

Does individual and collective remembrance of past violence impede or foster reconciliation? From Argentina to Sri Lanka

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Abstract

While the dominant human rights discourse on transitional justice constitutes a mix of reinforcing aims that seek to “make peace with” a violent past, this article complicates this notion by exploring how affective memories can prevent individuals from envisioning a future for themselves in which their individual and their nation’s past is safely left behind. In the context of ongoing debates over whether to remember or forget a country’s traumatic past, the article will show how affective memories of violence and disappearance prevail and disrupt the reconciliation paradigm, and need to be taken into account in transitional justice processes.

* The research for this paper is based on oral testimonies that the author collected in 2009 in Argentina as part of her PhD research. These testimonies were taken from two groups of women: those whose family members were kidnapped and murdered by armed political groups between 1973 and 1976, and those whose family members were kidnapped, disappeared or murdered by the military government between 1976 and 1983. The interviewees emphasized their preference for disclosing both their names and the identities of their missing/killed family members. For many of the families of the disappeared in particular, publicly repeating the name of their loved ones at any opportunity is highly significant to restoring their personal identity. All translations of the women’s quotes are author’s own. The interviews are on file with the author.

Keywords: affect, memory, reconciliation, transitional justice, Sri Lanka, Argentina.



We're undone by each other. And if we're not, we're missing something.

Judith Butler¹

Introduction

While the individual and collective need to remember the violence of past injustices and those affected by human rights abuse, violations of international humanitarian law, genocide, and disappearance has become a defining feature of the late twentieth and early twenty-first centuries, debates ensue about the merits of remembering in transitioning societies and the possible ramifications this may have for national reconciliation. For a country trying to heal its wounds as it emerges from violent conflict or authoritarian rule, is it better to remember or to forget? Does collective remembrance of a troubled past foster or impede reconciliation?

The dominant human rights discourse on transitional justice constitutes a mix of mutually coherent and reinforcing aims that seek to “make peace with” and “find closure” on a violent past.² Indeed, truth commissions were adopted towards the end of the twentieth century as a way of acknowledging human rights violations and achieving national reconciliation, as well as a way of healing psychosocial trauma at both the individual and collective levels in post-conflict societies. Though truth commission literature and conflict resolution theory suggest that psychological issues – whether individual or collective – can be healed through mnemonic performances of oral testimony or storytelling,³ there is scant evidence to prove that this is true. Over time it has become clear that the individual psychological benefits from participating in these mechanisms of “reparative remembering”⁴ may be overstated, and that reconciliation efforts, more often than not, have yielded a thin form of coexistence rather than a thicker form of social integration.⁵

1 Judith Butler, “Violence, Mourning, Politics”, *Studies in Gender and Sexuality*, Vol. 4, No. 1, 2003.

2 A number of such terms have emerged within the field of transitional justice to describe strategies and initiatives used to achieve justice and to build trust among adversarial communities. Discourse around national reconciliation has more recently relied upon a therapeutic model that seeks to heal wounds in connection with past violence and focuses on recognition of the victims of violence to recover sovereignty. See Michael Humphrey, “Reconciliation and the Therapeutic State”, *Journal of Intercultural Studies*, Vol. 26, No. 3, 2005.

3 Gearoid Millar, “Assessing Local Experiences of Truth-Telling in Sierra Leone: Getting to the “Why” through a Qualitative Case Study Analysis”, *International Journal of Transitional Justice*, Vol. 4, No. 3, 2010.

4 Graham Dawson, *Making Peace with the Past? Memory, Trauma and the Irish Troubles*, Manchester University Press, Manchester, 2007, p. 84.

5 Ann Rigney, “Reconciliation and Remembering: (How) Does It Work?”, *Memory Studies*, Vol. 5, No. 3, 2012.

“Remembrance may be the ally of justice, but it is no reliable friend to peace, whereas forgetting can be”, writes journalist and writer David Rieff.⁶ Rieff, believing justice to be a “chimera” and “reconciliation” a vain hope, reminds us to take heed of the words of the children of those tortured and disappeared and/or murdered during the Argentine military dictatorship, and who have recovered their real identity: “We will not forget, we will not forgive, and we will not reconcile.”⁷ For Rieff, there are contexts such as Argentina, where no reconciliation is possible and where the act of remembering the past is more likely to result in inciting further conflict than in reconciliation.

On the other side of the coin, Pablo de Greiff, the outgoing United Nations (UN) Special Rapporteur on the Promotion of Truth, Justice, Reparation and Guarantees of Non-Recurrence, believes “we have an obligation to remember what our fellow citizens cannot be expected to forget”.⁸ De Greiff agrees with Rieff that the past can be co-opted by different political elites to achieve their own ends, and that indeed, “counter-hegemonic” struggles for memory, as have been witnessed in Spain and Latin America, can foster further resentments, denials and exclusions.⁹ However, he maintains that to publicly remember the past as a process of fact-finding and truth-seeking will go some way to satisfying the victims of human rights abuses, who are entitled to be publicly acknowledged for the suffering they have endured.¹⁰

In light of these arguments, this article will explore the relationship between individual memories and public memorialization in the country considered to be the pioneer of transitional justice – Argentina – and what this could mean for the newcomer to transitional justice – Sri Lanka.¹¹ Since the return to democratic rule in Argentina in 1983, the human rights movement has continually demanded “truth, memory and justice”, and in recent years many dictatorship-era crimes have been prosecuted, resulting in the imprisonment of a number of perpetrators who have committed gross human rights violations.¹² While 2018 marked the

6 David Rieff, “The Cult of Memory: When History Does More Harm than Good”, *The Guardian*, 2 March 2016, available at: www.theguardian.com/education/2016/mar/02/cult-of-memory-when-history-does-more-harm-than-good (all internet references were accessed in September 2019).

7 *Ibid.*

8 Pablo de Greiff, “The Duty to Remember”, 16 May 2016, available at: www.ictj.org/debate/article/duty-remember.

9 *Ibid.*

10 *Ibid.*

11 Following Maithripala Sirisena’s election in 2015, the government of Sri Lanka co-sponsored UN Resolution 30/1, “Promoting Reconciliation, Accountability and Human Rights in Sri Lanka”, UN Doc. A/HRC/RES/30/1, 14 October 2015. The resolution envisaged the setting up of a permanent Office on Missing Persons, a truth-seeking commission, a judicial mechanism with a special counsel, and a reparations office. See also *Report of the Working Group on the Universal Periodic Review*, UN Doc. A/HRC/37/17, 29 December 2017; Human Rights Council, Resolution 40/1, “Promoting Reconciliation, Accountability and Human Rights in Sri Lanka”, UN Doc. A/HRC/RES/40/1, 4 April 2019.

12 Some of the most recent trials include those of former military soldiers who committed crimes against humanity in relation to the infamous “death flights” in which prisoners were sedated, stripped of all their clothing and thrown into the sea. Retired navy captain Adolfo Scilingo, who admitted to participating in two of the weekly “death flights”, calculated that during his two years at the ESMA detention centre, over “a hundred Wednesdays, between 1500 and 2000 people” were thrown into the Rio de la Plata: see Marguerite Feitlowitz, *A Lexicon of Terror: Argentina and the Legacies of Torture*,

35th anniversary of the return to democratic rule and the beginning of the country's transitional process, however, Argentina still grapples with many legacies of its violent past.

The first part of this article briefly explores the various ways in which the Argentine public sphere has become an arena of struggle over how to remember the political and State violence of the 1970s and 1980s, as different memorial groups have struggled for the political, social, legal and moral recognition of their traumatic memories. Rather than rendering a factual narrative about the past, the article will then consider how affective memories¹³ can produce a different kind of narrative about processes and conditions of remembrance in Argentina over the past decades. The author will then consider the interpersonal pathways of traumatic histories and memories by exploring the role of the transmission of emotions and affects with regard to how and why they can stir individuals and collectives to such an extent that the past continues to operate as a source of social and political division, including across generations. Finally, parallels will be drawn between the two contexts, pointing to some of the challenges and considerations around memorialization faced by Argentina which Sri Lanka may soon face as it embarks on its own process of transitional justice.

The politics of remembering and contested narratives

Following Argentina's return to democratic rule in 1983, then president Raúl Alfonsín created the National Commission on the Disappearance of Persons (Comisión Nacional sobre la Desaparición de Personas, CONADEP) to investigate the disappearances of individuals carried out under the direction of the military dictatorship during the years 1976–83.¹⁴ First-hand narratives of human rights violations experienced under military rule during this period were collected by CONADEP and published under the title of *Nunca más (Never Again)*;¹⁵ this document became the authoritative text on human rights violations committed by the military junta, including the systematic disappearances of thousands of

Oxford University Press, New York, 1998, p. 196. See also "Former Officials Convicted in Argentina's 'Dirty War' Trial", *Deutsche Welle*, 30 November 2017, available at: www.dw.com/en/former-officials-convicted-in-argentinass-dirty-war-trial/a-41594632.

