights Archives and Research on Historical Memory: Argentina, Chile, and Uruguay," *Latin American Research Review* 35, no. 2 (2000): 177.

⁴⁷ Luis Pérez Aguirre, "La Impunidad Asesina a la Democracia por la Espalda," *La Brecha*, 21 February 1986, Archivo Diarios.

⁴⁸ Press Statement, 16 July 1986, Folder "Campaign July", archivo de SERPAJ, Montevideo, Uruguay [Hereinafter Archivo SERPAJ].

⁴⁹ Internal Memo, Talking Points for the Radio, nd, Folder "Campaign July", Archivo SERPAJ.

⁵⁰ "Textos para menciones por Radio," Archivo SERPAJ.

and [for] those responsible for the crimes [to] be judged and sentenced.” This, SERPAJ declared, was a necessary part of national reconciliation.⁵¹ Aguirre argued his belief that the country should actively pursue trials, focusing that call around a human rights imperative.⁵²

Las Madres Familiares de los Desaparecidos joined SERPAJ in its calls for justice. In many ways, justice had been a key component of its movement since 1984 when the organization adopted the slogan “*amnistia, verdad, y justicia*” (amnesty, truth, and justice).⁵³ For Familiares, finding out what happened to family members and obtaining justice was a key part of its mission. After the renewal of democratic rule, the group remained committed to pursuing justice as an important part of stabilizing democracy. In May 1985, the group organized a week for the detained and disappeared in which it addressed Parliament’s creation of a commission to investigate disappearances during the dictatorship. As part of the efforts, Familiares marched to Avenida 18 de Julio. In speeches at the march, leaders of the group both praised the commission as a good first step, but also explained that they “demanded the broadest powers” for the committee so that it “can effectively fulfill its mission and cite those responsible, civilian or military.” They sought to “lift the veil of secrecy” that has been “clouded in the name of national security.”⁵⁴ In August, the group participated in the World Day Against Forced Disappearance with a protest in the Plaza Libertad to continue to keep attention on the issue.⁵⁵ During all of these actions, the group explained that it could not fully enjoy democracy because it still did not know what or why

⁵¹ Comunicación de prensa, 16 July 1986, Archivo SERPAJ; “Queremos un Uruguay Reconcilado en Paz,” nd, Archivo SERPAJ.

⁵² Letter from Martha Delgado to Mesa Política de Frente Amplio 16 July 1986, Folder “Campaign July”, Archivo SERPAJ.

⁵³ “Informe,” Grupo de Madres y Familiares de Uruguayos Detenidos Desaparecidos, 3, Folder 2, Archivo Familiares.

⁵⁴ Carpeta 7, Archivo Familiares.

⁵⁵ “Acto en la plaza Libertad,” *Uruguay en la Coyuntura*, 26 Agosto a 1 Setiembre, Folder 32, Waksman Colección, CEIU.

violence had been visited upon loved ones. For them, democracy could not be complete without grappling with human rights of the dictatorship.

IELSUR, which had emerged during the early 1980s, also grew in importance and size over the course of the transition, particularly as it received additional international funding from the Ford Foundation. First, working with other human rights groups in the country, IELSUR began to advocate to secure financial settlements for former political detainees. These efforts included those whose jobs had been taken away by the military government. IELSUR also joined the group of lawyers who initiated dozens of cases on behalf of the tortured and disappeared, despite the legal limbo that dominated this period regarding jurisdiction over these crimes.⁵⁶ It brought charges against former members of the military regime and uncovered evidence of a clandestine cemetery for those who had been killed in detention. Furthermore, IELSUR helped reform the state's mental institutions and improve conditions since so many of them were populated by former tortured detainees.⁵⁷ The group also worked on initiating civil suits for those who had lost homes, belongings, or jobs as a result of being classified as a "C" by the military. In addition, while most political prisoners were granted amnesty, those who were accused of intentional homicides were not; however, much of the evidence used in those cases was obtained through torture, which IELSUR now challenged in the court system.⁵⁸ Through legal efforts, IELSUR led the charge for accountability both in the form of prosecutions and reparations.

The press eventually followed these groups' calls for justice as well. The most prominent paper from the left in the 1960s and early 1970s, *Marcha*, had been shut down during the

⁵⁶ "Jueces militares no pueden resolver las contiendas de competencia," *Brecha*, 21 Febrero 1986, Archivo Diarios.

⁵⁷ "Report from IELSUR about Activities June 85/86," nd; Inter-Office Memorandum, Michael Sifter to Jeffrey Puryear, "Final Evaluation and Recommendation for Closing: IELSUR," 12 January 1990, Grant 08550674, Reel 5703, Ford Foundation, RAC.

⁵⁸ Inter-Office Memorandum, A. Gridley Hall to William D. Carmichael, "Delegated Authority Grant," 20 May 1985, Grant 08550674, Reel 5703, Ford Foundation, RAC

dictatorship in the early 1970s, but reopened under a new name, *Brecha*, in October 1985. In the very first issue, editors placed the issue of accountability front and center, asking on the cover, “*Justicia, Cuándo?*” (Justice, When?)⁵⁹ The paper followed the cover with a story about the lack of information about the disappearance of journalist, Julio Castro. The weekly noted that it would continue to publish confirmed information about disappearances since “respect for human rights and the application of justice are as essential as the air we breathe for the existence of a civilized society.”⁶⁰ Human rights groups, as well as the reemergence of a leftist press, made it clear that there was a desire for accountability among certain sectors of the population.

Civil Society Actors and a Human Rights Vision

While measures by both government and civil society to address justice for past human rights abuses in the initial months of democratic rule indicate some political will, civil society actors were not singularly focused on these concerns. A much broader vision of human rights emerged during this period. Many of human rights groups’ greatest allies focused their energy on other essential challenges of the period.

Unions, for example, which had advocated for their comrades’ amnesty before the transition, began to take up other concerns. As one leader of the newly reconstituted labor union explained, many workers saw human rights as still pertaining to “problems of the situation of the disappeared, the judgment and punishment of those responsible for assassinations and torturing.”⁶¹ However, other unions, which had historically had a lot of power in Uruguay, struggled to regain their place in the new democratic environment.⁶² In the electoral period, they fought against

⁵⁹ Front Page, *Brecha*, 8 October 1985, p1, Archivo Diarios.

⁶⁰ “Julio Castro: Persona Buscada,” *Brecha*, 8 October 1985, p. 22, Archivo Diarios.

⁶¹ “Juan A. Toledo: de nada sirve reiterar polémicas ya superadas,” *Brecha*, 25 October 2014, p. 9, Archivo Diarios.

⁶² “Situacion Politica,” *Uruguay en la Coyuntura*, 29 Julio a 4 Agosto 1985, Folder 32, Waksman Colección, CEIU.

business leaders who pushed to maintain a “legally decentralized labor market” as well as restrictions on union activities like strikes and occupation-based bargaining.⁶³ Once Sanguinetti was inaugurated, they shifted their focus to regaining negotiating power. No longer illegal, the *Plenario Inter Sindical de Trabajadores* reconstituted as the PIT-CNT, combining their new name with the name of the union that had been outlawed during the dictatorship. This move was meant to reflect the institution’s history and values of the pre-dictatorship era. To a certain degree, the unions proved successful in obtaining their objectives in the new democracy. The PIT-CNT regained the right to strike, reinstated the wage board, legalized voluntary union affiliation, and permitted freedom of action for collective activity.⁶⁴ However, the unions also struggled against the changes that were implemented by Sanguinetti’s neoliberal economic program. For example, in mid-1985, the union leaders organized campaigns to improve workers’ rights to health and education. They even threatened to strike and shut down the city’s essential services because of the way the dire economic conditions in the country affected so many citizens.⁶⁵ Unions proved strongly critical of Sanguinetti’s IMF agreements and called on the government to place a moratorium on external debt payments—to no avail.⁶⁶ As the year progressed and the economic improvement proved slower than expected, the unions fought vociferously with the government over issues such as a national minimum salary amidst a struggling economy.⁶⁷

Increasingly worried about the slow rate of growth within the economy and technological changes which replaced many workers, unions proposed programs for training workers for the new

⁶³ Paul G. Buchanan, “Preauthoritarian Institutions and Postauthoritarian Outcomes: Labor Politics in Chile and Uruguay,” *Latin American Politics and Society* 50, no. 1 (April 2008): 74.

⁶⁴ “Ocupacion de los lugares de trabajo,” *Diario de Sesiones de la Cámara de Representantes* (23 Abril 1985), p. 238, CEIU; Buchanan, 74-5.

⁶⁵ “Situacion Politica,” Uruguay en la Coyuntura, 29 de Julio a 4 de Agosto, no. 19, Folder 32, Colección Wakson, CEIU.

⁶⁶ Haggard and Kaufman, *The Political Economy of Democratic Transitions*, 216–17.

⁶⁷ “Diálogo nacional: que se acuerde por un año,” *Brecha*, 11 Octubre 1985, p. 3, Archivo Diarios.

labor market.⁶⁸ The variety of issues these unions faced captured much of their time and attention as they struggled to adjust to the new economic environment. While the PIT-CNT was not as focused on Marxist rhetoric as it had been prior to the military rule in the country, it was intimately concerned with workers' place in the changing global economy. Far from reducing human rights to a minimalist discourse, instead the PIT-CNT took up these concerns with a keen eye towards the power and imperative that a human rights discourse offered. Far from a minimalist idea, it addressed the historical concern of collective socioeconomic rights.⁶⁹ This shift both illustrates the importance of the rise of human rights discourse, but also resulted in a growing divide between strong union-human rights group ties. Labor unions now focused on workers' rights as the main concern.⁷⁰ Meanwhile, groups like IELSUR and SERPAJ were still committing their energy to accountability measures and the coalition's energies disbursed.

Similar to the country's unions, Uruguay's public education system had historically been among the most advanced in Latin America throughout the twentieth century. However, the dictatorship nearly destroyed it.⁷¹ The military reduced the budget for education from 21 percent of the national budget to only 13.5 percent. Fearing that the university was a refuge for subversives, the military withheld funds for research, carried out armed attacks against student groups in the university, and then formally took control over university affairs in 1973. This last intervention included setting the educational agenda to exclude any teaching of 'equality' as a dogma of dangerous liberal and Marxist thought. The military also fired between 70 and 90 percent of the

⁶⁸ Robert J. Alexander and Eldon M. Parker, *A History of Organized Labor in Uruguay and Paraguay* (Westport, Conn.: Praeger, 2005), 79–80.

⁶⁹ "Ni derechos ni humanos," *Uruguay en la Coyuntura*, 12 a 18 de Agosto, Folder 32, Waksman Colección, CEIU

⁷⁰ This work proved particularly important as the PIT-CNT publicly battled with Sanguinetti over initiatives to improve workers' rights. "La confrontación epistolar abre un necesario debate," *Brecha*, 16 mayo 1986, 8-9, Archivo Diarios.

⁷¹ Martin Weinstein, *Uruguay: Democracy at a Crossroads* (Colorado: Westview Press, 1987), 69.

teachers for disloyalty. Hundreds of professors accused of being subversive were imprisoned.⁷² In the period following the return to democratic rule, the student movement struggled over how to address minimalist human rights concerns for crimes of the military and how to expand the definition of the concept in view of the challenges ASCEEP faced in the educational sector.

Many students within the medical school focused on accountability since military doctors had helped the dictatorship conduct torture, by overseeing and monitoring the military's torture sessions to the point of extreme pain without causing death. Doctors also performed autopsies during the dictatorship to certify that deaths occurred from natural causes rather than by torture. They willingly falsified these notices. In the aftermath of the dictatorship, the medical school grappled over its own justice issues and responsibilities of doctors to maintain the Hippocratic Oath to help humanity despite this sullied history. Therefore, the medical student group maintained its commitment to justice by promising to "not cease our struggle until achieving the trial and imprisonment of the guilty that participated in the harassment, torture, omission of assistance, falsification of death certificates or other crimes against humanity."⁷³ In October 1985, the group extended this argument more broadly to the state of accountability within the country when the official newsletter of the Medical School Students explained that many people believed that the issue of human rights were receding in democratic rule. It claimed that the larger civil society movement was no longer mobilized around accountability issues. The group made an impassioned argument that not out of revenge, but only out of pain to ask for truth and justice, to locate the disappeared, and to hold those responsible for crimes against humanity. Along with SERPAJ and

⁷² *Ibid.*, 70.

⁷³ "Posición de la AEM Acerca de los Docentes Médicos Militares Durante el Periodo de Dictadura," nd, Colección Ana María Ferrari, Archivo General.

Familiares, this was one of the first examples of a broader population grappling with the question of accountability.

For the broader student movement, justice was important but a new generation of leaders also focused on other concerns. For the newly reconstituted ASCEEP, a return to democracy also meant the possibility to organize around ridding the schools of military oversight. Students and professors alike launched a campaign to “rebuild the university” and focused on issues including salary, health insurance, research support, and sabbatical.⁷⁴ After a decade of the military gutting the university of both its finances and workers, this proved to be a difficult job, made harder by Sanguinetti’s strict economic policies. In October 1985, the university’s union accused Sanguinetti as being no different than the dictatorship in his policies towards the University. Later in the same month, it occupied the university to protest the administration’s failure to address its concerns.⁷⁵ Students continued to support accountability issues for the military, especially since many students had been very affected by the violence. However, most of ASCEEP’s organizing efforts centered around the pressing issue of how to rebuild the educational sector.

In this way, the activities of both unions and the student movement reflected a variety of concerns in dealing with post-authoritarian Uruguay. Many of these issues could be traced back to partial versions of the rights visions of the 1960s. The fight for collective rights—for fair living wages and an education—had been critical parts of the 1960s activism in the years prior to the dictatorship. Now in the post-authoritarian environment, the radical nature of the calls for equality were toned down, but the desire for collective rights reemerged in new social movements. These initial ideas about societal change were sought through more formal venues of protest. While calls

⁷⁴ Boletín de la Asociación de Docentes de la Universidad de la República, Agosto 1985, Ana María Ferrari, Archivo General.

⁷⁵ “Universidad: la política del actual gobierno no difiera de la aplicada por la dictadura,” *Brecha*, 18 Octubre 1985; “Ocupación estudiantil,” *Brecha*, 25 October 1985, 9, Archivo Diarios.

for actual revolutions were now absent, these groups were still grandiose in their ability to imagine a new political environment endowed with rights—rights that extended well beyond truth and justice.

A Shift from Accountability

On a governmental level, attention was also drawn away from its initial enthusiasm for truth and justice measures. Parliament began to focus on economic concerns and social issues like improving the schools, financial reform, hospital improvement, and even abortion.⁷⁶ As the year progressed, both the president and Parliament began to move away from some of the original measures for even limited truth and justice. First, in August 1985, the military courts challenged the civilian jurisdiction over the trials that were being processed. The military claimed that cases involving military personnel should be handled under the Supreme Military Tribunal and not in civilian courts. Some members of government backed this claim as well, with the confusion ultimately paralyzing the movement of the cases brought before the courts.⁷⁷

Then in November, the investigatory commission reports came back with its results. The Investigative Commission on the Situation of Disappeared People and Its Causes and the Investigate Commission on the Kidnapping and Assassination of National Representatives Zelmar Michelini and Héctor Gutiérrez Ruiz had very clear missions. The first sought to establish the fate of the disappeared, while the latter explored the most notorious killings of two Uruguayan politicians in Argentina. While showing some commitment to exploring the abuses during the

⁷⁶ *Diario de Sesiones de la Camara de Representantes*, Tomo 618, Junio 1985, CEIU, p 132; “Aborto practica con consentimiento de la mujer,” *Diario de Sesiones de la Cámara de Representantes*, (12 Junio 1985); p. 127-9; 132; 257, Archivo CEIU, Montevideo Uruguay; Reuterswärd’s paper also describes that both Colorado and Frente Amplio leaders supported this initial move to liberalize abortion, even though the idea eventually stalled until 2012. Camilla Reuterswärd, “La Libertad de Acción y Conciencia: Cross-Party Alliances and Voting Strategies in Uruguay’s Abortion Policy Reform,” Paper presented at LASA 2016, New York, NY.

⁷⁷ Lessa, *Memory and Transitional Justice in Argentina and Uruguay*, 136.

dictatorship, the mandates of these commissions were extremely limited. Therefore, they did not investigate the military's repressive tactics such as torture, which were more common than actual disappearances in Uruguay. In addition, the commissions were relatively weak and could not compel information or testimony from the military. In the end, the commissions offered some information on the disappeared, but it was extremely limited. They also were unable to find proof of institutional decision-making about disappearances as a military tactic.⁷⁸

Human rights groups, such as Familiares and even Amnesty International criticized the commission for producing almost no new information.⁷⁹ They argued that among other faults, the commission did not have the power to compel official information or even to interview members of the military, particularly about the whereabouts of children or grandchildren who had been disappeared and might still be alive. Sanguinetti opposed attempts to investigate past abuses more broadly and was only willing to investigate “dramatic episodes” of the disappeared rather than a more thorough undertaking.⁸⁰ Many Uruguayans began to view the commissions as a political exercise rather than a serious undertaking for human rights.⁸¹ After seven months, the commission reported on only 164 disappearances without establishing the systematic abuses of the security forces, or the influence of Operation Condor—a coordinated campaign of political repression and terror by the dictatorships of the Southern Cone aimed at eradicating alleged socialist and

⁷⁸ Ibid., 135; Priscilla B. Hayner, *Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions* (New York: Routledge, 2010).

⁷⁹ “Official Investigations Fail to Establish Fate of the Disappeared,” June 1988, Folder Issue “Disappeared,” Box 279, WOLA Collection; Amnesty International 1986 Report, 203, Andrew Blane Private Papers, New York, NY [Hereinafter Blane Papers].

⁸⁰ Amnesty International 1986 Report, 203, Blane Papers.

⁸¹ “Denuncia,” Abril 1986, Carpeta 8, Archivo Familiares.

communist influence and ideas.⁸² Instead, the Report affirmed information that the adult disappeared were dead but it did not even offer specific evidence in each case.⁸³

Despite the shortcomings of the process, many activists still believed that trials would move forward.⁸⁴ In the months following the investigations' findings, criminal complaints continued to flood the judiciary. However, judges who agreed to hear the claims faced threats and the military courts continued to assert that they should have jurisdiction over the cases. IELSUR noted that the investigation by the commission prompted a backlash by some in the military and government who argued that the search for justice could destabilize democracy.⁸⁵

These delays were exacerbated by events in neighboring Argentina. Argentina's transition was substantively different than Uruguay's, particularly with respect to Argentina's military defeat in the Falklands in 1982 and the collapse of public support. Coupled with a crippling economic crisis, the Argentine military was forced out in defeat, which contrasted sharply with Uruguay's long negotiated transition. Argentina's transition also occurred approximately two years before Uruguay. Both chronologically, and because Uruguay had always been a "keen observer" of Argentine politics, the leaders in Uruguay were undoubtedly influenced at least marginally by Argentina's transitional process.⁸⁶ In the first two years of Alfonsín's democratic presidency, he began to address the crimes of the dictatorship with a truth commission, which was much more extensive and had more authority than the investigatory commissions in Uruguay. This measure

⁸² Priscilla B. Hayner, *Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions* (New York: Routledge, 2010), 241; Barahona de Brito, *Human Rights and Democratization in Latin America*, 146.

