

## Human Rights in Argentina

### Description

This course examines both philosophical topics on human rights and the politics of human rights in Argentina, specifically during the military dictatorship (1976-1983) and the democratic transition. It is our understanding that any discussion on applied topics on human rights should include as well an account of their philosophical underpinnings. Thus, the course combines philosophical, historical, and empirical analysis. Each week, you will attend one lecture on a philosophical topic on human rights and the other on the history and politics of human rights in Argentina. The philosophical discussions should clarify concepts and ideas—such as the notion of human rights, the definition of genocide, the theory of transitional justice, the role of memory, and the social value of motherhood—that are relevant in the analysis of human rights history in Argentina after 1973.

Philosophical topics include conceptual analysis of the idea of rights, human rights and natural rights; debates about universalism vs. relativism; conventional vs. revisionist history of human rights in the international arena; analysis of the idea of genocide; theories of transitional justice; the relation between history and memory; and gendered accounts of the violations of human rights.

Historical topics include a survey of Argentine political history; the scope, structure and consequences of Argentine state violence; the role of other social actors in the violation of human rights; the lexicon and discourses of violence and how they shaped the body politic; transitional justice (trials, truth commission, amnesties, pardons and reparations); the role and morphology of collective memory; and the place of gender and identity in human rights violations in Argentina.

**Reading Material:** All required readings are available to students electronically on the Campus Virtual.

**Course Requirements:**

(1) Knowledgeable, constructive and active participation in class discussions (20%). It includes a group oral presentation on the visits to the ex-Esma and the memorial park. For each meeting, you are expected to have read the assigned texts carefully, and to be ready to discuss it. Always bring the assigned readings to class.

(2) Midterm examination. It consists of 10 multiple-choice questions that require a succinct justification (30%).

(3) Final term examination. A two-page in-class exam on two topics one philosophical the other historical (50%).

Failure to comply with any of the assignments will be penalized at the rate of 1/3 of a grade a day. This grade penalty will only be waived in the case of documented medical emergencies. All assignments must be completed in order to pass the course.

**Academic Integrity Policy:** Discussion and the exchange of ideas are essential to academic work. For assignments in this course, you are encouraged to consult with your classmates on the choice of paper topics and to share sources. You may find it useful to discuss your chosen topic with your peers, particularly if you are working on the same topic as a classmate. However, you should ensure that any written work you submit for evaluation is the result of your own research and writing and that it reflects your own approach to the topic. You must also adhere to standard citation practices in this discipline and properly cite any books, articles, websites, lectures, etc. that have helped you with your work. If you received any help with your writing (feedback on drafts, etc.), you must also acknowledge this assistance.

We will hold you responsible for understanding this, so if you have any doubt about what constitutes plagiarism, or what it means to turn in an exam that is entirely your own work, you should talk to either of us in advance. Plagiarism (or similar academic dishonesty) is a grave offense, and it shall be treated accordingly. The presentation of another person's work as one's own will be reported to the university administration.

**Attendance policy:** Class attendance is **mandatory**. Students must attend at least 80% of classes and academic visits related to the course. Students are allowed only **three (3)** absences and **one (1)** late arrival to class (subsequent late arrivals count as absences). Visits are an integral part of the program, therefore not attending or arriving late to a visit will be treated in the same way as an absence or late arrival to class. If students miss class for a medical reason, they must present a medical waiver in order for the class to be counted as an excused absence. Medical waivers will only be valid if they are issued on letterhead, include the doctor's signature and stamp, are issued immediately before or on the date of the absence and indicate diagnosis and indicated treatment. Please note, when students miss a class they are still responsible for the material covered. It is their responsibility to ask a classmate for class notes and then, after reading them over, see the professor in a timely manner with any questions on the material.

## Class Schedule and Readings

### WEEK 1

#### Lecture 1: What Are Human Rights?

*Individuals are carriers of human rights in virtue of being human regardless of the states in which they happen to live. This lecture is a conceptual exploration of that idea, its moral distinctiveness and scope of application.*

#### Readings:

Jack Donnelly, 2003, *Universal Human Rights in Theory and Practice*, 2nd ed., Ithaca and London: Cornell University Press, chap. 1, pp. 7-21 [14 pages]

French Declaration of the Rights of Man and Citizen [3 pages]

UN Declaration of Human Rights [8 pages]

UN Convention on the Prevention and Punishment of the Crime of Genocide [4 pages]

European Convention for the Protection of Human Rights and Fundamental Freedoms  
[13 pages]

## **Lecture 2: Argentine Political History 1930-1970**

*An overview of the major political events between 1930 and 1976 including the first coup d'état and the role of the armed forces; the origins of Peronism and Peron's governments; subsequent coups in 1955 and 1966; the National Security Doctrine in Latin America.*

### **Readings:**

Jerry Davila, *Dictatorship in South America* (Blackwell Publishing, 2013), pp. 55-61 [6 pages]

## **WEEK 2**

### **Lecture 3: The History of Human Rights**

*This lecture examines the historical development of the idea of human rights, the path towards the Universal Declaration of Human Rights, and its evolution to the contemporary idea of human rights in the international context.*

### **Readings:**

Lynn Hunt, *Inventing Human Rights: A History* (New York: Norton & Co, 2007), Introduction, pp. 15-34 [19 pages]