- 13 Affect can be used as a broad term to refer to emotions, feelings, and affects in the narrower sense. Though these definitions are often used interchangeably, it is important to define the difference between the three. "Feelings are *personal* and *biographical*, emotions are *social*, and affects are *prepersonal*." Displays of emotion can be "genuine or feigned"; when we relay our emotions publicly, they may be an expression of our genuine feelings or they may be contrived in order to fulfil societal norms. Meanwhile, affects are more abstract than emotions because they "cannot be fully realised in language". They are non-conscious and unformed, and refer to "the body's way of preparing itself for action in a given circumstance", with an added dimension of intensity. See Eric Shouse, "Feeling, Emotion, Affect", *Media-Culture Journal*, Vol. 8, No. 6, 2005, paras 2, 4, 5.
- 14 CONADEP's brief was to receive depositions and gather other forms of evidence, and to pass this information on to the courts, where responsibility for crimes committed would be determined. See CONADEP, *Nunca más: Informe de la Comisión Nacional sobre la Desaparición de Personas*, Faber, London, 1986, p. 449.
- 15 *Ibid.*

individuals and the abuses that occurred in hundreds of secret detention centres scattered across Argentina.¹⁶

In recent years, the consecutive governments of Néstor Kirchner (2003–07) and Cristina Fernández de Kirchner (2007–15) have officially recognized the sheer magnitude of the issue of the disappeared, endorsed new cultural models of collective remembrance and commemoration, and issued a number of presidential decrees that declared previous laws limiting prosecutions under the Alfonsín administration, and other policies of impunity pursued by the Menem government,¹⁷ null and void.¹⁸ As a result, in November 2018, the Argentine attorney-general reported that 867 people had been found guilty of crimes against humanity.¹⁹

However, despite the considerable political and legal gains achieved in recent years, individuals and families affected by State violence continue to feel a sense of injustice over a number of unresolved legacies of this violent past. Firstly, questions about the fate and the whereabouts of thousands of individuals who were disappeared remain unanswered by those responsible in the armed forces. With their loved ones thrown into the ocean by security forces, most of the families of the disappeared – many of whom had already been traumatized by the abduction and permanent disappearance of their children or partners – have had their trauma compounded by being unable to bury their loved ones' bodies.²⁰

16 In the mid-1990s, *Nunca más* was no longer regarded as a legal instrument but was seen as a vehicle for the transmission of memory. The 2006 administration of Nestor Kirchner encouraged the publishing of a new official interpretation of the original report, with the addition of a new prologue written by the national secretary of human rights. See Emilio Crenzel, "Between the Voices of the State and the Human Rights Movement: Never Again and the Memories of the Disappeared in Argentina", *Journal of Social History*, Vol. 44 No. 4, 2011, p. 1072. The prologue was critical of the explanation given for the political violence described in the original report, stating that it was "unacceptable to attempt to justify State terrorism like a sort of game of counteracting violence, as if it were possible to look for a justifying symmetry in the action of individuals faced with the Nation and the State's estrangement from their proper goals": see CONADEP, *Nunca más: Informe de la Comisión Nacional sobre la Desaparición de Personas*, 7th ed., Editorial Universitaria de Buenos Aires, Buenos Aires, 2006, pp. 8–9, author's translation. As Crenzel explains, the new prologue failed to place the political violence in its historical context, and did not establish civil and political responsibilities for the violence. Taking on a social justice tone, the report excluded any mention of guerrilla and political activity from the lives of the disappeared, and talked instead of the human rights movement's thirty-year struggle for "truth, justice, and memory".

17 Alfonsín's successor, Carlos Menem, adopted a policy of forgetting the past when, on taking power in 1989, he extended pardons to military personnel who had been convicted of human rights violations.

18 For example, in December 1986, concerned about the destabilizing threat that a status of never-ending trials posed to an already rocky democratization process, President Alfonsín pursued measures to limit the number of prosecutions and placed a sixty-day statute of limitations on criminal complaints against the military officers, which became known as the *Ley de Punto Final* (Final Stop Law). He also introduced the controversial *Obediencia Debida*, or Due Obedience law, in June 1987, which allowed lower-ranking officials to claim that they had been "following orders" in committing crimes. In August 2003, Nestor Kirchner signed the law that declared the *Punto Final* and *Obediencia Debida* laws null and void. Louise Mallinder, *The Ongoing Quest for Truth and Justice: Enacting and Annulling Argentina's Amnesty Laws*, Working Paper No. 5, "Beyond Legalism: Amnesties, Transition and Conflict Transformation" Conference, Queen's University, Belfast, 2009.

19 See: www.hrw.org/world-report/2019/country-chapters/argentina.

20 Jill Stockwell, *Reframing the Transitional Justice Paradigm: Women's Affective Memories in Post-Dictatorial Argentina*, Springer International Publishing, Switzerland, 2014.

Secondly, while the organization Las Abuelas de Plaza de Mayo (Grandmothers of the Plaza de Mayo) has recovered the identities and reunited the families of over 100 illegally appropriated babies and children, the organization estimates that 300–400 individuals are still living under false identities and remain unaware of the truth about their past.²¹ Thirdly, while legal proceedings in relation to State terrorism continue, many Argentines with whom the author spoke talked about the slow process of justice and described their lack of faith in a judicial system that had previously failed them, and which continues to accommodate biased judges who on some occasions sentence those convicted to house arrest, under which they are able to live “relatively freely in comfort”.²²

Many of the women²³ with whom the author spoke were concerned that political and judicial gains to bring those accused of human rights violations to trial could be lost with a change of government. This has happened before,²⁴ and it seems to be coming to pass again: on winning office in 2012, President Mauricio Macri declared that it was time to turn the page²⁵ and refused to acknowledge the figure of 30,000 disappeared persons.²⁶ While President Macri promised to continue the trials and to let the judiciary act independently, many human rights activists remain sceptical.

In what was a new constitutional cycle in Argentina’s history from 1983, the testimonial narrative of *Nunca más* established what had happened during the years 1976–83. However, it also sent a clear message about what should be left behind or forgotten. Significantly, victims of the armed political movement

21 Las Abuelas de la Plaza de Mayo was founded when a group of mothers emerged among the relatives of the disappeared and began to realize that the abduction of their pregnant family members was more widespread than originally thought, and their search also extended to the fate of their missing grandchildren. The organization believes that up to 500 children who were taken from their incarcerated mothers and given to families with close military ties are still unaware of their real identities. As of June 2019, 130 children have been recovered with the assistance of Las Abuelas de la Plaza de Mayo. For more information, see: <http://abuelas.org.ar>.

22 J. Stockwell, above note 20. See also Abuelas de Plaza de Mayo *et al.*, “We Reject the Attempt to Benefit Those Convicted of Crimes against Humanity with House Arrest on the Pretext of Prison Overpopulation”, *CELS*, 7 March 2018, available at: <https://tinyurl.com/yxseawa7>.

23 Studies have shown collective memory to be the cross-generational oral transmission of events deemed socially important for a society: see Selma Leydesdorff, Luisa Passerini and Paul Thompson (eds), *Gender and Memory*, Transaction, New Brunswick, NJ, 2005. Despite women playing a central role in the transmission of memory to the next generation, in many transitional contexts the role women play is marginalized; their memories of violence are pushed out to the margins of the public sphere. As a result, the author wished to explore further the ways in which women remember the past, especially in Argentina, where women have done the lion’s share of work in terms of remembering the political and State violence of the 1970s and 1980s.

24 See above note 17.

25 Oleguer Sarsanedas and Estela Barnes de Carlotto, “The Grandmothers of Plaza de Mayo and the Rewriting of History”, *Open Democracy*, 8 December 2017, available at: www.opendemocracy.net/en/democraciaabierta/grandmothers-of-plaza-de-mayo-and-rew/. This article was written before the 2019 Argentine presidential election, in which Alberto Ángel Fernández replaced the incumbent Mauricio Macri. Cristina Fernández de Kirchner will become vice-president in Mr Fernández’s administration.

26 See Uki Gofi, “Blaming the Victims: Dictatorship Denialism is on the Rise in Argentina”, *The Guardian*, 29 August 2016, available at: www.theguardian.com/world/2016/aug/29/argentina-denial-dirty-war-genocide-mauricio-macri.

during the 1973–76 period were not included in the CONADEP report and the right-wing sectors of Argentine society have challenged the report ever since, claiming that CONADEP leader Ernesto Sabato denounced one side of events while remaining silent about the “terrorism” that occurred prior to the military takeover in 1976.²⁷ Sabato responded to these accusations of partiality, saying that it was not the Commission’s central role to investigate the violent activities of the armed guerrilla groups during the period 1973–76.²⁸ However, the omission of the testimonials of the victims of the armed guerrilla groups meant that certain groups’ experiences were not included in this new democratic chapter of Argentine history.²⁹

Since the CONADEP report has been so influential and foundational to the creation of a “new public truth” within Argentine society,³⁰ and has subsequently been used as the principal reference point for memory issues in Argentina, the omission of some groups’ experiences has had serious implications for the entrenchment of ideological divisions within cultures of memory. While the report repudiates the political violence in the lead-up to the military coup, this issue is confined to the prologue, and as such, the report as a whole ignores this period of Argentina’s past.³¹ In the years since the return to democratic rule, family members of victims of the armed guerrilla movement have made attempts to come to a sense of peace about their memories of a violent past. However, during the years of the consecutive Kirchner governments, the families’ feelings of victimization were reignited by what they saw as political efforts to remember one side of history while forgetting another.³²

Since the return to democracy, members of both memorial groups³³ have been engaged in endless mourning and remembering, as their painful memories vie for pre-eminence in a constant struggle for political, social and legal recognition in which (again) there are only winners and losers.³⁴ As a result, debates about how the period of political violence and State terrorism of the 1970s and 1980s should be collectively remembered by the nation have caused deep political and societal divisions. The various actors who have taken part in these debates have linked their political programmes and orientations with the memories of a violent past,³⁵ resulting in the polarization of groups struggling to

27 Hugo Vezzetti, *Pasado y presente: Guerra, dictadura y sociedad en la Argentina*, Siglo Veintiuno Editores, Buenos Aires, 2002.

