

# **Irish Migration Studies in Latin America**

**Volume 8, Number 1, August 2012**

**The Irish Dimension to Human Rights in Latin America**

**Dedicated to Patrick Rice (1945-2010)**



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# **Irish Migration Studies in Latin America**

**Volume 8, Number 1, August 2012**

**Society for Irish Latin American Studies**

## **The Irish Dimension to Human Rights in Latin America**

Guest Editor: Gráinne Kilcullen. BA, LL.M.

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Cover photo of Patrick Rice by the Blackwater River, County Cork. Photo undated,  
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## Editor's Introduction

**Cliona Murphy**

California State University, Bakersfield

This volume, dedicated to Patrick Rice, is guest-edited by Gráinne Kilcullen. Like Patrick, she is from County Cork, and also, like him, she works in human rights. She is currently working with Peace Brigades International in Nepal, and has worked for Front Line Defenders in Dublin, an international organisation for the protection of human rights defenders. Indeed, she has an article here on Front Line Defenders' work in Colombia, Guatemala, and Mexico. Gráinne met Patrick when he was about to guest-edit this special issue and subsequently took over his role after his untimely death. Working with Gráinne, I have found her wisdom, extensive knowledge of human rights, and her experience working in the field to be an ideal background for this project. Her introduction and the following articles convey not only the enormous legacy of Patrick Rice but also various aspects of the Irish dimension to human rights in Latin America.

The next issue of this journal will be devoted to gender and will also serve as the journal's transition to peer-review status. An extensive editorial board has been formed, composed of more than two dozen experts who represent more than a dozen countries of origin or residence. Each member has a strong interest in Ireland, Latin America, or both. They represent various disciplinary fields including History, Literature, Language, Political Science, Economics, Latin American Studies, Sexuality, Humanities, Social Sciences, Philosophy, and Religious Studies. Board members will provide informed feedback to our contributors, and collectively contribute to the academic quality of the journal. The names of those on the board are listed below. Dr. Gabriela McEvoy, from Peru and based in Pennsylvania, has agreed to be the Spanish language editor beginning with the next issue.

Preparations for the fourth SILAS conference are underway. It will take place in Argentina in August 2013 in conjunction with the eighth Symposium of Irish Studies in Latin America at the Universidad Nacional de la Pampa. Please consult the SILAS website for the Call For Papers. The theme of the conference is *The art of movement and transformation: Ireland and the Americas looking forward*.

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## Guest Editor's Introduction

**Gráinne Kilcullen**

*Gráinne Kilcullen has an LLM in International Human Rights Law. She worked for Front Line Defenders before taking her current position with Peace Brigades International in Nepal. She has also worked with Amnesty International at the United Nations in Geneva.*

I met Pat Rice for the first time in Front Line Defender's main office in Dublin, two days before his death. A few weeks previously, I received an invitation from Pat to write an article for this journal. He was then preparing to guest edit this issue on the Irish dimension to human rights in Latin America. He asked me to discuss the work of Front Line Defenders in Latin America, an Irish based international organisation for the protection of human rights defenders. I responded enthusiastically and it



*Patrick Rice with wife Fátima and daughter Blanca at Conferring of Honorary Doctorate at University College Cork, 2008 (Clare Keogh collection)*

was from this communication that I was fortunate to have met Pat. As Dermot Keogh mentions in his article on Pat Rice, his life and experiences were not very well known in Ireland, his home country, and I was a clear example of that unawareness. At the time, I had been working in the area of human rights for two years, and I had not come across

the work of Pat Rice. It was not until after his death that I really began to understand his energy and commitment to human rights. It felt strange to be plunged so emotionally into the life of someone I did not know very well.

Our conversation in Front Line Defender's office in Dublin lasted about an hour and we talked a lot about human rights and its philosophy. Pat was returning from his tour in Europe after lobbying for the ratification of The International Convention for the Protection of all Persons from Enforced Disappearance, which finally came into force five months after his death. During our entire conversation, Pat did not talk about his own experiences

of disappearance and torture in Argentina, or about the extent of his human rights work throughout Latin America. It was not until after I read his testimony that I understood, as much as I could have, the extent of his suffering. Subsequent conversations with his brother, Liam, further connected me to the life of Pat. I felt committed to ensuring that his initial work on the special issue of this journal on human rights would be completed, and within it his work would be honorably reflected. Since getting to know partially the life of a great human rights defender from my own county Cork, Ireland I wanted to tell everybody about him. He has been a great inspiration to me since our meeting and I believe that those who lose faith in human rights or become disheartened by the constant abuses committed throughout the world need only read Pat's testimonies, and descriptions of his life and work, to be reinvigorated and encouraged to do even the smallest acts for the protection of human rights.<sup>1</sup>

This issue is a tribute to the life and work of Pat Rice and some of his close friends have thoughtfully described the different stages of that life. In Dermot Keogh's tribute, he brings the reader through Pat's life from university to missionary life, to torture and 'disappearance', up to his final efforts for full ratification of the Convention on Disappearances. It is a poignant piece, yet an essential introduction to Pat's life and character. Justin Harman on the other hand speaks more specifically of Pat's torture and disappearance while he was a junior diplomat at the Irish embassy in Argentina. Justin Harman and his colleagues were instrumental in Pat's release, and his article subtly emphasises the importance of diplomatic pressure in times of crisis. Pat Clarke, another friend and colleague, also wrote a philosophical article on Pat's approach to life, and the importance of recognising the human ability to defy social despondence. Reading about Pat's life and work brought, for me, a rejuvenated focus on the situation of human rights in Latin America and as Mo Hume expresses in her article, *'Never truly defeated': Challenging the Impunity of Violence against Women in post-transitional Central America,* stories like Pat's motivated her to work alongside the struggles of Latin Americans. She talks lucidly about her experiences working in El Salvador and the difficulties in combating violence against women and femicide as both a societal and institutional problem. The lack of trust in the authorities and the prevalent fear among police of reprisal attacks against them all contribute to the weak enforcement of law and lack of protection for victims of violence. However, Hume also talks positively about the work of large women's movements, of which she was a part, combating such abuses and coordinating between the local and national actors in order to raise awareness and organise trainings to change prevailing attitudes discriminating women. The increased national and international law

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<sup>1</sup> Copy of Patrick Rice's testimony <http://www.cidh.org/annualrep/78eng/Argentina.2450.htm>; <http://www.youtube.com/watch?v=CYArAUNu4-o>



established and ratified for the protection of the rights of women have also been positive developments.

Like Hume, Angus Mitchell also analyses the struggles and developments in human rights in Latin America through his review article of Robert M. Burroughs' book entitled, *Travel Writing and Atrocities: Eyewitness Accounts of Colonialism in the Congo, Angola, and the Putumayo*. Although Mitchell criticises Burroughs' lack of analysis of history's use and abuse of atrocity narratives often for political purposes, he speaks highly of the attention drawn by Burroughs to the relationship between travel writing and the reporting of such atrocities. Roger Casement is described as having a large influence on changing the techniques of witnessing; from the romantic idea of discovering and conquering to the actual devastating elements of colonial labour. Casement's experiences in Putumayo in the Amazon drew comparisons to the plight of Irish peasants, and enthused him to advocate for a 'new Ireland' and for the delivery of international justice. Mitchell also states that Burroughs' account of Casement's influence on travel writing emphasises the importance of shifting focus in one's experience and recognising responsibility to human rights wherever one goes.

As all the other articles included in the thematic section of this journal demonstrate, the Irish influence in Latin America with reference to human rights is historically strong and currently dynamic. The work of Front Line Defenders, as well as that of individuals like Pat Rice, Roger Casement, Mo Hume and the support of the Irish Government, is indicative of the commitment among the Irish to human rights, and the added connection to Latin America. Although a generic explanation of shared colonial oppression and subsequent violent struggles for freedom can partly explain the numerous examples of Irish dimensions to human rights in Latin America, what is more important to highlight (and not unique to the Irish) is the patience displayed by all those who work for the promotion of human rights and the belief in the incremental steps taken to improve lives.

I want to sincerely thank all those who contributed to this journal, and for providing a comprehensive insight into the Irish influence in the progression of human rights in Latin America. The work of our Editor-in-Chief, Cliona Murphy, has made this issue what it is today and I want to hereby thank her very much for her judgement, constant assistance and sharp editorial eye. I also want to recognise the difficulty for Dermot Keogh, Justin Harman and Pat Clarke in writing about their close friend, Pat Rice. I believe this tribute and collection of accounts of his life will act as a catalyst for more individuals like Pat to dedicate themselves to human rights.

## ***Patricio, Presente, ahora y para siempre; Present, now and forever***

**Dermot Keogh**

*Dr. Dermot Keogh is a Member of the Royal Irish Academy, Emeritus Professor of History and Emeritus Professor of European Integration Studies, UCC, Cork, Ireland.*

Families, friends and human rights activists gathered in autumn 2010 at the Palacio San Martín, the Foreign Ministry of Argentina in Buenos Aires, to pay homage to six survivors of the dirty war in the 1970s and early 1980s.<sup>1</sup> The Argentine Government, led by the Peronist, Cristina Fernández de Kirchner, had decided to honour six religious leaders of different churches and faiths for their courage and bravery in defence of human rights during and after the period of military dictatorship in the 1970s and early 1980s. Two retired Bishops of the Evangelical Methodist Church, Aldo Manuel Etchegoyen and Federico José Pagura, were among those to receive the honours. Rabbi Bernardo Javier Plaunick was also a recipient, as were Frs. Raúl Troncoso and Elias Musse. All had been kidnapped, illegally imprisoned and tortured by officials of the state in places of secret detention in Buenos Aires and elsewhere in Argentina. After their release, they distinguished themselves as lifelong opponents of state repression in that country and throughout the world. It was a moving occasion, recalling a dark phase in the history of Argentina, the citation stated that all six were being honoured

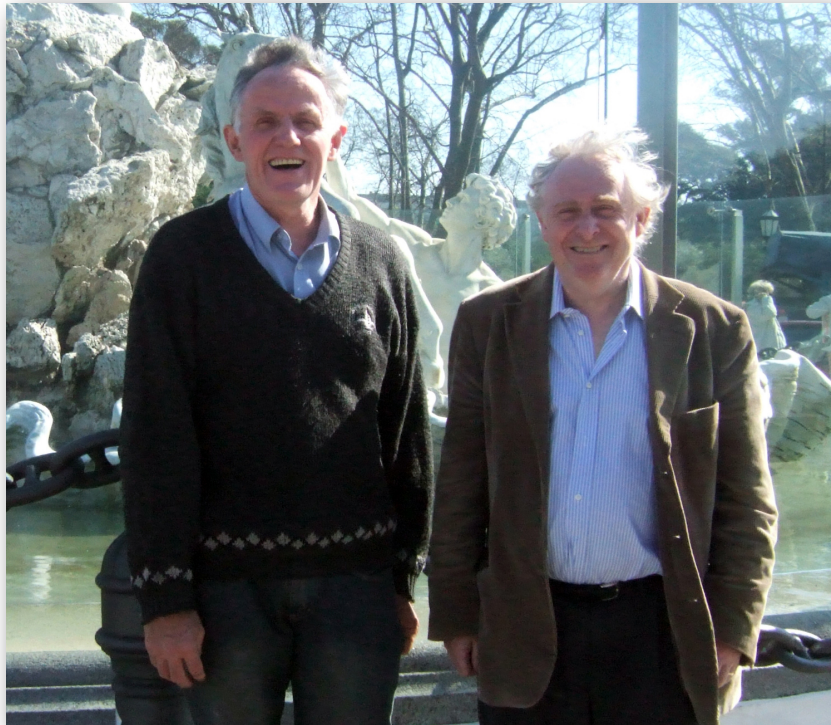
*por su compromiso con la justicia social y la defensa de los derechos humanos, en ocasión del XXIX aniversario de la 'Declaración sobre la eliminación de todas las formas de intolerancia y discriminación fundadas en la religión o en las convicciones' proclamada por la Organización de las Naciones Unidas.*<sup>2</sup>

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<sup>1</sup> See the following works by Dermot Keogh: *Romero: Church and State in El Salvador* (Dublin: Dominican Publications, 1981):170; *Central America: Human Rights and U.S. Foreign Policy* (Cork: Cork University Press, 1985):168; *Witness to the Truth, Church and Dictatorship in Latin America* (Cork and Dublin: Hibernian University Press, 1989), *Church and Politics in Latin America* (London: Macmillan, 1990), collection of essays with introduction by Graham Greene: 430; 'El Salvador and the United States', *Millennium: Journal of International Studies*, Vol.13, No.2, Summer 1984: 153-183.

<sup>2</sup> Translation: 'for their commitment to social justice and the defense of human rights on the occasion of the twenty-ninth anniversary of the "Declaration on the elimination of all forms of intolerance founded on religion or beliefs" proclaimed by the Organization of the United Nations'.

The Secretary for Religions, Ambassador Guillermo R. Oliveri, gave a formal address, praising the courage and the tenacity of each person being honoured.<sup>3</sup> Each recipient spoke briefly in turn about their experiences, their hopes and their continued commitment to the struggle for the achievement of universal respect for human rights. Patrick Rice, or Patricio as he was known throughout Latin America, was among those being honoured. The Cork-born former priest was the only recipient not present to receive the award. He had died suddenly in Miami on 7 July 2010 while returning to Buenos Aires to begin a new phase in a life dedicated to the protection of human rights, as director of the Coalition



Patrick Rice and Dermot Keogh, Buenos Aires, 2006. (Clare Keogh collection)

against Enforced Disappearances (ICAED ) [*Coalición Internacional contra la Desaparición Forzada*]. Patrick, who would have been the youngest among the recipients had he lived, was represented by his wife, Fátima Cabrera, and by his three children, Carlos, Amy and Blanca. Fátima, like Patrick, was a survivor of enforced detention and torture under the military *junta*. She was seventeen when she was kidnapped with Patrick, tortured in a cell adjacent to his and held for three years in prison. She spent two further years under house arrest. Surrounded and supported by their children,

<sup>3</sup> I travelled to Buenos Aires with my wife, Ann, to be present at the event. I do not have transcripts of what was said on that occasion but I took my own notes.

Fátima spoke with great force and eloquence about her own kidnapping and of how she owed her life to Patrick.

On 7 December 2010, another ceremony was held again to pay homage to Patrick Rice and his contribution to the defence of human rights. On that occasion, what was formerly the chapel in the naval academy, ESMA, was to be dedicated as the '*espacio Patrick Rice*'. The invitation was headed, '*El Ente Espacio para la Memoria, Promoción y Defensa de los Derechos Humanos*'. In the company of Fátima, and Patrick's three children, together with two friends from Venezuela, Fr. Jesús Silva and Eleana Gonzalez, we made the long journey to the wealthy *Avenida Libertador*, in the suburb of Nuñez, where the spacious grounds of the former naval academy, the *Escuela de Suboficiales de Mecánica de la Armada* (ESMA), is situated. By law of the National Congress on the 5 August 2004, the extensive ESMA premises were turned into a museum named the Space for Memory and for the Promotion and Defence of Human Rights. However, in 1976, the attic and the basement of the officers' quarters in the ESMA, which was also the residence of the *junta* member, Navy Commander-in-Chief Admiral Emilio Eduardo Massera between 1976 and 1978, were used as an illegal detention and torture centre. From the first day of the coup on 24 March 1976 and during the subsequent dirty war, that building was the seat of Task Unit 3.3.2, *Unidad de Tareas 3.3.2*. It was led by Rear-Admiral Rubén Jacinto Chamorro and Captain Carlos Acosta Ambone. The names of Jorge Eduardo Acosta, Alfredo Astiz, Ricardo Miguel Cavallo and Adolfo Scilingo were among those who would become infamous when news of their evil deeds became widely known. The ESMA chaplain during 1977 was Father Alberto Ángel Zanchetta. Horacio Verbitsky, a well-known Argentinian journalist, published a book in English in 2005, *Confessions of an Argentine Dirty Warrior*, based on the memories of Scilingo. The latter, now serving a thirty-year jail sentence, broke the vow of silence which has bound senior Argentine officers to keep their respective mouths shut. So far, Scilingo is the only senior officer to 'sing'. Under the direction of those mentioned above, ESMA became a centre for forced disappearance, torture and illegal execution. An estimated 5,000 were 'disappeared' from the ESMA. There were also cases of children, born to mothers imprisoned there, who were given over to illegal adoption because their mothers were 'disappeared'.

There was something very poignant about our visit to the extensive grounds of ESMA. I had been there once before to be shown around the same house which had served as an officers' quarters, a torture centre and a workshop in which the 'disappeared' were employed to forge identity documents. Walking through the grounds on this, my second visit, we were searching for the building which was once a chapel for the officers of the academy, soon to be renamed '*Espacio Patrick Rice*'. It was difficult to put out of one's mind the fact that the ESMA was a place where evil once

resided and evil acts had been perpetrated under the pretext of ridding the country of the threat of communism and of the revolutionary left. The warm summer weather made it hard to believe that ESMA was once a place where evil triumphed and men of good will, if there were any serving there at the time of the dirty war, kept a vow of silence, then and now. The birds were singing and the trees were in bloom on the long avenues between the different buildings. Our companion, an elderly Uruguayan priest, Jesús Silva, had lost his brother, Mauricio, in the dirty war. A confrere of Patrick Rice, he had been working as a road sweeper and had been 'disappeared' on 14 June 1977. He simply disappeared, or was 'disappeared', never to return to his fraternity community in La Boca. We walked in silence. Then Fr. Silva said what was in the minds of each of us, 'the ESMA was a sad and evil place'. He was thinking of the 5,000 who had been 'disappeared' there and of the thousands of others who had been tortured and brutalised in that now infamous building. Fr. Silva did not know if his brother had spent his last days in the attic of the ESMA, the same building in which Admiral Massera, the commander of the academy, had his private residence. Hannah Arendt's phrase, 'the banality of evil', came to mind as we thought that it was probable that Fr. Mauricio Silva had been a captive there, and that he had been injected and drugged before being taken by plane out over the *La Plata* estuary and dumped into the river below.

It was not that difficult to find the way. A file of people walked in that direction and a large crowd had already gathered in front of the former chapel, a more modern building than the others, with its doors wide open. The small plaza outside the front door would have been once used to allow officers to get in line and to march into the church. Now, everything had changed. There were no military trappings. The church had been stripped of all furniture and religious objects. It was an empty space and there was a large screen on which was being shown a film about Patrick's life and witness to the truth. Among the large crowd outside were a number of Mothers of the *Plaza de Mayo*, human rights leaders and veterans of the dirty war, including a number of former and current government ministers. The recently arrived Irish ambassador to Argentina, James McIntyre, was also present.