⁸³ Amnesty International 1986 Report, 203, Blane Papers.

⁸⁴ "Desaprecidos: Durante le Dictadura military en uruguay, se cometi6 genocidio," *Brecha*, 25 October 1985, 2-3, Archivo Diarios, Montevideo, Uruguay; Oscar Bruschera, "El Parlamento debe investigar," *Brecha*, 25 October 1985, 4, Archivo Diarios.

⁸⁵ "Informe de Actividades Desarrollados," June 1986, Grant 08550674, Reel 5703, Ford Foundation, RAC.

⁸⁶ Various scholars have outlined the impactful influence of neighboring countries on a nation's democratization process. The relationship between Argentina and Uruguay is particularly clear in this regard. Scott Mainwaring and Aníbal Pérez-Liñán, *Democracies and Dictatorships in Latin America: Emergence, Survival, and Fall* (Cambridge University Press, 2014), 208.

was followed by limited prosecutions as well, starting with nine high-level military commanders who were tried on 709 charges including murder, unlawful deprivation of liberty, torture, and robbery. All nine men were convicted in December 1985 and by mid-1986, over 3000 cases were filed in Argentinian courts by victims and their families.

By the time Uruguay was dealing with its own history of abuse, however, Argentina's forward momentum in its justice initiatives had been halted as the country began to confront a backlash and insubordination from the military. Fears of a military coup began to grow amidst unrest from the military and by late 1986, the Argentine government began to consider ways to reduce the cases moving through the courts.⁸⁷

This resistance reverberated across the Rio de la Plata as procedural delays and rumblings by the military slowed the progress of trials. Public opinion polls demonstrate the effect to which Uruguayans feared military involvement in the newly democratic environment. In one survey, for example, only 10 percent of Uruguayans believed that the military did not maintain any power, 44 percent of the population believed they maintained power over questions of salaries, trials for crimes of the dictatorship, and the ability to continually surveille people and political groups. Fifty-one percent of respondents also said that they did not believe that the military would be required to testify at trials if they were allowed to proceed.⁸⁸ The president and Parliament also felt the effects of the coup attempt rumors.

Under these circumstances, Amnesty International visited Uruguay in early 1986 and registered concerns about the current state of investigations into past human rights abuses, which the organization argued hurt the prospect of protecting human rights in the future. In a meeting

⁸⁷ Lessa, *Memory and Transitional Justice in Argentina and Uruguay*, 132.

⁸⁸ "Tambien sobre Militares Invetigaciones y Jucios," Uruguay a la Coyuntura, 22 Seitembre 1986, Folder 32, Waksman Colección, CEIU.

between the group and Sanguinetti, the president explained that he did not have the power to improve investigatory commissions nor trials, since the measures were initiated by Parliament which lacked the legal power to compel testimony. While Sanguinetti said the issue was not under his jurisdiction, Amnesty made the argument that more leadership should come from the executive to condemn torture so it could not be used as an excuse in extraordinary measures. The group also pushed for him to support accountability with trials. Amnesty's criticism marked a continued interest in Uruguay's human rights situation by the international community, which had largely celebrated Sanguinetti's election. Now, it remained involved to continue and spotlight the importance of human rights accountability.⁸⁹ The paradox of the continued pressure was that although the international community was maintaining some interest in Uruguay and justice, domestically only a few human rights groups were sustaining their focus on that issue; instead a broader array of human rights concerns had diverted their efforts.

Amnesty Law Debates

By mid-1986, Parliament moved from just failing to support investigations into crimes committed during the dictatorship to beginning to debate amnesty bills that would provide varying degrees of coverage to members of the military. The first proposal was put forward by Sanguinetti, who had moved far away from his initial position of promoting justice. Sanguinetti began to articulate his belief that perhaps the military did not need to be tried and that it was normal to provide amnesty for the military.⁹⁰ He argued that any jurisdiction over investigations should be left to military justice, even though military courts rejected requests to investigate crimes.⁹¹

⁸⁹ Letter from Thomas Hammarberg to Sanguinetti, 8 July 1986, Folder 15, Box 260, Series IV.I, AIUSA

⁹⁰ The phrase Sanguinetti used was "no hay que tener los ojos en la nuca," which technically translated to there are no eyes in the neck, similar to the U.S. phrase used above.

⁹¹ "Denuncia," Abril 1986, Carpeta 8, Archivo Familiares.

In August 1986, Sanguinetti introduced an amnesty bill that supported these ideas and his proposal encompassed all crimes related to fighting subversives from January 1962 to March 1985, demonstrating the effects of the military's pressure to grant amnesty. However, many Uruguayans opposed this bill, and over 10,000 people gathered to demand its rejection.⁹² Parliament did just that—defeating the bill in September on the basis that it was too broad.⁹³ Then, the Blancos introduced a bill which offered amnesty to the military except for those who had engaged in the gravest human rights abuses, such as rape, murder, and disappearances—as long as the complaints were filed before September 1986. This proposal attempted to allow some cases already in the system to move forward while at the same time excluding thousands of others, many of which focused on claims of torture. The armed forces objected loudly to this bill, and the measure was defeated in October 1986.⁹⁴ As these proposals continued to fail, the Supreme Court handed a blow to the military when, under continual challenges to determine the jurisdiction of the petitions, it ruled that the cases would move forward in the civilian system and not a military one. By the time the decision came down, there were over 700 cases of past abuses under judicial investigation, and the first military commanders were ordered to appear in court on 23 December. General Medina declared his opposition to any members of the military appearing before civilian judges, which set up a showdown between the military and the government—and also imposed a deadline for

⁹² Luis Roniger, *The Legacy of Human Rights Violations in the Southern Cone: Argentina, Chile, and Uruguay* (New York: Oxford University Press, 1999), 81.

⁹³ El Proyecto de Amnistía ya Está en Parlamento: La transición democrática en la encrucijada,” *Uruguay en la Coyuntura*, 1 Setiembre 1986, Folder 32, Waksman Colección, CEIU; “Hay votos en el Senado para rechazar la amnistía,” *Brecha*, 19 September 1986, 2, Archivo Diarios.

⁹⁴ “Amnistía de Delitos Cometidos por Funcionarios Militares y Policiales,” *Diario de Sesiones de la Cámara de Senadores de la República Oriental del Uruguay*, Tomo 302 (Montevideo 1986), Archivo Legislativo, Montevideo, Uruguay [Hereinafter Archivo Legislativo]. Challenging Impunity: The Ley de Caducidad and the Referendum Campaign in Uruguay,” *An America's Watch Report* (March 1989), 15.

Parliament to try to come up a solution. Legislators scrambled to draft a proposal that they could pass.⁹⁵

At a basic level, the debates which resulted during the month of December reflected a broader societal engagement over the issue of truth and justice for the crimes of the dictatorship in the new democratic era. With so many challenges facing the democratic fabric of society, citizens asked where accountability fit into the hierarchy and what took precedence, particularly amid the uproar among the armed forces. While politicians had differed in their answers to these questions during the first twenty months of democratic rule, in December 1986, strong fault lines emerged among Parliamentarians that indicated an important shift in the new democratic period. As opposed to a broad commitment to some form of accountability during the initial transition, both the Colorados and Blancos now reflected a willingness to shut the door on the possibility of trials, whereas the Frente Amplio continued to push for truth and justice. What resulted was a hastily passed amnesty law with a majority of votes being cast in favor of impunity. However, a careful analysis of the debates during this frantic period reveals a nuanced struggle within Parliament over what human rights actually meant in the new democratic rule, and how they would be defined in this period. While the deliberations occurred under the fear of a military coup and an impending deadline for the military to appear in court, the reconstruction of these debates uncovers the various meanings of democracy and human rights to different groups during this tumultuous time.

When a new amnesty law was proposed to cover the years of 1973-1985, the three dominant parties discussed what was at stake in markedly different ways.⁹⁶ First, the Colorados, the party closest to the military who worked hand in hand with them on the transitional process,

⁹⁵ Lessa, *Memory and Transitional Justice in Argentina and Uruguay*, 136–7.

⁹⁶ Of course, representation was not entirely equal in Parliament, since the Colorados held 40% of the seats, the Blancos 33%, and Frente closer to 20%.

strongly opposed trials and favored the amnesty law. Voting almost unanimously for the bill in both the Senate and Chamber of Representatives, many elected Colorado officials stressed the future of a firm stable democracy over “drowning in the problems of the past.”⁹⁷ As Silva stated years later, his party believed that the dilemma in 1986 was “either we turn the page or apply transitional justice and the theme of peace would go to hell...as hard as it was, peace was more important than justice in that moment because without peace, there would be even more injustice.”⁹⁸ These leaders did not ignore the fact that the military committed human rights violations. However, they pointed out that it was being proposed in extraordinary times. Just as amnesty was granted to political prisoners for the sake of reconciliation, Colorados argued that it should be extended to the military.⁹⁹ For the Colorados, amnesty was viewed as a reconciliation tool to be used to pacify former political prisoners *and* the military. The meaning of democracy encompassed compromises and turning the page on the difficult history rather than pushing for justice when both sides had committed crimes. Despite the vast gap in scale and design of abuses, the Colorados propagated the “two demons” theory that gave equal weight to crimes on both sides of the conflict. Instead of focusing on justice issues, these legislatures looked for the best way to secure new democratic freedoms such as the rights to freedom of speech, freedom of the press, and freedom from arbitrary imprisonment. An agreement with the military over amnesty was seen as a way to secure these elemental components of democracy and the leaders proved willing to compromise on accountability to achieve them.

The National Party were likewise supportive of the bill but much less enthusiastically. Members proved to be only lukewarm in their backing, arguing that the amnesty law was a

⁹⁷ *Diario de Sesiones de la Camara de Sendores*, Tomo 304, Diciembre 1986, p. 105, Archivo Legislativo.

⁹⁸ Author interview with Manual Flores Silva, 24 July 2014, Montevideo, Uruguay.

⁹⁹ *Diario de Sesiones de la Camara de Sendores*, Tomo 304, Diciembre 1986, p. 7, Archivo Legislativo.

necessary evil to have democracy continue, avoid a military coup, and be able to secure broader human rights in a democratic future. Many members of the party, including Guillermo Garcia Costa, explained that impunity was the only way to preserve the new and fragile democracy.¹⁰⁰ Even though Wilson Ferreira had not been allowed to stand for election and was, therefore, not a member of the Senate, his spiritual leadership of the party also played an important role when he made various public statements against pursuing justice.¹⁰¹ The Blancos' reluctance to vote for the bill was also encapsulated in their argument that a form of amnesty had been promised in the Naval Club pact. The Blancos had protested those negotiations over Ferreira's imprisonment and, thus, had not been present at the talks. By claiming that an agreement had been made in the Naval Club pact, they exempted themselves from blame for the bill and claimed that they were just going along with a promise that others had made. In this way, the Blancos did not argue that the human rights abuses or claims for justice should be ignored as a matter of principle, merely that this stance was necessary in the current situation to avoid a return to military rule, which would create even more abuses.

The Frente Amplio, however, refused to accept this justification and argued for the triumph of human rights and accountability. Pointing to the CONAPRO agreement to pursue justice and the explicit exclusion of the military in the National Pacification Law, members of the Frente Amplio advocated firmly against protecting the military.¹⁰² They refused to vote for impunity of massive human rights violations which would "justify what is unjustifiable."¹⁰³ Advocating for the

¹⁰⁰ *Diario de Sesiones de la Camara de Sendores*, Tomo 304, Diciembre 1986, p. 23, Archivo Legislativo.

¹⁰¹ "El mayor responsable de la aprobación de la ley es Wilson Ferreira," *Brecha* 26 December 1986, p. 6, Archivo Diarios; Barahona de Brito, *Human Rights and Democratization in Latin America*, 131.

¹⁰² *Diario de Sesiones de la Camara de Senadores*, Tomo 304, Diciembre 1986, p11, Archivo Legislativo.

¹⁰³ *Diario de Sesiones de la Camara de Sendores*, Tomo 304, Diciembre 1986, p. 24, Archivo Legislativo.

primacy of human rights and rule of law as necessary elements to secure a democratic future, their claims ultimately fell on the deaf ears of their fellow parliamentarians.

In some respects, the fracturing consensus among political parties accelerated the move away from accountability. Political scientist Alexandra Barahona de Brito argues that the unity of political parties committed to truth and justice is an important predictor in determining the success of accountability efforts. In Uruguay, the divide among parties promoted further fragmentation, and “discouraged parties of principles, and reduced international programmatic consistency.”¹⁰⁴ This division made coherence on fighting against the amnesty laws even more difficult.

Beyond exposing the cracks among the political parties, the parliamentary debates also revealed the widening gap between the population and lawmakers. Many prominent politicians had been among the fiercest critics of the military during the dictatorship, but now that they held positions of power, they changed their views. Vice President Enrique Tarigo surfaced as one of the most blatant examples of a shifting human rights ally. As editor of *Opinar*, he had led the popular movement against the military beginning in 1980. Senator José Germán Araujo even pointed out that when Tarigo was a newspaper editor, he had called for justice to be an integral part of the new democracy. Araujo stood on the floor of the Senate and quoted Tarigo’s own words, which had once declared that “while some countries want to turn the page and begin anew... those who were responsible [for crimes committed during the dictatorship] should be sanctioned by the law.”¹⁰⁵ By December 1986 though, Tarigo and many of his former compatriots who had fought against the dictatorship, were arguing for the passage of an amnesty law.¹⁰⁶ The newly

¹⁰⁴ Barahona de Brito, *Human Rights and Democratization in Latin America*, 34.

¹⁰⁵ *Diario de Sesiones de la Camara de Senadores*, Tomo 304, Diciembre 1986, p.15, Archivo Legislativo.

¹⁰⁶ Manuel Flores Silva is another prime example of a shifting human rights ally. During military rule, he had stood firm against the dictatorship and founded his own paper to provide a voice for his generation to expose human rights abuses. Once in office, he abandoned justice initiatives for those same abuses he had condemned during the earlier period.

reconstituted student movement also noted this perceived betrayal, arguing that a majority of the public wanted to try military leaders, but Sanguinetti, and particularly Tarigo who had been a leader in the fight against the military government, now advocated “for complicity and amnesty.”¹⁰⁷ Struggling to maintain a tenuous balance between governing and angering the military, Tarigo is just one example of how former advocates against the military emerged as their protectors against trials. Tarigo proved to be an unreliable ally for the human rights movement during this period.

In the end, these parliamentary debates, which had been occurring for months, ended in a hurried three days of legislative activity to pass Law 15.848, known as the *Ley de Caducidad de la Pretensión Punitiva del Estado* (Law on the Expiration of the Punitive Claims of the States). Debates had continued all through the night and the arguments had been fierce—one fist fight even erupted during proceedings. However, at the end of the debates, Parliament finished voting just one hour before a federal court was supposed to open a hearing for an army colonel accused of kidnapping a journalist in 1976.¹⁰⁸ The law avoided a showdown between the military and the judiciary, with the *Ley de Caducidad* entering into force on 22 December 1986.¹⁰⁹ The law gave immunity to the members of the armed forces and police (but not civilians) who had committed crimes for political motives between June 1973 and March 1985. The only cases that were excluded were ones where illicit profit was made as a result of violations.¹¹⁰

The law engendered the passions of many in civil society who saw the amnesty as the Colorado and Blanco representatives conceding to the predominance of the military in the new

¹⁰⁷ Political Nacional, 1986, Caja 2, Gustavo Olmos Colección, Archivo General.

¹⁰⁸ “Uruguay Approves a Military Amnesty,” *New York Times*, 23 December 1986, A3.

¹⁰⁹ Ley 15848, Funcionares Militares y Policiales, Palacio Legislativo, <http://www.parlamento.gub.uy/leyes/AccesoTextoLey.asp?Ley=15848&Anchor=>

¹¹⁰ Luis Roniger and Mario Snajder, “The Legacy of Human Rights Violations and the Collective Identity of Redemocratization in Uruguay,” *Human Rights Quarterly* 19, no. 1 (February 1997): 63.

civilian government. One activist later called it the “saddest day in the country’s parliamentary history.”¹¹¹ Many others were not just sad, they reacted with outrage. Senator Araújo called Blanco leaders, such as Wilson Ferreira Aldunate, Alberto Zumarán, and Elias Porras traitors and enemies for compromising on their principles and supporting the law.¹¹² Protestors congregated around the city to protest the news of the law’s passage. Some went to rally at the house of military leaders who were accused of human rights violations. Other protesters directed their anger towards Ferreira and assembled outside his home, shouting slogans against the law long into the night.¹¹³ The biggest crowd gathered outside the Palacio Legislativo where some protesters scuffled with the police and legislatures, while others expressed their anger by destroying car windows parked around the building.¹¹⁴ The military arrived on the scene as well, arresting nineteen protesters for “serious acts of disturbance.”¹¹⁵ A few days later, Araújo was expelled from the Senate, accused of inciting the violence that transpired. The media contributed to the fevered environment. After largely failing to cover the legislative debate in parliament, they covered expulsion of Araujo and the violence after the passage of the law even more than the actual terms of the debate.¹¹⁶

The physical unrest that accompanied the passage of the law was a preview to the battles that would be fought in the arena of public opinion, the legal system, and in the ballot box in the coming years. It also reunited civil society actors who had diverged in purpose in the previous

¹¹¹ Omar Mazzeo, *Memorias del Voto Verde* (Montevideo: Rosebud Ediciones, 1999), 20.

¹¹² Araújo was one of the most outspoken opponents of the amnesty law, and days later, he was impeached and removed from office. Opponents accused him of inciting the crowds who reacted with outrage to the law. “Pedirán desafuera de Araújo por promover incidentes de anoche,” *El Día*, 22 December 1986, 5, Archivo Diarios

¹¹³ “Coacción y Amenazas en Domicilios de Lideres Políticos y de Jefes Militares,” *El País*, 22 December 1986 1, Archivo Diarios.