28 CONADEP, above note 16, p. 6.

29 E. Crenzel, above note 16, p. 1072.

30 *Ibid.*

31 Emilio Crenzel, “Argentina’s National Commission on the Disappearance of Persons: Contributions to Transitional Justice”, *International Journal of Transitional Justice*, Vol. 2, No. 2, 2008.

32 J. Stockwell, above note 20.

33 The two different memorial groups fall into two political/ideological camps in Argentina. More broadly, individuals affected by military repression are commonly referred to as the political “left”, and individuals affected by armed guerrilla violence are referred to as the political “right”. See *ibid.*

34 Michael Rothberg, *Multidirectional Memory: Remembering the Holocaust in the Age of Decolonization*, Stanford University Press, Stanford, CA, 2009, p. 309.

35 Elizabeth Jelin, *State Repression and the Labors of Memory*, University of Minnesota Press, Minneapolis, MN, 2003.

overcome the injustices of public recognition over whose history should ultimately be acknowledged.³⁶ As Barbara, whose father, José Miguel, was killed by the armed guerrilla movement in 1976, said:

I'm tired of it all. If they think they're the "goodies" and I'm not, how am I ever going to be able to talk with them [human rights organisations, the government]? I don't understand. What kind of communication could there ever be, because we're never going to understand each other? ... There is no such thing as "goodies" and "baddies". There is no left and right. There are all sorts of people and we all, both left and right, make up a society. There's us and then there are the politicians. They're meant to represent us, but they don't represent me. ... I am discriminated against and segregated [within society]. ... Argentina is like a jigsaw puzzle and my story has to be a part of this puzzle.³⁷

This dynamic has created a sense of enmity between the two "memorial groups" struggling for justice and for the memory of their loved ones to be recognized and legitimated in the public sphere. As those who personally experienced suffering have talked of their experiences with others, memory has become a common language through which individuals have been able to articulate and share their traumatic experiences. As a result, memory has become a dominant form of belonging in Argentina. Members of particular political and ideological groups have created a shared fabric of a life-world in which remembering their loved ones who were affected by political and State violence is central. The spread of these community-based groups, whereby being a group member means assuming a shared identity and subscribing to a shared group past, has resulted in the "pluralization and problematization of memory".³⁸ As the boundaries of memory parallel the boundaries of group identity, there is a sense of competitive victimhood as groups compete for the recognition and legitimization of their memories of victimhood, at the exclusion of others, within collective forms of remembrance.³⁹

Argentine writer Graciela Scheines likens Argentine history to being a "living burden" that produces "sorrow and anguish".⁴⁰ Widespread abuses by the State and by armed political groups have left behind a powerful legacy of deep pain in Argentina. This was abundantly clear as the individuals interviewed by the author related their traumatic experiences with what seemed to be the same emotional charge as they had shown more than thirty-five years ago, when some of them gave their first public testimonies. Both groups were as committed as ever to the daily task of bearing witness to those experiences that had irrevocably changed the course of their lives.

36 J. Stockwell, above note 20.

37 Interview with Barbara Tarquini, Buenos Aires, 17 July 2009.

38 Barbara A. Misztal, "The Sacralization of Memory", *European Journal of Social Theory*, Vol. 7, No. 1, 2004, p. 6.

39 J. Stockwell, above note 20.

40 Luis Roniger and Mario Sznajder, *The Legacy of Human-Rights Violations in the Southern Cone: Argentina, Chile, and Uruguay*, Oxford University Press, New York, 1999, p. 189.

Traumatic remembrance

While public discussions of historical justice and memory are usually associated with memorials, museums, and artistic and literary works, much less exploration has been made of individuals' private ways of remembering those who are missing. For families of those disappeared in relation to the 1976–83 State terror in Argentina, the task of remembering traumatic violence is to remember it fully, again and again, every day, until every tragic moment is relived, so that events which had been previously suppressed, distorted or altogether written out of history are never forgotten.

Holocaust survivor Charlotte Delbo wrote extensively about living with the deep memories of trauma and the challenges of envisioning a future in the midst of the destruction of one's emotional and cognitive capacities. Delbo uses the term "deep memory", as distinct to common or intellectual memory, to refer to those memories that record the physical imprint of a traumatic event within the individual, causing the past to continuously and unexpectedly rupture trauma survivors' reconstructed realities.⁴¹ Deep memories are felt within the body and can be triggered by associations with particular sensations or objects. They do not fade over time and remain alive in the present.

Watching a loved one being violently kidnapped or disappeared has had long-lasting effects for many of the women with whom the author spoke. For example, Cristina, whose husband Carlos was kidnapped and disappeared, and who herself survived a violent attack with her five-day-old baby by the military's security forces, explained how she has lived with her memories of violence:

It was a permanent feeling of distress ... of anxiety more than distress ... it was something that made your stomach churn to think that at any moment, something could happen to you. We had to be careful when we walked along the street, in the buses, anywhere we went, to see if anyone was following us ... because, I tell you, it was really terrible. For many years, the feelings and the emotions that I had of fear, that I could feel in the middle of my stomach every time I spoke about this ... I would be trembling. It's very strong [to remember].⁴²

Cristina's comment attests to the way in which those affected by political and State violence in Argentina have become "a symptom of history that they cannot entirely possess".⁴³ Cristina's body has become a site and focus for her memories of trauma, which remain ever vulnerable to revival. This raises an important issue about the long-term consequences of living with deep memories that are too painful to acknowledge in a person's everyday reality and identity.

41 Charlotte Delbo, *Days and Memory*, Marlboro Press, Evanston, IL, 2001, p. 3.

42 Interview with Cristina Muro, Buenos Aires, 14 June 2009.

43 Cathy Caruth (ed.), *Trauma: Explorations in Memory*, Johns Hopkins University Press, Baltimore, MD, 1995, pp. 4–5.

Cristina said there was no way to avoid remembering the violence that she and her family lived through. She said that she was constantly and unexpectedly faced with feeling deep pain in the subtlest ways. For example, she recounted how the trauma she experienced more than three decades ago continues to emerge in recurring dreams:

For a long time I have had a recurring dream; a dream in which my husband would come and I would ask him, “Where have you been all this time? I have been looking for you everywhere.” And he would reply, “Didn’t I tell you I had to go?” And I wake up totally anxious because I would never know where he had gone.⁴⁴

The trauma Cristina lives with has “no beginning, no ending, no before, no during and no after”.⁴⁵ Her narrative lays bare the way in which the distressing memory of her husband’s disappearance, juxtaposed with her own survival, returns repeatedly through her unconscious, placing her in a perpetual state of torment. Caruth argues that the “oscillation between a crisis of death and the correlative crisis of life: between the story of the unbearable nature of an event and the story of the unbearable nature of its survival” is what lies at the heart of a traumatic experience.⁴⁶ Cristina’s dream suggests that what is terrifying for her is the way in which the event of her husband’s disappearance returns in all its fullness, but in a way that it was never experienced at the time it occurred. When Cristina asks, “Where have you been all this time? I have been looking for you everywhere”, one can gain a clear sense of the anxiety she unconsciously feels in being incapable of finding her husband. What also becomes clear is her inability to accept her husband’s disappearance and death as permanent and final, because she dreams that he finally returns to her. Cristina’s memories of trauma in the framework of her dreams show how her “narrative of a belated experience, far from telling of an escape from reality – the escape from a death, or from its referential force – rather attests to its endless impact” on her life.⁴⁷

Cristina’s story is an example of just how difficult it is for the women interviewed to cope on a daily basis, when their existence has been so disfigured by the violent wrenching away of a loved one. In witnessing the recall of such deep memory, it becomes clear that no amount of public truth-telling can ease the pain of the women’s deep memories that persist outside the parameters of closure.⁴⁸ Suffering a deep sense of defencelessness and powerlessness from being unable to prevent her husband’s disappearance, as well as being unable to predict at the time what might happen to herself and her children, Cristina has had to

44 Interview with Cristina Muro, above note 42.

45 Shoshana Felman and Dori Laub, *Testimony: Crises of Witnessing in Literature, Psychoanalysis, and History*, Routledge, New York, 1992, p. 69.

46 Cathy Caruth, *Unclaimed Experience: Trauma, Narrative, and History*, Johns Hopkins University Press, Baltimore, MD, 1996, p. 7.