In the ceremony that followed, outside the former Catholic Church, Fr. Raúl Silva, eighty-three years of age, spoke movingly about his friend Patrick and about the struggle for justice and for the defence of human rights in Latin America. He recalled the death of his brother and of others who had fallen in the struggle to maintain human dignity. He had been a priest for most of his life and he had been moved by the values of the

Gospel. He shared that vision with Patrick Rice. It was a very forceful presentation.<sup>4</sup>

The Minister for Human Rights, Dr Eduardo Luis Duhalde, said he had known Patrick since 1979, and in the following thirty-one years their paths had crossed many times. Duhalde regarded him as having been a good man, moral and a tireless militant who stood in solidarity with those who fought to defend human rights. He said that the dedication of the space in his name was highly justified. Patrick was, he added, a militant with *patas de bronce*, one of those who did not seek the limelight but worked continuously for the defence of human rights. The minister hoped that Patrick Rice's name would be incorporated into the historical memory of all Argentines for the role he had played in their recent history.

The President of the Mothers of the *Plaza de Mayo* (*Línea Fundadora*), Marta Vázquez, recalled meeting him first in Costa Rica, 'I don't want to neglect to point out the long road that he travelled lobbying at the UN for the ratification of the convention on enforced disappearances which he brought to final success after twenty-two years of struggle'. She said that the convention would come into effect on 23 December 2010 at the General Assembly, 'We should toast his memory,' she said with force, adding that the *espacio Patrick Rice* that had once been a place of terrible suffering may be converted into a little bit of heaven, *un lugar de pequeño cielo*.<sup>5</sup>

What was particularly moving about this occasion was the realisation that Patrick had been working very hard with the Memory Project to convert the former church into a center for interreligious dialogue and a space for reflection on the historical role played by the churches in Argentina at the time of the dirty war. Fátima Rice, ending the dedication, said that a dream of Patrick's had now become a reality, and that the pain and suffering had been transformed into homage and joy.

Writing of his own detention in a book he helped to edit, *En Medio de la Tempestad*, Patrick reflected, '*nunca pensé seriamente que algún día me iba a tocar. Hasta hoy me cuesta creer que como pudo haber seres tan depravados y perversos que torturan a otros seres humanos en estado de total indefensión. Ahora sé que es así y que el ser humano tiene una capacidad única para la brutalidad y la maldad. Si bien fue una experiencia atroz, también tengo que confesar que pude descubrir a Dios en medio de todo*

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<sup>4</sup> Fr. Silva, a cultured, eloquent and holy man, died in early 2011 at a home in Caracas, which he helped run for street children.

<sup>5</sup> From my gathered notes and newspaper clippings of the occasion.

*ese dolor y esa incertidumbre*'.<sup>6</sup> In that reflection, which I have left in Spanish as he wrote it, Patrick explained how he never expected to be taken by the military. Until today, it was painful for him to think about how it was possible for depraved and perverse human beings to torture other completely defenceless human beings. Even if it was a terrible experience, he explained further that it was possible to find God amid such suffering and uncertainty.

Motivated by the conviction that what had happened in the 1970s and early 1980s in Argentina should never be allowed to happen again, he had given a great deal of time and energy to thinking about how that former ESMA chapel space might be used as a way of confronting the churches with their past sins. Patrick wanted the dialogue to include all sections of society, lay and religious. Writing in 2008, Pat commented pointedly in an obituary of Cardinal Pio Laghi, the Papal Nuncio to Argentina between 1974 and 1980, regarding the death of his late confrere, Fr. Mauricio Silva.

Among the many Church related cases that were on Pio Laghi's agenda (French missionary sisters Alice Domon, and Leonie Duquet, disappeared in December 1977, and others) was that of Little Brother Mauricio Silva of the Charles de Foucauld Fraternity who was disappeared on 14 June 1977. Most of the petitions were made through Pio Laghi and it would be impossible to detail all. The superior general of the Fraternity Francisco Hulsén even met with Pope John Paul II on the eve of his mediation trip to Argentina in 1980 where he moved to avoid war between Chile and Argentina and made the petition for Mauricio. Nothing happened, and it was afterwards that the Nuncio echoed strongly the rumor that Mauricio had supposedly died in a Buenos Aires hospital. There is no doubt in Brother Hulsén's mind who had personally met with Nuncio Pio Laghi in Buenos Aires, 1978, that the Nuncio was an accomplice to the crimes of

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<sup>6</sup> Conversations with Fátima Rice, 2000- 2010; See also, Patrick Rice and Luis Torres (eds.), *En Medio de la Tempestad (In the Eye of the Storm) The Brothers of the Gospel in Argentina, 1959-1977* (Buenos Aires, 2007); the contributors are: Arturo Paoli, Fabert Gerardo Francisco Hulsén, Fernando Portillo, Patrick Rice, Juanin Pilatti, Stephen of Quirini, Marita Felipe Gonzales, Enrique de Solan, Ada D'Alessandro, Fátima Cabrera, Juan Jose Kratzer, Joao Face, Marta Garaycochea, Julio Baquero, and Roberto Scordato. While both Fátima and Patrick were being tortured, Doña Blanca, Fátima's mother, had gone to the police station to inquire about the whereabouts of her daughter. She recalled seeing a blond man but they would tell her nothing or give her no information. Her family had contacts in the military but those sources did not yield any results either. She had to travel to Tucumán, where Fátima was born, to get some documentation necessary to process the disappearance complaint with the police. She told me of the long journey of eighteen hours during a state of siege. The bus was stopped several times and the military took passengers away. When she arrived in Tucumán, she found soldiers posted all around the main square. She got back to Buenos Aires with the documentation and went on a round of police stations. She found out nothing and the police would tell her absolutely nothing about the whereabouts of her daughter or, even, whether they had her or not. She lived in a macabre world where the military had literally power over life and death. Conversations with Doña Blanca, 2000 to 2008.

the dictatorship. ‘An accomplice with white gloves’ he said to me recently on hearing of his death, and then explained that the *Junta* needed a Nuncio like Pio Laghi to be able to carry out their crimes; one who mediated, negotiated and then wanted all to be forgotten. ‘Without people like that dictatorships would not exist,’ said Francisco who is now pastor in a community en El Alto (Bolivia).<sup>7</sup>

Patrick Rice, my personal friend for nearly fifty years, felt that he had good reason to be critical of the role of the former Papal Nuncio. The above is an example of his forthright and combative style. He took the Gospel at face value and felt, believing that the imperative to live up to the challenge was his life’s vocation. He wrote again about Pio Laghi,

There are however those who find this kind of position too harsh. Adolfo Pérez Esquivel (Nobel Peace Laureate) is one who says that the Nuncio supported him to get him out of the country. That was also the case of many Church people that had to leave Argentina at the time. In fact, his secretary, Monseigneur Kevin Mullen, was very considerate and helpful. However there is a sad epilogue here. Mons. Mullen was later transferred to Cuba where he died suddenly and mysteriously soon afterwards. In fact his sister was demanding a criminal investigation and did not rule out some sinister and unknown motives. The fact is that one of the key witnesses to Pio Laghi’s time in Argentina is no longer alive. Recently we went to the *Nunciature* in Buenos Aires to consult files on Mauricio’s case which will be in the courts later this year, 2009, and we were told that all such files were now in the Vatican Archives and would not be released for many years (100) when all the protagonists are dead and gone (including ourselves). So historians will have a job to uncover the truth about those years.<sup>8</sup>

Patrick would like to have been able to help the historical process by using the former chapel in the ESMA to hold discussions and reflections on sections of the Catholic Church, in particular, which had been complicit in the maneuvers of the Argentine armed forces during the dirty war. Paradoxically, the former chapel in the ESMA, his final project for dialogue and reconciliation, now bears his name and his legacy will live on there.

Patrick Rice would have been embarrassed by all the attention that he received after his death, the very large funeral, and the tributes that flowed

<sup>7</sup> Rice, Patrick, ‘Obituary: Pio Laghi’s Work in Argentina Doesn’t Measure Up!’ *La Prensa San Diego*, 20 February 2009. <http://laprensa-sandiego.org/archieve/2009/february20-09/Pio.Laghi.022009.htm>

<sup>8</sup> Ibid.



in from all over the world. He was an intensely shy person, slow to draw attention to himself in company. He grew up on a farm, Strawhall, at Curraghmore in Fermoy, County Cork. He studied at the Christian Brothers School in the town where he had mixed memories about his education. After earning his Leaving Certificate, as was commonplace for young men in the early 1960s, he joined a religious order, the Divine Word Missionaries and did his novitiate in St. Patrick's Donamon, Roscommon. He studied philosophy there until he went to St. Patrick's College, Maynooth, in 1966 where he graduated with an honours BD (Baccalaureate in Divinity) in 1969. He was ordained a Roman Catholic priest in the Divine Word Missionary Society in 1970 and the same year, he was sent to Argentina where he would spend almost the rest of his life. Between 1970 and 1972, he was a Catholic chaplain at the Agronomy and Veterinary Science Schools (FAVE) of the Catholic University of Santa Fe in Esperanza, Province of *Santa Fe*, Argentina. He was also an assistant professor in the Philosophy Department of the same University. During those first two years in Santa Fe, he encountered the writings of the third world priests' movement. He re-evaluated his vocation and took the radical step of joining the Little Brothers of Charles de Foucauld, known as the Little Brothers of the Gospel Fraternity, a religious group founded to follow the spirituality of the French army officer, turned hermit who was murdered in 1916 at Tamanrasset, southern Algeria. Patrick was later sent



*Photo of Patrick Rice is either from a press conference Rice gave at CAFOD in 1976 after his release, or from an interview in Mexico in 1982.*

to do a second novitiate on the docks of Cartagena, Colombia, working as a labourer.

Patrick was physically very strong. He was tall and lean, a fine long distance runner and an outstanding oarsman for the Fermoy Rowing Club. Raised on a farm, he was not afraid of intense physical work. Patrick's grandfather, William, a doctor in the Fermoy area, inherited the farm at Strawhall from his father, also William. The Rice family had a tradition of struggle and resistance dating from the time of the land war in the 1880s. They were friends of William O'Brien MP and his wife Sophie. Pat's father had a grandaunt, Mary Rice, who lived at Bonard House, Castlelyons, County Cork and married David Kent, a substantial farmer. They had seven sons and two daughters. Her eldest son, Thomas Kent, worked on the farm and emigrated at nineteen to Boston in 1884 where he joined two of his brothers. His family had played an active part in the Land League and when he returned to Ireland he spent some months in jail for agitation. He was sent to prison a second time for two months in 1914 when police discovered firearms in his home at Bonard. When the Easter Rising took place in April 1916, Thomas was ready for mobilization. When the Irish Volunteers stood down in Cork, Thomas returned on 2 May with his brothers to Bonard House. The police laid siege to the house the following day in the course of a three-hour battle a head-constable was killed. Mrs Kent was actively involved in the siege, reloading the three shotguns and one rifle while shouting encouragement to her four sons. Her son, David, was wounded and a second brother, Richard, was shot down as he ran for the trees. The remaining two brothers, William and Thomas, were taken into custody and narrowly escaped summary execution. Both were tried on 4 May in Cork. William was acquitted but Thomas was sentenced to death and executed on 9 May.<sup>9</sup>

Patrick's grandfather, Dr. William Rice, married Kate Connell, Cahermee House, Doneraile in 1907. Their son, also William, married Amy Noonan and Patrick was the second oldest. He had an elder brother, Liam, and four younger brothers, John, Tom, Edward and Dennis, and a sister, Kathleen.

Working frequently in the fields with his father, Patrick was taught the basics of construction, carpentry and farming; skills he would use later as a priest. Six feet five inches tall, his father was known locally as 'Tiny'. He had studied pharmacy in Dublin but had, for reasons unknown, never

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<sup>9</sup> A note on the Kent family, Castlelyons Parish, <http://www.castlelyonsparish.com/history/local-history/kents/>. See also Desmond McCabe and Lawrence William White, 'Thomas (Ceannt) Kent', Dictionary of Irish Biography, <http://dib.cambridge.org.proxy.bc.edu/quicksearch.do?jsessionid=D97FBFFD70A19B6BE2B8625D77499902>

completed his studies. He was a quiet gentle man, soft-spoken and reflective with not a great interest in farming, according to his son, Liam. Patrick's mother was a most hard-working and generous woman. She was a great reader and enjoyed her private time with her books. Patrick's gentleness, generosity and openness came from his parents but so, too, did his steely determination to stand up for what was right. He found his inspiration in the Gospels and his life revolved around trying to live up to those high ideals of 'naïve' teachings like the Sermon on the Mount. What drove him throughout his life was the very dangerous commitment to, and belief in, the tenets of a primitive Christianity, untrammelled by the weight of an authoritarian Catholicism.

He carried the values of selfless generosity and commitment to the essence of the Gospels wherever he went as a priest and as a defender of human rights during his forty years of campaigning in Latin America. Those values were reinforced and deepened by his formation in the Divine Word Missionaries in the 1960s where I had first made his acquaintance. The Gospels were his bedrock, and his lifelong inspiration and the preferential option for the poor was not, for him, an abstract theological concept.

Returning from his novitiate in Colombia, Patrick was assigned in 1973 and 1974 to work with the Little Brothers of the Gospel Fraternity in the region of Fortín Olmos, Santa Fe Province both as a priest and as a work project coordinator.<sup>10</sup> Patrick's activities were coordinated within the pastoral and social plan of the *Diocese of Reconquista*. This focused on the unionization of forest workers and on horticultural and other training for rural youth. Many of his former parishioners made the long journey to be present at his funeral and spoke of the extraordinary work that he did in his short time with them.

His life changed in 1974 when he was assigned to work with the Fraternity in the neighborhood of La Boca, the old port of Buenos Aires and home to the football team of the same name. He was by then head of the Fraternity house. He later worked in the shantytown of Villa Soldati and as a 'worker' priest he took up the trade of carpentry and worked for different building firms in the city.

The Argentine military seized power in March 1976. In the so-called dirty war that followed, gross violation of human rights quickly became the hallmark of the new regime. Some 30,000 people were estimated to have 'disappeared' through a system of state terrorism before the regime fell in 1983. The military authorities viewed the pastoral mission of the Little Brothers of Charles de Foucauld with great suspicion and many of its members were forced to go underground. Mutilated bodies, the victims of

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<sup>10</sup> One project, a carpentry shop, continued to operate in 2011.

state repression, were dumped near Villa Soldati, where Pat worked. On 4 July 1976, the military murdered three Pallottine priests and two seminarians in the monastery in Belgrano. The outspoken Bishop of La Rioja, Enrique Angelelli, was killed by the military on 4 August 1976. Disregarding personal safety, Pat, accompanied by a member of the Fraternity, made the long and difficult twenty-hour bus journey during a 'state of siege' to the murdered-bishop's diocese in order to investigate the suspicious circumstances in which he had died. The military claimed that the bishop had died in a traffic accident. But, as many studies have shown, it was murder plain and simple.

Returning to the capital with his findings, Pat continued his investigations into disappearances and helped produce a report 'Violence against the Argentine Church' which, published in several languages, received international attention. Patrick later described that report as his first work in the field of human rights. A publication of that kind placed him under even greater suspicion in the eyes of the military. He was very outspoken in his sermons and in his contributions to public meetings. It was a time of great fear and of great suspicion in Argentina. Lay people and religious could not count on widespread support in a fear-ridden country. Instead of a universal condemnation of human rights abuses, many people, concerned for their own safety, remained neutral while others responded to the frequent disappearances with the now infamous self-serving phrase, '*algo habrán hecho*', or 'they [that is, those who were 'disappeared'] must have done something' to deserve being detained. The complicity, the fear and the resistance is related very well in Emilio Mignone's *Witness to the Truth, The Catholic Church and Dictatorship in Argentina* (1988).

However, for the Papal Nuncio, Pio Laghi, the world of *Junta* Argentina was a very different place. In an interview on 29 March 1977 with the Assistant Secretary for Human Rights in the administration of President Jimmy Carter, Ms. Patricia Derian, he spoke of a country where the political institutions had been functioning poorly long before the military coup of March 1976. He placed responsibility on Perón over a thirty year period for bringing the national political institutions to a state of collapse. The country had sunk 100 meters beneath the water and was in need of recovery. Since the coup, the nation had 'begun to float on the surface' now, but it was covered in the mud of corruption and disorganisation and recovery had taken, and would take longer, than anticipated'. He said that there was 'guilt in the leaders of the country; they knew that they have committed evil in human rights matters and do not need to be told of their

guilt by visitors. This would be “rubbing salt into the wounds”.<sup>11</sup> Laghi’s thesis was that General Videla represented ‘moderate elements’ and that there was a danger that ‘other hardline generals would take power in their own coup’. The Nuncio was convinced that ‘Videla and other leaders are good men at heart’ and that Videla ‘was a good Catholic, a man deeply aware of and concerned over the personal religious implications of his responsibilities’. Videla had visited him at the nunciature within the week and such matters were discussed. ‘Many of the military were men with grave problems of conscience, which they brought to the military chaplains. The Nuncio was aware of their deep disturbance and the probability of becoming sick. At the same time, they believed that they were doing what was necessary’.

Laghi’s response to Derian’s question on whether he considered that the Church and Catholics were being persecuted in Argentina was of ‘surprise and quick denial’. He said that,

individuals among the 5,500 priests and 11,000 nuns had been arrested or abused, but rejected the suggestion that the Church as such was under attack. At the moment there were twelve priests in detention, seven of whom were non-Argentine. Several of them were detained up to two and one-half years ago, under the preceding government, and were under charges. Trials had even been started, but there had been delays such as changes of judges at the time of the *coup*, and the Church was pressing for resolution of their cases. The Nuncio stated that about seven of the total of twelve priests had admitted their involvement in or association with subversion. For example, two had been captured arms in hand leading an assault on a police station, another had hidden arms for the guerrillas. The church hoped that in the cases of the foreigners at least it would be possible to secure their expulsion from Argentina after trial. But aside from these cases and isolated episodes such as those involving Father [Patrick] Rice and Father [James] Weeks, it could not be said that the Church was subject to special persecution by the government.<sup>12</sup>

Laghi also denied that Jews were subject to persecution. He kept in touch with Jewish leaders and believed that Jews were not singled out for persecution as Jews. He acknowledged that individual anti-Semitic military or police officers might exhibit their bias when dealing with a subversive

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<sup>11</sup> Memorandum of conversation between the Papal Nuncio, Monsignor Pio Laghi, and Patricia Derian at the nunciature, Buenos Aires, 29 March 1977; also present were Fernando Rondon and Robert S. Steven, American Embassy, Buenos Aires. [http://www.cipol.org/pdfs/las\\_visitas\\_de\\_patt\\_derian\\_documentos\\_desclasificados.pdf](http://www.cipol.org/pdfs/las_visitas_de_patt_derian_documentos_desclasificados.pdf)

<sup>12</sup> Ibid.

suspect who also happened to be Jewish, but felt that in the broader sense there was no anti-Semitism in Argentina'.<sup>13</sup> Laghi, of whom Patrick had been very critical, while Nuncio of the United States explained the subtleties of Liberation Theology to President Ronald Regan by saying, 'theology is like spaghetti, Mr. President. Served with too much sauce and too much salt', it is 'bad for the digestion', he reportedly said. 'Liberation theology, as served up by the Sandinistas and the priests who support them, is ruined by too much seasoning'.<sup>14</sup> That was not a form of argument with which Patrick would, or could, meaningfully engage.