¹¹⁴ Number varied wildly in the newspapers the next day over how many protesters were at the Palacio. *El País* reported that the numbers “did not exceed 1500”, while *El Día* estimated the number to be about 300. “Grave Disturbio en Palacio, Varios Diputados Lesionados,” *El País*, 22 December 1986, 1; “Hubo heridos en graves disturbios en Parlamento,” *El Día*, 22 December 1986, 7, Archivo Diarios.

¹¹⁵ “Hubo heridos en graves disturbios en Parlamento,” *El Día*, 22 December 1986, 7; “El Olvido Imposible,” *Brecha*, 26 December 1986, Archivo Diarios. All but one were released within 24 hours.

¹¹⁶ Antonio Pereira, “Análisis de los informativos televisivos durante el proceso de aprobación de la ley de caducidad,” *Cuadernos de Historia* (2012): 125-149

years over the hard work of how to reconstitute democracy and what human rights would mean in the post-dictatorship era. What the amnesty prompted was a return among many of these groups about the earlier, more individually focused rights narrative that required a renewed form of organization and fight—a recognition that was produced only after the amnesty law was passed.

Conclusion

In the end, the twenty-two months between Sanguinetti taking the oath of office and the passage of the amnesty law proved to be a critical time period in Uruguay. Re-examining this period reveals the complexities involved in negotiating the terrain of a “pacted” transition and new democratic governance. In addition, this chapter explores the ways that human rights evolved both within civil society and also governmentally, including the fissures that had developed between these groups.

Historian Steve Stern explains that “pacted” transitions are often limiting because both sides come to an agreement based on a “necessary fiction” of what the transition will be like. In this way, construction of a fiction is the only way that an agreement can be reached. However, problems arise because no one actually trusts this necessary fiction to hold. Therefore, the years following these pacts so often include a “struggle to redraw the lines of effective power.”¹¹⁷ Uruguay witnessed this phenomenon amid other countervailing societal forces which is partly what explains the evolving attitudes towards justice during these initial months.

Perhaps the biggest shift though was in the expansive discourse of human rights. In some ways, particularly within civil society, groups began to address issues related to economic concerns, social concerns, and educational efforts as fundamental human rights to be protected.

¹¹⁷ Steve J. Stern, *Remembering Pinochet's Chile: On the Eve of London 1998* (Durham: Duke University Press, 2006), 369.

While this inclusion expanded the discourse of human rights to these other spheres, it also lessened the impact of human rights specifically for justice concerns of the military dictatorship. The evolving definition of what constituted human rights also showed the ways that human rights had, from its minimalist vision during the dictatorship, expanded to recover the rights of the pre-dictatorship era. Collective rights reemerged as critical societal issues. Activists utilized the powerful international discourse to describe their goals, a language that had permeated borders and transnational networks during the 1970s. As Uruguay's transition proceeded through 1985 and into 1986, civil society was not always focused on justice as human rights. Many activists also recovered partial visions of the 1960s visions of social justice. While no longer described within a revolutionary framework, these actors began to reimagine dreams that had been lost during the repression. These were articulated in new ways in the 1980s—many times in a human rights discourse.

What also shifted during those twenty-two months was the argument linking full recuperation of democracy to justice for human rights. At first, democracy was tied to rule of law, which meant punishing the officers for the human rights abuses.¹¹⁸ The separation between consolidating democracy and human rights came in 1986 as confrontations with the military became imminent. The debates over whether these two concepts should be delinked began over three rushed days in Parliament in December 1986, but they would captivate the nation throughout the remainder of the decade.

¹¹⁸ Aracely Fernández Conze, "Qué nos aporta el caso uruguayo a los estudios sobre las transiciones a la democracia del Cono Sur latinoamericano en los 80?" Seminario de Historia Reciente, Setiembre 2014, Montevideo, Uruguay.

Chapter 7: Human Rights Silences and the Fight to Overturn the Ley de Caducidad

Less than 24 hours after the amnesty law entered into force, the widows of two murdered politicians, Elisa Dellepiane and Matilde Rodríguez, and a grandmother of a *desaparecido*, María Ester Gatti, gathered at the *Asociación Cristiana de Jóvenes* (Christian Youth Association) to declare their intention to challenge the law with a national referendum.¹ As publicly known figures already linked to the painful violation of human rights, these three women stood as powerful symbols of protest against the amnesty. They needed no introduction nor explanation of who they were to anyone in the country.² Issuing a public statement on 23 December 1986, they declared that the law created “two classes of Uruguayans: the unpunished, endowed with the power of force, and the defenseless, although they have the power of reason.”³ Beyond just words, they used the opportunity to announce the creation of the *Comisión Nacional Pro-Referendum* [National Pro-Referendum Commission (CNPR)], signaling an unwillingness to accept this new social order. Instead, they vowed to fight the “legalization of impunity” and work to place the *Ley de Caducidad* before a popular vote that would give Uruguayans a chance to overturn the law and move forward in seeking truth and justice.⁴

Since 1934, Uruguay’s constitution had allowed for these types of direct democratic procedures.⁵ While various presidents and legislatures had revised the constitution numerous times

¹ Their husbands were Zelmar Michelini and Hector Ruíz Rodríguez, respectively. “Por un referéndum contra la impunidad,” *Brecha*, 26 Diciembre 1986, 12, Archivo de Diarios, Palacio Legislativo, Montevideo, Uruguay [Hereinafter Archivo Diarios].

² Omar Mazzeo, *Memorias del Voto Verde* (Montevideo: Rosebud Ediciones, 1999), 40.

³ Madres y Familiares de Detenidos Desaparecidos Uruguay, *El Referéndum Desde Familiares* (Montevideo, 1990), 11.

⁴ *Ibid.*

⁵ Referendums have a long and storied history in Uruguay as part of the nation’s strong democratic roots, where many public issues have been submitted to votes. The 1934 constitution introduced direct democracy, in which voters could voice their opinions on issues of national importance. The referendum process was revised and expanded in both 1942 and 1967. Since the return to democratic rule in 1985 until 2010, direct-democratic procedures were used 17 times in Uruguay, including the two referendums on the *Ley de Caducidad* in 1989 and

over the previous half century, the 1967 Uruguayan constitution specifically stipulated that the citizenry could hold a referendum on a law if 25 percent of the electorate requested it.⁶ Based on Uruguay's population in 1986, this meant that the CNPR had to collect 555,701 signatures to petition and put the law up for a national vote. Citizens had one year from the date of the law's passage to collect the requisite signatures, after which an electoral court would verify the votes and then set a future date for a referendum. The process could take years and while it was a daunting task, the organizers of the commission felt that it was their only option to fight the impunity that the amnesty law imposed on Uruguayans.

Thus, the CNPR launched a three-year battle to overturn the Ley de Caducidad that was ultimately unsuccessful. Between the nation's return to democratic rule in March 1985 and the passage of the amnesty law in December 1986, Uruguay's most ardent activists had been waging battles over how to reconstitute a democratic state after years of violence. Among other concerns, unions, the student movement, and human rights groups debated issues of fair wages, education, and accountability. While not all of these groups had focused on justice concerns immediately following the first elections in more than a decade, the amnesty law set into motion a renewed coherence of purpose. However, it was not enough to successfully win the referendum.

This chapter explores the changing human rights landscape during the battles to overturn the amnesty law, revealing three key insights from this period of Uruguayan history. The first is the effect of the renewed activism of many groups in Uruguay to work with the CNPR, the organizing effort behind the referendum. The Commission based its headquarters in Montevideo,

2009. Monica Barczak, "Representation by Consultation? The Rise of Direct Democracy in Latin American," *Latin America Politics and Society* 43 no. 3 (Autumn 2001), 37-59.

⁶ Luis Roniger and Mario Sznajder, "The Legacy of Human Rights Violations and the Collective Identity of Redemocratized Uruguay," *Human Rights Quarterly* 19, no. 1 (1997): 59.

but also established a wide reach within the country. The group had promised to transcend political party banners. Therefore, it operated in neutral spaces such as social clubs, sporting events, parishes, and unions in both the capital city and the interior of the country. Overall, the CNPR consisted of over 350 separate outposts in various neighborhoods.⁷ Internationally, the Commission also worked hard to partner with dozens of groups for support. Bringing together so many groups under one umbrella was an important decision that was intended to unify opposition to the law. However, it also affected the strategic calculations of the CNPR, mainly the decision to focus the campaign around the less controversial argument that the referendum would restore people's voices in democracy. What it left out, though, was an appeal to the population based on the importance of pursuing justice for past human rights abuses.

The human rights aspect of the referendum has not been widely explored in academic literature. Scholarship that has addressed the referendum tends to focus on the Commission's valiant efforts to overturn the law in the face of difficult domestic and international conditions.⁸ Many studies have also analyzed the atmosphere of fear, seen as the primary cause of defeat.⁹ While both these factors are vital parts of understanding the forces behind the defeat, the absence of a strong human rights argument is a notable component as well. As scholars like Bill Readings have argued, silence can represent "meaning without language; silences can be meaningful... as a

⁷ Antonio Pereira, "Análisis de Los Informativos Televisos Durante El Proceso de Aprobación de La Ley de Caducidad," *Cuadernos de Historia* (2013), 126.

⁸ Jo-Marie Burt, Francesca Lessa, and Gabriela Fried Amilivia, "Civil Society and the Resurgent Struggle against Impunity in Uruguay (1986–2012)," *International Journal of Transitional Justice*, March 2013, 1–22; Maria Delgado, "'So the people can decide': The Experience of the Referendum Against the Impunity Law in Uruguay," (Montevideo, 1989).

⁹ Juan Rial, "Makers and Guardians of Fear: Controlled Terror in Uruguay," in *Fear at the Edge: State Terror and Resistance in Latin America*, ed. Juan E. Corradi, Patricia Weiss Fagen, and Manuel A. Garretón Merino (Berkeley: University of California, 1992); Louise Mallinder, "Uruguay's Evolving Experience of Amnesty and Civil Society's Response," *Working Paper No. 4, Beyond Legalism: Amnesties, Transition, and Conflict Transformation* (Queen's University of Belfast, March 2009), 53-55.

form of discourse [it] occupies a space even more vast than language.”¹⁰ In this way, exploring the silence about human rights in the referendum campaign begs questions about the way the discourse of human rights in Uruguay underwent a fundamental transformation during the 1980s transition back to democratic rule. Its absence is notable because it might at first appear counter-intuitive that the organizers of a referendum to overturn the protection of human rights abusers concentrated a public campaign to produce that referendum on an argument that largely avoided addressing such violations. However, those working for the referendum employed a concerted strategy to center the debate on questions of rule of law and democracy to appeal to the largest possible number of voters. They did not want to remind voters of the pain or the controversies that characterized the dictatorship.¹¹

While a human rights discourse was notably absent from the campaign, a second key insight is the expanded meaning of human rights for other social causes. In the late 1980s, various groups mobilized a human rights language to advocate for a broad array of societal issues, which demonstrates the diverse ways in which human rights came to be employed. Even in the fierce battle over the amnesty law, which brought together a diverse coalition of activists, civil society continued to flourish and many groups often focused their efforts on other pressing issues that the nation faced in the post-dictatorship period. These activists frequently expanded the meaning of human rights beyond that of the 1980 minimalist moment, when human rights were defined as the right to be free from torture, political imprisonment, and disappearances. In addition to unions and the student movement’s resurgence, other social movements began to emerge during this period

¹⁰ Bill Readings, “Silence as Discourse,” *Group for Early Modern Cultural Studies* (November 1994); This concept is also more fully explored in Michael Foucault, *The History of Sexuality Volume I: An Introduction*, trans. Robert Hurley (New York: Vintage, Random House, 1980).

¹¹ Burt, Lessa, and Amilivia, “Civil Society and the Resurgent Struggle against Impunity in Uruguay (1986–2012),” 8.

to advocate for their own fundamental human rights, including women, Afro-Uruguayans, and a gay rights movement. These groups' efforts utilized a human rights language to advocate for a broad array of claims, even during the battles over the amnesty law, which points both to the continued diffusion of meaning within the human rights community, but also the competing social concerns beyond a justice framework.

Finally, this chapter analyzes the effects of waning international involvement in Uruguay during this period. The transnational human rights movement had been central to helping a domestic human rights movement emerge in Uruguay during the 1970s and early 1980s. To some organizations though, elections had signified a return to "democracy," while thousands were dying in active conflicts in places like Colombia and Peru. As such, after the Uruguayan elections in 1985, many transnational groups focused attention elsewhere and reduced their support of Uruguayan groups. This impulse was marked no more poignantly than by the Ford Foundation. The Foundation's declining interest in Uruguay was apparent when it first asked previous grantees that had worked on justice initiatives to consider submitting funding proposals that specifically worked on human rights issues beyond accountability goals. When proposals came in, Ford determined that they lacked urgency and rejected them. By 1990, the Foundation declared a moratorium on any grants to Uruguay. Thus, as domestic groups turned their concerns to expanding their working definition of human rights, the international community began to focus on a broader range of countries, withdrawing assistance that had been critical as both a financier and champion for the justice movement. The lack of funding and support served to hasten these groups' move away from mobilizing for justice against the dictatorship's crimes.

In this period, U.S. foreign policy also continued to withdraw support of explicit human rights aims. The Reagan administration had hardly been a defender of human rights in Uruguay;

instead, it had reversed most of Carter's human rights initiatives towards the military regime. While Reagan did back a return to electoral rule, the U.S. embassy was largely neutral towards the outcome of the referendum battle. Reagan had shown some support of the law's initial passage as a means to ensure stability but ultimately proved to be largely disinterested in debates about truth and justice.¹² Rather, his administration focused on how bilateral or regional concerns could be furthered by democratic rule without any major upheaval.

In the end, the referendum's failure demonstrated the shortcomings of the justice movement. Despite their inability to overturn the amnesty law, activists who had worked on the referendum left an enduring ideal about justice that reemerged in later decades. The debates about the amnesty law laid the foundations for a diverse civil society and discourse of rights that far outlasted individual political moments. The efforts of these groups also contributed to a growing international movement about the mere possibility of justice during transition that had not existed before this period. As political scientist Kathryn Sikkink points out, at the earliest, Uruguayans began to imagine the possibility of human rights prosecutions in 1983, when the Argentine human rights movement started to publicly demand accountability for violations in the neighboring country. Before then, it was unimaginable that human rights violations would receive state scrutiny.¹³ Activists' work against the amnesty law, although ultimately unsuccessful, helped lay the conceptual foundation of transitional justice that would gain an increased following around the globe in subsequent year as a legitimate debate within transitioning societies. While Uruguay is often left out of the histories of transitional justice due to the triumph of the amnesty law, this

¹² Morris Morley and Chris McGillion, *Reagan and Pinochet: The Struggle Over US Policy toward Chile* (New York: Cambridge University Press, 2015); William Michael Schmidli, *The Fate of Freedom Elsewhere: Human Rights and U.S. Cold War Policy toward Argentina*, 1 Edition (Ithaca: Cornell University Press, 2013), 190.

¹³ Kathryn Sikkink, *The Justice Cascade: How Human Rights Prosecutions Are Changing World Politics* (New York: W.W. Norton & Co., 2011), 9.

chapter re-centers Uruguay as an important country to explore the origins of transitional justice debates.

Collecting Signatures

When Elisa Dellepiane, Matilde Rodríguez, and María Ester Gatti announced the creation of the CNPR, they launched a powerful challenge to the legislature's amnesty law. The women sought to channel the outcry and unrest on the streets that accompanied the passage of the law towards productive means. Despite the fact that civil society had focused its concerns over the past several years on a multitude of challenges in the fragile democracy, various groups now joined together and issued official statements expressing their opposition to the law.¹⁴ For example, the teachers union wrote that "with sadness and pain, [we] see that the law has passed, a new and serious cause of fracturing society in Uruguay."¹⁵ The leftist newspaper, *Brecha*, encapsulated this renewed solidarity, publishing an article which stated that "our people have reliably demonstrated that they want truth and justice and no pact with the military. That our people want peace, yearn for peace, they know certainly there is no peace without justice. In this plan, the referendum is for dignity and against fear. Not only against fear and possible coups, it is the... fear of change. Our country does not deserve fear as its destiny."¹⁶

These statements translated into action in the form of a march just days after the law's passage in December 1986, affirming that there was widespread support for the referendum. More

¹⁴ This is not to say that arguments for the expansion of human rights diminished during this period; in fact, the fierce debate about human rights in other contexts continued. For example, the liberal *Brecha* explained the need to widen the understanding of human rights. The article argued for the system of human rights to include not just political and civil rights, but also economic, social, and cultural rights to realize a more complete and complex social justice vision. Oscar López Goldaracena, "La educación, aporte para la causa de los derechos humanos," *Brecha*, 22 May 1987, 30, Archivo Diarios.

¹⁵ "Universidad y Ley de Caducidad," *Boletín de Asociación de Docentes de la República*, Marzo 1989, p. 2, Ana María Ferrari, Archivo General de la Universidad, Montevideo, Uruguay [Hereinafter Archivo General].

¹⁶ "La Dignidad no Caduca," *Enfoque*, Julio 1987, p22, Colección Ana Laura Mello, Archivo General.

than 50,000 demonstrators filled the main street of Uruguay, *Avenida 18 de Julio*, from the University to the *Obelisco*. Organized by the major labor union the PIT-CNT and led by members of the Madres y Familiares de los Desaparecidos-Detenidos, the group declared that the march was an act to reclaim “Uruguayan dignity” after the past few tumultuous days.¹⁷

Many participants from the marches went on to form grassroots committees to organize this widespread support for the efforts of the Commission around the country. In less than forty days after the CNPR declared their intention to collect signatures for a referendum, 200 neighborhood committees appeared in the capital. At least one was also established in each of the other eighteen interior departments, although this number grew over the course of the campaign to a total of eighty. Overall, the total number of committees throughout the country eventually reached somewhere between 350-400.¹⁸

The enthusiasm for recourse against the law produced groups that were largely “self-organizing networks and pluralist forces of civil society, dissociated from traditional parties, although supported by individual politicians.”¹⁹ While the Frente Amplio and human rights groups like SERPAJ helped encourage people to join the efforts, the groups were all independent of formal affiliation, operated in neutral spaces, and affiliated under the central CNPR agenda. One of the initial petitions submitted to the government demonstrated this widespread support by having representatives of the labor union, major human rights groups, political party representatives, and even the famous author, Mario Benedetti, all band together to protest the government.

¹⁷ “Este es un acto de la dignidad uruguaya,” *Brecha*, 26 December 1986, 7, Archivo Diarios.

¹⁸ Maria Delgado, “‘So the people can decide’: The Experience of the Referendum Against the Impunity Law in Uruguay,” 16; Mazzeo, 41-2.