47 *Ibid.*

48 Lawrence L. Langer, *Admitting the Holocaust: Collected Essays*, Oxford University Press, New York, 1995, p. 15.

find a way of living with the fear, uncertainty and guilt that comes from being a survivor of State terror. She still sometimes found herself paralyzed by uncertainty, but she told the author that she had put herself repeatedly in danger in order to help others. She explained this further:

When I see a situation of an abuse of power in a movie, on the street, in some place, I feel very frightened, but I react in the opposite way. I go and place myself [directly in the middle] of what's happening.⁴⁹

Cristina's narrative shows how the locus of pain remains with the individual long after experiencing the original trauma. The voice that Cristina hears – telling her to put herself directly in the way of danger – comes from the original wounding that she suffered: the experience of being unable to save her husband and prevent the violent treatment of her children. As Dori Laub argues:

Trauma survivors live not with memories of the past, but with an event that could not and did not proceed through to its completion, has no ending, attained no closure, and therefore, as far as its survivors are concerned, continues into the present and is current in every respect.⁵⁰

Laub's understanding of trauma suggests Cristina will not transcend or overcome the trauma she experienced, but will rather undergo a ceaseless cycle of repetition and re-enactment of the original trauma throughout her life.

The interviewees' testimonies reveal how their deeply embodied memories never leave them, and can inhibit the sense of relief and finality that the concepts of truth and justice are supposed to deliver.⁵¹ While we, as the international community, might wish for closure on the past in order to reach transitional justice goals, it is revealing how deep memory defies closure or indeed any type of certainty. This is particularly true for families of the disappeared, for whom the effects of the loss of a cherished family member are compounded because the fate and whereabouts of their loved ones often remains a complete mystery.

The absence of bodily remains and a lack of knowledge about the fate and whereabouts of loved ones is a loss without end for family members, who become physically and emotionally exhausted as they endure a life of relentless uncertainty.⁵² Being a partner of a disappeared person has been painful and

49 Interview with Cristina Muro, above note 42.

50 S. Felman and D. Laub, above note 45.

51 J. Stockwell, above note 20.

52 Boss terms this "ambiguous loss" and assumes that ambiguous loss can traumatize. She argues that the symptoms of unresolved grief are similar to post-traumatic stress disorder (PTSD): see Pauline Boss, *Ambiguous Loss: Learning to Live with Unresolved Grief*, Harvard University Press, Cambridge, MA, 1999. PTSD "is a disorder resulting from psychologically stressing events that were outside the realm of usual human experience. These events were never resolved and thus are continually reexperienced, even years after the original event" (*ibid.*, pp. 23–24). While ambiguous loss is also a psychologically distressing event that lies outside the parameters of a "normal" human experience and lacks resolution, it continues to exist in the present. "It is not post anything", argues Boss (*ibid.*, p. 24). See also Pauline Boss, "Families of the Missing: Psychosocial Effects and Therapeutic Approaches", *International Review of the Red Cross*, Vol. 99, No. 905, 2017. Another psychoanalyst, Elizabeth Lira, who has written about PTSD among individuals who lived through State terror in Chile, similarly argues that

distressing on a number of levels for Cristina, who believes the uncertainty about what happened to those who were disappeared will never leave her:

I believe that the theme of human rights and of the disappeared today, for me, is focused on the truth, justice, the trials, and in some ways the work of the anthropologists. For me, this [work of the anthropologists] is extremely important. Because what are we left with today? A group of old people who are all going to die. For me, I would like to find the remains of my husband and finish with this, close it, let go of the pain, not because I will forget, because I will never forget, even when the remains are recuperated, because it's a lifetime commitment.⁵³

The loss of loved ones, and the associated social and personal implications, have placed most of the female relatives of the disappeared in a state of limbo. The way that disappearance plays out – the feeling of being in limbo – can make it difficult for the women to go a day without mourning their loved ones. When loss is converted into absence, argues LaCapra, “one faces the impasse of endless melancholy, impossible mourning, and interminable aporia in which any process of working through the past and its historical losses is foreclosed or prematurely aborted”.⁵⁴ The women with whom the author spoke struggle to acknowledge or accept the loss of their loved ones; instead, they embrace their absence. Another mother has said: “Let there be no healing of wounds ... let them remain open. Because if the wounds still bleed, there will be no forgetting.”⁵⁵

“Memory is the ultimate form of justice”, writes Roger Errera.⁵⁶ The family members of the disappeared act as guardians of memory of State violence and repression, as a way of countering corruption within the judicial system. In so doing, they work against the “erosion” of memory caused not only by the passing of time and the nonchalance of a society preoccupied with other pressing concerns, but also by the counter-efforts of those trying to forget.⁵⁷ By publicly remembering their loved ones, the women call into being those who are no longer present but call out to be made so; they reclaim and restore the humanity of those individuals whom the military regime attempted to leave in the absences of memory. Justice cannot repair what was broken, bring back those who are lost

the term PTSD cannot adequately capture the ongoing nature of State terror, “because there is nothing ‘post’ about it” (cited in Nancy Caro Hollander, *Uprooted Minds: Surviving the Politics of Terror in the Americas*, Taylor & Francis, Hoboken, NJ, 2010, p. 122). Lira prefers to use the term “culture of fear” to emphasize that an “individual subjective experience is shared simultaneously by millions of people, with dramatic repercussions for social and political behavior” (cited in *ibid.*, p. 122). Julia Braun suggests that while PTSD symptoms may occur among a population at large or in individual cases, in contexts that have experienced state terror, PTSD is a “repetitive trauma” whereby one trauma is layered upon another (cited in *ibid.*, p. 122).

53 Interview with Cristina Muro, above note 42.

54 Dominic LaCapra, “Trauma, Absence, Loss”, *Critical Inquiry*, Vol. 25, No. 4, 1999, p. 698.

55 Cited in Mario Di Paolantonio, “Pedagogical Law and Abject Rage in Post-Trauma Society”, *Cultural Values*, Vol. 5, No.4, 2001, p. 463.

56 Cited in W. James Booth, *Communities of Memory: On Witness, Identity, and Justice*, Cornell University Press, Ithaca, NY, 2006, p. 117.

57 *Ibid.*

or reverse time to return society to the earlier status quo. Indeed, the sense of injustice families feel in relation to the disappearance of their loved ones will not magically “disappear” just because of the political and legal gains they have received since 2004. Cristina told the author:

Justice would be that one day my husband would reappear and that he wasn't disappeared, that none of this would have ever happened, because it is not just, what happened. It's unjust. But given the circumstances, because this is unreal and could never happen, justice would be that one day the repressors would tell us the truth about what happened. That would be justice. I know that the trials are important because they show society that what we've been saying these last thirty years has been true. ... For me justice would be that they [the military] tell us publicly everything they did and where the bodies are so we could recover them. ... So for them [the disappeared] justice is what we do every day; we say their name, their life, their history, so that others may know them, so they know who they were; this is also justice because it is that which they [the military] tried to take away from them.⁵⁸

However, the interviewed women's “labors of memory-justice” are at their core forms of resistance “to the counter-moral course of time, to a force that constantly threatens to erase the events and persons of the past and to wash away whatever traces, whatever footprints in the sand they have left”.⁵⁹ Not only does justice cast its light on the past, but by bearing witness and bringing the facts “from their refuge in the past” into the present, it also restores the “moral truth” of the past.⁶⁰ The women's labours of memory-justice act as a bridge between time past and present; they become a moral response, purging the past of its injustices and restoring justice to the affected parties—both present and absent.

Booth believes that the work of memory-justice “keeps alive the passion for revenge and retribution, fuels an inextinguishable resentment, chains the will to the ‘it was’”.⁶¹ The women with whom the author spoke do not hold on to feelings of revenge, but they do maintain a deep resentment toward individuals in the military and security forces. This deep resentment motivates them to give oral testimony despite the emotional pain involved in doing so. Persistence and resentment find their outlet in the endurance of the women's work of memory-justice. These qualities work to address a void that nothing can fill. Punishing perpetrators and receiving legal and moral recognition for the loss of victims is, for the families of the disappeared, to see repair insofar as it is possible.

The memory-justice work carried out by the families of the disappeared is not an attempt to heal their wounds; in their minds, this would deny justice its due. Instead, the families give oral testimony to ensure that the crimes committed by the military continue to have a “moral reality” within Argentine society.⁶² In the face of

58 Interview with Cristina Muro, above note 42.

59 W. J. Booth, above note 56, p. 114.

60 *Ibid.*, p. 115.

61 *Ibid.*, p. 122.

62 *Ibid.*, p. 122.

so much uncertainty, they wish to be at least certain that the truth of what happened to their loved ones will not become separated from the passage of time, acting as a force that exonerates perpetrators. The women with whom the author spoke were committed to publicly naming every single individual disappeared by the military until their own death, to stop the winds of forgetting from extinguishing their loved ones' names, thereby fulfilling their obligation to the dead.

In their testimonials, the women re-create the lives of the disappeared, name their names, describe their personalities and call them back into being. When they tell their stories of the past, the women can hear how they themselves are in these stories; most feel as though they are trapped in old stories. While they do not necessarily want to be trapped, the women with whom the author spoke were hesitant to let go of these stories because they do not feel that there is another place where they can belong. For some of the women, their compulsion to tell their painful story again and again – their need to be heard – indeed appeared to be as Laub describes it: “The survivors did not only need to survive so that they could tell their story; they also needed to tell their story in order to survive.”⁶³ Raquel explained how being haunted by the memory of her missing children and grandchildren locks her into the state of being consumed by their absence:

I am continuously thinking about them [her missing children and grandchild]. I can't think of anything else.⁶⁴

Raquel expresses her desire to remain with ambiguity, and as she does so she expresses her resistance to any form of conceptual or narrative closure which may be required within a transitional justice paradigm. She made a decision a long time ago to be engaged with a process of endless bereavement, and remains tied to the historical and social effects that she is recounting.⁶⁵ The women find themselves bound to the disappeared in such an entangled way that loss will continue to be a part of their identity and the mourning will never end. The need of the disappeared to be remembered has become inseparable from the needs of the members of their families who remain without them. Rather than seek any sort of resolution or reconciliation, the women have allowed the past to take possession of their present lives, and with this has come the dismissal of any dissonant discourse.