While one section of the Catholic Church, other Christian Churches and leaders of the Jewish community suffered torture and 'disappearance', the official church, according to Patrick, enjoyed the financial and political backing of the *Junta*,

Meanwhile, General Videla installed a private chapel in a Government house, bishops got substantial salaries and seminarians were also given special state scholarships. No control was exercised on reactionary bishops such as Archbishop Adolfo Tortolo (except he never received the red hat) and others such as Cardinal Primatesta and Cardinal Aramburu who were moderate at one stage became totally reactionary as they took on key leadership roles in the Argentine Bishops Conference. It was during those years that there was a serious impasse in relationships with the American Bishops Conference on the issue of human rights, and I know of no serious effort by Pio Laghi to resolve that question even after becoming Papal Delegate to the US in 1980.<sup>15</sup>

Despite the growing danger and the assassination of churchmen and women, Patrick continued to work quite openly in Villa Soldati. On one occasion, an Irish Passionist priest was picked up in a pharmacy in Buenos Aires and on being released, he was told by the police that they had in fact mistaken him for Patrick Rice. A week later, on 11 October 1976, as Patrick was leaving an evening prayer meeting in his Villa Soldati parish, accompanied by a seventeen-year-old catechist, Fátima Cabrera, they were both surrounded by armed men who had been lying in wait. Patrick explained at a press conference organised by CAFOD, the Catholic human rights organisation on December 1976 what happened next. He explained how they had been held up at gunpoint by a man while walking with

<sup>13</sup> *Derian Report*, 29 March 1977, <http://www.cipol.org/pdfs/Patt/0000a0d9.pdf>

<sup>14</sup> Quoted by Massimo Franco, *Parallel Empires: The Vatican and the United States — Two Centuries of Alliance and Conflict*, Doubleday, 2008 – Quotation taken from *New York Times* obituary of Pio Laghi: <http://www.nytimes.com/2009/01/13/world/europe/13laghi.html>

<sup>15</sup> *Ibid.* 8.

Fátima Cabrera, a young catechist and helper in the parish. The gunman did not identify himself, firing a shot into the ground. Their assailant was quickly joined by a second armed man. Both Fátima and Patrick were bundled into the back of a car, probably a Ford Falcon, and taken to Police Station 36. He was taken to a room, his shirt pulled over his head, and he was beaten. When he identified himself as a priest, he was told, 'Now you will find out that the Romans were very civilised towards the early Christians compared with what's going to happen to you'. The beatings continued but the interrogation stopped.

Later that night, Patrick was hooded, his hands tied behind his back, and he was bundled into the boot of a car. Fátima Cabrera was put in the back seat of the same car and they were taken to what he thought was an army barracks. When they arrived, his hood, which was made of rags, was replaced by a yellow hood with a string around the neck. The man changing the hood said to him, 'Don't look at me. If you look at me you're a gonner'.<sup>16</sup> Earlier during his transfer, his captors had joked amongst themselves that they were running out of hoods, business was so good.

His interrogators told him that they belonged to the Triple A, a right wing anti-communist terrorist organisation. Patrick said he was accused of painting subversive slogans on walls. 'At no stage have I cooperated or collaborated with any revolutionary organisation in Argentina', he told a press conference in London following his release in December 1976. Patrick was then beaten up and subjected to water torture. He explained how his nose was held and water poured down his throat, 'you swallow a lot of water and it has a drowning effect,' he said. The beatings and the drownings continued through Tuesday 12 October, at intervals of three to four hours. Later that evening, he was walked to another room where he knew he was going to be given electric shock torture. His interrogators applied the electrodes to different parts of his body. At a certain point, he realised that Fátima Cabrera, who had been kidnapped with him, was being tortured at the same time in the same room. She was seventeen years-old.<sup>17</sup>

Fátima, in the book *En medio de la Tempestad*, [*In the Eye of the Storm*] remembers that there were moments when she had the sensation that she was no longer alive, '*Ellos, los militares, eran los dueños de la vida*', she wrote later. That is, she said, that their military torturers were literally the arbiters over life and death. She said that 'they tortured us all night. When we asked to go to the toilet, we were taken but then tortured with greater

<sup>16</sup> Conor O'Cleary, 'Priest describes his torture in Argentina', *The Irish Times*, 8 December 1976.

<sup>17</sup> Ibid.

intensity. Finally, we did not ask to go to the toilet'.<sup>18</sup> At one point, when Patrick and herself were being tortured in adjacent rooms, she heard one of the interrogators say excitedly, *El cura canta*, or the priest is 'singing', meaning that he was ready to talk. Somebody rushed to get an English translator who quickly discovered that Patrick was not 'singing', but praying for his captors and torturers in Latin and in Irish.<sup>19</sup> On 14 October, Pat was again bundled into the boot of a car and taken to the Central Police Station, at 1550 Calle Moreno, in Buenos Aires where he was placed in a cell.

Due to the quick thinking and actions of a number of people, Patrick's kidnapping had been swiftly reported to the Irish Embassy. An Irish Dominican nun, the late Sister Terence, who lived opposite the church of Santa Cruz, was possibly the first to get word to the embassy. The Irish embassy, according to Patrick, also received information of his disappearance from Fr. Mauricio Silva, one of his confreres in the Fraternity, who was himself 'disappeared' on 14 June 1977, tortured and murdered. His body was never recovered.

Prompt and courageous action by the staff of the Irish embassy in Buenos Aires certainly helped save the lives of both Patrick and Fátima. Justin Harman, the third secretary at the Irish embassy, worked with Ambassador Wilfred Lennon, to establish his whereabouts. Mr. Harman, the current Ambassador for Ireland to Spain, did not give up and searched the police barracks in Buenos Aires without any immediate success. *The Irish Times*, on 14 October, carried a front-page story stating that the Irish Embassy had contacted the Argentinean Foreign Ministry to enlist the aid of the local authorities in tracing his whereabouts. Justin Harman explained that Patrick had been abducted while conducting a prayer meeting in a shanty town on the road to the Buenos Aires Ezeiza International Airport when he was seized by unidentified gunmen in civilian clothes who were travelling in two cars. 'No word has been heard of him since', Justin Harman said, adding, 'we look on this with extreme concern in view of happenings here over the past years'. Ambassador, Wilfred Lennon called twice at the Foreign Ministry and was assured that machinery had been set in motion to locate Fr. Rice. Justin Harman also said that it was understood that local Church authorities had also asked the government to investigate Pat's kidnapping. The report mentioned the deaths of seven priests and seminarians who had died in the recent

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<sup>18</sup> Conversations with Fátima Rice, 2000- 2010; See also, Ibid. 7.

<sup>19</sup> Ibid 7.: 52.



violence, among them Alfredo Leaden and Alfredo Kelly, both of Irish descent and both of whom had studied in Ireland.<sup>20</sup>

A Reuter's report was carried in *The Times* (London), the following day, 'An Irish priest has been kidnapped by unidentified gunmen here, an Irish Embassy spokesman said today. He is Father Patrick Rice, aged 31, of the Little Brothers of Charles de Foucauld, a French Roman Catholic mission'. The spokesman said that he was abducted on Monday while holding a prayer meeting. Informed sources said the Irish Embassy and church authorities had asked the Argentine Government to investigate the kidnapping, which happened after an appeal by the Pope for an end to what he called 'blind violence' in Argentina.<sup>21</sup> *The Washington Post* also carried virtually the same report on the same day. It read, 'ABDUCTED IRISH PRIEST, Argentine police and Roman Catholic church leaders searched for an Irish worker-priest who was seized by gunmen while conducting a prayer meeting in a Buenos-Aries slum. Rev. Patrick Rice, 31, who works as a carpenter and ministers to the poor, was led away by unidentified gunmen in civilian clothes who arrived in two cars at the Villa Soldati slum, according to Irish Embassy reports'. There was a second news item in the same paper that day, 14 October, about Patrick's disappearance. Irish embassy sources were again cited as the source of the information.<sup>22</sup>

On 19 October, ten days after his illegal detention, Patrick was, without warning or explanation, shaved by his captors and given fresh clothes. He was told that he was to receive visitors. He was also warned that if he did not want to wind up in a sack at the bottom of the River Plate he should say that he had fallen down stairs. Taken to another room, he was surprised to see the Irish Ambassador and Justin Harman. Delighted to see him, both were distressed by his appearance as he still bore the marks of the beatings from his captors. Ambassador Lennon noticed the marks on his arms and inquired whether they had been done by cigarettes. Patrick replied that cigarette burns were the least of anyone's worries in such places of detention. Both diplomats left assuring him that they would continue to work hard to get him out of jail.

In the Dáil, on 16 December 1976, Michael O'Kennedy (FF) asked the Minister for Foreign Affairs, Dr. Garret FitzGerald, if the Irish

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<sup>20</sup> 'Concern over fate of missing Irish priest in Argentina', *The Irish Times*, 14 October 1976; Both Kelly and Leden were Pallottines, two of the five, killed in the San Patricio Church massacre on 4 July 1976.

<sup>21</sup> 'Irish Priest kidnapped by gunmen in Argentina', [Reuter, Buenos Aires, 13 October 1975]; *The Times* (London), 14 October 1976.

<sup>22</sup> *The Washington Post*, 14 October 1976.

government had protested against the brutality and the torture inflicted on Fr. Rice, and if any redress had been sought from the Argentinean government? In reply, the minister said that, once there was reason to believe that he had been ill-treated, the matter was taken up with the Argentinean authorities in Dublin and in Buenos Aires. 'We are not aware that Father Rice suffered any further ill-treatment after our protests', the minister said, 'as I indicated in the House on 4 November we also urged most strongly at the highest level that Father Rice should either be released or brought to trial without delay. I am glad to say that our intervention in the case led to Father Rice's release. The Deputy will be aware from the replies I have just given to his previous questions that basic standards of human rights should be upheld in other countries'.<sup>23</sup> While the diplomatic pressure for his release intensified, Patrick was kept another month and a half in jail. Ambassador Wilfred Lennon, Justin Harman, Dr. Garret FitzGerald, and other members of the Department of Foreign Affairs, worked very successfully as a team to get Patrick released from jail in Argentina. The department had applied the maximum pressure at the United Nations, and had successfully mounted an international press campaign to lobby for his release. Irish diplomats and Dr. FitzGerald were very much aware of the short-coming of the UN in the guaranteeing and protection of human rights. The problems were diagnosed. But Patrick, during his time in London in 1977, would speak with an increasingly more critical voice about the limitations of Irish refugee policy and on the failure of the Irish government to lobby on behalf of victims of torture who were not Irish citizens. In one way or another, he would devote the remainder of his life to advancing the respect for human rights internationally and in ensuring that the UN adopted strong protocols for the protection of the individual from enforced disappearance and torture.

Patrick found ways in prison to show defiance and to subvert prison authority. I learned of one such act of defiance in a court room in La Plata in July 2007 while attending the trial of Fr. Christian Von Wernich (69), a priest accused of complicity during the dirty war in seven murders, forty-two kidnappings and thirty-two instances of torture. Survivors claimed that, the former prison chaplain, who had served in that role between 1976 and 1983, had gained the confidence of prisoners and then passed on information to the military authorities. Witnesses said that he had even attended several torture sessions and had given absolution to the interrogators, saying that they had been doing God's work. He accused those who testified against him as having been influenced by the devil,

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<sup>23</sup> Dáil Eireann Debates, 16 December 1976, <http://debates.oireachtas.ie/dail/1976/12/16/00046.asp>

‘responsible for malice’ and ‘the father of evil and lies’.<sup>24</sup> An elderly woman witness, at the session I attended, told of the disappearance of two of her children. She, too, had been ‘disappeared’ and illegally detained. One day, she recalled, she was in a corridor in the prison together with many other prisoners. Her memory was a little hazy as she was trying to recollect events that had happened thirty years before. But she remembered that a priest prisoner called Patricio had said Mass clandestinely in the corridor of the prison in defiance of, and under the very noses of, the authorities.<sup>25</sup> She recalled that ‘Patricio’ had shaped silver cigarette paper into the form of a miniature chalice. The prisoners had collected scraps of bread which the celebrant consecrated. The elderly witness was not a believer, she told the court, but she found the Mass to have been among the most moving and emotional experiences of her life. Later, during a break in the proceedings, Patrick and she were reunited after over thirty years amid scenes of great joy.<sup>26</sup>

The Von Wernich trial acted as a catalyst, and Patrick attended as many sessions as he could. Another priest Rev. Rubén Capitanio, who had been in the seminary with the accused, testified and condemned the Catholic Church in Argentina for complicity in the atrocities committed during the dirty war. He told the panel of three judges, ‘The attitude of the church was scandalously close to the dictatorship ....to such an extent that I would say it was of a sinful degree’. The church ‘was like a mother that did not look for her children’, Fr. Capitanio added, ‘it did not kill anybody, but it did not save anybody, either’. He added, ‘many men and women of the church, bishops as well, have come to agree with my way of looking at the reality of the church’s role [and] ‘we have much to be sorry for’.<sup>27</sup> On 9

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<sup>24</sup> See BBC report, ‘Dirty War’ Priest Gets Life Term’, 10 October 2007. <http://news.bbc.co.uk/2/hi/americas/7035294.stm> Von Wernich had fled to Chile where he worked under an alias. When the amnesty laws, passed at the end of military rule, were struck down, and deemed to be unconstitutional in 2003, he was extradited to Argentina the same year. There was outrage over his particular case because he was accused of gaining privileged information in his pastoral role as a priest and passing it on to the authorities.

<sup>25</sup> Ironically, Patrick did not have the faculties to celebrate Mass in jail in 1976. Von Wernich retained full faculties despite the charges brought against him. He continued to be permitted to celebrate Mass while in jail and on trial for complicity in seven murders, forty-two kidnappings and thirty two instances of torture.

<sup>26</sup> The other observers at trial together were Dr. Hiram Morgan and Dr. Lawrence Geary, History Department, University College Cork.

<sup>27</sup> Alexei Barrionuevo, ‘Argentine Church faces “Dirty War” past’, *New York Times*, 17 September 2007; <http://www.nytimes.com/2007/09/17/world/americas/17church.html>

October 2007, after a three-month-long trial, Von Wernich was sentenced to life imprisonment.<sup>28</sup>

The diplomatic pressure by the Irish government and international human rights groups paid off eventually. On 6 December 1976, Patrick was released from jail, taken to the airport in Buenos Aires under armed guard, and put on a plane for home. Before being released, his captors, quite astonishingly, asked him to write something positive in their release book. With characteristic understatement, Patrick wrote laconically in Spanish, 'I might have been treated better.'<sup>29</sup>

Nearly thirty years later, a fellow prisoner and survivor told Patrick he believed that many of the prisoners in that holding centre where he had been imprisoned were permitted to live only because he had seen them alive. He knew the identities of many of the captives. In those circumstances, the military were unable to make them 'disappear' without Patrick, now free, being able to testify that he had seen them alive while he was a prisoner. Patrick remained incredulous of this thesis but those who survived are not so sceptical. The person who believed that most strongly is Fátima Cabrera, the girl captured with him, who would later become his wife in 1985.

Patrick travelled back to London on 7 December where he gave a press conference organised by the Catholic Institute for International Relations (CIIR), and not Amnesty International, as reported in *The Irish Times*. *The Times* (London) reported that there was a total war in Argentina between the military and the guerrillas with the civilian population caught in between. The British reporter said Patrick was a boyish thirty-one and that he 'spoke haltingly ....and was obviously suffering the effects of the electric shock and water torture to which he was subjected after his abduction.' Patrick said 'his abductors belonged to the Anti-Communist Alliance (AA) and had accused him of 'collaborating with revolutionaries and painting propaganda slogans'. Patrick said that he never had any requests for assistance from guerrillas and, as far as he knew, he had never been in contact with any. But, he added, it was impossible to distinguish a

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<sup>28</sup> Ibid. 25 <http://news.bbc.co.uk/2/hi/americas/7035294.stm> ; For video of verdict and for the full text of the judgment, see <http://juicioavonwernich.wordpress.com/> See Pablo Morosi, 'Condenaron a reclusión perpetua a Von Wernich', *La Nación*, 10 October 2007: <http://www.lanacion.com.ar/951794-condenaron-a-reclusion-perpetua-a-von-wernich>; 'Reclusión perpetua para Von Wernich', *Clarín*, 9 October 2007; <http://edant.clarin.com/diario/2007/10/09/um/m-01515747.htm>; the same edition carried a report that the Argentinean Episcopal Conference stated that any member of the Catholic Church who participated in violent acts of repression acted on their own responsibility. The statement was issued under the chairmanship of the Archbishop of Buenos Aires, Jorge Beroglio.