¹⁹ Roniger and Sznajder, “The Legacy of Human Rights Violations and the Collective Identity of Redemocratized Uruguay,” 67.

From analyzing this loose alliance, two important insights emerge that directly influenced the Commission's initial strategy. First, the diversity involved in this large movement produced tensions, particularly among members that were also involved in the Frente Amplio. The political party, representing a coalition of leftist political groups, also experienced internal party struggles during this period that manifested in debates over how to conduct the campaign strategy. For example, arguments arose in the group when the Communist Party criticized the lack of orthodoxy among other Left groups and blasted the Commission for accepting international money to conduct the campaign.²⁰ With internal struggles surfacing early on, the CNPR realized the importance of organizing a cohesive strategy to attract the greatest number of Uruguayans to sign the petition for a referendum. As a result, they began to search for a strategy that would reduce tension and appeal to the widest number of people. These concerns were at the forefront of debates over how to organize a public campaign.

Second, the CNPR's gender dynamic revealed the expanding role of women in society, which had begun during the dictatorship and continued in the democratic environment.²¹ For example, the debates in Parliament to pass the law had been led entirely by men. No women had been elected in the 1984 vote. The Chamber of Deputies was composed of ninety-nine men and the Senate with thirty. The CNPR, however, presented a very different gender dynamic. It was formally constituted by a group of only women. Although men eventually did enter the upper ranks, the leadership was still largely dominated by females. Throughout Latin America, scholars argue that women drew on their role as activist mothers to enter the public sphere and form the

²⁰ Marisa Ruiz Interview with Matilde Rodriguez, 1999 (copy on file with author). The author wishes to thank Marisa for providing her with the transcript of this interview. Diego Sempol, "A la sombra de una impunidad perenne," ed. by Aldo Marchesi, *Ley de Caducidad: Un Tema Inconcluso: Momentos, Actores, y Argumentos (1986-2013)*, (Montevideo Ediciones Trilce, 2013), 107.

²¹ Author Interview with Raquel Nagora, 1 August 2014, Montevideo Uruguay.

backbone of the human rights movement during this period.²² One leader in Uruguay, Matilde Rodríguez, remembers the same phenomenon, recalling that the commission was “full of women.” While she had never considered herself to be a feminist, she remembered that challenging the military’s impunity was her first “contact with feminist militancy...and it was phenomenal.”²³ This aspect had a profound societal affect. Women’s leadership at the top of the Commission played an important role in inspiring other women to become involved in the campaign and lead neighborhood groups. They organized solidarity networks in their communities, at home, and even in churches.²⁴ Members of neighborhood committees recalled women distributing leaflets about the referendum while running errands in the market.²⁵ Meanwhile, in the interior parts of the country, women also worked hard to cover the vast territories and attended local meetings of labor groups, church meetings, and political gatherings to both collect signatures and to plan for how each member could cover different parts of the area.²⁶

Women serving on the committees also recalled organizing based on an atmosphere “removed from the ideological rhetoric” and “not thinking about political returns.”²⁷ Instead, many of these women entered the public sphere attempting to find common principles and return to “values, the value that all were equal before the law and the values that had been lost during the dictatorship.”²⁸ They approached the referendum battles with “sympathy, warmth, and simplicity,”

²² Susan Franceschet, Jennifer Piscopo, and Gwyn Thomas, “Supermadres, Maternal Legacies, and Women’s Political Participation in Contemporary Latin America,” *Journal of Latin American Studies* (February 2016), 2.

²³ Interview with Matilde Rodríguez

²⁴ Many of these first women became involved in political activities during the dictatorship, stepping outside of the domestic sphere to become involved in trying to find their loved ones. They met on buses that took them to the prisons and began to organize solidarity networks and collections for relatives of prisoners, since often the removal of the head of household for extended prison sentences meant that families struggled to make ends meet. This help enabled women to garner some political experience during the referendum campaign. The increased leadership by women helped to enhance this experience. Delgado 31-33.

²⁵ Delgado, 32.

²⁶ Ruiz, *Ciudadanas*, 82-83.

²⁷ Delgado 32; Interview with Matilde Rodríguez

²⁸ Interview with Matilde Rodríguez.

to counter the tremendous fear the country had experienced throughout the long dictatorship.²⁹ In this way, organizer Matilde Rodríguez explains, the campaign was not approached through a radical challenge to the social order. It allowed for the inclusion of women that did not rely on affiliation with a specific political party. Rather, their status as “concerned women” allowed for a non-threatening entry into the public sphere.

However, there was another motivation that influenced the Commission’s initial strategy—responding to government arguments in support of the law. In particular, the government claimed that the Ley de Caducidad was essential to save democracy. During the debates in Parliament to vote for the law, Blanco leaders had stressed that amnesty was the only way to prevent a breakdown in the fragile democracy. For example, in the Senate, one of the party’s leaders, Gonzalo Aguirre, explained that Uruguay was “facing a serious institutional crisis” and argued that only an amnesty for the military would “guarantee peace, tranquility, and fundamentally, making institutions safe from any impending risk.”³⁰ After the law was passed, Wilson Ferreira Aldunate wrote an editorial in *La Democracia*, rationalizing that the path to democracy had been incredibly long and difficult. He stressed that the law was the only way to prevent an imminent institutional crisis.³¹

The Colorado Party made similar claims. President Sanguinetti asserted that the amnesty was “not only about liberty, but also security and tranquility.”³² He stressed equality in granting amnesty to political prisoners in March 1985 with the new law, declaring that the country needed to “judge all or judge no one to honor the future. The country should adopt a political solution to

²⁹ Memo, Comité Ejecutivo, 4 March 1987, Archivo SERPAJ, Montevideo, Uruguay [Hereinafter Archivo SERPAJ].

³⁰ “Sesiones del 18 de Diciembre al 23 de Diciembre,” *Diario de Sesiones de la Cámara de Senadores de la República Oriental del Uruguay*, Tomo 304 (Montevideo, 1986), 7-8, Archivo Legislativo, Montevideo, Uruguay [Hereinafter Archivo Legislativo].

³¹ Wilson Ferreira Aldunate, “Costo y recompense de la grandeza,” *La Democracia* (31 Diciembre 1986), 3, Archivo de Centro de Estudios Interdisciplinarios Uruguayos [Hereinafter CEIU].

³² “Sanguinetti destacó clima de libertad y seguridad en el país,” *El Día*, 21 December 1986, 8, Archivo Diarios.

leave the past definitively behind and consolidate the national institutions.”³³ Thus, the proponents of the law justified their support for reasons that rested on both the need for peace and tranquility, while also arguing for the need to turn the page on the past era.

The CNPR’s campaign strategy reflected a direct response to both these claims and many of the women leaders’ desire to create a common purpose removed from political ideology. Documents from some of the initial CNPR meetings illustrate that members of the group debated how to counter the government’s arguments. They ultimately decided to move towards explicitly emphasizing democracy over a direct human rights appeal. This strategy is reflected in the campaign slogan the Commission ultimately chose: “I sign for the people to decide.”³⁴ While members of the Commission initially debated using language that invoked truth and justice, the heterogeneity of the actors compelled the leaders to choose a less controversial slogan that appealed to a democratic consciousness following the long military dictatorship.³⁵ Thus, the CNPR made a concerted effort to appeal to these democratic ideals. Rather than focusing on the larger goal of justice, it centered on the very narrow merits of having a referendum in the first place. The official call for a referendum, for example, asserted that the amnesty law was an “affront to the people’s democratic sentiments” that were rooted in the “recognized principles of universal law and the most pure national traditions of Artigas.”³⁶ The referendum process, the press release went on to explain, was essential to counter the threat to the newly reconstituted democracy after “so much effort and sacrifice to overcome more than a decade of dictatorship.”³⁷ These broad values of democratic affirmation made a specific call to all political parties and sectors of society. It

³³ Ibid.

³⁴ Autoadhesivos, “Yo Firmo,” SERPAJ Archives.

³⁵ Enrique Mazzei and Graciela Prat, “El Movimiento Pro-Referéndum en Uruguay, 1986-1987,” *Ciencias Sociales* 4 (1990).

³⁶ “Llamamiento a un referéndum Contra la Ley de Impunidad,” 28 enero 1987, Folder 35, Archivo SERPAJ. José Artigas is often considered to be the founding father of Uruguay nationhood.

³⁷ Ibid.

sought to appeal to as many Uruguayans as possible to sign the referendum. This meant that the terms of the debate were not around having trials and the necessity of a human rights culture, but about allowing the people to have a vote and a say in government. It focused on the singular objective of having a referendum, as opposed to the larger judgment about crimes if the law was put up to a vote.

This initial strategy proved effective and the campaign got off to a rather amazing start. The Commission formally submitted its request to begin collecting signatures on 12 January 1987.³⁸ On 28 January, the CNPR officially integrated. A big kickoff followed on 22 February 1987 to commence collecting signatures. During this time, the Commission also enjoyed the enthusiastic support of Amnesty International, which launched a letter-writing campaign to express its concerns over impunity in the country and the inability to discover the truth about relatives who were disappeared.³⁹ In the first three weeks, committees around the country collected 160,000 signatures, averaging a staggering 7,619 names each day. On Sunday, 15 March, the Commission held a national event to collect signatures and set up over 300 tables, mostly in Montevideo with some other locations in the interior as well. Between eight and nine thousand set out to collect signatures, going door to door and zone to zone.⁴⁰ Meanwhile, the groups painted signs and murals around the city with the campaign's slogan, "*Yo Firmo, para que el pueblo decida.*" Bands played in front of similar posters to attract large crowds and generate excitement about the campaign.⁴¹ The day was a huge success and the CNPR collected almost another 100,000

³⁸ Boletín Interno No. 1, 12 January 1987, Compañía Pro Referéndum Contra la Ley de Impunidad, Folder, Publicación Periódica, Archivo SERPAJ.

³⁹ Memo, "Uruguay: Amnesty International's Concerns on 'Disappearances' Following Legislation Granting Immunity from Prosecution to Alleged Violators of Human Rights," 2 February 1987, Folder 15, Box 260, Amnesty International USA Archive, Columbia University [Hereinafter AIUSA].

⁴⁰ "El Referéndum Moviliza a Una Ciudad," *Brecha*, 20 March 1987, 3, Archivo Diarios.

⁴¹ *Ibid.*, 4-5.

signatures—which brought the total to just under 50 percent of the total number of votes needed.⁴² While no other event brought in that quantity of votes, independent groups continued to organize debates, show films with discussions afterwards, and bring citizens out in the neighborhood to sign the petition.⁴³

The remarkable pace of these efforts proved unsustainable as the colder months set in. As the seasons changed, door-to-door campaigning became more difficult and getting to the less-populated interior proved expensive. During this slower period, the campaign reevaluated the next stage of its efforts and decided to appeal to possible signers by expanding their message beyond just “let the people decide.” The CNPR drew up a series of new slogans to roll out; however, the new strategy also barely touched on the justice for human rights issues. Rather, the new slogans similarly centered on democratic appeals by using language like: “I sign because I have confidence in democracy”; “I sign because I have confidence in the future” as a direct repudiation of the government’s campaign of fear; and “I sign because I have confidence in Uruguayans” as another appeal to democratic impulse in ‘letting the people decide’.⁴⁴

There was just one proposal for a jingle on the radio that touched on human rights. In this slogan, the CNPR asserted that “for Uruguayans, judging who violated human rights of the past only has one meaning, to look with calm towards the future; I sign because I have confidence in the future.”⁴⁵ At this stage, it was the only communications effort that centered on the actual objective of repealing the amnesty law in order to judge the military for human rights abuses. Rather than revolve around spotlighting the abuses of the dictatorship period, the language sought to counter the government’s claims that a referendum would cause upheaval in the country. In the

⁴² Maria Delgado, “So the people can decide.”

⁴³ Author Interview with Raquel Nagora, 1 August 2014, Montevideo, Uruguay

⁴⁴ “Consideraciones de la Comisión de la campaña de recolecciones de firmas,” 6 April 1987, Archivo SERPAJ.

⁴⁵ “Textos Radios 15,” nd, Archivo SERPAJ.

first stage of the campaign, the CNPR did not want to focus on the pain of the dictatorship and therefore, appeals that touched upon the human rights abuses of the past, proved rare.

In contrast, there were other groups that, from the beginning, spoke about the crimes of the dictatorship as part of the reason why they supported the Commission's efforts. For example, the *Comisión Nacional de Liberados Políticos* (National Commission of Liberated Politicians) used opportunities like the anniversary of the final release of political prisoners to support the referendum. It stressed the continuing financial and psychological difficulties many Uruguayans faced as a result of imprisonment and torture. The group declared support for the CNPR by arguing that "democracy cannot be consolidated by ignoring the crimes of the dictatorship."⁴⁶ For this group, the referendum was not about being allowed to participate in politics, but rather about accountability for the members' suffering. The commission, however, steered away from this topic during the initial phase of the campaign.

Interestingly, some of the opposition to the campaign focused more on a human rights argument than the actual commission. Throughout 1987, members of the Colorado and Blanco Parties waged a campaign against the referendum attempt. They never formed a formal commission like the supporters of the referendum did, but they still managed to argue publicly against the idea of a referendum.⁴⁷ Specifically, Vice President Tarigo and Senator Eduardo Paz

⁴⁶ "Sin ánimo de revancha: la democracia no se consolida ignorando los crímenes," *Brecha*, 20 March 1987, 8, Archivo Diarios.

⁴⁷ While most of the arguments surrounding the overturn of the law occurred publically in the debates for the referendum, some limited debate about the efficacy of the law continued in other venues. For example, in May 1987, members of the Frente Amplio proposed extending the *Comisión Investigadora* into the deaths of Michelini and Ruiz in Parliament, hoping to access information from Buenos Aires, where they were killed. However, the continued search to dig into the past evoked strong responses. For example, one Colorado representative, Federico Bouza, opposed extending the life of the *Comisión Investigadora* because "at the end of 1986, there was a political decision made and adopted by a large majority of Parliament, voting for the Ley de Caducidad, which implied a political philosophy and signaled that the country was moving towards the future and overcoming the viciousness of the past." Bouza argued that those in the minority [the Frente Amplio] did not represent the majority of citizens who wanted to maintain this conflict by extending this *Comisión Investigadora*. He believed this action contradicts the spirit of the majority who voted affirmatively for the Ley de Caducidad. "Secuestro y asesinato perpetrados contra la

Aguirre gave voice to the campaign, citing that international experience was decidedly in favor of amnesties and that two of the main democratic parties were against the referendum. They even used the language of the human rights movement to make the argument declaring that “peace is the guarantee of human rights.”⁴⁸ They stated that a referendum and trials could be a return to the “confrontations of the past,” which played on the fear of the population about another military coup.

This argument was particularly poignant in light of events in neighboring Argentina. During Semana Santa in April 1987, a group of military officers mounted a dramatic protest against the impending trials in the country. The day before Major Ernesto Barreiro was supposed to appear in court for his human rights trial, the military overtook the Campo de Mayo Infantry School and converged on the city dressed in combat uniforms as if preparing for battle. The military demanded that the trials come to an end and that members of the armed forces be granted amnesty. President Raúl Alfonsín brokered a peace deal that included placing the leader of the rebellion, Aldo Rico under house arrest. However, he also passed the *Obediencia Debida* (Due Obedience) law that offered impunity for those below the rank of colonel from responsibility for any actions taken during the Dirty War.⁴⁹ Although the result was ultimately a peaceful conclusion, it exposed the fragility of Argentina’s new democracy. Politicians in Uruguay that opposed the referendum used the incident as evidence of the possible ramifications that could come from pursuing trials.⁵⁰

ex-Legisladores Héctor Gutiérrez Ruiz y Zelmas Michelini,” 14 Mayo 1987, *Diario de Sesiones de la Cámara de Representantes*, Tomo 628, May – June 1987, p. 243-6, CEIU.

⁴⁸ Álvaro de Giorgi, “Las Defensas Blanca y Colorada de la Ley: Entre el Mal Menor y El “broche de oro” de la “restauración modelo,” in *Ley de Caducidad Un Tema Inconcluso: Momentos, Actores, y Argumentos* (1986-2013), ed Aldo Marchesi (Montevideo: Ediciones Trilce, 2013), 40.

⁴⁹ Deborah Norden, *Military Rebellion in Argentina* (Lincoln: University of Nebraska Press, 1996), 129.

⁵⁰ Some of those working for the referendum also received death threats in Uruguay, including well-known members such as Senator Carlos Julio Pereyra, municipal leader Rodolfo Nin Noyoa, and the president of the commission, Jaime Castells. “Campana de amenazas contra el referéndum y necesidad de que se adopten medidas para garantizar el proceso del plebiscite,” 10 Junio 1987, p. 707, *Diario de Sesiones de la Cámara de Representantes*, Tomo 628, Mayo – Junio de 1987, Archivo Legislativo.

Many of those in Uruguay who fought against the referendum also extended this argument. They posited the idea that a preemptive peace between the new government and military would actually guarantee human rights more than trials would.⁵¹ While not explicit, this stance worked against the conception that human rights stemmed from truth and justice. Instead, it sought to argue for a more expansive vision of human rights that moved beyond whether human rights could be realized only by seeking justice for past violations or whether human rights and peace meant allowing for a broader social and economic perspective of rights such as education and health. Here the opposition hit on a key debate in this emerging transitional justice movement—was the best guarantee against future violations through justice or peace? Were these goals mutually exclusive? In this way, the opposition to the referendum positioned themselves as defenders of human rights, but articulated a different theory regarding how to obtain it.⁵²

Despite the opposition's human rights stance, the CNPR consistently stressed the importance of democratic institutions in its pleas for a referendum. For example, Rodriguez explained that the path to overcoming impunity in Uruguay was rooted in the very nature of the nation's democratic traditions, of "collecting signatures to say that we also do not want impunity."⁵³ Another active participant in the commission, politician Ana Lia Piñeyrua, explained that "the only way to make sure we don't have a privileged caste where the military does not have to submit to the power of the state is to sign the referendum."⁵⁴ Again, this was not about judging the crimes of the dictatorship, but rather about equality in a democratic process. Furthermore, the Association of Uruguayan Writers issued a statement explaining its opposition to the law. The

⁵¹ de Giorgi, "Las Defensas Blanca y Colorada de la Ley," 40.

⁵² The two politicians also attacked the individuals behind the pro-referendum movement, stating that those promoting the referendum were the same as those that were in the Tupamaros and union strikes of the sixties and seventies that launched the country into violence and provoked the coup. Again, the two politicians sought a dual policy of fear and human rights during this time period. De Giorgi, "Las Defensas Blanca y Colorada de la Ley," 40.

