

Review: Memory and Transitional Justice in Argentina and Uruguay: Against Impunity

By Francesca Lessa. Palgrave MacMillan, 2013.

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In her most recent book, Francesca Lessa provides us with an excellent analysis of the dynamic between memory politics, transitional justice, and the concept of critical junctures. The book *Memory and Transitional Justice in Argentina and Uruguay: Against impunity* investigates two interesting and representative case studies of transitional justice. Both Argentina and Uruguay have dealt with a repressive, military regime in the 1970s and 1980s and transitioned into democracy after this period of political violence. The countries followed different paths to transitional justice. Argentina led the way in South America by setting up a truth commission and persecuting military commanders, but steps towards national reconciliation and transitional justice were taken back and forth almost simultaneously. On the one hand impunity, which followed laws that acquitted and pardoned perpetrators, set back the process, but on the other hand, human rights committees that succeeded in finding and telling the truth, accelerated the process. In contrast to Argentina, Uruguay's military leaders and perpetrators negotiated the end of their rule and had been able to maintain some kind of position in society for a while after the dictatorship fell. Yet, Uruguay has been making progress discovering the truth about its past and dealing with it through transitional justice mechanisms.

Lessa successfully sets out to unravel the twists and turns the developmental road towards the truth and transitional justice has taken, and still continues to take. The book provides a lot of narrative, clarifying the historiographical context for non-historians in the readership, but leaves enough space for a well-funded analysis of the concepts and sources used in the book. The framework Lessa uses to analyse these developments is based on critical junctures. Lessa's main argument is that the many different actors, such as political parties, the military, and (international) human rights organisations, participate in the debate in society and can create critical moments or 'critical junctures' that lead to significant changes within the framework of memory and transitional justice, for better or for worse. The first juncture is the political moment, for example the collapse of a regime or the election of a new president, whether this is obtained through elections, negotiation or something else. The second type of juncture is the opposition moment, where an oppositional party or human rights organisation creates a moment of

awareness, like the truth trials in Argentina, and influences the debate. The other junctures are evidentiary moments, for example when new evidence, archives, burial sites etc. is/are discovered and international moments, changes influenced by international pressure or trials, such as in the case of trials by the International Courts of Justice. The critical junctures as analytic category serve the purpose of the book well to clarify the different developments in society and the role the different actors played.

The main strength of the book is its demonstration of the politics of memory and the power structures present in societies recovering from dictatorship and repression, both the official ones, and the ones below the surface. For instance, in Argentina in the late 1980s and 1990s, opposition moments by the military, that protested and created chaos in the streets of Buenos Aires, influenced transitional justice mechanisms negatively. Laws that led to impunity of perpetrators were passed to appease the military and stop the chaos it created.¹ In the 1990s, however, a positive opposition moment followed truth trials and ‘escraches’ organised by human rights- and victim organisations. These moments of public shaming of non-convicted perpetrators influenced the public memory and therefore the hegemonic narrative on the past in society. Combined with other factors this led to the reopening of trials of perpetrators in 2006. These and many other clear examples show the underlying power structures in Argentina and Uruguay. The powerful role the military played even after its defeat, the way the political establishment gave in but, most importantly, how other groups gained agency by influencing the public memory and hegemonic narrative, and attacked the power structures at play.

Although the book does not propose a hierarchy of the different critical junctures, it is clear that some have more influence than others. In order for big changes in transitional justice mechanisms to occur, for example the reopening of the trials in Argentina in 2006, all the four types of critical junctures need to be in motion. Lessa could have elaborated more on the concurrence of the different critical junctures. More analysis of the different types of junctures and the changes they specifically create would add more depth to her use of the concept of critical junctures and demonstrate her argument more profoundly.

Lessa’s book is an asset to the current historiography on transitional justice as it demonstrates the importance of public memory and narrative within transitional justice mechanisms and vice versa. The different actors in society, battling and cooperating with each other in a power play for the right to determine whose story of the past is legit, stimulate or halt transitional justice mechanisms. The author makes clever use of many different types of sources, ranging from written testimonies and oral history to documents of legislation and jurisprudence. The

¹ Argentina’s parliament passed the Full Stop Law halting new claims by victims and trials of perpetrators in 1986 and the Law of Due Obedience in 1987 acquitting low ranking perpetrators. Pardons for already convicted perpetrators were given in the early 1990s.

combination of these different sources demonstrates the interconnectedness of official policies and legislation, and collective memory. Whereas the larger historiography on the dictatorial past of South America usually focusses on either transitional justice or memory studies, Lessa convincingly proves the interconnectedness of both elements through the concept of critical junctures within the path towards reconciliation that Argentina and Uruguay have taken.

Francesca Lessa cleverly builds a bridge between the research fields of international relations, law, history, and memory studies. Her interdisciplinary research has resulted in a book that contributes to multiple fields of research, such as South American studies, transitional justice, memory studies, and history. The book introduces enough narrative to be understandable for a wide humanities audience as introduction into these areas of research, but is focussed enough to extend the knowledge of more advanced scholars on the specific history of transitional justice and memory politics in Argentina and Uruguay. Lessa has given us an interesting methodological framework to research transitional justice processes, which has not been superseded since its publication in 2013.