<sup>29</sup> Conversations with Patrick Rice, 2000-2010.

guerrilla from any ordinary person.<sup>30</sup> *The Irish Times* carried a full fuller version of the press conference. Patrick denied that he had painted slogans, as was alleged, 'At no stage have I co-operated or collaborated with any revolutionary organisation in Argentina', he said. He identified completely with the church in not endorsing violence. It was the only institution which had the confidence of the mass of the people, he said but he was critical of the 'unfortunate support' given by military chaplains and some members of the hierarchy to the Argentinean regime.<sup>31</sup>

After psychiatric rehabilitation, Patrick lived and worked in London, dedicating himself to human rights and solidarity work on behalf of Latin American refugees. He was the founding Chairperson of the Committee for Human Rights in Argentina and also of the Latin American Centre. From the time of his release, Patrick had become a persistent thorn in the side of the military. *The Times* (London) published a letter from Patrick on 2 February 1977 about 'Peace Sunday', he said that there were then six to eight people in detention in Argentina and that 18,000 had 'disappeared' in recent years. He wrote that widespread repression and torture continued unabated under the military regime. He gave the example of one member of his own religious community house, of which he had been the superior, had 'disappeared' near his family home, 'and has never been seen since'. His name was Fr. Pablo Gazarri. Patrick spoke about the mysterious death in custody of a journalist friend with whom he had been in prison. He wrote of the unknown fate of Fátima Cabrera, asking the Irish authorities to give her asylum and an airline ticket to Ireland had already been paid for.<sup>32</sup> Patrick worked very closely with Amnesty International and British institutions such as the Joint Working Group for Refugees and the Catholic Institute for International Relations. He also did speaking tours denouncing torture in Argentina to the UN in March, 1977, and in France, Spain and Scotland. The European Parliament organized a panel on Human Rights and Patrick was invited to participate in one of the panels. His human rights work was accompanied by his work as a chaplain at St. Joseph's Hospice in Hackney, East London.<sup>33</sup>

Between 1978 and 1980, he lived in Washington DC where he campaigned for Argentine Church workers who were 'disappeared'. He

<sup>30</sup> David Watts, 'Tortured Priest Speaks of "Total War" in Argentina', *The Times* (London), 7 December 1976.

<sup>31</sup> Conor O'Cleary, 'Priest Describes His Torture in Argentina', *The Irish Times*, 8 December 1976.

<sup>32</sup> Pat Rice, 'State Violence in Argentina', 2 February 1977, *The Times* (London), 2 February 1977. His address was given as Little Brothers of the Gospel, Sacred Heart of Jesus Parish, Holloway, N7.

<sup>33</sup> Patrick Rice *curriculum vitae*.

was a founding member of the Washington Committee for Human Rights in Argentina and became part of Tabor House (a grass roots Christian community dedicated to solidarity with Latin America). He lobbied the US Government and Congress on human rights issues in Argentina and Latin America. In 1979, he organized together with Senator Chris Dodd, a hearing on the Disappeared in Argentina. He also worked closely with the Inter- American Commission on Human Rights (IACHR) participating in a hearing on the Argentine situation, 1978, and also in the preparation and follow up of its *in loco* investigation of 1979. The IACHR condemned the Argentine *Junta* for torture in his case and the subsequent report was approved by the OAS General Assembly in La Paz, Bolivia, 1979), which he attended, narrowly escaping the military coup which occurred at the end of the meeting.

Two incidents should be singled out from his Washington sojourn. On Argentine National Day, it was the custom to have a *Te Deum* sung in the cathedral in Washington. Before the Mass began, Patrick walked into the sanctuary in clerical dress. He addressed the congregation briefly telling them of his imprisonment and torture for two months and of his priest friends who had been murdered in government detention. As he was about to ask the congregation to join him in a prayer for reconciliation, the organist drowned him out and the microphone went dead. The rector of the cathedral approached him and told him to leave. As he moved off the altar, six of his friends, two of them nuns, stood up facing the congregation, put on hoods and displayed peace banners. At that point, the police, having been called by the dean, arrived and escorted the demonstrators out of the church, together with others who were with Patrick but had mingled with the congregation, 'the police looked the other way when members of the embassy goon squad punched some of the demonstrators and belligerently yanked cloth hoods from the heads of some of the others, observed McCarthy'.<sup>34</sup>

On another occasion, Admiral Emilio Massera, a member of the Argentinian *Junta*, visited Georgetown University where he had been invited to give a seminar. Patrick managed to get into the seminar room and confront him in open debate. Massera, who was the head of the Naval Academy, or ESME, where thousands were tortured and 'disappeared', did not acquit himself very well when confronted by Patrick's testimony against state terrorism. Ironically, the name of Patrick Rice, together with a photograph taken during his honorary conferring at the University of Cork, is now part of the permanent fabric of the ESME, which has been given over as a location for the reconstruction of memory of the years of the dirty war.

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<sup>34</sup> Colman McCarthy, 'Mass at St. Matthew's drives Argentines from church,' *The Washington Post*, 1 June 1979.

On 7 March, probably 1979, Pat wrote to the Department of Foreign Affairs explaining how he had met two friends from Argentina who had given him his first real news of Fátima Cabrera. She was apparently under a type of house arrest and was quite ill. In fact, Fátima had been in jail for three years and then had been placed under house arrest, having to report to the local police station daily. At the time, she was suffering with severe asthma and the aftermath of torture, ill-treatment and harsh prison conditions, as she told me later.

In 1980, Patrick moved to Venezuela where he lived with the Fraternity in an area of shanty towns to the east of the capital, Caracas. He began activities of promotion of human rights within pastoral programmes of the Archdiocese of Caracas and helped set up Association for the Defence of Individual and Collective Rights of Petare (ASODINCOP). He also cooperated actively in the assistance of refugees from Haiti and became a member of FUNDALATIN, a Venezuelan human rights organization, working on a project for the 'disappeared'.

Patrick helped organize the First Latin American Congress of families of the disappeared in Costa Rica, January 1981, where he was coordinator and became one of the founding members of FEDEFAM (The Latin American Federation of Associations of Relatives of Disappeared-Detainees). He became Executive Secretary of the Federation from 1981 to 1987 during which time he worked preparing projects, reports and FEDEFAM activities. He visited most Latin American countries to investigate situations of enforced disappearances and began to lobby actively at the UN Commission on Human Rights in Geneva. He represented FEDEFAM in New York after the ECOSOC NGO Committee gave consultative status to FEDEFAM in 1985. He also represented FEDEFAM when the organization received the Spanish Human Rights award in 1982, and visited ten cities in the US on a speaking tour organized by the Robert F. Kennedy Memorial Foundation. In that year the first RFK Human Rights Award was given to COMADRES from El Salvador. Patrick had presented that organisation as member of its International Advisory Board. In the years that followed, he continued to work very closely with the RFK Memorial Foundation.

With the fall of the Argentine military *Junta* in 1983, Patrick returned to Buenos Aires. There he made contact with a remnant of the pastoral community with whom he had worked for many years, mourning the loss of so many members of the Fraternity and friends. Returning to Villa Soldati, he met Fátima Cabrera whom he had not seen nor been in contact with since prison in 1976. She had, in the interim, spent three years in jail and a further two years under house arrest. Patrick returned to Venezuela to continue his work, keeping in touch with her by letter. Their relationship changed and they fell in love. Patrick left the priesthood in

1985 and they married in Caracas in May of that year. One of their earliest decisions was to have children as soon as possible. As two survivors of the dirty war, who had been 'disappeared' and tortured, the decision to give life was an act of defiance to those who had almost taken their lives. Their military torturers, no matter how much they brutalised Fátima, were no longer '*dueños de la vida*.' Carlos and Amy, were born in Caracas in 1986 and 1987. Their third child, Blanca, was born in Buenos Aires where they returned to live. They lived in Monte Grande from 1988 to 1994 and Villa Soldati from 1994-1996 where Patrick once ministered as a priest. They then moved to Constitución. Although I never asked him, I know that he found it very hard to stop working as a priest; the church authorities could not prevent him being a priest. For the rest of his life, he lived the religious life of the Lay Fraternity of Charles de Foucauld. Even when he was being tortured, he did not lose his belief in God, even if he could never reconcile the existence of a loving God with the prevalence of torture in the world.

Patrick became involved in Human Rights training and education at the Ecumenical Movement for Human Rights (MEDH). He coordinated training courses, seminars and workshops in Buenos Aires, Córdoba, Santa Fe, Entre Ríos and the North East. His course material was published by the MEDH. In 1992 he became MEDH national coordinator and was involved in prison visitation, assistance to families of the 'disappeared' and advocacy for housing rights. During those years the MEDH had funding agreements with the UN Voluntary Fund for Victims of Torture and for a legal assistance programme with the European Union.

Patrick continued to coordinate the Human Rights Education Programme at MEDH and began organizing courses for offenders who were obliged by the courts to complete such programmes as part of their probation requirements. In 1998, he participated in the activities of Forum 1998 in Geneva, held to commemorate the fiftieth Anniversary of the Universal Declaration of Human Rights. That same year he coordinated training courses in human rights especially for teachers, and the course material he had jointly prepared with other defenders was published by the Buenos Aires City Education Department as part of commemorative activities for the fiftieth Anniversary. Due to restructuring plans, he left MEDH in 1999. He never explained to me the full circumstances of his departure from that organization, but MEDH was all the poorer for his absence.

Patrick then began to work again with FEDEFAM and was nominated as Senior Adviser to the Executive Committee by the FEDEFAM Mar del Plata Congress in 1999 and ratified in that position again by the XVI Congress in La Paz, Bolivia 2001. He lobbied annually at the Commission for the adoption of an international instrument against involuntary



disappearances, participating in the ICRC Missing Project. This included a workshop in August 2002 and an International Conference in 2003. He represented FEDEFAM on many occasions such as a training seminar organized by the Asian Federation on Involuntary Disappearances (AFAD) which was held in Sri Lanka in 1999, a consultation on Disappearances in Africa, Benin 2002, a general meeting of Families of the Missing in Roving, Croatia 2002 and consultations with the Office of Forensics and Missing in Pristina, Kosovo in 2003.

The Irish Mission in Geneva nominated him as the Western Group's candidate for membership of the UN Working Group on Enforced and Involuntary Disappearances in 2002. He participated in much of the advocacy at the UN to get approval of an international instrument against enforced disappearances which finally happened on 23 September 2005 in Geneva. In 2007 he participated in a *Journée des Etudes* in the University of Paris II on the phenomenon of disappearances, and was invited by the French government to the signing of the International Convention for the Protection of all Persons against Enforced Disappearances at the Foreign Ministry in Paris in February 2007. Patrick was a panelist at the International Conference on Solidarity held at the Argentine Foreign Ministry, in Buenos Aires in March 2007. He also gave several conferences on the subject of enforced disappearances in Indonesia and the Philippines in September 2007.

Patrick was a fine teacher and in 2003 and 2004, he was invited to act as a facilitator at the Geneva Training Course (GTC) organized by the International Service for Human Rights during sessions of the United Nations Commission on Human Rights. Annually, twenty-five defenders largely from Asian, Eastern European and African countries receive training in lobbying the Commission and working with the Human Rights procedures of the United Nations.

Patrick began to work in 2007 teaching English at the Latin American Faculty for Social Science (FLACSO). He previously worked with training staff in many leading companies in Argentina (TELECOM, VIVENDI, and the food industry). He was an interpreter at an International Foreign Debt Moratorium Conference in 2000 organized by Nobel Peace Laureate Adolfo Pérez Esquivel. He also acted as a facilitator at a board meeting in Argentina of the World Campaign against Landmines. Up until his death in 2010, Patrick, apart from his work in the area of human rights, specialized in English teaching for young people from lower socio-economic neighborhoods. He saw it to be especially important as it would enable them to avail of more opportunities, especially in the tourist industry.

So much of his work was conducted in cooperation with his wife Fátima, a teacher, and an expert in adult literacy. She worked as a coordinator of adult literacy for a number of years with responsibility at a national level and with particular responsibility for the greater Buenos Aires area, which has a population of over nine million. Meanwhile, they both remained active members of the Lay Fraternities of Charles de Foucauld. In 2000, the General Assembly of the Lay Fraternities of Charles de Foucauld elected Patrick and Fátima to the International Coordinating Team as representatives of the region of the Americas. In that capacity, Patrick visited communities in the US, Venezuela and participated in meetings in Barcelona, Spain in 2001 and Germany in 2003. He also helped organize many celebrations on occasion of the Beatification of Charles de Foucauld in October 2005. In 2006, he spent a few weeks in Kenya and Tanzania preparing the Fraternity International Conference. Together with Fátima, he remained a member of the South American Fraternity team until his death.

In parallel with those activities, between 2002 and 2005 he participated in a programme in Washington DC with the Torture Abolition Survivors Support Coalition (TASSC) on the occasion of the International Day for Victims of Torture. His testimony and that of his wife and family have been featured on the television station, *Univisión*, in the US in 2002 and in Ireland on Irish National Television (RTE) in 2001. Both were active members of TAASC and participated regularly in activities in the US, which were coordinated by Sr. Dianna Ortiz, a torture survivor, and author of *The Blindfold's Eyes: My Journey from Torture to Truth* (2004). At the time of his death, Patrick was a member of the Board of Directors of TASSC.

In the final years of his life, Patrick's human rights work took him to every part of Latin America, to Asia, Africa and Europe. In 2008, he received an honorary doctorate in law from University College Cork and on that occasion, I had the opportunity to fill in the gap in public knowledge for this highly accomplished but most unassuming man. In 2010, he was appointed the head of ICAED, an international human rights organisation. Visiting Pat and his family was always a real pleasure. His home in Buenos Aires was a constant meeting place for people from all over Latin America and other places around the world. Nobody left his house without food and being offered a bed for the night. Among his many attributes, Pat was a very good cook, and a master of the *asado* or Argentinian-style barbecue. He was an outstanding carpenter and builder, taking on the job of reconstructing his own home in Avenida Constitución, a colourful part of Buenos Aires.

Unassuming and without any sense of self-importance, he appeared to know large numbers of people in public life in Argentina. As part of my

work as Head of the Department of History at University College Cork, I wanted to set up an exchange with universities in Buenos Aires. I asked Patrick if it would be possible to meet the Minister for Education, Daniel Fernando Filmus, to facilitate such an exchange. That will not be a problem, Patrick replied, 'we know him and, besides, I am teaching him English'. In fact, Patrick had worked for many years with Daniel Fernando Filmus at FLACSO. The meeting took place and the exchange was established.

After attending a piano recital by the well-known Argentine pianist, Miguel Angel Estrella, he said to me and members of his family, 'I will introduce you. I know him. We were in jail together'. That celebrated pianist agreed to cooperate, following the death of Pat, in the continuation of his work for the preservation of memory at the ESME.

The last time I spoke to Patrick was at the family home, Strawhall, near Fermoy, in early July 2010. We had dinner with his brothers and sisters. Later, expecting to meet him the following day for a longer discussion, I asked him about meeting the then Argentine Minister for Foreign Affairs, Jorge Taiana for my research on Ireland's relations with Argentina. He did not think that would be a problem either. 'How can you be so certain', I asked, 'We were in jail together', he replied with a smile. As it happened, Taiana had just left his job and I asked Patrick did he know his successor, Héctor Timerman, who had been Argentine Ambassador in Washington. Pat had been friends with his father, Jacobo Timerman, the famous human rights activist and, like himself, a survivor from the ranks of the 'disappeared'. He had worked with Héctor in Washington on the campaign to have his father freed from jail in the late 1970s.

As it turned out, I never had that long conversation with Patrick. We spoke on the phone briefly before he left for Dublin for meetings in the Department of Foreign Affairs. He was enthusiastic about his new job. He had been to Europe twice within two months and his latest trip had involved a punishing schedule which would have tired even a much younger man. He had flown to Miami and then to Chicago where he had a meeting. He then flew to New York where he had more meetings and took the 'Chinese' bus to Washington DC where he had led a human rights seminar for three days instructing those who were themselves directors of human rights programmes. He had then taken the same bus back to New York, flown to Geneva where he worked for a few days, then taking the train to Paris for another series of meetings. He flew to Dublin and took the bus from the airport to Fermoy. His visit home was short and he looked much more tired than I had ever seen him before. In the two year interval between last seeing him in 2008, he had aged visibly. He told my daughter, Clare, who had stayed with his family in Buenos Aires for six months, that he was worried about my health and that she should

encourage me to get back to cycling. 'We are old Dermot', he said to me as we parted in Strawhall, 'it is up to the new younger generation now'.

Was it any wonder that so many Argentines came to pay their final respects to Pat in the Church of the Holy Cross; this courageous man who had helped bear witness against state terrorism and the heinous crimes of a depraved military dictatorship. He had shared the nightmare of those dark days of the 1970s with his fellow Argentines and they would not easily forget.

The speed with which the Argentine Government and the human rights movement had chosen to honour Patrick Rice was no surprise to those who had worked with him for over forty years. For those who were privileged to attend his funeral in Buenos Aires in the Church of the Passionist Fathers, Santa Cruz, they saw with their own eyes the esteem in which he had been held. It took seven hours for all the people who came to the Church of the Holy Cross to express their appreciation of his life's work in words, in song and in prayer. They came from Santa Fe, from the first parish in which he had worked when he came to Argentina and from Villa Soldati. There were government ministers and ex-ministers.<sup>35</sup> The former Foreign Minister, Jorge Taiana, who had been in jail with Patrick, was present, as were other leading politicians and leaders of the human rights movement.

Tribute after tribute was paid to Patricio Rice by members of the distinguished gathering, among them the journalist, Horacio Verbitsky. A group of Indians, who had travelled from the north of Argentina to be present, played throughout the evening. There were scores of wreaths from various organisations, including one from the Irish ambassador to Spain, Justin Harman, who had helped save Pat's life in 1976.

They came in their hundreds to the Passionist church of the Holy Cross; a little piece of Ireland in Buenos Aires, built and paid for with the *pesos* of Irish working men and women at the end of the nineteenth century, according to the last of the Irish chaplains, Fr. Egan.<sup>36</sup> The seats are beautifully carved, and many bear the names of Irish benefactors. Stained glass windows commemorate St. Patrick, St. Columbanus and St. Bridget. In that bastion of Irish Catholic symbolism, Patrick's remains were placed at an altar in the centre of the church. The Irish, Argentine and Fermoy rowing club flags accompanied the scarves on the coffin. The Mothers of the *Plaza de Mayo*, with whom Patrick was particularly close, were also

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<sup>35</sup> The Foreign Minister, Hector Timerman, who was travelling with President Kirchner in China, sent his apologies.

<sup>36</sup> Interview with Fr. Egan, Buenos Aires, Autumn, 2010.

present. A number of the mothers left on the coffin their treasured white headscarves, on which were written the names of their ‘disappeared’ children.

What was strikingly evident, to an outsider like me, was the impact that Patrick had had on so many people in so many countries, and on a wide cross-section of Argentine society in particular. He was mourned by all as a greatly-esteemed and courageous defender of human rights which first began almost forty years ago during the darkest hour in the recent history of Argentina. All present paid heartfelt and eloquent tribute to Patrick for his life of witness to the truth. Many had worked with him and all knew of his courageous role in denouncing the dictatorship.