⁵³ "Aquí, el camino es firmar contra la impunidad," *Brecha*, 24 Abril 1987, 22, Archivo Diarios.

⁵⁴ "En materia de justicia, estamos lejos de una solución a la argentina," 8 May 1987, *Brecha*, 7, Archivo Diarios.

group argued that the basic system of democracy was broken by the amnesty law since it privileged the military over larger societal needs.⁵⁵ In all these messages, the issues and imperative for human rights was not the center of the conversation. Instead, the groups focused on the democratic need to sign the referendum. This message played an important role in uniting political parties and countering the government claims, but lacked the passion that had originally united the movement against the dictatorship.

This strategy, despite its notable omissions, proved successful in achieving the most immediate goal—collecting well over the required number of signatures to put the amnesty law before a referendum. On 17 December at around 3:00 in the afternoon, members of the Commission went to the Banco República in the Old City in Montevideo, where the signatures had been kept in a vault.⁵⁶ In an armored vehicle, 634,702 signatures were transported to the Electoral Court. A line of CNPR members walked behind the truck to personally present the signatures.⁵⁷ After depositing the petitions, Rodríguez’s widow spoke to a crowd assembled outside the building and stressed that collecting signatures allowed the people to decide. She reaffirmed the democratic discourse of the group and declared that a vote by the people would “provide national dignity.”⁵⁸ A CNPR press statement echoed her discourse and affirmed that achieving the required number of signatures was a “testament to [the people’s] faith in democracy.” It argued that they could celebrate in the knowledge that Uruguayans would now have “the power to decide what future we want.”⁵⁹ The campaign that had centered on exalting democracy celebrated its victory in a discourse that mirrored the winning strategy.

⁵⁵ “Se prepara acto por Zelmar y Tobo,” 8 Mayo 1987, *Brecha*, 8, Archivo Diarios.

⁵⁶ “6350008,” *Brecha*, 18 Diciembre 1987, 4, Archivo Diarios.

⁵⁷ Aficha, 17 December 1987, Archivo SERPAJ.

⁵⁸ “6350008,” *Brecha*, 18 Diciembre 1987, 4, Archivo Diarios.

⁵⁹ Press Statement, “Proclama,” 17 December 1987, Archivo SERPAJ.

The Response and Verification Process

The government had actively supported the amnesty law, but it had no organized campaign against the collection of signatures. However, immediately after the CNPR presented the signatures in favor of the referendum, the government went on the offensive. Sanguinetti dispatched Vice President Enrique Tarigo to counter claims of success, stating that the Commission's ability to "only" obtain slightly over 25 percent of the mandated signatures indicated that it was merely that number of the population that was in favor of overturning the law. Trying to turn the narrative on its head, he instead argued that the minority number indicated that almost 75 percent of the population did not sign because they were actively against a referendum.⁶⁰

Despite these claims, the mood was largely celebratory in the capital as many organizers gathered to revel in the streets of Montevideo. Assuming that the electoral commission would soon announce a date for the referendum, the Commission began to work on the next stage of the process—convincing the population to vote to overturn the amnesty law. With this new goal in mind, the discourse of the Commission actually began to shift away from only a democratic appeal. Assuming the signatures would be accepted and that the democratic process would allow a broader grappling with the issues of justice, the Commission expanded upon its earlier discourse. In fact, the day it submitted the signatures, the Commission produced a set of posters to immediately begin the next battle, saying "now we vote for justice." For the first time, the Commission argued for the importance of the referendum based on justice for the human rights abuses that were committed during the dictatorship.

⁶⁰ Daniel Gianelli, "Algunas Reflexiones y comentarios al concluir la recolección de firmas por el referéndum," *Busqueda*, 17 Diciembre 1987, 3, Archivo Diarios.

However, the Electoral Court soon stopped this new strategy dead in its tracks. Original estimates predicted that it would take the Court between four and six months to count the votes. However, immediately after receiving the petition, the Electoral Court put in place new and complicated measures to verify the signatures.⁶¹ Every signature had to be reviewed and certified at least twice, and then checked against the original signer's registration papers. Depending on when a person registered, this meant going back to try to find original papers in government warehouses that were up to over half a century old and often lost in a sea of decaying papers. Journalist Lawrence Weschler called this process the "equivalent of a filibuster."⁶²

In the midst of this already onerous process, the Court began to disqualify thousands of signatures on seemingly dubious grounds. For example, signatures in Uruguay required a voter-ID number on the form, which is called the *credencial cívica número*, and often shortened to CC. However, even if the numbers were correct, signatures were disqualified if the person wrote the letters 'CC' in the box in front of the letters. Signatures were also thrown out if a U looked too much like a V in a signature, or vice-versa. If a person made a mistake in the signature and crossed out anything or attempted to write over a letter in darker pen, the signature was disqualified. If anyone wrote both one's old and new ID number to make sure that they had the right one with a particular registry, they were also disqualified.⁶³ Perhaps the greatest affront occurred when Senator Carlos Julio Pereyra and General Liber Seregni had their signatures disqualified, despite being two of the most outspoken leaders supporting the referendum. One was discarded in what was later found to be a transcription error and the other because the S in his last name looked too

⁶¹ "Referendum: La Cuenta Final," *Brecha*, 8 January 1988, Archivo Diarios.

⁶² Lawrence Weschler, *A Miracle, A Universe: Settling Accounts with Torturers* (Chicago: University of Chicago Press, 1998), 179.

⁶³ *Ibid.*, 182. "Ejemplos de Firmas no numerados por la corte," 1988, E05, Archivo SERPAJ; Mazzeo, 54.

different from his original registry when he had first registered over forty years before.⁶⁴ By implementing these practices, the Court appeared to engage in blatant partisanship against the efforts of the CNPR, which only served to further discourage the population about the efficacy of the process and detract from the commission's message.

As this arduous verification process continued for months on end, it was coupled with renewed fear tactics by the Uruguayan government, which warned that a referendum threatening to overturn the amnesty law would actually endanger democracy by upsetting the military. In January 1988, the government's claims were bolstered just as the Electoral Court battle was beginning its process. In neighboring Argentina, Colonel Rico escaped from the house arrest that had been imposed after his first attempted uprising and launched another mutiny effort.⁶⁵ Although his second coup attempt ultimately failed as well, the Colorado Party touted the attempted uprising as evidence that moving forward with trials could produce a similar, and perhaps victorious, move by the Uruguayan military—a situation which was compared and debated at length in papers across Uruguay.⁶⁶

This fear was only exacerbated when the Uruguayan military arrested naval captain Bernardo Gastón Silberman and Lieutenant Sergio Retamoso after it was discovered that both men had signed the petition in support of the referendum. The military claimed that officers were not allowed to participate in political activity. However, referendum petitions had always qualified as mandatory voting, which was an exception to the general political activity ban for the military under Uruguayan law.⁶⁷ Both men spent weeks in jail and even attracted international outcry and

⁶⁴ Ibid., 219.

⁶⁵ Norden, *Military Rebellion in Argentina*, 130–1.

⁶⁶ Weschler, *A Miracle, A Universe*, 179; "Los sucesos argentinos y los comentarios de políticos uruguayos," *Busqueda*, 21 Enero 1988, 5, Archivo de Diarios; "Instructivo Ante Pasible Ingreso a Nuestro Pais," *El País*, 19 Enero 1988, 4, Archivo Diarios.

⁶⁷ "Silbermann: destino incierto; Retamoso: tribunal de honor," *Brecha*, 20 September 1988, 5, Archivo de Diarios.

urgent action calls from Amnesty International.⁶⁸ Although they were eventually both released, the move sent a powerful signal to the country that the military was not completely subordinate to civilian rule.⁶⁹

During this time, the public debate did not move towards further discussion of accountability for human rights, since even the possibility of holding a referendum was in doubt. The CNPR returned to its original slogan, which changed only slightly from “I sign for the people to decide” to “I signed for the people to decide.” The CNPR spent an enormous amount of energy attempting to counter the misinformation originating from the Electoral Court and fighting against the disqualification of signatures. The issue of justice that had surfaced so briefly as part of the CNPR’s strategy in the immediate aftermath of turning in signatures to the Electoral Court was gone again. The Commission focused on trying to reaffirm the democratic process in the fight to allow the referendum. For example, the CNPR issued a press release as early as January 1988 denouncing the disqualification of signatures. It argued for the will of the people to prevail since Uruguay was once again a democratic nation and deserved to have the voice of the people heard. The issue of justice for human rights violations during the dictatorship was not even mentioned.⁷⁰

As the battle over the signatures dragged on month after month, the CNPR continued to focus its efforts on fighting the disqualifications. First, it launched a massive public information campaign about civil rights, which centered on denouncing the dubious reasons for the Court disqualifying signatures and urging the Court to allow people’s votes to count.⁷¹ The Commission also used key anniversaries from the dictatorship to garner attention. For example, on 20 May, the

⁶⁸ “Naval Officers Released But Concern Continues About Virtual Impunity of Human Rights Violators,” 29 October 1988, Box 328, Folder “Uruguay AW Delegation 1988,” Human Rights Watch Archives, Human Rights Collection, Columbia University Library, New York, NY [Hereinafter HRW Collection].

⁶⁹ “A la opinión pública,” CNP, 1988, Archivo SERPAJ.

⁷⁰ “Al Pueblo Uruguayo,” 28 Enero 1988, Archivo SERPAJ.

⁷¹ “Ud. Debe saber por qué se pretende ahora descartar firmas,” Archivo SERPAJ.

anniversary of the deaths of Michelini and Gutiérrez Ruiz, the Commission held a press conference to memorialize the leaders and made a statement that the referendum was “inexorable” and needed to move forward.⁷² When the efforts had no effect, the Commission tried to overturn the amnesty law by challenging the very constitutionality of amnesty in the courts. However, the Supreme Court upheld the constitutionality of amnesties with a close 3-2 vote. This left the flawed referendum process as the CNPR’s only avenue to stop the impunity of the military. However, masses of signatures were still being disqualified daily; and the campaign grew more exasperated, explaining that the Court was working against the will of the people. It further argued that for the good of the country, the referendum needed to be held without further delay. The CNPR believed the people’s very confidence in the democratic institutions was at stake.⁷³ As the months wore on and frustration grew, the issue of justice for human rights receded into the background.

International Support as the Battle Continues

As the process wore on, international attention also directed some energy at spotlighting the CNPR’s efforts. For example, America’s Watch, a relatively new U.S. human rights organization, went to Uruguay to report on the referendum process.⁷⁴ Cynthia Brown, the researcher on the project, wrote in her memo afterwards that “I came away from Uruguay believing that the issue (of the referendum) has gone beyond the amnesty itself and has become, in addition, a matter of protecting the rights to free expression and to disinterested legal processes.”⁷⁵ Indeed,

⁷² “El Plebiscite debe realizarse este ano,” 15 June 1988, unnamed clipping in folder, Archivo SERPAJ.

⁷³ “Alerta a la Opinion Publica,” Archivo SERPAJ.

⁷⁴ Aryeh Neier, *The International Human Rights Movement* (Princeton: Princeton University Press, 2012), 201–209.

⁷⁵ Memo, Cynthia Brown to Rob Goldman, “Uruguay Mission,” 24 November 1988, Folder, “Uruguay AW Delegation, 1988,” Box 328, HRW Collection.

during this period, the emphasis shifted away from reasons the government passed the law and toward a campaign focused on protecting the democratic process.

Amnesty International also surfaced to offer international support for the efforts during this period. Its work actually provided one of the few connections between arguing for human rights being linked to the verification process. In 1988, there were worldwide celebrations for the 40th anniversary of the Universal Declaration of Human Rights (UDHR). Amnesty International put on a series of concerts to commemorate the UDHR all over the world entitled, “Human Rights Now.” Ending the tour in Buenos Aires in mid-October, a star-studded line up included artists that ranged from Bruce Springsteen to Tracy Chapman and Sting. At a press conference across the Rio de la Plata, Sting held up a sign that said “respect the signatures” smack dab in the middle of the most difficult part of the verification battle. In Uruguay, the press covered the event. *Brecha* argued that Sting’s move demonstrated that the international community had not completely lost track of the long verification battle.⁷⁶ By the latter part of the year, even the U.S. ambassador to Uruguay, Malcolm Wilkey admitted that he had told the Colorado leadership “that they ought to hold the referendum and be done with it.” His justification was rooted in the idea that “it would lose and everyone would be rid of the headache.”⁷⁷ While falling on the other side of the amnesty law battle, his comments demonstrate that there was growing international support to at least hold the referendum ranging from human rights groups to the U.S. government.

The CNPR reached a breaking point in October when it realized that in spite of its attempt to counter the Electoral Court’s clear partisanship, the Court was not going to change its corrupt process of disqualifying as many signatures as possible. A former judge who had to resign from

⁷⁶ “Levantate y Pelea,” *Brecha*, 21 October 1988, 2, Archivo Diarios.

⁷⁷ Memo, Cynthia Brown, “Uruguay Trip Notes,” 2-4 November 1988, Folder, “Uruguay AW Delegation, 1988,” Box 328, HRW Collection.

the Court due to his wife's failing health even spoke out against the institution he had been a part of, stating that he was "convinced that the process was being pursued in bad faith."⁷⁸ Thus, the CNPR withdrew its delegates to the Court in protest, denouncing its "absolute lack of impartiality," demanding that the current members of the Court resign and asking the legislature to designate new judges.⁷⁹ The PIT-CNT supported the CNPR by calling for a strike and protesting the partiality of the Court.⁸⁰ Meanwhile, students also temporarily occupied more than forty schools, congregating outside the Court to express their anger at what they termed "a fraud against the people."⁸¹ Nevertheless, the moves had little effect and the Court continued to disqualify or suspend signatures on ambiguous premises.

Finally, in November, after eleven months of verification procedures, the Electoral Court approved 529,110 signatures, which was short of the required amount. They argued that of the more than 100,000 rejected signatures, 36,834 were "*en suspenso*." This meant that the signatures were in question but had not been disqualified outright. The Court said it would allow these signatures to be verified and affirmed. The Court conceded that if the Commission could verify 22,983 of the 36,834 *en suspenso*, the Court would approve the referendum. The Court set aside the weekend of 17-18 December 1988 to open the registries for verification. Despite the joy of having the opportunity to finally overcome the verification process, the date was less than three weeks away, and the Commission had very little time to track down an incredible number of individuals throughout the entire country.

Initially, the CNPR was split on whether to finally put its foot down and take a stand against the Court's onerous procedures by protesting the process; or whether to view the weekend as one

⁷⁸ Ibid.

⁷⁹ "La Corte Electoral contra la voluntad popular," *Brecha*, 21 October 1988, Archivo Diarios.

⁸⁰ Ibid.

⁸¹ "Resistir el fraude," *Brecha*, 28 October 1988, 4, Archivo Diarios.

last hoop to jump through before finally achieving the referendum. After working for over two years to bring the referendum to fruition, the decision was made to continue through what they hoped would be the last challenge. As a result, a massive and frenzied campaign ensued to find the individuals whose signatures needed to be verified.⁸² The two main daily papers that were both historically conservative, *El Día* and *El País*, refused to publish the list of names. Instead, they each made the editorial decision to cover their front pages with news of another attempted coup in Argentina, showing violence and unrest as tension mounted between the government and military over possible trials.⁸³ The pictures only served to further instill fear in Uruguayans about the potential pitfalls that might occur if the referendum succeeded. The Uruguayan Minister of National Defense, a former military general Hugo Medina, even explicitly linked Argentina's troubles with the situation in Uruguay during this critical time.⁸⁴

Meanwhile, the Left frantically attempted to organize efforts to affirm the signatures. Two radio stations agreed to broadcast the names around the clock until the referendum and the CNPR opened seven impromptu offices—mainly any space available where hundreds of volunteers could get together to call and track down names on the list. What made this task more difficult was that 40 percent of those on the list did not have phones, particularly those who lived in the interior parts of the country. Therefore, the CNPR instituted a more expansive method of sending volunteers out in cars or on bicycles to make house visits to track down people and help transport them to the Court's various outposts to verify their names and signatures. The efforts reached a fever pitch when volunteers found out that one signatory was on a fishing trip in the eastern part of the country.

⁸² Luis Roniger, *The Legacy of Human Rights Violations in the Southern Cone: Argentina, Chile, and Uruguay* (New York: Oxford University Press, 1999), 84.

⁸³ Norden, *Military Rebellion in Argentina*, 130-3. This was the Villa Martelli uprising and was seen as having an even higher level of support among the military numbering approximately 1,000.

⁸⁴ "Medina: de Derogarse ley caducidad no habrá anulación de los casos," *El País*, 5 Diciembre 1988, 7, Archivo Diarios.

The CNPR responded to the news by debating if someone should get a boat out to locate him on Lake Castillos and bring him in to verify his signature.⁸⁵

The Court's terms of verification gave the Commission until 2:00 p.m. on Monday to submit any affirmed signatures. The preceding few hours before the deadline saw the streets leading to the Electoral Court lined with referendum supporters to watch signatures come in from all over the country. As people ran up to hand in the verifications, the crowds cheered each person rushing in. Writer Eduardo Galeano subsequently explained that the situation was like a scene straight from the Olympics, as if the crowds had been cheering professional athletes and not heads of neighborhood associations turning in official paperwork.⁸⁶

The CNPR needed 22,983 signatures to be approved to force a referendum, and when the votes were finally counted, the Court announced that a total of 23,166 had been verified—enough to compel a referendum. As members of the Court broadcast these final numbers, celebrations broke out along the main Avenida 18 de Julio in a manner usually reserved for World Cup game celebrations. An entire year after the CNPR submitted the original list of signatures, the Court finally accepted that the number had been reached. With a sense of exhaustion and in some ways relief, the CNPR issued a statement which affirmed that it would now be permitted “to consult directly with the electoral body of the country. It is a triumph root[ed] in the faith of Uruguayans and the consolidation of a democratic system.”⁸⁷ A few days later, Parliament set the date for the referendum in April 1989.

⁸⁵ Weschler, *A Miracle, A Universe*, 223-226

⁸⁶ Weschler, *A Miracle, A Universe*, 227.

⁸⁷ “Universidad y Ley de Caducidad,” *Boletín de Asociación de Docentes de la República*, Marzo 1989, p. 4, Ana Maria Ferrari, Archivo General.

Even at the time of the celebration, the pro-referendum movement admitted that it hadn't expected the verification process to be so difficult.⁸⁸ The process had dragged on for a year. The Court denied and invalidated signatures as politicians launched accusations against the Left that it was purposefully impugning the good name of the Court because it knew it did not have the votes.⁸⁹ These factors were all exacerbated by the growing politics of fear. Medina issued menacing statements in Uruguay about a possible military uprising, while Argentina faced problems with its justice process. Uruguayans followed both events closely in the papers as the country moved into the campaign to vote on the Ley de Caducidad.