The emotional currency of memorial groups

Memory belongs in the “intermediary realm” between individuals; it develops and grows out of the interplay of interpersonal relations, and as such, emotions play an

63 S. Felman and D. Laub, above note 45, p. 7.

64 Interview with Raquel Marizcurrena, Buenos Aires, 17 June 2009.

65 Avery Gordon, *Ghostly Matters: Haunting and Sociological Imagination*, University of Minnesota Press, Minneapolis, MN, 2008.

important role in this process.⁶⁶ The bonds formed between individuals situated within competing memorial groups in Argentina have resulted in the creation of precise collective memories. Much of the power of these collective memories has in part been derived from the strong emotions that they provoke, further feeding already heightened political and social tensions.

In particular, the recovery of knowledge about what happened to the disappeared and making this knowledge public through the giving of oral testimony have been crucial activities in recovering the past for human rights organizations and families. Graciela, whose partner Ricardo was disappeared in 1976, said:

The reality for me is that today, not identifying the remains signifies that everything that the military did is silenced. Because their [the military's] intention was to make them disappear and to disappear in a way that they couldn't be found; that is ... they're nothing. So if one doesn't manage to rescue [the remains], they [the military] will have won.⁶⁷

Graciela has an ability to affect others, and to be affected, when she repeatedly and openly relates the emotional story of the disappearance of her partner by the military. As she relates her account, something she does most days, her private emotional experience “feeds” into collective memory through an important social psychological process called the “social sharing of emotions”.⁶⁸ Research shows that emotions are essentially interpersonal communicative acts, involving long-term social processes: the more individuals are upset, the more likely they are to share their story with others and to elicit vivid and long-lasting memories of the event.⁶⁹ As individuals repeatedly relate their emotional experiences to others, the social group gradually assimilates those experiences and, as a result, is furnished with new emotional knowledge.⁷⁰ Exploring how emotions can both circulate between individuals and shape subjectivities is crucial to our understanding of how emotions can form and mobilize individuals or groups in different ways over a period of time. This process can influence the way a historical experience is organized in memory and perhaps recalled in the future.⁷¹

The social sharing of emotions can further contribute to a culture of animosity and resentment among and between different memorial groups. In her model of the sociality of emotions, Sara Ahmed suggests that how we feel about others shapes individual and group perceptions and that this process is what

66 Jan Assmann, *Religion and Cultural Memory: Ten Studies*, trans. Rodney Livingstone, Stanford University Press, Stanford, CA, 2006, p. 3.

67 Interview with Graciela Lois, Buenos Aires, 23 June 2009.

68 Bernard Rimé and Veronique Christophe, “How Individual Emotional Episodes Feed Collective Memory”, in James Pennebaker, Dario Paez and Bernard Rimé (eds), *Collective Memory of Political Events: Social Psychological Perspectives*, Lawrence Erlbaum, Mahwah, NJ, 1997, p. 133.

69 *Ibid.*, p. 144.

70 *Ibid.*, p. 144.

71 James Pennebaker and Becky L. Banasik, “On the Creation and Maintenance of Collective Memories: History as Social Psychology”, in J. Pennebaker, D. Paez and B. Rimé (eds), above note 68, p. 7.

aligns us with a collective.⁷² One's perception of another involves a form of "contact" between the individual and the "other" that is shaped by longer histories of contact: "These histories have already impressed upon the surface of the bodies at the same time as they create new impressions."⁷³ It is the "moment of contact", shaped and informed by past histories, that allows the proximity of the "other" to thus be perceived as threatening.⁷⁴ This point was clearly articulated by Barbara, who said that to talk about her father is to recuperate his memory. As she was only very young when her father was killed, Barbara has relied on newspaper cuttings and anecdotes from his colleagues to paint a picture of who her father really was. The role her journalist father played in the violence of the 1970s before his death – unsolved in her mind – can be a source of intense frustration. "He never killed anyone, I'm sure of it", Barbara told the author.

Barbara described her internal anguish at the lack of evidence provided by those attempting to vilify her father as a member of a right-wing paramilitary group, and the frustration she has suffered when her efforts to clear her father's name have been thwarted. She often dreams of her father when she is facing great inner turmoil in her life, and she sees him as her protector, not someone who was violent. She shared that reading his poetry helped her know that her father wasn't a monster, but that he was killed for speaking publicly about his beliefs. Barbara does not know who killed her father, and told the author that her efforts to leave the past behind are to no avail. She said:

I never knew that I would be able to dedicate so much of myself to investigating this and it has taken up a large part of my life. I never knew that it would cost me so much emotionally. ... They [her family] tell me to leave the topic alone; that Papa is dead; that we know who he was; that it's futile to keep searching. ... I went to the human rights organizations to demand my rights as a victim of the military government because my father was a victim. They told me no, that my father was a fascist, that he didn't belong [to human rights organizations]. I went with witnesses, a lawyer, and friends. How could they say this to me? ... They said that [my father] was an activist of the extreme right and that he had to have fought. But I said that my father wasn't a bad person. ... What a disaster. The truth is that the human rights organizations here don't exist for me.⁷⁵

What is happening in Barbara's case is explained by Brison, who writes:

How (and even whether) traumatic events are remembered depends on not only how they are initially experienced but also how (whether) they are perceived by others, directly or indirectly, and the extent to which others are able to listen empathically to the survivor's testimony. The traumatic event is experienced as culturally embedded (or framed), is remembered as such (in both

72 Sarah Ahmed, "Collective Feelings: Or, the Impressions Left by Others", *Theory, Culture & Society*, Vol. 21, No. 2, 2004.

73 Sarah Ahmed, *The Cultural Politics of Emotion*, Edinburgh University Press, Edinburgh, 2004, p. 194.

74 S. Ahmed, above note 72.

75 Interview with Barbara Tarquini, above note 37.

traumatic and narrative memory), and is shaped and reshaped in memory over time according, at least in part, to how others in the survivor's culture respond.⁷⁶

Barbara struggles with feelings of stigmatization and public shame because of the presumed role her father played in the terror inflicted by the military. Because of her interface with political and social judgements about the actions of her father in the past, Barbara feels ashamed that she herself has done something wrong; she feels that she is to blame in some way for her father's actions. Current political and social conditions produce within Barbara an ambiguous coexistence between feelings of shame and pride. She carries these contradictory emotions within herself, experiencing great anxiety at being unable to restore her father's memory in the public sphere and attain a sense of pride about who she is.

In Barbara's case, she has failed to elicit for herself a sense of social recognition. As Honneth explains: "Recognition itself must possess the character of affective approval or encouragement."⁷⁷ These affects, suggests Watkins, "are the corporeal instantiation of recognition, the sensations one may feel in being recognized, which accumulate over time, fostering a sense of self-worth."⁷⁸ Moments of recognition therefore function as an affective force. Barbara's perception that political, social and cultural recognition is withheld from her when she remembers her father creates feelings of having failed in the eyes of the "ideal other".⁷⁹

In Barbara's example, recognition functions in a negative way, and carries with it the resultant force of negative affects. Barbara's sense of shame and her shattered sense of self-worth bind her negatively to others in her failure to "live up to" others. Not only does Barbara have the impression that the government and human rights organizations are marginalizing her personal memories of her father, but these groups also leave her with the impression that she has something to feel shameful about. She feels that she cannot be a legitimate and recognized player in Argentina's collective memorial culture.

Dori Laub and Nanette Auerhahn write that the link between individuals is predicated on the possibility and expectation of empathy. However, when individuals' vital needs either go unheeded or are ignored by others, those individuals lose the expectation that their needs will in some way be met.⁸⁰ Though she was of a different political persuasion, Barbara was told by government agencies that she did not have the right to claim assistance as a

76 Susan Brison, "Trauma Narratives and the Remaking of the Self", in Mieke Bal, Jonathan V. Crewe and Leo Spitzer (eds), *Acts of Memory: Cultural Recall in the Present*, University Press of New England, Hanover, NH, 1999, p. 42.

77 Axel Honneth, *The Struggle for Recognition: The Moral Grammar of Social Conflicts*, Polity Press, Cambridge, MA, 1995, p. 95.

78 Megan Watkins, "Desiring Recognition, Accumulating Affect", in Melissa Gregg and Gregory J. Seigworth (eds), *The Affect Theory Reader*, Duke University Press, Durham, NC, 2010, p. 273.