Patrick was a very prominent name in human rights circles in Latin America. He had also worked in Asia and in Africa and at the United Nations in Geneva. But knowledge of his life’s work on behalf of the cause of human rights was little known in Ireland. Except for his family and friends in Ireland, knowledge about his work on behalf of human rights was a closed book. He did not advertise on his regular trips home over almost forty years exactly what he was doing as a priest and later as a human rights activist in the countries of Latin America. He was very reticent to go into any detail about his personal work. It was only the circumstances of his kidnapping and disappearance in 1976 which brought him into the public domain in Ireland for a short time, but he never craved or sought the limelight. He simply did his work, put in the hours and had been there for the long haul. When in Buenos Aires, he never missed a visit on a Thursday to the *Plaza de Mayo* where he walked in solidarity with the ‘*madres*’.

Patrick remained very tough in his judgment of those who in the Catholic Church he regarded as having been complicit in facilitating the longevity of the dictatorship. Writing at the time of Cardinal Pio Laghi’s death, Patrick said,

By affirming that Pio Laghi was a “necessary accomplice” to the crimes of the dictatorship, I say that if it were not for his acquiescence and his tolerance of their reactionary Catholicism, with the Pentagon Doctrine of national security included, his silencing of the clear condemnations by Vatican II of torture, human rights violations, his “moderating” influence on the diplomatic corps in Argentina so as not to antagonize the *Junta*, his support for bishops who “toe the line”, then the *Junta* would not have been able to have carried out their genocidal campaign against all real or imaginary opponents including many from the Churches. History, I believe, will have no doubts as to the damage that Pio Laghi caused to the Argentine people and Church by his “moderation” and “behind the scenes” diplomacy. Those were historical times when decent men and

women stood up and said “no”. Sadly I believe that Pio Laghi was not among them. It is not a question of heroism but of ordinary decency. Did the *Junta* think the Vatican was behind them? Unequivocally “yes”. Pio Laghi had hundreds of opportunities to say “no” but he preferred to dine wine and play tennis with the perpetrators. The *Junta* Dictatorship with its systematic practice of forced disappearances of thousands of people was no doubt sophisticated and deceptive, but Pio Laghi had every opportunity to really know what was going on, but he chose not to see.<sup>37</sup>

There was a final farewell ceremony in Santa Cruz on the cold winter’s morning in July 2010 of the funeral. Fátima and the children spoke eloquently to the relatively small congregation. A few hundred people were waiting at the cemetery when the remains arrived, including the Irish Ambassador, Philomela Murnaghan. Fátima again spoke in the reception building inside the main gates of the ‘English’ part of the main cemetery of Buenos Aires. She spoke of her husband’s commitment to a universal God, a God of unity and of compassion. The mourners processed to the graveside led by a lone Argentinean bagpiper, who played an Irish lament as the coffin was lowered into the ground. A mountain of wreaths was then placed on the grave. The silence was broken by a mourner, following the custom at all meetings where the ‘disappeared’ are remembered, who called out his name, Patricio Rice, to which the mourners gave the familiar reply, *Presente, ahora y para siempre*; Present, now and forever.

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<sup>37</sup> From an obituary in *La Prensa*, San Diego, written by Patrick Rice. <http://laprensa-sandiego.org/archieve/2009/february20-09/Pio.Laghi.022009.htm>

## **Patrick Rice — A Friend and Relentless Defender of Human Rights in Latin America**

**Justin Harman**

*Justin Harman served as secretary of the Irish Embassy in Buenos Aires from 1975 to 1978. He has worked as Ambassador to the OSCE in Vienna, to the Council of Europe in Strasbourg and from 2003 to 2009 as Ambassador to the Russian Federation. He is currently serving as the Irish Ambassador to Spain.*

As the newly arrived junior diplomat at the two-person Irish Embassy in Buenos Aires that sweltering summer of 1975, I was struck by the prevailing sense of despair. With rampant inflation, increasing signs of labour and social unrest, and relentless campaigns by left-wing subversives and right-wing counter-attacks, the enfeebled civilian Government of Estela de Peron, Peron's widow and president since his death in 1974, seemed unable to cope. The increasingly menacing attacks by militant left-wing groups (well-funded through extortion, high-profile kidnapping and even external funding) against military and also civilian targets threatened the stability of the state, especially with highly offensive actions in provinces such as Tucuman. In response, the Government allowed increasing free rein to right-wing death squads, which were conducting a vicious retaliatory campaign. Deepening fissures within the Peronist movement, which had been so tragically revealed in the killings at Ezeiza on Peron's return from exile, further destabilised the situation. The civilian population found itself a target from both sides and seemed gripped by a fear of imminent economic and political collapse. There was an escalating demand for the restoration of stability.

Given the role the armed forces had played in Argentine politics, and the depth of the economic and political crisis, there were few doubts as to who would take the initiative. Indeed, that summer there was even impatience by some that the military had not yet made its move. In the event, the day did not arrive until after the southern hemisphere summer. On 24 March 1976, confirmation that the *coup d'état* was underway proved almost anticlimactic. There was no sense of what was to come or that that fateful intervention by the armed forces would ultimately constitute 'the worst and most savage tragedy of Argentine history', in the words of the Sabato Commission established by President Alfonsín in 1983. That savagery was accompanied by repeated claims by the *de facto* regime that its actions were necessary to defend the principles and values of western Christian civilisation.

Argentina was not, of course, the only state to be convulsed by right and left-wing terrorist attacks in the course of the 1970s. Italy and other countries suffered similar attacks but nowhere were the principles of law and basic human rights violated in such a systematic way as occurred under the military regime in Argentina.

In the days and weeks immediately after the coup, there were few clues as to what was actually taking place. An eerie silence prevailed, broken only by anecdotal accounts of individual disappearances. As the days passed, these word-of-mouth reports increased. Victims 'disappeared' without trace. Families and friends seeking information were stonewalled. Only gradually did a sense develop of the scale and depth of what was occurring, with thousands of individuals, mostly young and some even adolescents, disappearing leaving no clue as to their whereabouts. No



*Patrick Rice at a Boca home match, 2006. (Clare Keogh collection)*

information was forthcoming as to who had kidnapped them, or why, or where they were being held; the authorities claimed to have heard nothing of them, they were not being held in the prison system, the justice system was incapable of responding, and requests for *habeas corpus* fell on deaf ears. With notable exceptions, including the *Buenos Aires Herald* and *The Southern Cross* of the Irish-Argentine community, the national media was effectively stifled. Embassies in Buenos Aires were surrounded by the military in the early days to prevent the large numbers of Argentines of European descent from seeking external assistance.



At first, when hearing of a disappearance, a response frequently heard from people was '*algo habrán hecho*' or '*por algo será*' ('they [the disappeared] must have done something' or 'it must have been for some reason'). This denial reflected the depth of popular despair at the economic and political crisis that Argentina had undergone from the beginning of the decade. However, this response sustained even as the scale of disappearances intensified. Victims ranged from political activists to socially conscious adolescents visiting shanty towns to assist their inhabitants, trade union leaders who fought for basic increases in salary, youths attending student centres, journalists, psychologists and sociologists, simply because they belonged to what were seen as suspicious professions, pacifists, and members of religious orders. Even friends of such people became victims for no other reason than because of their friendship. The majority were innocent of subversion or terrorism.

From the moment of their disappearance, the victims lost all rights and any communication with the outside world. They were held in unknown detention centres, subjected to cruel torture, with many subsequently executed, and some dumped offshore.

During official investigations of the actions of the military following the return of democracy in 1983, a defence frequently heard was that the violations were the result of unauthorised excesses by individuals and that no systemic plan had been laid down in advance. That this was not the case is now abundantly clear, as confirmed in the sequence of judicial proceedings, which have led to many convictions. Through these proceedings, Argentina has made strides in understanding and dealing with that terrible past. When I last met Pat Rice in Buenos Aires months before his death, he was actively involved in the latest series of trials.

Pat had lived through the tumult of Argentina in the early 1970s. When he left behind his pastoral work with the Divine Word Missionaries, he joined the Little Brothers of Charles de Foucauld and began to work with agricultural labourers and others in Santa Fe province. Having moved to Buenos Aires in 1974, he got a job as a carpenter and worked and lived with other members of the congregation in Villa Soldati, a shanty town on the outskirts of Buenos Aires. He was working there at the time of the *coup d'état* in March 1976. As reports of disappearances multiplied, we in the Irish Embassy grew increasingly concerned both for the small number of Irish citizens (some vulnerable because of their professions) but also for the wider Irish-Argentine community with whom we maintained close relations, a number of whom made discreet requests for assistance. The savage killing of three members and two seminarians of the Irish Pallotine Order on 4 July 1976 shocked the community, deepening the sense of foreboding.

The news of Pat's abduction from Villa Soldati in the company of a young catechist, Fátima Cabrera, was alarming. Reports suggested they had been taken in a manner now familiar to us; armed men arriving in unmarked cars, hooding both and taking them to an unknown detention centre. Our immediate demands for information to the authorities evoked no response. However, we were aware of the acute sensitivity of the military regime over Argentina's image abroad. It was important for us to ensure the disappearance would be covered in the foreign media. Fortunately, following a press contact in Buenos Aires, a short media report was carried in London that was reported to the Argentine Foreign Ministry. Within days, we were officially informed of Pat's detention. This was of course a major step since the regime, which now admitted it was holding him, could not claim he had disappeared. When we finally met Pat at Police HQ in Buenos Aires, roughshod attempts to improve his appearance could not disguise the ruthless psychological and physical ill treatment to which he had been subjected. Cigarette burns were clearly visible on the backs of his hands. He was severely disorientated but managed to convey a sense of calm dignity.

Shortly later, he was transferred to Unidad 9 of a prison in the city of La Plata. My almost daily visits to La Plata until we secured his release formed the basis of a friendship which lasted for the rest of his life. During those visits, I frequently found myself speaking to Pat in Spanish and sometimes in Irish. For some reason his command of English had been affected by the severity of his treatment. The day I accompanied Pat, overwrought and under military escort, onto his plane at Ezeiza airport remains etched on my mind. He was relieved to be free but deeply distressed at leaving so many friends and companions in such dire conditions.

One friendship Pat had developed in La Plata was with a prisoner in an adjoining cell by the name of Jorge Taiana who, after the return of democracy, went on to a political career and served until mid-2010 as Argentina's Foreign Minister. They maintained contact over the years. I met Taiana at a conference in Madrid in May 2010 when he spoke warmly of that friendship, and Pat's extraordinary commitment to the cause of the 'disappeared'. That conversation took place weeks before Pat's untimely death.

After his release, the fight for human rights engaged Pat throughout the rest of his life. He developed an acute understanding of the importance of effective international human rights systems. He had seen the impact of the Inter-American Commission of Human Rights, which visited Argentina in 1979 and whose report, despite energetic opposition by the *de facto* regime, highlighted the scale and depth of the violations that had

taken place and were still occurring.<sup>1</sup> That report did much to break the sense of impunity and silence which surrounded the violations in those years. The regime refuted the report's conclusions, even attempting to replace them with a spurious alternative version of the facts. The report was fundamental in crystallising international concern. In his foreword to a recent new edition of the report, the Argentine Foreign Minister said it continued to be 'a fundamental document to understand the past...to underline the importance of strengthening the inter-American and global systems of human rights in order to ensure effective vindication of those rights'.

Pat's experience as a 'disappeared person' in Argentina in the 1970s and our friendship in later years influenced me over the course of my career, particularly the vital need for effective international human rights instruments. When serving as Ireland's Ambassador to the Council of Europe in Strasbourg, I chaired a group charged with identifying ways of guaranteeing the continued effectiveness of the European Court of Human Rights which remains a unique body unprecedented in the history of international law. It has acted as a nerve centre of human rights protection, radiating through domestic legal orders of European States. When national protection fails, individuals can and do bring their complaints to Strasbourg, triggering international scrutiny of the effectiveness of national human rights protection. This system, now deeply entrenched in the legal and moral fabric of most European States, is crucial in securing the peaceful development of greater Europe. Citizens' confidence in the democratic method of government is strengthened by the knowledge that their rights will be protected in an effective way, if necessary at the level of the European Court. The Court upholds pluralist democracy by securing and protecting core democratic principles. It is a model that is being applied elsewhere, including in the Americas. In this context, it is worth noting the conclusions of the Sabato Commission '*Nunca Más*' ('*Never Again*') in 1984 that only democracy is capable of ensuring that such horrors, as occurred in Argentina, can never again take place.<sup>2</sup>

Pat Rice was never someone to say 'task completed'. He was nominated by Ireland to a UN Working Group, which led to the International Convention for the Protection of All Persons from Enforced Disappearance. He played a key role in the negotiation and drafting of the text and would have been hugely proud of the fact that the Convention has now come into force. But, he would also have seen this as a starting

<sup>1</sup> <http://www.cidh.org/countryrep/Argentina80eng/toc.htm>

<sup>2</sup> *Nunca Más (Never Again): Report of Conadep (National Commission on the Disappearance of Persons) 1984* [http://www.desaparecidos.org/nuncamas/web/english/library/neveragain/neveragain\\_001.htm](http://www.desaparecidos.org/nuncamas/web/english/library/neveragain/neveragain_001.htm)

point and would have continued his tireless advocacy for all states to ratify the Convention. While the Committee on Enforced Disappearances to monitor implementation of the Convention will be a landmark event, Pat would have also lobbied for ratifying states to issue the necessary Declaration accepting the competence of the committee to deal with communications from or on behalf of victims of enforced disappearance.

The Committee of Ministers of the Council of Europe demonstrated strong support for the adoption by the United Nations of a binding international instrument for the protection of all persons from enforced disappearance. Later, it also expressed concern at the slow pace of ratifications by member states of the UN Convention.

Pat's days as a worker priest gave him a strong knowledge of what was involved in defending and promoting human rights, not as an abstraction but in his direct experience of the suffering of people not knowing where to turn for help. This was why, after his release, his work in London and Washington for human rights in Argentina had such an impact. It was also why he was able to work with Senator Chris Dodd in organising a US senate hearing on the 'disappeared' in Argentina and why he was able to play a powerful central role in the establishment of FEDEFAM, the Latin American Federation of Associations of Relatives of Disappeared Persons.

Whether on the ground in Asia or Central America or Africa or the Balkans, or lobbying in European capitals, Pat became a champion for the rights of the 'disappeared'. His work in bringing cases to the UN Working Group on Enforced or Involuntary Disappearances helped shine a light at a time when there was no wider international protection and when too many capitals chose to argue complexities when he, and others with him, demanded action.

Ireland supported the adoption of the Convention on Disappearances by the UN General Assembly in 2006 and became a signatory state the following year. While Pat was under no illusions that the Convention would definitively address the crisis of enforced disappearances, still happening in far too many places, he knew, however, that in time it will provide a firm scaffolding of protection and will place beyond the pale those who embrace or practice this evil.

Pat Rice believed firmly in the importance of international human rights law; that is why he fought so fiercely for the Convention on Disappearances. However, he also saw human rights as a mosaic that involves much more than governments signing treaties or issuing declarations. He knew that strengthening respect for human dignity is an unending process and is the bedrock foundation on which everything else

rests. Last year I visited the house near Constitución in Buenos Aires that was home to Pat, his wife Fátima and their three children. Pat's skill as a carpenter, a trade he learned as a worker priest, is clearly evident in a house, which has welcomed so many visitors and human rights activists from Argentina, Ireland and from around the world. A long conversation with Fátima, herself the victim of illegal detention and torture, brought back Pat's courage, quiet dignity, and gentleness combined with an unrelenting commitment to human rights. With his death, a strong and guiding light in the campaign for the rights of the 'disappeared' was extinguished. However, speaking to his children, Amy, Blanca and Carlos, it was a great joy to see Pat's legacy alive in their active commitment to pursuing their father's work.

# **‘Never truly defeated’: Challenging the Impunity of Violence against Women in post-transitional Central America**

**Mo Hume**

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In his obituary in *Página 12*, Rice’s wife and children commented:

Former worker priest, former disappeared detainee. A fighter and activist for life and human rights....He lived all his days joyfully, convinced that a just world, one with solidarity and without discrimination, was possible. He taught that to change it [the world] we had to start with our own hands. He knew how to join all the struggles and acts of resistance in the world...<sup>1</sup>

Pat Rice was, and continues to be, an inspiration to generations of Irish people who share his belief in a more just world, and admire his work to challenge torture regimes in Latin America. His commitment to a range of struggles and to the importance of engaging in acts of resistance speaks to the importance of political activism in the defence of human rights. In this article, I speak about an ongoing struggle that women in Central America face on a daily basis: the right to a life free from violence. After a brief background to my own experiences in Central America that shape my interest in this subject, I offer an overview of two of the main types of violence against women living in the region: domestic violence and femicide, the murder of women. I argue that violence against women provides a useful prism through which to analyse ongoing obstacles in addressing human rights in the region. It highlights clearly the lack of an adequate rule of law, issues of ongoing impunity and the broader structural inequalities that women must face because of their gender.

For centuries, Ireland has been a country with an international outlook. For a large part, this was out of necessity rather than choice since experiences of poverty and injustice forced people to leave the country in their millions. This diaspora has contributed greatly to the cultural, social and political life of many countries, some of which are reflected in the pages of this journal. However, to narrow down the Irish experience

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<sup>1</sup> <http://www.pagina12.com.ar/diario/elpais/1-149327-2010-07-12.html> accessed 24 January 2011.

abroad into one of forced exile is to overlook the active choice that many Irish people make to live and work in other countries. Pat Rice himself joined the tens of hundreds of Irish men and women who travelled to different parts of the globe in their role as religious missionaries. Many others travelled as part of international solidarity delegations. As a student in the 1990s, I travelled to Latin America; moved by the power of stories such as Rice's and motivated by a desire to work alongside and learn from the struggles of Latin Americans. By sharing his story, Rice, like thousands of others, recognised the power of *testimonio*, the telling of his story as a subversive act in defying the 'official history' put forward by authoritarian regimes. Testimonies of survivors not only challenged the authoritarian state's denials of disappearances and torture but their political purpose was to provide a call to solidarity for people across the world. I studied and worked in both Mexico and Peru as a student, and between 1997 and 2000 I worked with *Movimiento de Mujeres Mérida Anaya Montes*, a women's organisation in El Salvador. I was supported in this role by the Irish government's Agency for Personal Service Overseas (APSO), the organisation that supported countless Irish Development workers throughout the world between 1993 and 2003.