Diverse Human Rights Advocacy and New Movements

As the Commission remained singularly focused on validating signatures throughout this long and arduous year, civil society actors did not disengage from larger political issues. On the one hand, many actively supported the Commission's efforts. For example, the labor union, PIT-CNT, had issued a pamphlet arguing forcefully that the Court needed to allow a referendum. It argued this point on both democratic and human rights grounds. In contrast to the Commission, which attempted to focus its public campaign on the importance of upholding voters' civil rights, the PIT-CNT had many in its ranks who had been jailed and tortured during the nation's military rule. The union argued that it was essential to bring the Armed Forces to justice so that the country could establish truth about what had happened.⁹⁰

⁸⁸ Memo, Cynthia Brown, "Uruguay Trip Notes," 2-4 November 1988, Folder, "Uruguay AW Delegation, 1988," Box 328, HRW Collection.

⁸⁹ Vice President Tarigo made these claims to representatives of Americas Watch. Memo, Cynthia Brown, "Uruguay Trip Notes," 2-4 November 1988, Folder, "Uruguay AW Delegation, 1988," Box 328, HRW Collection.

⁹⁰ "Las firmas están a votar contra la impunidad," PIT-CNT, SERPAJ Archives. The PIT-CNT also was critical in helping collect signatures. Matilde Rodriguez suggests that almost 100,000 signatures resulted from their efforts. Ruiz Interview with Rodriguez, 1999.

Despite this support, many civil society organizations began to focus on other issues as well. Even SERPAJ, one of the human rights group most actively involved in the CNPR, had a large enough staff to divide its efforts between supporting the referendum and other concerns. In late 1987, Luis Pérez Aguirre spoke at a conference arguing that “today it takes boldness to believe in human rights, because the integrity of human life is much more than a mere condemnation of torture or of forced disappearances. The integrity of life demands the right to proper nutrition, to education, to a dwelling fit for a human being.”⁹¹ In this speech, Aguirre laid out the expanded vision of SERPAJ’s human rights agenda beyond just the impunity battle. SERPAJ’s annual reports during these years also illustrated a larger vision for the organization as it covered other important human rights issues in the country, including nutrition, health, and education. Only in the last few pages of these reports did it refer to the referendum.⁹²

IELSUR also added to its scope of work during this period. On the one hand, it continued to work on cases involving the disappeared and tortured. Because the amnesty law made it difficult to pursue accountability domestically, IELSUR worked to bring cases before the Inter-American Commission for Human Rights. By 1988, it had three cases before the Court.⁹³ Although victims submitted over 600 potential cases, IELSUR focused on only a few because of the roadblocks created by the Ley de Caducidad.⁹⁴ IELSUR explained that the protracted fight over the amnesty law meant that it was not possible “to do justice” in a domestic forum. In this sense, the

⁹¹ Luis Pérez Aguirre, “The Violation of Human Rights as an Instrument of the National Security Doctrine,” 1st Conference on Human Rights in Latin America, November 1987, 1-2, Box 2, Massera Colección, Archivo General de la Universidad. This issue was also expanded upon in the SERPAJ newsletter in late 1988, which explained that not all violence was characterized by bloody encounters, but structural violence also helped create hunger and poverty within Uruguay that needed to be addressed. Francisco Bustamante, “La violencia tiene padres conocidos,” *Paz y Justicia* (Aug-Sep 1988), 4, Box: Paz y Justicia Sumario de DD.HH, Archivo SERPAJ.

⁹² “Informe: Derechos Humanos en Uruguay/1988,” *SERPAJ*, SERPAJ Archivo, Montevideo, Uruguay.

⁹³ Author Interview with Jorge Pan y Pan, 21 August 2014, Montevideo, Uruguay

⁹⁴ Memo, Cynthia Brown, “Uruguay Trip Notes,” 2-4 November 1988, Folder, “Uruguay AW Delegation, 1988,” Box 328, HRW Collection.

organization continued the battle against the crimes of the dictatorship, but the amnesty law forced them to focus on alternative avenues of justice outside Uruguay.

In addition, IELSUR began to refocus some of its efforts towards other ideas of social justice. Ford had supported IELSUR's early work when it first formed during the end of the dictatorship. In 1987, when IELSUR asked Ford to support new projects in its fight against the amnesty law, IELSUR received a lukewarm response. While the Ford Foundation had long been one of IELSUR's largest funders, by the late 1980s, it was less keen to fund projects related to justice for past human rights abuses.⁹⁵ Instead, Ford encouraged them to think beyond the original mandate of working with former political prisoners and clarifying the fate of the disappeared. Ford representatives urged the organization to redirect its energies and activities in the local community and apply for funds on those grounds. As primarily a legal services organization, IELSUR heeded this advice and applied for a grant to work in Montevideo's poor neighborhoods, expanding its scope of human rights to the socioeconomic sphere.⁹⁶ The proposal demonstrates the way in which IELSUR began to expand its definition of human rights, both as a result of the larger needs within the country within the context of a new democracy, but also at the insistence of a major international funding organization that saw accountability work against the Ley de Caducidad as not worthy of its resources.

In addition to the expansion of various well-established human rights organizations' definitions of human rights, completely new social movements emerged during this period. Although Uruguay had always been a vibrant social democracy—often referred to as the Switzerland of South America—the dictatorship had completely shut down opportunities and

⁹⁵ Letter from Antonio Serrentino Sabella to Ford Office, 9 September 1987, Grant 08550674, Reel 5703, Ford Foundation, Rockefeller Archive Center, Sleepy Hollow, NY [Hereinafter RAC].

⁹⁶ Inter-Office Memorandum, Michael Sifter to Jeffrey Puryear, "Final Evaluation and Recommendation for Closing IELSUR," 12 January 1990, Grant 08550674, Ford Foundation, RAC.

avenues for advocacy. As Sidney Tarrow argues, “social movements are created when political opportunities open up for social actors who usually lack them.”⁹⁷ With the return to democracy, it was not just old civil society groups like the student organizations and labor unions that reemerged to advocate for workers’ rights and for improving education. Rather, new advocacy groups also found an opportunity to create spaces for activism.⁹⁸

For example, Afro-Uruguayans began to organize a new movement to advocate for their rights. As Chapter 2 illustrated, Afro-Uruguayans experienced an added level of repression during the dictatorship, largely related to the forced relocation from their homes and removal from the centers of the city and cultural life.⁹⁹ After the transition back to democratic rule, a group of younger and more politically left-leaning Afro-Uruguayans began to organize in response to the plight of those who had been displaced during the dictatorship. It was led by people like Romero Rodríguez, who had been tortured and in exile in Brazil during the dictatorship, and Beatriz Ramirez, *una desalojada* who had studied the U.S. civil rights movement and the South African antiapartheid struggle. Together, they formed *Organizaciones Mundo Afro* in 1988.¹⁰⁰ The organization functioned as an umbrella for groups with more specific missions, such as the *Grupo de Apoyo a la Mujer AfroUruguaya* (Support Group for Afro-Uruguayan Women), *SOS Racismo*, and *Movimiento Juvenil Afro*, among others.¹⁰¹ These groups became important venues to begin to advocate a platform of human rights that included issues of poverty, unemployment, and

⁹⁷ Sidney Tarrow, *Power in Movement: Social movements, collective action and politics* (New York: Cambridge University Press, 1994), 1.

⁹⁸ “Otro verano sin negociación salarial,” *Brecha*, 15 Enero 1988; “Un derecho que se castiga,” *Brecha*, Archivo Diarios, 12; Hugo Rodríguez, “El cascoteado derecho a la educación,” *Brecha*, 25 November 1988, 16, Archivo Diarios.

⁹⁹ George Reid Andrews, *Blackness in the White Nation: A History of Afro-Uruguay* (Chapel Hill: University of North Carolina Press, 2010), 144.

¹⁰⁰ Author Interview with Rodríguez, 9 October 2014, Montevideo, Uruguay; Romero Jorge Rodríguez, *Racismo y Derechos Humanos en Uruguay* (Montevideo: Ediciones Étnicas, 2003); Vannina Sztainbok, *Imagining the Afro-Uruguayan Conventillo: Belonging and the Fetish of Place and Blackness* (PhD diss., University of Toronto, 2009).

¹⁰¹ *Ibid.*, 146–7.

discrimination. Romero and Ramirez also led the charge to found *Mundo Afro*, a paper that became a mouthpiece for Afro-Uruguayan events and issues. For example, it publicized candombe performances, African art exhibits, and talks. *Mundo Afro* also published articles on the history of Afro-Uruguayans and global issues facing African populations from the formation of the Organization of African States to the plight of Afro-Haitians.¹⁰² Free from the constraints of the dictatorship, the emergence of an Afro-Uruguayan rights movement served as a way to begin to address issues including the impoverishment of the community, the invisibility of Afro-Uruguayan cultural history, and rampant discrimination.

Afro-Uruguayans were not the only group directly targeted during the dictatorship that responded by forming movements in the post-military rule era. The dictatorship's policies had often been couched in language that described saving the nation by restoring morality and patriarchal family structures. As a result, it had shut down many of the gay spaces in Uruguay that had surfaced during the 1960s. While the end of the dictatorship allowed for the reemergence of a few gay spaces along the edges of society, the Sanguinetti government was also generally conservative and seen as both homophobic and oppressive towards gay culture.¹⁰³ This sentiment permeated throughout society. In a collection of *testimonios* from 1987, gay men recalled being harassed, insulted, and persecuted for their sexual identity.¹⁰⁴

Despite these continued challenges, the first gay rights organizations began to operate during this critical period. LGBT activists saw the transition “as an opportunity to fight for inclusion in the emerging state.”¹⁰⁵ In part, their advocacy began as a reaction to the small spaces

¹⁰² *Mundo Afro*, 1 no. 2 (Noviembre 1988), Schomburg Research Center, New York Public Library.

¹⁰³ Diego Sempol, *De los banos a la calle: historia del movimiento lésbico, gay, trans uruguayo (1984-2013)* (Montevideo: Random House Mondadori, 2013), 58.

¹⁰⁴ Ettore Pierri and Luciana Possamay, *Hablan los otros* (Montevideo: Proyeccion, 1987), 14.

¹⁰⁵ Lindsey Churchill, *Becoming Tupamaros: Solidarity and Transnational Revolutionaries in Uruguay and the United States* (Nashville: Vanderbilt University Press, 2014), 365-6

of political opportunity with the departure of the military government.¹⁰⁶ These efforts were aided by the return of many exiles who had left Uruguay fearing persecution based on their sexual preference and the military's harsh policies towards their way of life. Many of these activists hoped that a return to democracy could guarantee rights for sexual minorities.¹⁰⁷ However, groups like Escorprios and Homosexuales Unidos also formed in direct response to the continued discrimination and harassment by police even after the civilian government was restored.¹⁰⁸ During this period, police actively sought to arrest and detain citizens for homosexual acts. They patrolled areas where young gay men and women were known to hang out. The raids that began during the dictatorship continued even after the transition back to democratic rule.¹⁰⁹ By establishing groups to protect these youths who were being harassed, the beginning of a gay rights movement became an important space in which to reassert freedom in terms of sexual liberation, but also freedom from continued surveillance after the period of dictatorship.

Finally, women's groups emerged to specifically focus on advocacy for their rights. Gendered advocacy was not new to the post-dictatorship period. Many women led the charge and became involved in large numbers during the initial protests against the dictatorship to advocate on behalf of disappeared sons and husbands. When these protests transitioned to the fight against the amnesty law, many of these women then became the public face and a major source of advocacy in the CNPR. However, especially in 1988 when the commission focused on verifying

¹⁰⁶ As Green explains, "mass mobilizations throughout Latin America for an end to military rule and the expansion of democracy provided a new political space that gay and lesbian activists appropriated. They challenged societal prejudices, including those held by the Left, with the same language of human rights and democracy that former revolutionaries had adopted to bring down the military regime." James Green, "(Hom)osexuality, Human Rights, and Revolution in Latin America," in *Human Rights and Revolution*, eds. Jeffrey Wasserstrom, Lynn Hunt, and Marilyn Young (Lanham: Rowman and Littlefield, 2000): 139-154.

¹⁰⁷ Ibid.

¹⁰⁸ Sempol, *De los baños*, 61-65; Neil Miller, *Out In the World* (London: Penguin Putnam, 1993), 219.

¹⁰⁹ Carlos Basilio Muñoz, *Uruguay homosexual, : culturas, minorías y discriminación desde una sociología de la homosexualidad* (Montevideo: Ediciones Trilce, 1996), 45.

signatures, important and diverse women's groups formed around the country, including research associations, groups of women in unions, and even political parties. For example, the Center for Information and Studies of Uruguay (CIESU) worked with a Study Group on the Situation of Women (GRECMU) in the latter years of the dictatorship. They began by studying women's participation in the labor force as well as the role of the State in forming public policies which impacted women's place in society. This Center was largely funded by the Ford Foundation, which provided important support and gave legitimacy to the women's research centers in Uruguay. The Women's Commission of Uruguay's national trade union confederation also formed immediately following the dictatorship. While trade unions in Uruguay had historically paid little attention to women, the two genders had worked side by side to advocate for an end to the dictatorship. Therefore, women won space for their own advocacy in the new democratic environment. They petitioned for equal pay, nursery schools, and even health care.¹¹⁰ In 1988, another important group, the *Red de Salud de las Mujeres del Uruguay* (Network of Women's Health of Uruguay), formed which added to a growing number of feminist groups to address specific health-related issues for Uruguayan women. *Cotidiano Mujer* (Everyday Women) was another women's group that launched a campaign to liberalize the nation's abortion policy in the post-dictatorship period. The group's initial efforts sought to create awareness about the risks of clandestine abortions and their dangerous effects on women's health across the country.¹¹¹ These organizations became important social spaces for women beyond just organizing against the dictatorship and focused

¹¹⁰ Jo Fisher, *Out of the Shadows: Women, Resistance and Politics in South America* (London: Latin American Bureau, 1993), 45.

¹¹¹ Camilla Reuterswärd, "La Libertad de Acción y Conciencia: Cross-Party Alliances and Voting Strategies in Uruguay's Abortion Policy Reform," Paper presented at LASA 2016, New York, NY.

their attention on topics that specifically affected women in Uruguay.¹¹² They became social forces outside of formal politics to work on improving conditions for women in society.

All three of these movements emerged in the period immediately following the dictatorship as the referendum battle dragged on in the courts. Their tactics and human rights language evolved in many ways from their advocacy against the military rule.¹¹³ Importantly though, the end of the dictatorship opened up important public spaces for such groups but in ways that highlighted a range of political agendas and often more future-oriented causes.¹¹⁴ Their existence demonstrated both the way in which human rights language spread during this period, and the wide range of concerns within society that existed well beyond a justice framework. While the notion of human rights expanded to include race, sexuality, and gender concerns, it also meant that there was less coherence and fewer efforts being made to attain justice for the crimes committed by the dictatorship.

While groups began to focus on other concerns domestically, the Reagan administration in the United States also re-evaluated the human rights situation in Uruguay. Reagan had never been an enthusiastic supporter of justice for human rights abuses of the past dictatorship. In commenting on the legislative commission that investigated the Guttierrez and Michelini murders, a U.S. State Department report praised the initiative and readily accepted the fact that there had been “no

¹¹² Ines Pousadela, “The Women’s Movement in Uruguay: A Decades-long Struggle for Legal Abortion,” *Crossroads Initiative, Society for Participatory Research*, 2012.

¹¹³ Scott Mainwaring and Anibal Pérez-Liñán, *Democracies and Dictatorships in Latin America: Emergence, Survival, and Fall* (New York: Cambridge University Press, 2013), 227. Some scholars argue that many of these actors did not only gain these skills in fighting against the dictatorship, but that they actually began during the more radical organizing period of the 1960s. For example, Mainwaring argues that these actors transformed from being some of the most radical proponents, but in the death of socialism’s ideals, became not an “antiauthoritarian radical Left, but a prodemocratic Left involved in social movements committed to human rights, environmental issues, and women’s issues.”

¹¹⁴ Rebecca Atencio, *Memory’s Turn: Reckoning with Dictatorship in Brazil* (Madison: University of Wisconsin Press, 2014), 12. The end of the dictatorships across the Southern Cone often opened space for new civil groups. In this book, Atencio demonstrates a noted parallel with Uruguay where women’s groups, black pride, and gay rights groups emerged in the aftermath of the dictatorship.

evidence of direct complicity by Uruguayan military or police officials” and, therefore, saw no need for further investigation.¹¹⁵ Within Uruguay, the commission had been largely discredited as a political venture since evidence of Operation Condor directly contradicted the commissions ‘findings.’ Reagan clearly accepted the Uruguayan government’s minimal efforts as being satisfactory. This sentiment continued into debates over amnesty. The Reagan administration was not actively involved in the Ley de Caducidad, although it had quietly supported the amnesty as “the only politically sensible course.”¹¹⁶ However, State Department reports on the human rights situation in Uruguay demonstrate how the international community followed these new domestic movements and shined further light on an expanded conception of the term if they considered it at all. For example, the 1989 Uruguay country report under George H. W. Bush’s administration highlighted an improved human rights record, whereas “violence against women and discrimination against Uruguay’s black minority continued to be blemished on Uruguay’s otherwise good human rights record.”¹¹⁷ In this sense, the U.S. was more attuned to the new emerging social movements than it was to the battles over impunity.

The Referendum Campaign

The domestic and international shifts in discourse demonstrate the changing priorities in the late 1980s. By the time the Electoral Court validated the signatures and set the date for the referendum in April 1989, two years had already passed since the parliament first approved the

¹¹⁵ Uruguay, Country report on human rights practices, report submitted to the committee on foreign affairs, US House of Representatives, 1987, 625, Washington DC, US Government Printing Office.

¹¹⁶ Challenging Impunity: The Ley de Caducidad and the Referendum Campaign in Uruguay,” *An America’s Watch Report* (March 1989), 44.

¹¹⁷ “Uruguay,” State Department Report on Human Rights, Folder 2, Box 2, Archivo Histórico Diplomático, Montevideo, Uruguay. Interestingly, Uruguay’s foreign ministry wrote notes on this report. The paragraph on continued problems was littered with comments like “not true,” “bad friends say this,” and particularly the comment regarding continued violence against women and Afro-Uruguayans, they wrote “Who says this? ¿U.S.?”