79 S. Ahmed, above note 73.

80 Dori Laub and Nanette C. Auerhahn. "Failed Empathy – A Central Theme in the Survivor's Holocaust Experience", *Psychoanalytic Psychology*, Vol. 6, No. 4, 1989.

victim of the military dictatorship because her father was deemed a fascist. Barbara said:

I went to speak with forensic psychologists who were reconstructing cases. I wanted to know how they operated, how they worked out to which group the murdered belonged. And they told me, no, your father was a fascist. A lot of doors closed for me because of the ideology of my father.⁸¹

The lack of receptivity for her grief and trauma has made Barbara feel as if she is not regarded as a citizen with equal rights within Argentine society. Barbara feels there is no understanding or empathy for her experience of loss, and feels desperately alone as a result. “Being discriminated against for the ideology of my father doesn’t give me the motivation to keep fighting [for his memory]”, she told me. Barbara does not feel that she is able to engage within her environment interpersonally, and as such she is unable to elicit a sense of mutuality. She is left feeling that she has nobody within the government or human rights organizations on whom she can count.

In Argentina, considerable social damage has been caused by the significant absence of empathy for the grief of those in different memorial cultures. This has denied both groups of women what they desire: the acknowledgement and empathic engagement with their suffering by those individuals instrumental in, and directly responsible for, causing their emotional pain. What is then produced is a lack of what Ahmed calls “fellow feeling”:⁸² the women’s pain cannot be shared through empathy with others in different memorial groups. But what happens to empathic engagement when traumatic memories pass not only between bodies but across generations?⁸³

Intergenerational transmission of memory

Susana Kaiser has conducted research on how the experience of living under terror has been transmitted to following generations, and how the psychic remains of fear have manifested themselves in Argentina’s post-dictatorship generation. In her interviews with Argentine youth who were born during or following the period of military dictatorship, Kaiser illustrates how fear has persisted throughout the years: it has been transmitted by those who were directly affected by the violence to those who were mostly too young to remember. Kaiser believes the “witness generation’s” transmission of memories has influenced and shaped the post-dictatorship generation’s ways of thinking and acting.⁸⁴

81 Interview with Barbara Tarquini, above note 37.

82 S. Ahmed, above note 72.

83 Karl Mannheim was the first to problematize the concept of “generation” as a social phenomenon in 1972, when he argued that a “continuous transmission of cultural heritage” among generations exists. Karl Mannheim, *Essays on the Sociology of Knowledge*, Routledge and Kegan Paul, London, 1972.

84 Kaiser applies the term “witness generation” to refer to those who lived through and witnessed the period of political and State violence. See Susan Kaiser, *Postmemories of Terror: A New Generation Copes with the Legacy of the “Dirty War”*, Palgrave Macmillan, New York, 2005.

For example, most parents of those interviewed had told their children to avoid activities that had been targeted for repression in the past. One young woman, mimicking her father's voice and gestures, told Kaiser that her father can put her in a state of paranoia on passing a police station as he says, "Let's cross the street". "He always does that," she told Kaiser.⁸⁵ By witnessing her father's embodied reaction, the daughter understands the embodiment of terror associated with the police station in the past. In another example, Laura talked about how "revolutionary" books by Marx and Lenin were well hidden in her home during the dictatorship. She believes the attitudes and experiences of the parents have been crucial in shaping the fear of the next generation:

[Some kids] were breastfed with fear. If a kid lives in a home where her parents are terrified and don't go out at night, she feels those things. There were parents who were always afraid during the military regime. They couldn't live a quiet life, scared that "[the military] would come and take us away". When you live in fear, you transmit this to your children.⁸⁶

While the children of the witnessing generation that Kaiser interviewed did not think the political conditions were comparable to those that brought about the dictatorship, many discussed being afraid of being tortured, and could not discard the possibility of a repeat of the violence in the future. As long as torturers' identities are still unknown and they continue to roam freely within society, it stands to reason that "if they did it once they could do it again".⁸⁷

Those in the next generation of Argentines have become witnesses not to the original trauma, but to the affective traces that trauma has left on their ancestors. For the children of the witnessing generation and for those who were very young during the dictatorship period, recognizing and acknowledging the psychic life of their parents and relatives in their own psychic life means uncovering and deciphering their ancestors' unspoken suffering and painful history as well as their guilt, shame and crime.⁸⁸ Marianne Hirsch remarks: "For survivors of trauma, the gap between generations is the breach between a traumatic memory located in the body and the mediated knowledge of those who were born after."⁸⁹ Taking up Hirsch's idea, Esther Faye suggests that a repressed, mnemonic registration of an individual's traumatic past in one generation can be experienced as a traumatic memory "at a later time and place" in another generation.⁹⁰

In particular, the generation of Argentine individuals who have recovered their identity in recent years with the assistance of Las Abuelas de la Plaza de

85 *Ibid.*, p. 56.

86 *Ibid.*, p. 56.

87 *Ibid.*, p. 56.

88 Gabriele Schwab, *Haunting Legacies: Violent Histories and Transgenerational Trauma*, Columbia University Press, New York, 2010.

89 Nancy K. Miller and Jason D. Tougaw (eds), *Extremities: Trauma, Testimony, and Community*, University of Illinois Press, Urbana, IL, 2002, pp. 71–72.

90 Esther Faye, "Impossible Memories and the History of Trauma", in Jill Bennett and Roseanne Kennedy (eds), *World Memory: Personal Trajectories in Global Time*, Palgrave Macmillan, New York, 2003.

Mayo has been forced to cope with exceedingly difficult dilemmas, including the decision to condemn the persons they have for decades called their parents. They have had to cope with extreme confusion and powerlessness as their identities have been turned upside down and they have been made to feel as if they have been torn into parts. They have also had to open up to whole new families and grapple with new categories to define those who had previously been family. Many individuals who have managed to recover their true identity have had to deal with anger, loneliness and grief on learning that they have been lied to for decades.

These individuals form part of a generation of young people who continue to work to ensure that their deep memories of trauma are kept alive for decades to come, as they seek to recover their real identities and to recuperate the “unspoken suffering and secret histories” of their disappeared and deceased parents.⁹¹ Though they may have never known their parents, the children of the disappeared have nonetheless received and assimilated the effects of their parents’ traumatic histories belatedly, through the narratives and actions of the previous generation. In this way, trauma both solidifies and blurs generational differences.⁹² What does this mean for Argentina now and in the future?

It becomes clear that without understanding the transmission of affective memory, we cannot possibly understand Argentine social or public life; we cannot hope to understand the forces that are at play to keep such deep animosities in place decades after the end of the dictatorship. Affect is created as the women repetitively share their narratives of violence and loss in the public sphere. Affect is that which is said and which remains unsaid in the oral testimony encounter. It is that which can communicate and motivate overtly and publicly—but it is also an excess that may remain unprocessed and misrecognized, evading consciousness yet provoking behaviour all the same. In the same way that Laura feels fear and paranoia on passing by a police station because her father would regularly tell her to cross the road away from it, or in the way that hundreds of children who have recovered their identities feel they imbibe the suffering of their disappeared parents, we can see that the migration of affect between bodies carries ideas along with it. The next generation of Argentines’ histories of family trauma and suffering will continue to flare as the transmission of affect ignites the memory of their ancestors’ fate. Traumatic memory will always be, in this regard, an issue of the present.

This article has explored the production, circulation and transmission of memories of the political and State violence of the 1970s and 1980s within two groups of Argentine women. In doing so, it has demonstrated the ways in which unresolved legacies of violence continue to haunt Argentine society—a deeply paradoxical concept, considering that Argentina pioneered many of the justice-seeking and truth-telling mechanisms designed to “deal with” the past in transitioning democracies. The article has taken a twofold approach to

91 G. Schwab, above note 88, p. 80.

92 E. Faye, above note 90.

considering why this may be so. It firstly investigated the evolving and complex historical, political, social, cultural and legal factors that have shaped the cultures of remembrance in post-dictatorial Argentina. It secondly focused on a different kind of narrative about remembering and forgetting in a traumatized society – one that is concerned with the workings of deep memory and the transmission of emotions and affects. The author contends that these two kinds of narratives are inevitably and inescapably intertwined. The two stories of what happened to memory in Argentina need to be considered alongside each other, as a way of arriving at a much more complex, layered and dynamic picture of Argentina’s memorial cultures and as a way of understanding why, decades later, Argentina continues to grapple with its past. In the next section, parallels between the Argentine and Sri Lankan contexts will be drawn to explore the historical legacies, as well as the key notions of affect, that Sri Lanka will need to address in order to prevent a repetition of the Argentine experience.

Drawing parallels between Sri Lanka and Argentina

In Sri Lanka, while transitional justice is in its infancy, important historical parallels to the way the past has been remembered in the Argentine experience are becoming apparent. In the years following the return to democratic rule, Argentine families of the disappeared struggled to have their memories of violence and loss recognized in the public sphere as consecutive governments embraced a politics of forgetting and impunity. Such policies have been similarly emerging in Sri Lanka since the end of the armed conflict in 2009. Though Sri Lanka was declared a “global champion of human rights and democratic accountability” in 2016⁹³ and recently granted another two-year extension to implement Resolution 30/1, “Promoting Reconciliation, Accountability and Human Rights”, at the 40th Session of the UN Human Rights Council in March 2019, Sri Lankan communities are at the same time encouraged to “forget the past and move forward”,⁹⁴ adopting a similar narrative of forgiveness and reconciliation to that which was espoused in South Africa.⁹⁵

93 The Secretariat for Coordinating Reconciliation Mechanisms (SCRM) and the Office for National Unity and Reconciliation (ONUR) are two State-run agencies that have been established to work towards reconciliation and co-existence in Sri Lanka. The SCRM was established in 2015 and is tasked with designing and implementing Sri Lanka’s reconciliation mechanisms; see: scrm.gov.lk. ONUR, a key feature of the 2015 presidential campaign, is mandated to develop policies and programmes that work towards developing long-lasting peace through addressing the underlying factors which lead to the past violence and armed conflict; see: nirmin.gov.lk.