In my work in El Salvador, I immediately became aware of two things that resonate very strongly with Rice's philosophy for living: the inseparability of life and human rights, and the importance of activism in challenging injustice and discrimination.

With regard to my detention-disappearance, I never really thought that one day it would be my turn. Until this day, I find it difficult to believe how you can have human beings so depraved and perverse that they could torture other humans even while they were utterly defenceless. Now I know that human beings have a singular capacity for brutality and badness... It was certainly an atrocious experience, but I must confess that in the midst of all that pain and uncertainty, I could find God. I never felt truly defeated.<sup>2</sup>

Rice's words underline two central issues for discussion. The first of which may be unpalatable, but remains important for understanding how abuse happens: terrible atrocities are committed by human beings often those who are friends, neighbours and fellow citizens. This is particularly true in the terror regimes of Central America where state terror worked through 'local worlds' according to Robert Holden in his article 'Constructing the Limits of State Violence in Central America: Towards a New Research

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<sup>2</sup> <http://www.redescristianas.net/2010/07/18/murio-un-luchador-por-los-derechos-de-los-sin-voz-despedimos-a-patrick-rice-fatima-carlos-blanca-y-amy-rice-cabrera/> citing Rice's book on his experiences during the dictatorship: *En Medio de la Tempestad*. (Last accessed 20 April 2012).

Agenda' (Holden, 1996: 437). According to Lauria-Santiago in his 2005 chapter on state terror in El Salvador, it was firmly reliant on the collaboration of neighbours and even family members (Lauria-Santiago, 2005). I would like to draw a parallel here to the processes of violence against women that are overwhelmingly perpetrated by (male) family members and intimate partners, and in recent years we have seen a dramatic increase in the murder of women in the region, notably Ciudad Juárez in Mexico and Guatemala. This not only centres abuse within social and political relationships, but points to the importance of everyday struggles and activism beyond political authoritarianism, to which Rice was so committed. Rice's second point when he expressed that in the midst of all the pain and uncertainty he never felt truly defeated, is also displayed by generations of Latin Americans, who recognise the importance of hope and activism in the face of adversity.

I first went to El Salvador five years after the formal ending of the civil war in 1992. A United Nations (UN) brokered peace deal had paved the way for an internationally recognised 'peace'. In 1995, then Secretary General of the UN, Boutros Boutros Ghali, announced that El Salvador was indeed 'a nation transformed' and that the UN mission helped El Salvador 'take giant strides away from a closed and violent society' (UN, 1995: 3). My first impression of El Salvador was one of confusion because I could not see the transformation to peace. Growing up in the North of Ireland, I understood peace to be the panacea for radical transformations, yet in Central America it seemed that 'something better' was still a long way off (Benson et al., 2008: 39). The levels of poverty since the 1980s had not significantly improved, and although the civil wars had ended, violence and insecurity continued to mark the everyday lives of the region's citizens, especially those who did not have access to economic resources and could not afford to pay for privatised security.

I worked with low-income communities in El Salvador whose lives were still very much affected by the structural inequalities that had provided potent detonators for the civil war. The state remained controlled by the interests of their capital, often referred to in El Salvador as the fourteen families to denote the tight control of the country's resources by a very small number of individuals (ECA, 1999). For the citizens of El Salvador, the issue of human rights during the transition towards peace or democracy did not lessen in importance but in actual fact became more complex. The imperatives of the peace process soon gave way to the imperatives of an aggressive neoliberal agenda that saw the privatisation of state resources, the erosion of workers' rights and the increasing flexibility of labour laws with the arrival of Maquilas or export processing plants throughout Central America (Robinson, 2003). The arrival of transnational corporations meant not only an increasing feminisation of the workforce, but also the mass exodus of economic migrants heading to



the US in search of economic security. It has been argued by the authors of ‘No more killings! Women respond to femicides in Central America’ that both these factors have contributed to escalating violence against women in the region and are viewed as a ‘backlash’ against those who are challenging gender norms by entering the workforce (Prieto-Carron et al., 2007:25). David Harvey in his article famously suggested that neoliberalism engages a process of ‘creative destruction’ by channelling wealth from subordinate classes to dominant ones and from poorer to richer countries (Harvey, 2007: 21). It is this story of destruction that marks the experience of the last three decades for a majority of Central Americans. While the horrors of state sponsored violence may have abated, ways in dealing with its legacy became all the more urgent (Panizza, 1995; Menjivar and Rodriguez, 2005). At the time, two pressing tasks presented themselves for human rights activists: how to deal with the past in terms of state accountability, and how to make human rights an integral part of everyday life to challenge the legacy of authoritarianism.

In the remainder of this article I reflect on the second of these challenges.<sup>3</sup> Through my own experiences of researching and working with women’s groups in El Salvador, I began to understand the complexities of addressing rights in nominal democracies. In particular, I wish to address the challenges of growing violence and crime faced by the human rights community, and locate an analysis of women’s rights as central to this struggle. I argue that ongoing violence against women remains indicative of women’s continued inequality (Molyneux and Razavi, 2002). Violence against women is rarely analysed as a political crime and is often sidelined from mainstream debates on human rights. I agree with Heise who argues in *Ending Violence against Women* that ‘social institutions in almost every society in the world legitimize, obscure, and deny’ the abuse of women (Heise et al, 1999: 9). Instead, it is popularly regarded as a ‘private’ problem to be resolved within the context of the family. Such sidelining of women’s rights has long been a central struggle for feminist activists.

A notable milestone in this struggle includes the ratification of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) by all Latin American states in the early 1980s, and the Vienna Declaration in 1993 that recognised women’s rights as an ‘inalienable, integral and indivisible part of universal human rights’.<sup>4</sup> Latin America became the first region to appoint a Special Rapporteur on Violence against Women, and drafted its own domestic violence norms through the Inter-American Convention on the Prevention, Punishment

<sup>3</sup> For a discussion of the first challenge, see: Collins, Cath (2010) *Post-transitional Justice: Human Rights Trials in Chile and El Salvador*, Penn State University Press.

<sup>4</sup> Article 18, Vienna Declaration, available at: [http://www.unhchr.ch/huridocda/huridoca.nsf/\(symbol\)/a.conf.157.23.en](http://www.unhchr.ch/huridocda/huridoca.nsf/(symbol)/a.conf.157.23.en)

and Eradication of Violence against Women in 1994. Following this, and the Platform for Action of the United Nations World Conference on Women in Beijing in 1995, there was a wave of new legislation in ‘virtually every country in the hemisphere’ (Macauley, 2006: 105). While this legislation is progressive, a number of issues still undermine women’s access to justice, namely weak state capacity and the need to challenge norms and values that fail to recognise violence against women as a pressing human rights concern.

One of the key characteristics of Central American countries in the post-transitional phase is high levels of violence. According to the United Nations Office on Drugs and Crime (UNODC) the region is widely seen as one of the most violent areas of the world, displaying high levels of crime and interpersonal violence (UNODC, 2007). The 2010 UN Human Development report focused on citizen security as a major challenge to development in the region. Ill equipped to deal with this wave of violence; state responses have been mixed and all too often revert to authoritarian practices that are so resonant of previous decades (Jones and Rodgers, 2010). The effect of this climate of insecurity on women has been largely understudied.

One of the major barriers to women seeking justice is the problem of weak institutional capacity and lack of political will to recognise the magnitude of violence against women. This is evidenced in limited responses to violence and crime more generally, but research has revealed that throughout the region women face double discrimination on the grounds of their gender and their poverty. Macauley in her article ‘Judicialising and (de) Criminalising Domestic Violence in Latin America’ indicates that one problematic area is that ‘the well-being of the family unit’ is prioritised over the rights of the woman and thus, many courts force women to engage in processes of ‘conciliation’ with her abuser (Macauley, 2005:107). This process places women’s rights firmly in a position of lesser importance. Another issue is the ineffectiveness of the state in dealing with the issue of violence against women. The UN Special Rapporteur has expressed concern about levels of impunity regarding violence against women stating that ‘socio-economic pressures, a weak legal sector that fosters impunity and *machista* culture - all combined - reinforce a generalised state of violence, which manifests itself in diverse forms’ (UN Economic and Social Council, 2004: 9). This widespread impunity has been identified in a 2010 study on violence against women in Guatemala as a significant factor in the growing numbers of cases of violence against women (Musalo *et al.*, 2010).

The broader context of violence creates specific threats for women. Research in Greater San Salvador suggested that the police are reluctant to go into some areas at night, especially if these are neighbourhoods that

are known as gang territories. Several interviewees suggested that this is particularly acute with regard to 'domestic' conflicts in which the police can be hesitant to get involved. This is indicative of a broader societal dynamic where violence against women is minimized and often viewed as acceptable or an inevitable consequence of being a woman (Hume, 2009). One of the key findings of the research I carried out with women between 2007 and 2008 is that they do not feel confident enough to turn to the police in cases of domestic violence. Some women had direct experience of reporting violence and felt that the police largely sided with the male perpetrator, urging women not to report 'the father of her children' (Hume, 2008:58). According to one female community leader's personal experience in dealing with the police,

I know that they re-victimise people. There are a lot of men and remember that they are *machista*. I never got any response for what the father of my child did. He beat me, he nearly killed me and [the police] did nothing. They even said how were they supposed to believe that he did something like that and when they got to [the house], they didn't believe me (Hume, 2008: 57).

The very process of denouncing and following up a case of domestic violence is in itself lengthy and confusing. This is particularly problematic for women who do not have the resources to spend entire days pursuing their case. One woman's experience is that,

from the Family Court, they send you to the Attorney General's Office, from the Attorney General's Office, they send you to the Ombudsman, then from the Ombudsman back to the Family Court. No one takes responsibility. Everywhere is the same. It's all paid for by the government so it's the same (Hume, 2008).

The combination of mistreatment, institutional irresponsibility and lack of resource investment needed to access justice all act as deterrents for women reporting abuse, and erodes faith in the rule of law. This context actively undermines the search for gender justice, and as a result, accurate data is difficult to find since so many women are deterred from reporting the violence. Police figures from Nicaragua show that over 14,000 cases of domestic abuse were reported and over 17,000 cases in 2006. This compared to Guatemala in 2005 where 2,774 cases of intra – family violence were reported.<sup>5</sup> A simple reading of this might assume that domestic violence was more an issue in Nicaragua. However, the alarming rates of femicide in Guatemala and the deep structures of impunity that characterise the Guatemalan state suggest that these figures reveal only a small tip of a very large iceberg. Moreover, expert groups estimate that one

<sup>5</sup> Figures taken from *Observatorio CentraAmericano de Violencia*, [www.coavi.org](http://www.coavi.org)

in three Guatemalan women are victims of domestic violence and that over ninety per cent of incidents go unreported.

Linked to this, institutions can be intimidated by local violent actors, such as gang members, which in turn undermine their capacity to protect victims of violence. For example, research in Greater San Salvador uncovered a case in relation to a woman who was gang raped by twenty members of the eighteenth street gang, and the victim was too afraid to report it for fear of retaliation.<sup>6</sup> A local doctor, who had been assisting the victim, received veiled threats from the local gang leader (Hume, 2008:55). This feeds into a broader context of perceived lawlessness and impunity especially relating to gender based crimes.

An area where such impunity is dramatically felt is in the issue of femicide. Femicide is a term coined to highlight the deep misogyny of a crime that is motivated purely by gender. A dramatic rise in the murder of women has been noted throughout the region but particularly in Guatemala and Mexico. A report by The Central American Women's Network (CAWN) shows that 3,914 women were killed between 2000 and 2008 in Guatemala alone (CAWN, 2010:12). According to Prieto Carron, 'these are deaths that cause no political stir and no stutter in the rhythm of the region's neo-liberal economy because, overwhelmingly, state authorities fail to investigate them and the perpetrators go unpunished' (Prieto Carron, et al. (2007: 26). Figures demonstrated by CAWN in 2010 show that between ninety seven and ninety nine per cent of these crimes are not investigated (CAWN, 2010: 11).

Although the number of men killed is much higher than women throughout the region, mostly down to the high levels of crime and interpersonal violence in society, the UN Special Rapporteur on Violence against Women between 2003 and 2009, Yakin Erturk, concluded after a 2004 investigation that the female cases 'have a different dimension' because of the ways and reasons why women are killed. 'They are raped, mutilated, and this has a terrible impact on women and society in general' (UN Economic and Social Council, 2004). Raising awareness and challenging the impunity surrounding the murder of women have become key issues for feminist activism in recent years. Femicides occur both within intimate relationships and so-called 'impersonal crimes'. In both cases, the

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<sup>6</sup> There are two main street gangs in El Salvador, the Mara Salvatruch (MS13) and the eighteenth street gang (Mara 18). Both engage in high levels of violence and local level crime. Originating in the 1990s as neighbourhood youth gangs engaged in petty crime such as low level extortion and inter-gang violence, both gangs grew rapidly and have a presence throughout El Salvador, Nicaragua and Honduras, as well as Mexico and the US. Since the mid-2000s, the gangs have become better organised and their ties with organised crime have become more cemented.

woman is killed because of her gender. CAWN recognised six characteristics of femicide in recent years:

- Savagery: mutilation, dismembering, the use of multiple forms of violence or repetition of one form of violence, marks on the body.
- Evidence of rape or sexual abuse: the victim's nakedness and the position of the body.
- Political significance of the murders: messages left nearby or on the body itself.
- Deliberate destruction of identity: damage to the face by burns or other means.
- Massacres: the murder of a woman and her children (generally in the family home).
- Ritualisation of the crime scene: the positioning of the bodies, the manoeuvring of the bodies post-mortem.

The nature of these killings is reminiscent of tactics used in previous decades by state sponsored death squads. Like previous years, there is little political will to investigate these murders. The state either disregards them as crimes of passion or blames gang members. In the former reaction, the crime is justified through gendered norms in case a man's honour was questioned, and in the latter, the deaths are sensationalised as acts of barbaric gangs. Indeed, in many cases, the victims remain nameless or are somehow held responsible for their own deaths because of the clothes they were wearing or the work they are alleged to have. In both cases, the crimes go unpunished. For example, the documentary *Killer's Paradise* (2007) shows how Guatemalan police dismiss murder victims on the grounds that they must be 'prostitutes' because the victim might have been wearing nail polish or a belly button ring. The judging of women on these terms is seen to somehow justify their lack of attention to the investigation, which is not only a glaring statement of misogyny but also of class bias.

Throughout Central America, there are strong women's movements that resist and promote alternatives to violence on a daily basis. Given the context outlined briefly above, this is not an easy task in a violent and deeply patriarchal society. Since the ending of the regions' civil conflicts in the 1990s, the regions' women's movements have developed a range of strategies for resisting and transforming violent gender relations. These organisations have campaigned collectively and individually to develop new laws and to afford protection for women in civil codes. These not only

provide practical help to survivors of violence, but actively work to promote change in the way violence is interpreted and legislated.

I carried out research in 2007, 2008 and 2011 for a similar campaign organised by Oxfam America Campaign to end gendered violence, entitled, 'Between you and me: a different life' (*Entre vos y yo: una vida diferente*). The Campaign brings together NGOs with different institutional remits, such as gender, human rights and rural development. These organisations work in coordination with national level and local level actors to raise awareness on violence and rights, provide specialist training to personnel in state institutions, elect representatives, and propose legal reforms that protect women and children. For example, training judges, police, medical staff and other key institutional personnel have been integral to the campaign's approach. Staff, who receive training are then expected to replicate it in their own institution in order to ensure greater institutional practise. In addition, the trainees form local networks and train that citizens at a community level. This approach allows communities to meet institutional representatives and also encourages greater coordination between institutions at the local level.

The campaign engages a variety of methods and approaches, both formal and popular. Street theatre, formal university diplomas, educational activities with youth, and institutional agreements with state agencies all contribute to an overall strategy that targets women, men and youth. Susa Bird, former country representative for Oxfam America, stresses that working with men is an important element in preventing violence against women (Bird *et al.* 2007). Women associated with the Oxfam America Campaign agreed with the need to work with men, 'because if you only train the woman, the man won't believe her, right? He's the violent one, so you need to talk to them both' (Hume, 2008:31). Patrick Welsh, a pioneer of working with men to promote gender equality, is a Scots-Irish development worker who has been working determinedly for gender equality since the 1980s. Based in Nicaragua, Welsh was one of the founding members of the Men's Movement against Violence, a ground breaking movement that has several hundred active members in more than thirty local government areas in different parts of Nicaragua. The movement focuses on a variety of activities to challenge violent masculinities such as awareness-raising and training to challenge and change men's attitudes and behaviours. It also coordinates local men's groups and networks against violence, and carries out advocacy work in conjunction with the women's movement on local and national levels (Welsh: 2010). The work of Welsh and his colleague have inspired similar movements across the region.

One result of women's advocacy in El Salvador has been the promulgation of the *Ley Especial Integral para una Vida Libre de Violencia para las Mujeres*

(Special Integrated Law for Life Free from Violence), which came into force in 2012. Local women activists are currently working with legal specialists to raise awareness on the law and to demand its proper implementation and directly challenging institutional patriarchy and class biases. Despite the horrendous challenges these women face on a daily level, like Rice, they are ‘never truly defeated’ in their determination to secure their rights and those of future generations of women.

In conclusion, this article has offered a brief overview of some of the major challenges in Central America in the area of violence against women. Underlining this violent context are continued problems of economic injustice and inequality. I have purposely spent time outlining the issues since the first step of challenging injustice is to recognise it. Breaking the silence that shrouds injustice has been a challenge for human rights movements in Latin America for decades. The very category of ‘disappeared’ that Pat Rice fought against was a strategic calculation of state terror regimes in order to silence protest. Victims were blamed because they ‘must have done something’ (*algo habrán hecho*), further outlining the importance of speaking out and repeating their *testimonios* in the way that Rice did. In similar ways, gender norms and lack of political will serve to protect perpetrators of violence against women in contemporary Central America, but these are being challenged by the voices of women who strive to break the silence. In the words of one community leader from greater San Salvador

I feel that the follow up on cases of violence has been an achievement that the women dare to report them, to talk. It’s not like before when we couldn’t even mention that a women was being hit because we used to say ‘she must have done something’ and she was at fault. Not now, we are at another level, knowing that we do not have to put up with being the victim of violence (Hume, 2011: 21).

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## Patrick Rice; A tribute to the legacy of a contemporary prophet

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When a new year begins, we often wonder what it will bring of novel into our lives and our world. Yet, as it grows day by day, we soon become aware that so many bright promises quickly fade. And we are left with a sense that the many kinds of justice, solidarity and hope for which humanity and our planet are crying out, will once again stumble over the blindness and the mediocrity of our purpose.