Ley de Caducidad. Very little discussion during this period had focused on debating justice for the military's actual human rights violations. Instead, the CNPR's campaign centered on affirming democratic institutions, especially in 1988, when attention was focused on countering road blocks imposed by the Electoral Court. Meanwhile, major new rights movements had emerged in Uruguay over this period and other civil society groups worked on reconstituting past guarantees of socioeconomic rights.

However, the CNPR did expand its message in those last four months to include a justice element for past human rights abuses even while continuing to emphasize a distinctly democratic focus. Uruguayan neighborhood committees revived their work during this period. Churches became places for discussions and workshops were organized to encourage people to vote against the amnesty law. For example, some pamphlets distributed by the Commission began to emphasize the multitude of crimes committed by the dictatorship, actively drawing attention to torture, political imprisonment, and kidnapping. It also explained the importance of "knowing the truth to build a more just society and ensure the acts would not happen again," rather than engaging in the "dirty business of hiding the past."¹¹⁸ Only if the military were brought to justice, the Commission argued, would rule of law be restored. The campaign adopted new slogans, including "we vote for justice."¹¹⁹ After shying away from arguments of morality that invoked the specific crimes for two years, the materials in the last four months actively linked these concerns as part of the campaign to vote *verde* (green, the color of the sheet that would be used to vote to overturn the law.)¹²⁰

These references to the crimes of the dictatorship signaled an important shift during the campaign, but the focus on the CNPR's strategy still had a distinctly democratic appeal. It focused

¹¹⁸ "Ciudadano," pamphlet by CNP, 1989, E05, Archivo SERPAJ.

¹¹⁹ Carpeta de autoadhesivos, 1989, Archivo de SERPAJ; Material Grafico, 1989, Archivo SERPAJ.

¹²⁰ "16 de abril: su voto decide," pamphlet by CNP, 1989, E05, Archivo SERPAJ.

on a campaign of hope and happiness for the future where all individuals would be equal under the law. For example, the campaign did not just use the slogan “we vote for justice,” it also adopted additional mottos including, “vote green: all are equal before the law,” and “democracy does not have owners: all are equal before the law,” implying that the military should be judged equally before the justice system as any ordinary defendant would.¹²¹ While a strategy that focused on democracy had proven effective to gather a wide range of signatures, it held less appeal during this period. In part, this was due to Uruguay’s stability in the face of Argentina’s three attempted coups during the course of Uruguay’s referendum battle. This contrast made Uruguay’s transition look more appealing—where there were no trials but more stability.

However, another factor weakening the democratic argument was the impending national elections scheduled for November. The political parties all launched their national campaigns for office during debates over the April referendum. While Uruguay was clearly still struggling with the memory of the dictatorship, it was hardly the only concern as the economy continued to falter. The electoral campaigns for November became the focus of many Uruguayans’ attention. In addition, the fact that there were impending elections meant that democracy itself was seen as having strengthened over the past five years. Compared to the 1984 elections when the military imposed candidate exclusion and censorship, in 1989, there were no longer any proscribed candidates and the press flourished. While the commission hoped that the terms of the debate could be focused around strengthening democracy, the government had a strong case to make for Uruguay’s growth in this arena both internally and at a regional comparative basis.

The campaign also failed to acknowledge the pain of the period, choosing instead to focus on an upbeat and happy message that looked to the future in those final months. Following Chile’s

¹²¹ Carpeta de autoadhesivos, 1989, Archivo de SERPAJ; Material Grafico, 1989, Archivo SERPAJ.

success in using this method in 1988 against Pinochet, the ‘green vote’ also pitched a campaign of optimism.¹²² During a last push in late 1988, the Commission utilized the phrase “happiness is coming,” and then in early 1989, a rally for the vote displayed a sign which read “*contamos por la alegría.*”¹²³ Despite using slogans that had proved effective in Chile, the two situations were drastically different—Chile was voting against continuing Pinochet’s rule, which more closely paralleled Uruguay’s 1980 plebiscite, rather than overturning the amnesty law. Uruguayans found it more difficult to understand the connection between why happiness was part of the logic in voting to have trials. As a result, the strategy failed to have the same impact in Uruguay as it did in Chile.

Despite the Commission’s calculated decision to omit human rights from the center of its outreach strategy, it is important to note that other groups made the case for human rights as a major reason to overturn the amnesty law. For example, las Madres y Familiares de los Desaparecidos y Detenidos founded its group based on advocating against the human rights violations committed by the dictatorship. Unlike the Commission, its pamphlets explained that “in this country, there have been many prisoners, many tortured, disappeared, and because we do not want this to happen again: Vote for justice, Vote green.”¹²⁴ It also argued that peace was an integral component of justice, invoked the pain of thousands of tortured people, and maintained the injustice of impunity.¹²⁵ This strategy marked a stark contrast from the discourse of the Commission that focused more on being equal under the law than achieving justice for crimes in the past.

¹²² Diego Sempol, “A la sombra de una impunidad perenne,” 111.

¹²³ Materials Graficos, 1988-1989; Archivo SERPAJ.

¹²⁴ “16 Razones para votar por la justicia el 16 de abril,” Madres y familiares de Detenidos y Desaparecidos, 1989, Archivo SERPAJ.

¹²⁵ Ibid.

Brecha also served as a venue in which to discuss the human rights calculations that were at stake in the vote. Mario Benedetti, a prolific poet, novelist, and writer in Uruguay, often wrote about the ethical considerations involved in voting against the amnesty law, including the changing human rights stances of figures like Sanguinetti, both before and after entering public office.¹²⁶ Other journalists were more like Héctor Rodríguez, who had been an early member of the Frente Amplio and spent much of the dictatorship in prison. Rodríguez explicitly described the crimes of the dictatorship. He argued that the work of the CNPR symbolized the path towards truth, justice, and guaranteeing a future without state terrorism.¹²⁷ Although *Brecha* readers were already generally sympathetic to these viewpoints, writers did not shy away from making passionate pleas to the electorate to overturn the amnesty law. Instead of evading the human rights component of the vote, they argued for voting against amnesty in those very terms.

Despite these strong invocations of the 1970s concept of human rights, the discourse surrounding the campaign overall set a very different tone. Human rights had been a powerful motivator to pressure the government in the 1970s, and to push for the transition in the early 1980s. During the subsequent years, however, the idea of human rights had expanded to include socioeconomic rights and new movements that focused on gender, sexuality, and race. While these new movements demonstrated the strength of a renewed civil society in Uruguay and developed human rights discourse, the term also lost some of the unique power it held during the 1970s to advocate against torture, disappearances, and political imprisonment. For the referendum, the relative absence of the human rights focus proved notable.

Instead, the Commission chose to debate the government over the best theory of successful democratic transition and whether it encapsulated turning the page or grappling with legacies of

¹²⁶ Mario Benedetti, “Cuando al goberino se le mueve el quepis,” *Brecha* (13 Enero 1989), 7, Archivo Diarios.

¹²⁷ Héctor Rodríguez, “Igualdad ante la ley y la democracia sin tutela,” *Brecha* (20 Enero 1989), 5, Archivo Diarios.

abuse—a debate over peace or justice that came to define the emerging wave of democratization and transitional justice. Uruguay is often left out of the history of transitional justice because in the immediate aftermath of other transitions, Chile employed the Rettig Commission and Argentina published *Nunca Más* and held trials. Meanwhile, Uruguay utilized neither justice mechanism until close to two decades later. At a fundamental level, debates on the referendum ultimately centered on competing ideas of how to transition to democratic peace. While there were major figures that explicitly argued for impunity, such as General Medina, other government officials like Sanguinetti and Tarigo proved to be shifting allies of human rights. Eventually, they ended up arguing for ideas that sought stability and peace rather than the ‘dangers’ of justice.

Thus, the CNPR ultimately spent most of its energies involved in an argument over the strength and direction of Uruguay’s democratic institutions. In 1989, it lost that debate. Uruguay at the time had stronger institutions than it had in over twenty years, which the impending elections poignantly marked. Especially when compared to the period of dictatorship, Uruguay enjoyed a great degree of democracy and civic participation. By defining the campaign as trying to achieve a better state of democracy, the CNPR appealed to a concept that many Uruguayans, when examining their situation, believed they already achieved. At the very least, this proved accurate compared to the country’s recent history. In some ways, Uruguayans also compared the relative stability of their political situation to the upheavals in Argentina. Argentina had attempted trials and truth commissions and now faced a more unstable political future. The opponents of the referendum played upon the fear of losing its relative smooth transition and suggested that if the amnesty was overturned, there could be a return to military rule. In addition, this period saw a rise in government rhetoric that equated the amnesty for former political prisoners with amnesty for military officers. As a basis for arguing that society needed to move on from the period, the

government made the case that both sides were equally culpable in perpetuating violence; as a result, both should receive the same amnesty. While equating this blame eventually proved to be unsustainable, it was a powerful argument at the time.

A few days prior to the election, one poll reported that a full 39 percent of the population was undecided on how they would vote. Whether there was a high degree of indecisiveness or a fear of reporting on intended votes, the pollsters did not know. But on 16 April, with a 56 percent majority, Uruguayans made up their minds. They upheld the amnesty law and culture of impunity.¹²⁸ The government extolled the outcome. Vice President Tarigo declared that the decision had resolved “the last, thorny issue from the past.”¹²⁹

Meanwhile, the results devastated those who had worked so hard on the initiative. The reaffirmation of the amnesty and the protection of military officers from prosecution felt like, as one activist explained, “the ultimate defeat.”¹³⁰ Another dismayed that on 16 April “justice [came] to a standstill... we [were] no longer equal under the law.”¹³¹ Those who had worked on the campaign remember crying upon hearing the results.¹³²

In the days that followed, dozens of letters poured into the Commission’s offices. Some like Luisa Cuesta, a leader in the *Madres*, encapsulated this frustration by explaining that even though they were not alone in the defeat, there “are moments when words cannot describe the

¹²⁸ Interestingly, in Uruguay, about half of the entire population lives in the capital, Montevideo, whereas the rest of the population is spread out among the rest of the “departments.” When the results were announced, the papers reported that in Montevideo, the population had voted with a 55.4 percent majority to overturn the law. However, in the rest of the country, 67.4 percent voted to keep it intact. Clearly, this resulted in the amnesty law being upheld, but the difference in approval rates exposes an interesting divide between the capital and the remainder of the country. “Escrutinio para armar,” *Brecha*, 21 Abril 1989, 6, Archivo Diarios. The country’s *Nunca Más* report establishes that 75 percent of those tortured were from Montevideo. While it is not true to say that the interior did not feel the repression—they most certainly did—it was perhaps less pervasive, which translated into lesser need for the justice impulse. SERPAJ, *Uruguay: Nunca Más*, trans. by Elizabeth Hampsten (Philadelphia: Temple University Press, 1992), 324-36.

¹²⁹ Shirley Christian, “Uruguay Votes to Retain Amnesty for the Military,” *New York Times*, 17 April 1989, A6.

¹³⁰ Author Interview with Felipe Michelini, June 14, 2012.

¹³¹ “Justice of Amnesty,” *Globe and Mail*, April 18, 1989.

¹³² Author interview with Raquel Nagora, 1 August 2014, Montevideo Uruguay

anger and the sadness.”¹³³ Others were a bit more defiant. One letter from the *Independientes del Barrio Bella Italia*, a neighborhood group in northeast Montevideo, outlined its desire to keep fighting. While acknowledging that the majority of Uruguayans had voted for “impunity for the military...that committed crimes against humanity during the dictatorship,” it ardently argued that the “fight for human rights does not end here, but needs to continue through other means.”¹³⁴ The group went on to explain that the CNPR should issue a call to all the social forces and politicians to defend human rights in the next stage of the fight. The group outlined possible methods, such as transitioning the national commission into a permanent human rights body, with the neighborhood groups also transforming into permanent neighborhood human rights commissions, and pursuing trials for crimes not protected by the law such as human rights abuses committed before 27 June 1973, which was the earliest date that the amnesty covered.¹³⁵

What is perhaps most notable about the Barrio Bella Italia’s letter was its invocation of human rights to explain the importance of the battle. In dozens of other letters that flowed into the CNPR, individuals and groups shared their sadness and disappointment, expressed the hope that they would all stay strong together in the difficult moment, and lamented the fact that the failure of the vote would “impede achieving the truth and preventing justice.”¹³⁶ Rarely, however, did any other letters explicitly invoke the discourse of human rights, which as this chapter has shown,

¹³³ Letter, from Luisa Cuesta a Madres, 18 April 1989, Folder 11, Archivo Familiares.

¹³⁴ Letter, Independientes del Barrio Bella Italia to the National Pro-Referendum Commission, 20 April 1989, Folder: Cartas, Archivo SERPAJ.

¹³⁵ Ibid.

¹³⁶ This particular quote came from a letter from Jamie Perez, writing on behalf of the Communist Party in Uruguay, but dozens of other letters also reflected these concerns without specifically mentioning human rights. Letter, Perez to Comision Nacional Pro Referendum, 20 Abril 1989, Folder: Cartas, SERPAJ Archives. Other letters came in from the Asociación Social y Cultural de Esdudiantes de la Ensananza Publica (ASCEEP) and Federacion de Estudiantes Universitarios del Uruguay (FEUU), the Frente Amplio, the Asociación de Bancrios del Uruguay, Alberto Perez Perez (a constitutional law scholar), among others. A group of “people that worked in different places for the ‘green vote’ also mentioned that the fight needed to continue for “equality under the law and respect for human rights,” but they were the only other mention of human rights. Letter to Commission, 20 Abril 1989, Folder: Cartas, Archivo SERPAJ. Similar letters were found in Folder 13, Archivo Familiares.

mirrors the absence of the discourse from the general campaign. Indeed, the student movement issued a statement that explicitly argued that “the vote does not reflect the consciousness about the atrocities committed by the dictatorship. The people were not voting against justice and for impunity. The population was choosing between two proposals, and they opted for the one with less risk.”¹³⁷

Conclusion

For many Uruguayans, the referendum results in 1989 “sealed the issue of past human rights violations legally and politically” for several decades.¹³⁸ In many ways, the issue of the dictatorship’s crimes receded into the background, as silence over these issues became more prevalent. The international community followed or perhaps contributed to this trend. While prominent human rights groups had provided support and words of encouragement during the referendum battle, most international organizations found their resources better spent on more active battles. The Ford Foundation, which withdrew all support of projects in Uruguay after the referendum, epitomized this withdrawal. Using the decision letter regarding IELSUR’s new proposals as a forum for deciding on a new policy, Ford argued that IELSUR had struggled with how to fit into a democratic context and “establish a clear identity and coherent program strategies in the context of a civilian, constitutional rule.” By late 1989, Ford’s regional office was less concerned about the effects of Southern Cone dictatorships and “more concerned to come up with practical responses to the economic and social crisis in the region.”¹³⁹ Thus, in early 1990, Ford ceased funding “any more human rights projects in Uruguay because of limited resources and the

¹³⁷ Colección Julio Rognitz, Archivo General.

¹³⁸ Burt, Lessa, and Amilivia, “Civil Society and the Resurgent Struggle against Impunity in Uruguay (1986–2012).”

¹³⁹ Memo from Thomas J. Trebat, Ford Foundation Memo, 11 October 1989, Folder “TT Chron-August-September-October 1989,” Box 1, Correspondence Files of Thomas J. Trebat, Ford Foundation, RAC.

absence of a compelling rationale.”¹⁴⁰ Although there continued to be deep and continual struggles to deal with the crimes and harms caused by the dictatorships domestically, Ford perceived a ‘successful’ democratic transition and a return to civilian rule. Meanwhile, other nations around the globe began to experience more pressing and immediate human rights concerns, particularly Colombia and Peru, which required Ford to reevaluate its funding priorities.

While Ford completely withdrew support, Amnesty International and Americas Watch issued condemning statements towards the amnesty results, but also spent little energy on the country in the subsequent years. These international groups had been a critical source of support during the previous years by providing finances, attention, and continued global pressure on these issues. The withdrawal of their support served to contribute further to the subsequent silence about these issues in the years that followed.

While many scholars have explained the referendum as being the ultimate defeat for human rights, this chapter analyzed the rather complex role that human rights actually played during the struggle over the Ley de Caducidad. First, the campaign attempted to ensure that the vote was not centered on human rights as such, but rather on re-establishing democratic institutions and discussions of political transitions, which opened up the dialogue about peace versus justice in Uruguay’s transitional process. In this way, Uruguay contributed to the critical emerging debates about the wave of democratization in the region during this period.

Second, human rights as a discourse and organizing principle had dispersed in meaning and assumed a very different set of expectations. The rebirth of civil society had been a critical part of Uruguay’s process towards democratic rule, but it also meant that civil society actors had multiple concerns and competing interests. As one letter from a student group explained in its

¹⁴⁰ Inter-Office Memorandum, Michael Sifter to Jeffrey Puryear, “Final Evaluation and Recommendation for Closing: IELSUR,” 12 January 1990, Grant 08550674, Reel 5703, Ford Foundation, RAC.

reaction to the amnesty's defeat, "We are resolved to fight for this and all our rights- health, teachings, salary, and work."¹⁴¹ In this way, ASCEEP demonstrated that while it opposed impunity, it also had a broader and more expansive vision of socioeconomic rights. In this vein, other movements for women's rights, for racial equality, and LGBT recognition had also emerged during this period. The new mobilization efforts demonstrated how the human rights discourse had expanded well beyond a justice framework.

This research also questions some assumptions about transitional justice. The growing body of transitional justice literature frequently asserts that justice is an integral component of peace and should be an inextricable component of transitions. Meanwhile, a groundbreaking study in 2007 in Uganda reported that many communities are willing to compromise on justice for peace with the promise of other securities such as education for their children and healthcare.¹⁴² Other literature by authors such as political scientist Leigh Payne have also made the case that the order of TJ mechanisms is increasingly important to consider in making claims about justice, especially with respect to the possibility that significant delays in the application of justice might not be a hindrance to successful transitions.¹⁴³ Uruguay has rarely been studied as an example of the consequences of delayed justice and the desires of populations during transitional periods. However, from the terms of debate to the overall vote, Uruguay provides a fascinating case that questions the importance of employing justice mechanisms in the immediate transitional period. While the country continues to grapple with accountability of the dictatorship in 2016, the strength of its democratic institutions since the return to democracy is not in question.

¹⁴¹ Colección Julio Rognitz, Archivo General.

¹⁴² "When the War Ends: A population-based survey on attitudes about Peace, Justice and Social Reconstruction in Northern Uganda," *Human Rights Center-Berkeley, Payson Center for International Development and the International Center for Transitional Justice* (December 2007).