94 Ana Pararajasingham, “The Geopolitics of Sri Lanka’s Transitional Justice”, *The Diplomat*, 3 April 2019, available at: <https://thediplomat.com/2019/04/the-geopolitics-of-sri-lankas-transitional-justice/>.

95 For an analysis of the experiences and the treatment of memories of individuals who participated in South Africa’s Truth and Reconciliation Commission, see Heidi Grunebaum and Yazir Henri, “Remembering Bodies, Producing Histories: Holocaust Survivor Narrative and Truth and Reconciliation Commission Testimony”, in Jill Bennett and Roseanne Kennedy (eds), *World Memory: Personal Trajectories in Global Time*, Palgrave Macmillan, New York, 2003.

The level to which the concepts of truth, memory and justice permeate the public consciousness, particularly in relation to transitional justice discourse, is still to be fully understood.⁹⁶ Indeed, questions abound as to whether or not it is too early for memory in Sri Lanka, with families divided over the issue.⁹⁷ While some families insist that remembering their missing relatives is an important element on their own personal road to learning to live with the ambiguity resulting from disappearance, other families, who believe their relatives are still alive somewhere, resist the very notion. For these families, participating in processes of “reparative remembering” as part of transitional justice processes is akin to conceding that their loved ones are deceased. As a result, these families demand that the State firstly and urgently fulfil its obligations towards establishing the truth about the fate and whereabouts of their missing relatives and prosecuting the perpetrators of these crimes.⁹⁸

Lawyer and researcher Gehan Gunatilleke believes that memorialization has an important role to play in contemporary Sri Lanka, not only in creating a public space for truth, justice and reparations but also in challenging any State reluctance to fulfil its agreed-upon obligations towards realizing transitional justice processes.⁹⁹ However, Gunatilleke is also concerned that a contemporary “Sri Lankan version” of transitional justice, which promotes restorative forms of “tolerance”, “forgiveness” and “leniency”, is a preferred narrative among some scholars as well as the Sri Lankan State. He rightly asks, “why are we not learning lessons from the past?”, and contends that “[d]espite recurring violence, the country has been unable to learn from its history and develop an effective approach to combat impunity and prevent violence”.¹⁰⁰

Over the past four decades, a number of commissions of inquiry have been established in Sri Lanka to deal with its violent past. Most recently, the government-commissioned Consultation Task Force on Reconciliation Mechanisms (CTF) was established, and public consultations were held across Sri Lanka in 2016.¹⁰¹ The CTF was mandated to elicit public opinion on how transitional justice processes should be designed and established, and how they should function to meaningfully address

96 Gehan Gunatilleke, “Confronting the Complexity of Loss: Perspectives on Truth, Memory and Justice in Sri Lanka”, *Law and Society Trust*, Vol. 25, No. 331, 2015, p. 4.

97 In an interim report published by the Office on Missing Persons, a section outlining “Urgent Recommendations for Memorialisation” has been included to acknowledge the missing and disappeared as well as their families. Suggested ways forward include a National Day of Remembrance and the restoration and/or preservation of key sites of memory. See Office on Missing Persons, *Interim Report*, 2018, p. 17, para. 48, available at: <http://srilankabrief.org/wp-content/uploads/2018/09/OMP-interim-report-Sep-2018.pdf>.

98 Gehan Gunatilleke, “Can Memorialisation Generate Public Demand for Transitional Justice in Sri Lanka?”, *Juscticeinfo.net*, 9 May 2017, available at: www.justiceinfo.net/en/other/33263-can-memorialisation-generate-public-demand-for-transitional-justice-in-sri-lanka.html.

99 *Ibid.*

100 G. Gunatilleke, above note 96, p. 4.

101 See CTF, *Final Report of the Consultation Task Force on Reconciliation Mechanisms*, 2 vols, 17 November 2016, available at: <http://war-victims-map.org/onsultation-task-force-on-reconciliation-mechanisms-final-report-volumes-i-and-ii/>.

the legacy of violence and conflict between 1983 and 2009.¹⁰² An overarching theme of the 7,306 oral and written submissions made by families and local and international organizations was the importance of long-term psychosocial support during and following the completion of a transitional justice process.¹⁰³ Some submissions to the CTF also claimed that the nation itself had been psychologically affected by the past violence and conflict, and iterated the importance of facilitating a “process for healing of memories for everyone” in order to repair the mistrust among and between Sri Lanka’s communities.¹⁰⁴

Like Argentina, Sri Lanka will, for decades to come, deal with a myriad of evolving and complex historical, political, social, cultural and legal factors that shape cultures of remembrance as well as ethnic and religious dimensions that will continually challenge the transitional justice paradigm’s goals of tolerance and forgiveness.¹⁰⁵ “A reconciliation process always contains paradoxes, tensions, even contradictions. It is neither neat nor easy and at times can seem incongruous”, write Hamber and Kelly.¹⁰⁶ Indeed, there is no one-size-fits-all approach to the peace-building agenda, and similarly to Argentina, Sri Lanka will need to resolve a number of legacies of how past violence is remembered, not least maintaining an inclusive approach to memorialization in order to avoid recognizing some memories of violence while engaging in the forced forgetting of others.

Ambika Satkunanathan, human rights activist and commissioner of the Human Rights Commission of Sri Lanka, believes that since the end of the most recent conflict in Sri Lanka in 2009, the government’s failure to recognize the memories of all victims of the conflict “has only served to generate anger, resentment and a sense of disenfranchisement amongst the Tamil people, which in the short-term will make reconciliation impossible, and in the long-term form the catalyst for another conflict”.¹⁰⁷ Farzana Haniffa, however, also highlights the dangers of competitive victimhood status in Sri Lanka should the experiences and memories of the Muslim community, especially those who were expelled from the Northern Province by the Liberation Tigers of Tamil Eelam (LTTE), be omitted from transitional justice processes.¹⁰⁸ Haniffa reminds us of the need for more nuanced and subtle discussions around victimhood and remembrance for all

102 For an analysis of the psychosocial considerations of the CTF report, see Maleeka Salih and Gameela Samarasinghe, “Families of the Missing in Sri Lanka: Psychosocial Considerations in Transitional Justice Mechanisms”, *International Review of the Red Cross*, Vol. 99, No. 905, 2017.

103 *Ibid.*

104 CTF, above note 101.

105 For further reading on the most recent violent attacks stemming from ethno-religious tensions, see Damien Kingsbury, “Sri Lanka Has a History of Conflict, but the Recent Attacks Appear Different”, *The Conversation*, 22 April 2019, available at: <https://theconversation.com/sri-lanka-has-a-history-of-conflict-but-the-recent-attacks-appear-different-115815>.

106 Brandon Hamber and Gráinne Kelly, “The Challenge of Reconciliation: Translating Theory into Practice”, in *A Sustainable Peace? Research as a Contribution to Peace-Building in Northern Ireland*, Northern Ireland Community Relations Council, Belfast, 2008.

107 Ambika Satkunanathan, “Justice in Transition? Victims, Forgiveness and Truth-Seeking in Post-War Sri Lanka”, *LST Review*, Vol. 25, No. 331, 2015.

108 Farzana Haniffa, *Competing for Victimhood Status: Northern Muslims and the Ironies of Post-War Reconciliation, Justice and Development*, Research Paper No. 13, International Centre for Ethnic Studies, July 2014.

marginalized groups. For example, one Muslim civilian felt betrayed by the LTTE as a whole, saying:

We were of great help to the LTTE while they fought for our rights. Some of our people then betrayed the LTTE. But [the LTTE] did not realise that all Muslims are not like [those people]. We have even offered food to the LTTE. Even though they carried out some injustices, their cause was just. [But] the LTTE is [ultimately] responsible for expelling us from our own village, while we were living together.¹⁰⁹

Gunatilleke calls for a “victim-centred” approach to public memorialization, rather than a State-led approach, to ensure that all affected groups are considered and included.¹¹⁰ Currently, while public monuments and memorials in Sri Lanka’s capital Colombo commemorate the military casualties of armed conflicts, including servicemen who lost their lives during the most recent civil war, there is as yet no monument which commemorates all victims of armed conflicts.¹¹¹

The building of trust between communities and prospects for grassroots reconciliation will also be jeopardized as long as justice remains elusive. A recent report released by the UN Office of the High Commissioner for Human Rights points to the “slow progress” that Sri Lanka has shown in establishing “meaningful transitional justice measures” and the continued lack of progress in the area of accountability for past crimes. “The risk of new violations increases when impunity for serious crimes continues unchecked”, the report states.¹¹² As in Argentina, as long as perpetrators of violence and disappearance seem to manage to keep their identities concealed and continue to live alongside their victims in Sri Lanka, and an endemic silence and denial continues about the fate and whereabouts of missing persons, the past will remain a source of eternal frustration and perceived injustice for families.