If that sounds a somewhat pessimistic way to look at a freshly minted new year, it does at least have the merit of being grounded in the hard reality of our human condition. We tire quickly of the struggle for utopia. We cut corners and make dubious compromises all too easily. We are too infrequently troubled by the insomnia that might keep us awake in the cause of righteousness. Maybe that is why, from time to time, a prophet rises up amongst us. Someone to remind us that above and beyond all our mediocrity and myopia, our true greatness, often camouflaged by alienation or fear, is to be our brothers' and our sisters' keeper. One such prophet, known and loved amongst us here

in Latin America, and beyond, was the late Patrick Rice.

It was Patrick himself who wrote to me not long before his untimely death, asking for a contribution on the issue of human rights. At the time, I did not reply, due to a mixture of pressure from other commitments, and also, from a sense that what I might be able to say would be a mere footnote in comparison with the eloquence of his own lived witness. Looking back

now, six months after his death, it occurs to me that even a humble footnote on the significance and the impact of Pat's life commitment to one of the noblest causes of all, from the perspective of our common Latin American experience, might not be out of place.

Latin America experienced a series of brutal dictatorships spanning the years from 1964 to 1990. It is also the case that a crucial, though not exclusive element of resistance to those dictatorships, came from people like Patrick, who, in his friend Dermot Keogh's words, nurtured a 'deep commitment to the values of the Gospel' (Keogh 2010). Here in Brazil, for example, it is impossible to speak of the period of military rule from 1964 to 1985, without recalling the names of people dedicated to and inspired by the same values, some of whom lost their lives as a consequence, and others who lived under permanent threat of assassination. Ezequiel Ramin, Santos Dias, Padre Josimo, Pedro Casaldaliga, John Bosco Brunier, Helder Camera, Paulo Evaristo Arns, to name but a few, whose commitment to and defence of the inviolability of the human person, in the face of arbitrary ideological barbarity, was a case of permanent 'ethical insomnia'.

This 'ethical insomnia', according to the contemporary philosopher, Emmanuel Levinas, is not the privilege of a few enlightened and courageous prophets. It is what more properly defines our essential humanity. In so saying, Levinas is breaking with a long occidental tradition in philosophy where this essence tends to become a sovereign and totalising preoccupation with the question of 'being in itself', and where, as a consequence, 'being for the sake of', or true otherness, is merely formal. What he proposes is to substitute the discussion of the primacy of 'being in itself', for that of the 'primacy of mutuality'. This, for Levinas, is not just a philosophical treatise. 'If there is no mercy between one human being and another, there is no God in heaven', he once declared before an astonished Shabbat assembly in Paris. The primacy of mutual responsibility for and between one person and another is both the foundational value and the justification for human existence.

There is a twofold background which helps to understand the development of this perspective in the philosophy of Levinas. One, he was born into a Jewish family in Lithuania where his father was a librarian, and where, from an early age, he became familiar with the Thalmud and with the classics of Russian literature. Secondly, as a result of his experience of the Russian Revolution in 1917, and then as a prisoner of the Nazi regime from 1939 to 1945, he found it impossible to erase from his consciousness, the horrors of the twentieth century, plunged as it was, into a totalitarian

nightmare of both right and left, beyond all reason, all ethics and all humanity.<sup>1</sup>

The sequel to such abominations has left its imprint deep on the twentieth century psyche. A century marked by individual and collective hatred, by a nihilism that has produced the anti-humanism and crass consumer self-sufficiency of so many societies in the west, currently in thrall to the new totalitarianism of technological ecstasy.

None of this is completely surprising. Given the weight of so much violence, destruction and inconsolable pain not far beneath the surface of living memory, the desire to escape through amnesia, distraction and self-indulgence, as the very condition of survival is understandable; an escape route that is ultimately a hell of thinly disguised despair.

Fortunately, there are counter witnesses among us who contest such a surrender of our hope. Patrick Rice believed and lived the conviction that there is a door leading out of hell. This door opens onto the 'irreducible otherness' of every human being, for the sake of whom my own ego, even my own life, takes second place, because my insomnia in the face of human distress, and in Patrick's case, arbitrary torture, is infinite. If that sounds like a rather high ideal to expect of our fragile humanity, especially in the light of the perverse ideologies and fundamentalisms, both secular and religious, that have dogged our time, and indeed our entire history, annihilating millions of our fellow human beings, it is nonetheless grounded in the simple and enduring values that are integral to any great religious tradition. In Patrick's case, 'the values of selfless generosity that he first learned in Fermoy, Co. Cork, Ireland from his father and mother... and which he carried with him wherever he went as a priest and as a defender of human rights'(Keogh 2010).

Small wonder then, that at his funeral mass in the Church of the Holy Cross in Buenos Aires, it took seven hours for all those assembled there, 'to express their appreciation of his life's work, in words, in song and in prayer' (Keogh 2010). A life's work that saw him emerge from the darkness of captivity at the hands of a merciless dictatorship, to become the courageous voice of protest against the depravity of state terrorism, not only in all of Latin America but throughout Africa, Asia and Europe.

What lessons could there be here for us? For those who knew him intimately and for those whom, wherever he went, were touched by his humanity and his witness? Perhaps we can say with some truthful regret, that we never appreciate sufficiently, a gift that is constantly before us. It is only when it is gone or when its existence is under ominous threat that we

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<sup>1</sup> <http://www.egs.edu/library/emmanuel-levinas/biography/>

are struck by the full measure of its grandeur. And that moment of insight is often the product of a serious crisis, which Levinas defines as 'the permanent surprise of the Spirit', bringing us to the point of a radical change in attitudes and values that we may have long carried unconsciously or only theoretically.

For Patrick, despite his being 'the essence of human kindness and generosity...a gentle man who would literally give you the shirt off his back', and despite his courageous work in defence of human rights in the early days of the dictatorship in Argentina (Keogh 2010), it is probably true to say that the real and radical turning point came with his disappearance, imprisonment and torture. We cannot say for sure why some people in such circumstances of 'exile' from their own body, mind and soul and from all that they know of humanity, break and fall asunder. And why others discover in such a state of 'exile', a reason for permanent insomnia for the sake of the distress of the world.

Emmanuel Levinas throws some considerable light on the issue in the way that he subverts philosophic rationality by bringing into the debate the lived experience of the Hebrew biblical tradition. This, to conceptual classical philosophy, is heretical, but Levinas argues that there is no inherent obstacle as to why reason need feel humiliated by listening to the voice and inspiration of the Hebrew prophets. In fact, in so doing, reason maintains its spirit in a state of permanent vigilance and constructive 'in quietude'.

What however, does the Hebrew tradition have to say concretely, as far as Levinas is concerned, to our contemporary culture of Faustian individualism? Basing himself on the experience of exile throughout the history of the Jewish people, from the Old Testament times to the present day, he develops a paradigm applicable to any ethnic or religious minority on the margins of the world; that it is not a sense of roots and personal or collective identity, fundamental though they may be, that define our humanity. More radical and primordial than all that, he argues, and something that the hard pedagogy of exile imprinted on the soul of the Jewish people, is that our humanity is ultimately defined by our capacity to be open to the other. Such openness, he continues, does not allow me to install myself in the isolated comfort of my home, my land or my interiority, thus turning my back on the misery of the world. It represents also, he contends, a fairer and more just perspective on the true nature of our humanity, than the conceptual elaborations of metaphysics or the strident indifference of the market place.

If all that sounds scandalously uncomfortable to our contemporary definitions of ourselves, we will be even more outraged to hear Levinas tell us that it is not our freedom of choice that determines whether or not we

allow ourselves to be open in this way, to the other. On the contrary, he says, our freedom of choice cannot be invoked as a pretext for 'being free' of the other, precisely because such a notion of freedom is incompatible with and posterior to, the foundational biblical imperative 'to welcome the stranger because you yourself were a stranger in Egypt' (Leviticus 19; 34).

Such a conclusion is bound to seem absurd to modern ears so accustomed to consumer choice and the right to individual freedoms unknown to our forebears. Our culture bristles at the notion that some fundamentalist crank who knows nothing of the conquest of rights in our time, should invoke an archaic piece out of the Bible so as to deprive us of our enjoyment of a serene and untrammelled individuality.

Perhaps Emmanuel Levinas and Patrick Rice are both serenely smiling from their mutual place of light, at the idea that they know nothing of modern hard won freedoms or that the Bible, for all the perverted uses it has known, is no more than an archaic piece of gibberish. On the contrary, maybe they know more than most, about the price of a freedom not based on that biblical invocation, and as a consequence, used as a tool and a justification for hatred, torture and annihilation.

And as for the issue of a serene untrammelled individuality, there is surely a place for that too, though not a place whose foundation stands on the irreducible, exclusive and 'un-postponed' rights of my own ego or even, according to Levinas, of my own life.

My true home and my essential humanity are not found in my own hearth. They are found, in exile, beyond it. They are found where my responsibility for the other generates an 'in quietude,' which keeps me permanently awake. They are subject to neither temporisation nor discussion. And they are unimpressed by the precariousness and the impoverishing seduction of possessions, titles or riches, all of which are radically insufficient for bringing to birth our essential humanity (Levinas 1993).

And lest we create here, a portrait fit only for a flawless hero, it is apt to recall the words of the nineteenth century English writer, George Eliot, at the end of her classic work *Middlemarch*. Referring to the main character of the novel, Dorothea, she had this to say.

Certainly, those determining acts of her life were not ideally beautiful. They were the mixed result of a young and noble impulse struggling amidst the conditions of an imperfect social state, in which great feelings will often take the aspect of error; and great faith, the aspect of illusion. For there is no creature whose inward being is so strong that it is not

greatly determined by what lies outside it...Even so, the effect of her being on those around her was incalculably diffusive: for the growing good of the world is partly dependent on un-historic acts; and that things are not so ill with you and me as they might have been, is half owing to the number who lived faithfully a hidden life, and rest in unvisited tombs (Eliot 1994, Chapter XVI).

Patrick's life was far from being a hidden one. And his tomb is and will remain, I am certain, a flame of inspiration, gratitude and of hope in our moments of discouragement and darkness. But, he was also a hidden man, in the deepest spiritual sense of that word. A man whose own self was constantly displaced, 'exiled' for the sake of the other. The kind of displacement and exile that was 'incalculably diffusive: for the growing good of the world'. (Eliot, 1994, Finale )And, contrary to what might be imagined, a displacement and exile which neither took away or muted, his love for the land and the place of his birth, for his own hearth, for his immediate family, for the home in Buenos Aires that was a place of legendary hospitality, for the simple domestic joys of cooking and carpentry. For all that Levinas would call 'the primacy of the secondary'. That is, the primacy of all those things that 'don't matter', but which are the mark of all authentic spirituality, as well as the condition for the kind of exile that takes us beyond ourselves so that we may hear and identify with the cry of the oppressed.

To those of us who remain and who may not yet have the courage of the prophet to say, 'Here I am. Send me' (Is 6;8), for the sake of the 'widow or the orphan' (Exodus 22:21-24) 'and the stranger'(Leviticus 19:34 & 25:35), may we at least be inspired and sustained along the road from ego to compassion by the example of a man who without ceasing to be just one of us, in all our frailty and broken dreams, ennobled our humanity by the legacy of his life, and brought to our turbulent times, a bright ray of utopian hope.

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# On the Front Line in Latin America

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## **Abstract**

This article offers a brief historical account of the efforts made by Front Line Defenders to protect and support human rights defenders in Latin America. It chronicles a range of Front Line Defenders' activities and support mechanisms in three countries, Colombia, Guatemala and Mexico, as well as highlighting the different struggles faced by individuals and organisations working to promote human rights in the region. Research for this article was conducted by referencing online publications from Front Line Defenders and other human rights organisations such as Amnesty International, Alliance for Global Justice, The International Federation for Human Rights (FIDH), as well as Latin American sources, including the Latin America Solidarity Centre (LASC) and ABColombia. This article does not aim to be a critique or an analysis of the work of Front Line Defenders; it is simply an account of continued violations against human rights defenders that Front Line Defenders work to alleviate.

## **Who are human rights defenders (HRDs)?<sup>1</sup>**

Human rights defenders are individuals working for all or any of the rights enshrined in the Universal Declaration on Human Rights including women's rights, LGBTI rights (Lesbian, Gay, Bisexual, Trans and Intersex Equality), the rights of Indigenous Peoples, and economic, social and cultural rights. HRDs can be community leaders, lawyers, journalists,

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<sup>1</sup> The term, human rights defender, has no strict definition in international mechanisms but it is described through certain rights in the 'Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms' such as 'Everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels'. The EU Guidelines on HRDs does have a definition of HRDs but strictly excludes those who commit or use violence. <http://www.unhchr.ch/huridocda/huridoca.nsf/%28symbol%29/a.res.53.144.en> , <http://www.consilium.europa.eu/uedocs/cmsUpload/16332-re01.en08.pdf>



trade unionists; anybody who works peacefully to promote or protect the human rights of others.

There are so many examples of great organisations and individuals promoting and protecting human rights in small corners of Latin America that one can only feel inspired by their work. Proof of their continued work in the constant face of adversity can arouse people out of despair and encourage small acts of commitment to enhance the promotion, protection and the eventual full realisation of all human rights.

This article focuses on Front Line Defenders' work in Latin America as an example of implementing small steps in the hope of strengthening civil society and supporting strong spirits in the face of wide-spread repression. The examples outlined below were chosen because they offer a glimpse into the work undertaken by Front Line Defenders since its establishment through a range of protection needs identified by HRDs.

### **What does Front Line Defenders do?**

Front Line Defenders was founded in Dublin in 2001, and works exclusively for the protection of HRDs at-risk worldwide.<sup>2</sup> It aims to protect HRDs by addressing the protection needs identified by defenders themselves through trainings in personal and digital security, international advocacy and lobbying, security grants, rest and respite, and opportunities for networking and exchange. While Front Line Defenders aims to support HRDs by assisting them to work in a more secure environment, owing to the lawlessness that exists in parts of the world and being the target of those who rebuff dissenting voices, HRDs sometimes also find themselves in need of temporary internal or external relocation.

Since its founding, Front Line Defenders has paid much attention to the plight of HRDs throughout the Americas, with a particular focus on Latin America. In this region, urgent appeals and reports on specific incidents of violations from a number of sources show that the current situation for HRDs is of serious concern.<sup>3</sup> According to Front Line Defenders' 2012 annual report, the prevalence of killings, physical attacks, targeting of home and offices and smear campaigns combined with impunity and the

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<sup>2</sup> Front Line Defenders defines HRDs as people who work, non-violently, for any or all of the rights enshrined in the Universal Declaration of Human Rights (UDHR). <http://www.un.org/en/documents/udhr/>

<sup>3</sup> <http://www.ishr.ch/council/428-council-not-in-feed/1278-human-rights-defenders-in-latin-america-are-still-at-grave-risk-new-reports-show>, <http://www.aljazeera.com/indepth/opinion/2012/01/201219818067139.html>, <http://www.amnesty.org/en/news/stories-defiance-rights-activists-speak-out-2012-05-25>.

manipulation of criminal justice systems indicates the continued risks faced by HRDs.<sup>4</sup>

A year after its establishment in 2001, Front Line Defenders and a partner organisation in Brazil, *Justiça Global* (The Global Justice Centre), published a report entitled *Front Line Brazil: Murder Death Threats and other Intimidations of Human Rights Defenders 1997-2001*. This was one of Front Line Defenders' first publications bringing international attention to the seriousness of risks faced by HRDs in Brazil. According to a more recent study on the general situation of HRDs in Latin America by the Inter- American Commission on Human Rights (IACHR), there is still a clear pattern of risk experienced by HRDs throughout Latin America that constitute human rights violations.<sup>5</sup> Although the report, published in December 2011, does not focus specifically on Brazil, parallels can be drawn with the seriousness of risks identified in Front Line Defenders' report in 2001 and the prevalence of suppression over a decade later.

Some of the most serious crimes outlined by the IACHR are murder, extra-judicial killings and forced disappearances. Such violations not only target the victims but send threatening messages to members of society discouraging them from exercising their right to freedom of expression. Also, a variety of different actors are responsible for carrying out these attacks, and in Brazil many murders committed since 2006 were perpetrated by private security firms, death squads and other concerned parties.<sup>6</sup> As the existence of such non-state actors play a big role in the challenges faced by HRDs in Latin America, there is a need for distinct governmental obligations to provide security and protection to HRDs.<sup>7</sup>

Owing to the persistence of grave violations and the complex roles of state and non-state actors throughout Latin America, Front Line Defenders continue to work with HRDs to develop protection strategies against threats from all actors through research missions, regular contact with national NGOs, trainings based on the Workbook on Security and consistent international and national advocacy.<sup>8</sup> The implementation of particular protection strategies since 2001 is outlined here, drawing on examples from three different countries, Colombia, Guatemala and

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<sup>4</sup> [http://www.frontlinedefenders.org/files/front\\_line\\_defenders\\_2012\\_annual\\_report\\_inspiring\\_hope\\_and\\_provoking\\_a\\_backlash.pdf](http://www.frontlinedefenders.org/files/front_line_defenders_2012_annual_report_inspiring_hope_and_provoking_a_backlash.pdf); 4

<sup>5</sup> <http://www.oas.org/en/iachr/defenders/docs/pdf/defenders2011.pdf>

<sup>6</sup> Ibid., 10.

<sup>7</sup> Such examples can especially be found in Brazil, Colombia and Mexico. Ibid.; 11-13.