¹⁴³ Tricia Olsen, Leigh Payne, and Andrew Reiter, *Transitional Justice In Balance: Comparing Processes, Weighing Efficacy* (Washington, DC: United States Institute of Peace, 2010).

In this way, examining human rights through the lens of the present demonstrates the ways in which the discourse survived the referendum's failure, contributing to a future language for civil society mobilization and influential discourse for advocacy. The language continues to evolve, expand, and even conflict during various battles, but these struggles for how to employ human rights to address societal problems began during the transitional period. This chapter has helped to explain how the concept of human rights changed and assumed different meanings to various groups of Uruguayans during the path back to democratic rule based on their own socio-political values, experiences, and worldviews. These very same factors have withstood the referendum's defeat and continue to influence the direction and meaning of human rights discourse in 21st century Uruguay.

Conclusion

The Ley de Caducidad withstood the 1989 referendum challenge and remained on the books in Uruguay until 2011. During this period, the nation grappled with human rights for crimes of the dictatorship through other avenues, most notably an official state truth commission in 2003, *la Comisión para la Paz*. A few key trials followed that circumvented the amnesty law by either pursuing crimes that fell outside the 1973-1985 timeframe or by targeting civilian offenders who were not protected under the military-only amnesty. These successes prompted another citizen-initiated referendum to overturn the amnesty law by the will of the people in 2009. However, this measure, like 1989, also failed.

Finally, in February 2011, an Inter-American Court of Human Rights decision declared the amnesty to be in violation of international law. Led by a strong Frente Amplio presence in Parliament, the legislative body complied with the ruling and revoked the Ley de Caducidad in October of the same year.

The Inter-American Court decision stemmed from *Gelman v. Uruguay*, a case in which Argentine poet Juan Gelman sought justice for the disappearance of his son and daughter-in-law, and for the kidnapping of his grandchild, Macarena Gelman. Macarena had been born in captivity and grew up with an Uruguayan military family, unaware of her real identity until she was 24 years old. When the Court ruled on the case, the final opinion went beyond a directive to remove the amnesty law. It also instructed Uruguay to institute reparations and offer an official apology for the crimes of the dictatorship. In one of the more ironic twists of history, the decision was issued during the presidency of José “Pepe” Mujica, who had himself been a victim during the nation’s military rule. For his role as a Tupamaro, he spent fourteen years in prison—many in isolation—and suffered through numerous torture sessions during a period that spanned almost the entire

length of the dictatorship's reign.¹ In 2013, almost forty years after he first lost his freedom, he stood before the Uruguayan Parliament and members of the press, apologizing on behalf of the Uruguayan State for the terror that he, and thousands of other Uruguayans, endured during the nation's military rule.

What followed this seemingly victorious if not deeply paradoxical moment was not what many expected. The long sought-after justice was further delayed, even under an executive that was expected to be sympathetic to victims' claims given his personal experience. Dozens of families who had been waiting decades to see their cases go to trial filed petitions. As their cases slowly began to make their way through the court system, a few surprising developments occurred. First, the Supreme Court of Justice (SCJ) inexplicably transferred Mariana Mota from her criminal post to a civilian jurisdiction. Mota was a judge who had been one of the strongest supporters of trials and also had many of the current cases pending on her judicial docket. Without another judge willing to take up the cases, the transfer effectively stopped the cases from progressing the legal labyrinth. A few days after Mota's transfer, the Uruguayan Supreme Court ruled that the statute of limitations for the dictatorship's crimes had lapsed and therefore, the time within which to prosecute any member of the military had expired. Combined, these two measures stymied Uruguayan attempts at judicial accountability yet again.²

* * *

¹ Fairbanks writes that Mujica was shot six times by police before being captured the first time (and escaping twice as well). For his third imprisonment, he had a much longer jail stay—which almost broke him. He “howled at noises that weren't there and obsessed over procuring a tiny portable toilet for his cell.” Eve Fairbanks, “Jose Mujica Was Every Liberal's Dream President. He Was Too Good to Be True.,” *Pulitzer Center*, February 6, 2015, accessed 2 June 2014, <http://pulitzercenter.org/reporting/south-america-uruguay-president-popular-politics-liberal-disappointment>.

² For a more detailed discussion of the case and its effects, see Debbie Sharnak, “The Gelman Case and the Legacy of Impunity in Uruguay,” in *40 Years Are Nothing: History and Memory of the 1973 Coups D'etat in Uruguay and Chile*, ed. Pablo Leighton and Fernando Lopez (United Kingdom: Cambridge Scholars Publishing, 2015), 33–56.

These reversals in the long quest for justice in Uruguay mirror the non-teleological nature of human rights that characterized the country's immediate post-dictatorship period. The reversals were particularly devastating for activists who had begun to reach an advanced age and worried that they might not live to learn their relatives' fate or see justice. The recent developments, however, also reinforce some of the conclusions about human rights in Uruguay that this dissertation has illuminated.

First, human rights improvement does not proceed in a linear, progressive nor triumphant manner. Within transitional societies, but also globally, the normative idea that justice for crimes of violent regimes is both possible and necessary has shifted. But this change has not always been accompanied by broad acceptance of this notion within individual countries.³ Although a few Uruguayan cases have been successfully tried over the past thirty years, these trials do not always signal broader societal transformations.⁴

For example, Uruguay completed its descent into dictatorship under the head of state, Juan María Bordaberry, in 1973. Charged as the co-author of ten homicides in 2006, Bordaberry was ultimately convicted and sentenced to thirty years in jail. This case tried the man most closely associated with the collapse of Uruguayan democracy. It is notable for both targeting a head of state, and for the advancement of justice in Uruguay after many years of stagnation. However, it was permitted to proceed on a technicality. He had been a *civilian* head of state, not a military officer. Thus, he was not officially covered under the amnesty law. His prosecution was not part of a broader societal move to address the military's crimes but was rather an exception—a remarkable exception but an exception nonetheless.

³ Kathryn Sikkink, *The Justice Cascade: How Human Rights Prosecutions Are Changing World Politics* (New York: W. W. Norton & Co, 2011).

⁴ Elin Skaar, "Wavering Courts: From Impunity to Accountability in Uruguay," *Journal of Latin American Studies* 45 (August 2013): 483–512.

Another seemingly spectacular conviction was that of Uruguayan Coronel Manuel Cordero, who was successfully prosecuted in 2016. However, this conviction did not occur in a domestic court room; it took place in Argentina. The trial is considered a “milestone for human rights” because the case was transnational.⁵ It was the first case to consider the crimes of Operation Condor conducted by numerous Southern Cone countries, and allowed plaintiffs from Chile, Uruguay, Paraguay and Bolivia to file complaints, all while taking place on Argentine soil. While most of the defendants in the case were Argentines, Cordero was the one exception. In addition, the biggest share of the petitions, forty-eight of the 106 total submitted came from Uruguay, precisely because domestic avenues for justice had been blocked for so many years.⁶ Despite the victory allowing a modicum of justice for Uruguayans through another example of innovative legal maneuvering, it did not occur in a domestic context. Instead, the fervor with which many Uruguayans embraced the transnational case is a direct outgrowth of domestic intransigence. While cases like Bordaberry and Cordero are exceptional for the symbolic justice they provide, their rarity also demonstrates the limitations of accountability that still exist in Uruguay.

A careful reading of Uruguay’s experience with accountability also challenges some of the assumptions in the field of transitional justice—particularly if one rigorously analyzes how long these processes take. The “transition” phase of transitional justice has historically been defined within a short window. This time period is usually linked to the length of a perceived democratic transition where elections occur, a modicum of rule of law is established, and governance structures are put in place that move society away from an easy reversal to authoritarianism.

⁵ “Operation Condor: Landmark Human Rights Trials Reaches Finale,” *BBC*, 27 May 2016, accessed <http://www.bbc.com/news/world-latin-america-36394820>.

⁶ Francesca Lessa, “Notes from the Field: Justice beyond Borders: The Operation Condor Trial and Accountability for Transnational Crimes in South America,” *International Journal of Transitional Justice* 9 no. 3 (September 2015), 494-506.

However, scholars are now beginning to question whether transitional justice aims can be achieved within that small timeframe. As Harvey Weinstein, a former editor-in-chief of the *International Journal of Transitional Justice*, has asked: “is it hubris” to believe that transitional justice mechanisms could help society emerge “from unspeakable atrocities and achieve ‘reconciliation’ only in just a few years after peace has been achieved?”⁷ Political scientist Cath Collins agrees with Weinstein and has argued that the continuing struggle for accountability after the first few transitional years should be delineated and considered a “post-transitional justice” phase.⁸ Whether one agrees with this idea or not, what this debate illustrates is that academics have spent a considerable amount of time focused on how to define the length of a transition.

I suggest, however, that the idea of ‘democratic’ transition and ‘justice’ transition needs to be separated since the two processes operate in different temporalities. A democratic transition can remain within that initial short timeframe, but the very definition of a transitional justice process should be viewed within a more elastic framework which can be better pursued if it is delinked from an immediate process of democratic consolidation. Instead, from the beginning, the struggle for truth and justice should be viewed as a decades-long process. While the length of time will differ in each individual case, the difficult process of truth-seeking and reconciliation are inherently challenging endeavors that take many years, as evidenced by the case of Uruguay.

Nevertheless, a delicate balance exists in how long the process can be drawn out. While modifying the length of a transition in transitional justice is significant, there are other considerations. Pablo de Greiff, United Nations Special Rapporteur on the promotion of truth,

⁷ Harvey M. Weinstein, “Editorial Note: The Myth of Closure, the Illusion of Reconciliation: Final Thoughts on Five Years as Co-Editor-in-Chief,” *International Journal of Transitional Justice* 5, no. 1 (March 2011): 2.

⁸ Cath Collins, *Post-Transitional Justice: Human Rights Trials in Chile and El Salvador* (University Park, PA: Pennsylvania State University Press, 2010); Paloma Aguilar, ‘Transitional or Post-transitional Justice? Recent Developments in the Spanish Case’, *South European Society and Politics*, vol. 13 (2008), pp. 417-433.

justice, reparation and guarantees of non-recurrence, noted that justice also cannot be delayed too long, since transitional justice aims to allow victims to benefit from the clarification of facts. This goal is threatened if victims pass away before justice is pursued.⁹ In Uruguay, many victims are now at an advanced age, which requires that a careful balance be struck between assuming transitional justice can be achieved in just a few years and then waiting decades for victims to achieve the right to clarification and justice.

Any attempts to achieve this equilibrium needs to grapple with the fact that transitional justice is sometimes assumed to be a technical process, or that the set of TJ tools such as trials, truth commissions, and reparations exists above politics. As such, most analyses of transitional justice focus on an institutional or legal approach. Instead, it is more helpful to understand TJ squarely within a political frame that must adopt and maneuver within extremely sensitive environments. Particularly in cases like Uruguay that underwent a pacted transition, political considerations often dominate battles against impunity and the search for truth. Transitional justice is perhaps better understood as an aspirational value for opening doors to a long and often winding process that lacks a sense of completion or closure. Discussions over a violent and painful past can never be fully dealt with or closed. The ongoing discussions become an important and continual part of society's fabric.¹⁰

Rethinking the boundaries of transitional justice speaks to a larger issue of how historians engage with temporalities in various ways. In considering when Uruguay's dictatorship began or ended, there are general dates and anniversaries that have been marked. For example, the date of

⁹ United Nations Office of the High Commission for Human Rights, 'Observaciones preliminares del Relator Especial para la promoción de la verdad, la justicia, la reparación, y las garantías de no repetición al final de su visita oficial a la República Oriental del Uruguay,' accessed October 4, 2013 <http://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=13849&LangID=S>.

¹⁰ Steve J. Stern, *Reckoning with Pinochet: The Memory Question in Democratic Chile, 1989-2006* (Durham: Duke University Press, 2010).

the closure of Parliament, 27 June 1973, or the date of Julio María Sanguinetti taking over the presidency as an elected representative on 1 March 1985 are generally used to denote the divide in Uruguay's history between dictatorship and democracy. The country's 'transition' is also said to have ended on 16 April 1989, when the referendum failed to overturn the amnesty law. However, these dates are somewhat arbitrary. Uruguay's descent into dictatorship was a protracted and drawn out process, with human rights abuses occurring long before the dismissal of legislators. In the same vein, Uruguay's 'transition' began as early as the November 1980 referendum, when the population voted "no" on a more repressive constitution and began a similarly long road back to democratic rule. On the other end of the spectrum, the first truly 'free' elections without any candidates proscribed by the military didn't take place until November 1989. This dizzying array of dates, which are contested at various levels, demonstrate the difficulty of ascribing boundaries to periods of dictatorship, democracy, and also transitions. By offering alternative dates, I do not seek to suggest that the history of Uruguay's experience with military rule should be written within longer or shorter timespans, but rather to suggest a fluidity and the lack of clear delineation between either periods of repression and democracy, or transition and post-transition that expose the very problems with periodization. Uruguay's experience with human rights violations and accountability reveal the fluidity between these perceived dichotomies, offering more flexible ways to rethink strictures of temporality and a broader view for acknowledging victims of state violence.

* * *

While this dissertation has explored some of these enduring issues about human rights and transitional justice in Uruguay, the work has also exposed some areas for further research. First, there is a need for more in-depth research that explores variances in Uruguay's experience during

and after the dictatorship in different regions of the country. Uruguay is a small nation of only three million citizens and thus, many studies, including this one, have failed to do a detailed accounting of the differences between Montevideo, where half the population resides, and the rest of the country's more rural areas. The results of the 1989 referendum demonstrated this divide. Within the capital city, Uruguayans voted to overturn the amnesty law by a majority. Meanwhile, the more rural parts of the country voted the opposite—they sought to keep the amnesty law intact and did so by a higher margin of victory, which allowed the law to remain in effect.¹¹ What these disparities perhaps illustrate is the different ways that Uruguayans in distinct parts of the country experienced the dictatorship—an aspect that begs for further study.

Second, this dissertation has exposed the various social movements that emerged in Uruguay's reconstituted democratic environment after suffering particular forms of repression during military rule. While this study sought to explore a transnational approach to human rights, a more granular study of Afro-Uruguayans' experience of dictatorship and transition, as well as the Jewish experience, deserves a more thorough examination. My limited research on these topics exposed fascinating dynamics of advocacy and identity that would offer depth and texture to understanding minority experiences of repression during this period in Uruguayan history.

Third, a cultural examination of Uruguay's larger experience with transitional justice in the years following the 1989 referendum defeat is needed. Scholars like Steve Stern and Rebecca Atencio have begun to explore the dynamic process of TJ through the mutually constitutive process of cultural production and institutional mechanisms that help explain transitional justice through a

¹¹ Louise Mallinder, "Uruguay's Evolving Experience of Amnesty and Civil Society's Response," *Working Paper no. 4, Beyond Legalism: Amnesties, Transition and Conflict Transformation* (Queens University Belfast, March 2009).

cumulative process of human rights struggles over time.¹² Uruguay's encounter with transitional justice most closely resembles Brazil rather than Argentina or Chile, with most measures occurring in the twenty-first century—decades after the regimes transitioned back to democratic rule. Uruguay has only recently been reinserted into scholarship on transitional justice.¹³ To date, however, no cultural studies help explain how justice norms gained currency after such a long period. A study on the Uruguayan cultural process would contribute to an important new genre of transitional justice history and provide a deeper understanding of how Uruguayans have grappled with their dictatorial past.

* * *

Ultimately, this dissertation sought not just to explore Uruguay's human rights history, but also broader encounters with the discourse both at the transnational and local levels. In one analytical sense, human rights connected exiles and activists around a minimalist set of violations during the tumult of the 1970s. As David Kennedy has explained, human rights offered the promise of a “legal vocabulary...outside the clash of political interest” to galvanize the international community around stopping abuses that many Uruguayans were experiencing.¹⁴ On the other hand, human rights were never just a tool to Uruguayans. They gave language to a deeply rooted set of beliefs and visions of social justice that had motivated Uruguayans long before the country's descent into dictatorship. In many respects, while appealing to the notion of an international norm, Uruguayan human rights emerged out of radical politics and leftist traditions during a period of

¹² Stern, *Reckoning with Pinochet*; Rebecca Atencio, *Memory's Turn: Reckoning with Dictatorship in Brazil* (Madison: University of Wisconsin, 2014).

¹³ I explore this further in this chapter, Debbie Sharnak, “Uruguay and the Reconceptualization of Transitional Justice,” in *Legacies of State Violence and Transitional Justice in Latin America: A Janus-Faced Paradigm?*, eds. Marcia Esparza and Nina Schneider (Latham, MD: Lexington Books, 2015).

¹⁴ David Kennedy, “The International Human Rights Movement: Part of the Problem?” *Harvard Human Rights Journal* 15 (Spring 2002): 116–17.

turmoil.¹⁵ Human rights expanded in the 1980s, embedded in both local politics and imagined within a set of social circumstances that recaptured a much broader idea of rights than the narrow violations that characterized advocacy against the dictatorship. Human rights, far from being a stagnant, fixed, or political term, can instead be better understood as a social construct, fluid and reflective of the times and experience in the places they emerge.

Uruguay's 'long' dictatorship, encompassing both the pre- and post- periods, exposes many of these insights about human rights. The country is the smallest nation in the Southern Cone; thus, its contributions to both the transnational development of a human rights discourse and transitional justice has frequently been overlooked in examining this critical period. This dissertation attempted to understand Uruguay's experience during this time, how it differed from the experience of its regional counterparts, and how such variations can shift our analytical perspective on regional and global histories.

When Nelson Rockefeller visited the country in 1969, his takeaway was that the country had "international prestige and significance far greater than its small size."¹⁶ While Rockefeller was perhaps most worried about U.S. economic and political interests in the country, he was prescient in his larger vision of the country's importance in the social and political spheres. This idea can be extended to human rights. Through its own trauma and suffering, Uruguay proved to be a major contributor to this critical moment of human rights emergence in the 1970s. However, the country's struggles to implement accountability for violations in the 1980s was balanced against new movements for social and economic rights—a challenge which pointed more broadly to human rights tensions. While Uruguay is often celebrated internationally for its progressive

¹⁵ Tate looks at a similar set of tensions in Colombia. Winifred Tate, *Counting the Dead: The Culture and Politics of Human Rights Activism in Colombia* (Berkeley: University of California Press, 2007), 134.

¹⁶ Uruguay Country Analysis and Strategic Report, Folder 1354, Box 166, Rockefeller Papers, Rockefeller Archive Center.

social legislation, its continued impunity reveals that these struggles are ongoing. This paradox of advance and failure speaks to the enduring contradictions that human rights engendered during its emergence, and that continue to plague implementation even in an era of human rights ubiquity.

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