### **Lecture 4: Revolutionary Violence**

*The surge of political violence between 1970 and 1976. Perón's return to Argentina and the emergence of paramilitary organizations. The role of armed organizations, montoneros and ERP. The disassociation between civil society and the guerilla groups. The militarization of politics. Armed organizations' self-evaluation of their political actions and the uses of violence.*

### **Readings:**

Jerry Davila, *Dictatorship in South America* (Blackwell Publishing, 2013), pp. 61-81 [20 pages]

Oscar Del Barco, "No Matarás: Thou Shall Not Kill" in *Journal of Latin American Cultural Studies*, Vol. 16, No. 2 August 2007, pp. 115-117 [2 pages]

Juan Ritvo, "Cruelty is the Real Exposure", in *Journal of Latin American Cultural Studies*, Vol. 16, No. 2 August 2007, pp. 127-133 [5 pages]

### **WEEK 3**

#### **Lecture 5: Genocide: What Is It?**

*An introduction to the idea of genocide, how it differs from other mass atrocities, how it fits the historical developments in Argentina during the 70s, and a global comparison with other cases of genocide.*

#### **Readings:**

Adam Jones, *Genocide: A Comprehensive Introduction*, chap. 1, pp. 1-85 (read only: 11-29; 39-45; 64-67) [27 pages]

#### **Lecture 6: State Violence in Argentina**

*Strategies, motives and organization of state power holders and other social and political actors including the church, corporations and foreign powers during the military dictatorship (1976-1983). The emergence of human rights movements during the military repression. Human rights violations during the Malvinas war. Children of the "disappeared."*

#### **Readings:**

Sonia Cárdenas, *Human Rights in Latin America. A Politics of Terror and Hope* (Philadelphia: University of Pennsylvania Press, 2011), pp. 52-55 [3 pages]

Larry Rohter, "Ford Motor Is Linked to Argentina's 'Dirty War,'" *The New York Times*, November 27, 2002

Alexei Barrionuevo, "Argentine Church Faces 'Dirty War' Past," *The New York Times*, September 17, 2007

Juan Forero, "Argentine war heroes revealed to be henchmen in military dictatorship," *The Washington Post*, April 5, 2012

### **WEEK 4: MID-TERM EXAM**

#### **Lecture 7: Transitional Justice (and Mid-Term Exam)**

*A theoretical analysis of the different forms of transitional justice—trials, truth commission, amnesties, pardons and reparations—their political and cultural conditions, and their relation to the rule of law, and the democratic order.*

#### **Readings:**

Hannah Arendt, *Eichmann in Jerusalem*, chap. 1

### **Lecture 8: Terror on Trial**

*Transition to democracy and transitional justice (the CONADEP, trial of the Juntas, Due Obedience and Full Stop Law, 1989-1990 pardons, reparations and alternative forms of justice). The impact of human rights prosecutions on national politics and the human rights movement. The reopening of trials in 2005.*

#### **Readings:**

Acuña, C. and C. Smulovitz, “Guarding the Guardians in Argentina: Some Lessons about the Risks and Benefits of Empowering the Courts” in James McAdams (ed.) *Transitional Justice and the Rule of Law in New Democracies* (South Bend: University of Notre Dame Press, 1997), pp. 93-122 [29 pages]

Carlos Nino, *Radical Evil on Trial* (New Haven: Yale University Press, 1996), pp. VII-XII and 127-134 [7 pages]

### **WEEK 5**

#### **Lecture 9: Memory and History**

*An examination of the relation between memory and history as well as vengeance and forgiveness. The role of personal testimonies in the construction of a collective memory. The relevance of memory to historical interpretation. Kantian vs. utilitarian approaches to justice and memory.*

#### **Readings:**

Susana Kaiser, *Postmemories of Terror*, chap. 1

#### **Lecture 10: Collective Memory in Argentina**

*The role of memory in the construction of the collective conscience and identity. The struggle for the shaping of memory, new generations coping with the legacies of terror, the politics of memory. “Never Again”: the two evils theory and the two prologues. The disputes around the construction of Museo de la Memoria, ex ESMA and the Parque de la Memoria.*

#### **Readings:**

Emilio Crenzel, “Between the voices of the State and the Human Rights Movement: Never Again and the Memories of the Disappeared in Argentina” in *Journal of*

*Social History*, Volume 44, Number 4, Summer 2011, pp. 1063-1076 [13 pages]

Emilio Crenzel, "Toward a History of the Memory of Political Violence and the Disappeared in Argentina" in Allier-Montañó and Crenzel (eds.), *The Struggle for Memory in Latin America* (Springer, 2015) pp. 24-32 [8 pages]

## **WEEK 6**

### **Lecture 11: Gender and Human Rights (philosophical and historical lectures will be delivered together)**

Philosophical part:

*The gendering of history. The transformation of motherhood from a personal hunt to recover their children, that is, a private case of entrenched, private loyalty into a political movement of resistance.*

#### **Readings:**

Marguerite Guzman, *Revolutionizing Motherhood: The Mothers of Plaza de Mayo* (Rowman & Littlefield, 1994), pp. 175-192 [18 pages]

Historical part:

*The role of gender and motherhood during military repression. Testimonial accounts of female political prisoners. Madres and Abuelas de Plaza de Mayo, the grandchildren and the right to identity.*

#### **Readings:**

Victor B. Penchaszadeh, "Ethical, legal and social issues in restoring genetic identity after forced disappearance and suppression of identity in Argentina", in *Journal of Community Genetics*, 2015 Jul; 6(3), pp: 207–213, [6 pages]

### **Lecture 12: FINAL EXAM**