Like elsewhere, families of missing persons in Sri Lanka will have different views towards the concept of justice and how it applies to their experiences. And similarly to Argentina, demands for justice may not wane with time as long as the truth about the fate and whereabouts of missing persons remains elusive. Indeed summarizing the results of one study conducted with families of the disappeared in Sri Lanka, Gehan Gunatilleke writes that “even a lapse of 28 years had not neutralized the demand among the participants for truth telling and the identification and prosecution of perpetrators”.¹¹³

With their loved ones still missing, many families will never be able to bury their loved ones’ bodies and Sri Lankans continue to evoke the memory of their disappeared relatives and make attempts to re-inhabit the world in the face of

109 *Ibid.*, p. 24.

110 G. Gunatilleke, above note 96.

111 *Ibid.*

112 See Human Rights Council, *Promoting Reconciliation, Accountability and Human Rights in Sri Lanka*, Annual Report, UN Doc. A/HRC/40/23, 8 February 2019, available at: <http://colombogazette.com/wp-content/uploads/2019/03/G1902925.pdf>.

113 G. Gunatilleke, above note 96, p. 35.

persistent ambiguity over their loved ones' fate. Malathi De Alwis believes that Sinhala women whose children were disappeared during the Janatha Vimukthi Peramuna uprising (1988–93) continue to identify as family members of disappeared persons.¹¹⁴

These unresolved legacies are part of what compels individuals to share their narrative in the public sphere and can play a crucial role in how events are collectively assimilated and remembered. As the significance of violent events and memories of loss are socially shared within and among memorial cultures, individuals' perceptions and understandings of events are shaped to a significant degree by those sharing their traumatic experiences. The telling and retelling of individuals' memories never "exhausts" the violence that was inflicted; instead, such testimony symbolizes and even evokes it. A Sinhala mother whose child was disappeared during the late 1980s explained: "They cannot identify him at least to know where he is, to be able to mark the location and to build a memorial to remember him and hold funeral rites."¹¹⁵ For this mother, as long as knowledge of the fate and whereabouts of her son and some form of acknowledgment are lacking, she will continue to attest to the impact of his absence and ensure that it continues to have a moral reality within Sri Lankan society.

As affected individuals in Argentina have repetitively related their emotional experiences to others in the country, the social group has gradually assimilated those experiences, and as a result has been furnished with new emotional knowledge which can create both solidarity and antagonism. As feelings and emotions have been strongly communicated by individuals in their narratives, this in turn has engendered strong feelings in those listening.¹¹⁶ As a result, there is a sense that the past never moves on in Argentina but circles, raven-like, round and round. The sharing of narratives both publicly and privately in the Sri Lankan context is similarly done to ensure that the truths of a violent past are shared and never forgotten, for the benefit of the generations to follow.¹¹⁷ In the words of one survivor of violence:

I do not wish to sow seeds of revenge and conflict in the minds of our children. But the younger generation should know their history. They should know about their predecessors. Only when they are told about injustices will further injustice not happen.¹¹⁸

114 Malathi de Alwis, "Disappearance and Displacement in Sri Lanka", *Journal of Refugee Studies*, Vol. 22, No. 3, 2009.

115 Cristian Correa, "Sri Lanka's Wavering Commitment to Accountability for Enforced Disappearances", International Centre for Transitional Justice, 29 August 2018, available at: www.ictj.org/news/sri-lanka's-wavering-commitment-accountability-enforced-disappearances.

116 J. Stockwell, above note 20.

117 In submissions made by families to the CTF, which was mandated to listen to Sri Lankans island-wide about their views on the design and establishment of transitional justice processes in Sri Lanka in 2016, families stressed their concerns about being re-traumatized following the constant retelling of their painful stories. The psychosocial needs of those sharing their experiences in the public sphere, argue Salih and Samarasinghe, require further attention in the design of transitional processes. See M. Salih and G. Samarasinghe, above note 102.

118 G. Gunatilleke, above note 96, p. 16.

While some steps have been taken on the road to realizing transitional justice processes in Sri Lanka, the country has a long way to go to produce the conditions necessary for a peaceful coexistence between all communities. Many challenges remain unresolved, and one of the biggest of these is, as mentioned above, how to include the memories of all those who suffered in the public sphere of remembrance, including those of the most marginalized. Otherwise, like in Argentina, competitive ideological battles in the public domain over whose history and political culture should ultimately be recognized and validated will prevail. Warnings abound in Sri Lanka of the risk of fuelling renewed cycles of violence if the multiple narratives and truths around the experiences of conflict are not included in the public sphere of remembrance.¹¹⁹ Learning lessons from Argentina, should different groups of victims be compelled to compete for the recognition of their memories in the public sphere as if it were a “scarce resource”,¹²⁰ this will ultimately have crucial implications for the shaping of Sri Lankan collective memorial culture and identity. Instead, the author suggests creating a memorial culture within which the complexity of the relationship between violence, power and affect is permitted, in order to create a culture of empathic alignment between different memorial groups and to allow for transformative and discursive possibilities to emerge.

Conclusion

While the traumatization of individuals and groups has been the central premise for national reconciliation projects, which seek to heal the wounds of the past and promote peace within fractured societies, the research findings in this article considerably complicate the notion that enacting transitional justice processes is automatically commensurate with the alleviation of individual trauma or suffering. While we may wish to imagine that justice is the answer in societies grappling with their traumatic pasts, such as Argentina and Sri Lanka, we are well advised to consider that no amount of public truth-telling in Argentina has been a catalyst for healing individuals’ deeply felt pain; the psychological and physical pain provoked by deeper memories will continue to be an irreducible part of their lives. When we drill down deeply beneath individuals’ more formalized accounts, we are able to see how those mnemonic layers that are unconscious, inexpressible and uncontainable in language can be lodged deeply within a survivor’s body and are prone to involuntary eruptions. Exploring deep memory exposes the unconscious ways in which individuals remain attached to violent periods of history, and this attachment can have serious and at times unpredictable implications for the politics of remembering in transitional contexts.

119 Centre for Policy Alternatives, “Selective Memory: Erasure and Memorialisation in Sri Lanka’s North”, 23 November 2017, available at: www.cpalanka.org/selective-memory-erasure-memorialisation-in-sri-lankas-north/.

120 M. Rothberg, above note 34.

In post-conflict and post-authoritarian contexts emerging out of periods of violence, the notion of affect is particularly relevant to raising our consciousness of how individuals carry the legacy of surviving violence and how they continue living with their heart-breaking loss. In particular, the author believes that a focus on the role played by affective memories in shaping women's narratives can further understandings of their experience of memory, trauma and testimony in other historical and geographical contexts. As illustrated in the Argentine context, exploring women's affective memories in the testimonial encounter can challenge historically silenced versions of remembering. What if we were to take affect seriously, however, and explore what it has to tell us in other international contexts, where women's affective memories are all too often marginalized within formal testimonial discourse?

In many ways, remembering affectively is a process of remembering the tragic effects of trauma and suffering on individual lives; it is a form of remembering that allows the women to acknowledge and articulate the persistent physical and psychological impact of living with suffering, their moral ambivalence regarding survival and their ways of living with memories that will not – and cannot – be contained. Exploring women's affective memories in contexts re-emerging after conflict or authoritarian rule can challenge portrayals of women as selfless and passive victims; it can also foreground the embodied experiences of survivors and survival, and actively engender the transformation of pain into language. In this way, women are afforded a greater degree of control of their memories, their bodies and their language.

Most crucially, the notion of affect makes us conscious of the vulnerability of others. Judith Butler tells us that we need to critically evaluate and oppose such conditions that make some lives more vulnerable and more grievable than others: "From where might a principle emerge by which we vow to protect others from the kinds of violence we have suffered, if not from an apprehension of a common human vulnerability?"¹²¹ We must acknowledge, however, what a mammoth task it is to recognize this "common human vulnerability" to which Butler refers – to ask individuals who have been pushed to the limits of humanity themselves to see the vulnerability of those who have pushed them.

If we give due consideration to the workings of affect, we begin to realize that it could take quite some time for individuals' experiences of violence and injustice to be lived through in transitioning contexts. After all, affect continually flows between the private and the public realm as well across generations. People in contexts such as Argentina and Sri Lanka must deal with societal trauma as a result of the violence witnessed or experienced by their children, who will find ways to recuperate the unspoken suffering and secret histories of their disappeared and deceased parents. In this way, their trauma both solidifies and blurs generational differences.

Affective memories assume a powerful presence and can prevent individuals from envisioning a future for themselves in which their individual

121 J. Butler, above note 1, p. 30.

and their nation's past is safely left behind, contained and fixed in the past. These are the sorts of memories that defy closure – or indeed any type of certainty. Despite the ongoing broader debates over whether to remember or forget a country's traumatic past, this article has aimed to show how individual and collective memories of trauma and disappearance prevail in Argentina and will prevail in Sri Lanka regardless should the historical legacies of violence not be addressed, acting as a potent cultural force, challenging the “reconciliation paradigm” and recasting, in the most subtle of ways, public conversations about Sri Lanka's past and present. Affective memories challenge and shed light onto historically silenced versions of remembering and reveal in the process just how impoverished the narratives of “transition”, “reconciliation” and “healing” can be for capturing the complexities of everyday life in the aftermath of violence and disappearance. For this very reason, the role of affective memories in creating antagonism or solidarity between communities within transitional democracies needs to be given due attention, as these memories provide a fuller picture of that which will otherwise remain unseen and un-narrated, yet will reanimate and alter individuals' understanding of the past, well into the future.