<sup>8</sup> [http://www.frontlinedefenders.org/files/Workbook\\_ENG.pdf](http://www.frontlinedefenders.org/files/Workbook_ENG.pdf)

Mexico. Such cases demonstrate the openness of Front Line Defenders' philosophy since its establishment through financial and educational support as well as relentless commitment to apply strategic political pressure.<sup>9</sup>

## Colombia

One of Front Line Defenders' earlier cases from Latin America was that of Luz Perly Córdoba Mosquero, an indigenous Colombian political and social activist. She is President and Secretary-General of the Arauca Peasants Association (ACA), which works for justice and social change in the oil rich department of Arauca in the North East of Colombia. It has long been a region affected by the armed conflict in Colombia where many paramilitary groups act outside the law by assassinating and intimidating communities without the authorities doing enough to protect people or to investigate the crimes committed.<sup>10</sup>

Members of ACA have also been the subject of constant threats and harassment, reportedly from paramilitary groups with links to the army, and between October and December 2009, four members of ACA were murdered.<sup>11</sup> ACA has mainly been a target as a result of their reports on arbitrary detentions and other crimes against peasant farmer communities because of their work on issues relating to agrarian reform and social and economic equality.<sup>12</sup> Owing to the seriousness and unyielding nature of these attacks, the Inter-American Commission on Human Rights (IACHR) granted precautionary measures on behalf of Luz Perly and other members of the ACA on 19 April 2002.<sup>13</sup> The granting of precautionary measures follows a request by the IACHR to a particular government to adopt measures in order to prevent irreparable harm to persons because of their work or association with an organisation, group or community.<sup>14</sup> In September 2003, Luz Perly attended Front Line Defenders' Second

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<sup>9</sup> One of Front Line Defenders' successful political lobbying actions was the adoption of the European Guidelines for HRDs in 2004 under Ireland's presidency of the EU. During a discussion in Dáil Éireann, a week after the adoption, Tom Kitt, then Minister of State at the Department of Foreign Affairs, publicly referred to the director of Front Line Defenders, Mary Lawlor's 'promotion of the idea'. <http://debates.oireachtas.ie/dail/2004/06/24/00017.asp>

<sup>10</sup> <http://www.justiceforcolombia.org/news/article/995/assassinations-continue-in-arauca>

<sup>11</sup> <http://afgj.org/focus-areas/labor>

<sup>12</sup> <http://www.prensarural.org/spip.php?article2133>

<sup>13</sup> <http://www.cidh.org/medidas/2002.eng.htm>

<sup>14</sup> <http://www.oas.org/en/iachr/decisions/precautionary.asp>

Dublin Platform where she made a presentation on the politicisation of human rights and anti-terrorism security for HRDs under attack. The Dublin Platform is a biennial three-day event that invites over 100 HRDs from all over the world to participate in different workshops and panel discussions in order to network and exchange ideas on issues relating to security and protection.

Despite Luz Perly's international profile and her strong connections with a large international network, she and the treasurer of ACA, Juan de Jesús Gutiérrez Ardila, were arrested and accused of rebellion shortly after she accompanied members of the Colombia Solidarity Campaign on a human rights mission to Arauca in February 2004.<sup>15</sup> At the same time, the ACA office in Arauca was raided by members of the Government's Department of Administrative Security (DAS) who confiscated computer equipment, photographs and other sensitive material. Front Line Defenders immediately sent out a series of urgent appeals demanding the immediate release of Luz Perly and Juan de Jesús Gutiérrez Ardila, and the return of confiscated documents and materials. These appeals were sent to both the Colombian Government and other strategic recipients who could try to exert influence over the Colombian government, including the IACHR, the United Nations and the European Union. On 23 March 2004, the Executive Director of Front Line Defenders, Mary Lawlor, met with the Colombian Vice President Francisco Santos in Dublin and adamantly requested the release of Ms. Cordoba. The Vice President emphasised to the Colombian Attorney General the need for concrete evidence of subversive activities on Luz Perly's part, but stressed the separation of powers and the Attorney General's independence.<sup>16</sup> Through its monitoring and research, Front Line Defenders identified a pattern of detention of HRDs without tangible evidence and their subsequent release without trial, which Colombia is obliged to address under its commitment to the UN Declaration on HRDs (Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms).

On 31 March 2004, Luz Perly was awarded Denmark's Peace Prize for outstanding work as a defender of peasants' rights in Colombia but she was unable to receive the award in person as she remained in detention in Bogotá.<sup>17</sup> In May of the same year, Front Line Defenders granted financial assistance to Luz Perly for her medical treatment in prison and for assistance for her husband and two children.

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<sup>15</sup> <http://www.frontlinedefenders.org/taxonomy/term/677>

<sup>16</sup> <http://www.frontlinedefenders.org/taxonomy/term/766>

<sup>17</sup> <http://www.frontlinedefenders.org/node/518>

In October of the same year, the European Parliament held a round table discussion about HRDs from Arauca, Colombia. The cases of Luz Perly Córdoba and Juan de Jesús Gutiérrez Ardila were raised, and as a result, a significant group of European Parliamentarians decided to address the cases through follow-up actions. After the meeting the Council of the European Union urged the Colombian Government to implement the specific recommendations of the United Nations Office of the High Commissioner for Human Rights (OHCHR), including the recommendations to publish a plan of action on human rights with a timetable for implementation.<sup>18</sup> After nine months in prison, Luz Perly's case was finally scheduled for a preliminary hearing in February 2005. In that same year, Front Line Defenders issued a grant, which provided security and protection training for the staff of *Federación Nacional Sindical Unitaria Agropecuaria* (FENSUAGRO-CUT), an agrarian federation regrouping different trade unions, social associations and committees working for justice and social change in Colombia, of which Luz Perly was Secretary General. This grant also provided for the emergency evacuation of Luz Perly from Bogotá.

Since the time of this case, Colombia has remained one of the most dangerous places for HRDs to work in Latin America.<sup>19</sup> Front Line Defenders continues to support HRDs in Colombia through trainings on physical security, risk and stress management and digital security<sup>20</sup> and in October 2007, Front Line Defenders undertook a research mission to Colombia visiting Bogotá, Medellín and Barrancabermeja. The mission culminated in a report, *Living in Fear: The Situation of HRDs in Colombia*, which is based on first-hand information from HRDs at risk. In addition to interviews with HRDs, Front Line Defenders met and lobbied representatives of the Colombian government and representatives of the UN and European embassies.<sup>21</sup>

In 2009, Front Line Defenders supported a report written by ABColombia entitled, *Colombian HRDs under Threat*. This documented different threats and human rights violations suffered by HRDs ranging from break-ins and information theft, death threats, attacks and killings. It also included recommendations for the Colombian government to improve the security

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<sup>18</sup> <http://94.76.253.103/node/506>

<sup>19</sup> <http://reliefweb.int/node/355706>

<sup>20</sup> <https://security.ngoinabox.org/>

<sup>21</sup> <http://www.frontlinedefenders.org/files/en/Colombia%20Living%20in%20Fear%20report%20by%20Front%20Line.pdf>

situation.<sup>22</sup> As a follow-up to such findings, in November Front Line Defenders jointly organised a digital security workshop and training in Bogotá.

An additional report was published a year later entitled, *Strategies for Survival: Protection of Human Rights defenders in Colombia, Indonesia and Zimbabwe*. The chapter on Colombia focuses on the different types of HRDs such as trade unionists, *campesino* leaders, women HRDs, indigenous defenders, journalists, lawyers and LGBTI activists and the threats they face. The second half of the chapter illustrates the survival strategies employed by different HRDs in Colombia and the ways in which international and national organisations can also assist in improving security.<sup>23</sup>

Front Line Defenders continue to issue many urgent appeals on HRDs in Colombia, including the case of Abelardo Sánchez Serrano, who is a member of the board of directors of Corporación Regional para la Defensa de los Derechos Humanos - CREDHOS (the Regional Corporation for the Defence of Human Rights) and who attended the sixth Dublin Platform in 2011. CREDHOS conducts trainings and human rights education programmes. It also collects complaints on human rights violations perpetrated by paramilitary groups and members of the security forces. Front Line Defenders has worked closely with the organisation since the detention of their spokesperson Mr David Rabelo Crespo in 2010. Front Line Defenders also issued a series of urgent appeals after Abelardo Sánchez Serrano was threatened on his way to his office on 13 January 2012 by two men holding a gun to his chest stating that he has 72 hours to leave the city<sup>24</sup> The threat seems to be a direct result of a press conference held 24 hours before announcing a commemoration for the La Rochela massacre in 1989, where 12 investigators of crimes committed by paramilitaries and members of the armed forces were killed.

On 29 March 2012, the Vice President of CREDHOS found two envelopes in his office each containing a nine millimetre calibre bullet accompanied by a death threat from a paramilitary group declaring him and his three other colleagues military targets.<sup>25</sup> And again on the 29 April, three persons were reported to have travelled in the vicinity looking for the location of Mr. Sanchez's house but they left once they realised

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<sup>22</sup> [http://www.abcolombia.org.uk/downloads/F45\\_281009\\_Climate\\_of\\_Fear\\_Report\\_for\\_web.pdf](http://www.abcolombia.org.uk/downloads/F45_281009_Climate_of_Fear_Report_for_web.pdf)

<sup>23</sup> [http://www.frontlinedefenders.org/files/strategies\\_for\\_survival\\_english.pdf](http://www.frontlinedefenders.org/files/strategies_for_survival_english.pdf)

<sup>24</sup> <http://www.frontlinedefenders.org/node/17082>

<sup>25</sup> <http://www.frontlinedefenders.org/node/18508>

police patrol was in the area. The following day, Mr. Sanchez' security guard reported that unidentified individuals had been seen photographing his home, including inside the window shutter.<sup>26</sup>

As a result of the continuation of such serious violations, Front Line Defenders consistently lobbies the Colombian government to uphold their obligations under the Declaration on HRDs. It also lobbies EU member states, including Ireland, to put pressure on the Colombian government to ensure protection for HRDs and to facilitate a free and secure environment in which they can carry out their legitimate and peaceful human rights activities.<sup>27</sup>

## Guatemala

In Guatemala, Front Line Defenders undertook a mission in 2005 to discuss the possibility of commissioning a report on the situation of HRDs there. The aims of the mission were to gather firsthand knowledge of cases through establishing and further developing direct contact with HRDs in the field. As an outcome, Claudia Samayoa of the Human Rights Defenders Unit of the National Movement for Human Rights in Guatemala,<sup>28</sup> wrote a report entitled, *Front Line Defenders Guatemala: Attacks Against HRDs 2000-2005*, which illustrated an increase in attacks on HRDs over the five year period, including a dramatic surge in attacks against defenders of economic social and cultural rights.<sup>29</sup> The report exemplified the premeditated nature of a number of these attacks on HRDs, shedding light on the struggles faced by individuals, especially those who defend women's rights, indigenous rights and freedom of religion. It also highlighted the situation of lawyers and judges who are working to uphold justice, a true indication of the failure of the rule of law in Guatemala. Subsequently both Front Line Defenders and the Human Rights Defenders Unit of the National Movement for Human Rights in Guatemala arranged a number of meetings with the Office of the Presidency, the Ministry of the Interior, the Attorney General's Office and the Office of the Human Rights Ombudsman. These meetings were an effort to improve the structural and institutional framework for the protection and promotion of human rights, and demand a risk free environment for the work of HRDs in Guatemala.

<sup>26</sup> <http://www.frontlinedefenders.org/node/18215>

<sup>27</sup> <http://www.frontlinedefenders.org>

<sup>28</sup> Claudia is now Coordinator of the Unit of Protection of Human Rights Defenders, Guatemala – UDEFEGUA.

<sup>29</sup> <http://www.frontlinedefenders.org/files/en/Front%20Line%20Guatemala%20Attacks%20against%20human%20rights%20defenders%202000-2005.pdf>



In September 2006 Front Line Defenders also held a series of training workshops on electronic communications and security in Guatemala, which were based on the tools and materials outlined in the *NGO in a Box – Security Edition*.<sup>30</sup> HRDs from seventeen organisations participated in the training and it was co-organised with two local partner organisations, *Privaterra* and *Asociación Para el Estudio Promoción de la Seguridad en Democracia* (SEDEM), focussing on security concepts for physical and electronic protection, information encryption backup, antiviral protection and free software equivalents. A follow-up meeting took place in Guatemala in October in order to assist participants in implementing the workshop tools.

In November of the same year, a further training was held in Antigua, Guatemala, based on the Protection Manual for HRDs. The manual, which was written by Peace Brigades International, and published by Front Line Defenders, aims to assist in developing capacities to analyse risks, threats and security incidents, thus aiding the development of practical security strategies.

A particular case in Guatemala which exemplifies the intimidation faced by HRDs working on indigenous rights is that of Dr. Yuri Melini, who received the Front Line Defenders Award in 2009.<sup>31</sup> He also attended the Fifth and Sixth Dublin Platform in 2010 and 2011.<sup>32</sup> He is the director of The Centre for Legal, Environmental and Social Issues in Guatemala (CALAS), which concentrates on the rights of indigenous people who are often manipulated by the ruthless interests of logging and mining companies for the sake of profit. It also works to promote environmental issues, community participation and the respect for collective rights of indigenous communities. Since 2006, Dr. Melini had documented 128 attacks on environmental activists; himself surviving a vicious assassination attempt in 2008 when he was shot seven times after leaving his home. He spent twenty-two days in intensive care.

On 29 August 2011, Dr. Yuri Melini again received death threats, which also targetted his colleague Pedro Rafael Maldonado Flores, in the form of an envelope containing a threatening message in relation to the dismissal of Federico Guillermo Alvarez Mancilla from his position as Executive Secretary of the Consejo Nacional de Áreas protegidas – CONAP

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<sup>30</sup> <http://ngoinabox.org/>

<sup>31</sup> <http://www.frontlinedefenders.org/node/2503>. The award, which has been acknowledging defenders since 2005, aims to give international focus and raise the profiles of certain individuals or organisations, and includes a cash reward of fifteen thousand euro for the continuation of their work.

<sup>32</sup> Prior to attending the Fifth Platform in 2010, Yuri participated in a Wellness Workshop organised by the Garrison Institute as a one-day event prior to the Fifth Dublin Platform to look at stress, trauma and wellness for human rights defenders at risk.



(National Council of Protected Areas). His dismissal was as a consequence of the pressure mounted by environmental organisations including CALAS. The note stated, 'Yuri, Yuri, Yuri, do you never learn that life should be lived in peace. This that we send you is to verify that everything happens in sequence, and is serious, very serious. You will both be part of the eco chain. Anonymous or as you like)'.<sup>33</sup>

A few days after Mr. Mancilla's dismissal he gave an interview on the radio and referred to Yuri Melini as an eco-hysteric, a phrase subsequently picked up by other media sources to coin environmentalists, and alluding to the fact that this hysteria caused the dismissal of Mr. Mancilla.

Besides receiving the Front Line Award and attending two Dublin Platforms, Front Line Defenders have issued a number of urgent appeals on the case of Yuri Melini and his colleagues, and continue to highlight the security situation in Guatemala through visits and international advocacy.

## **Mexico**

Mexico's dedicated and well established civil society<sup>34</sup> is continually seen as a threatening force by the government and other actors resulting in efforts to suppress and restrict individuals from realising their rights.<sup>35</sup> HRDs are often the subject of acts of intimidation, continuous surveillance, judicial harassment, arbitrary arrests, death threats, forced disappearances and killings as a result of their activities in defence of human rights.<sup>36</sup>

In November 2009, Front Line Defenders undertook a trip to Mexico combining a research mission with a regional Training of Trainers workshop as well as an EU Guidelines workshop. The research mission entailed meetings with HRDs from different regions of Mexico as well as meetings with the authorities. Front Line Defenders visited the state of Chihuahua as a matter of priority as it is one of the most dangerous regions in Mexico for HRDs to work.<sup>37</sup> There are very serious concerns

<sup>33</sup> <http://www.frontlinedefenders.org/node/15897>

<sup>34</sup> <http://civilsocietyindex.wordpress.com/2011/03/30/a-snapshot-of-civil-society-in-mexico/>

<sup>35</sup> Ibid, Note 5; 20.

<sup>36</sup> <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/132/51/PDF/G1113251.pdf?OpenElement>

<sup>37</sup> <http://staging.awid.org/Women-in-Action/Appeals-Urgent-Actions/Take-Action-Front-Line-Mexico-Fire-at-the-home-of-human-rights-defender-Malu-Garcia-Andrade-as-she-supports-a-protest-against-femicide-in-Chihuahua-State>

relating to organised criminal activity, narco-trafficking and femicide in Chihuahua.<sup>38</sup> While there, Front Line Defenders attended meetings organised by the Centre for Human Rights of Women that invited a range of different HRDs such as journalists, young activists, *campesino* organisations and women's organisations. As an indication of the prevailing attacks against women in the region and the extraordinary risks they face, seven females were killed in separate attacks during the week of Front Line Defenders' mission. One week later the twenty-three-year old niece of the head of the *Centro de Derechos Humanos de las Mujeres* (Centre for Human Rights of Women), Alma Caballero, was killed. Despite the high levels of violence and killings, there was (and is) limited international attention focussed on this region.

A specific case on those who defend the victims of femicide in Mexico is that of human rights lawyer, Lucha Estela Castro Rodríguez. Lucha works with the *Centro de Derechos Humanos de las Mujeres* in Chihuahua City, Mexico, and is also a legal advocate for *Justicia para Nuestras Hijas* (Justice for Our Daughters). She is very involved in representing families of murdered women and has often filed cases with the Inter-American Commission on Human Rights. Through her work on these cases she denounces the widespread crimes committed by members of the army or drug cartels and as a result faces many threats. As she is the public face of the Centre, she faces additional risks for also strongly condemning Government officials and institutions and demanding for demilitarisation of the region.

At the beginning of Lucha's career fifteen years ago, she worked as a women's human rights defender (WHRD) with *El Barzón, Chihuahua*. El Barzón worked with those who faced illegal forced eviction because they were unable to repay their debts, and called for fair negotiations and to deal with arrangements. She thereafter became a lawyer and established her NGO, *Justicia para Nuestras Hijas* defending mothers of daughters who disappeared or were murdered in Ciudad Juárez and the city of Chihuahua. During her work on this issue for the past ten years she has been detained, beaten and persecuted by the police.

However, the last four years has seen an increase in the number of threats and security incidents against Lucha Castro, her family and her new organisation, the *Centro de Derechos Humanos de Las Mujeres*. On 14 May 2008, she filed a complaint with the State Attorney General's Office after she received threatening messages on her mobile phone. It is believed the

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<sup>38</sup> Chihuahua is one of the most dangerous states in the country, and particularly the city of Ciudad Juárez where the combined problems of rival drug cartels and organised criminal groups, increased military presence and absolute impunity, led to a situation of acute violence.

threats were related to her public statements criticising the military presence in the region. In her complaint she demanded protection measures, and a full investigation but this did not materialise. In October 2008, Lucha visited Front Line Defenders Office in Brussels during a European Advocacy Tour and subsequently coordinated the Front Line Defenders' visit to Chihuahua in 2009. In the same year, Lucha received death threats over the phone. In one phone call an unidentified man threatened to destroy the Centre and soon after a military command came to her house. On another occasion, neighbours of the human rights defender reported seeing hooded military men in the vicinity of her home. Once Lucha Castro found out, she contacted the Ministry of the Interior to inquire about the 'visit'. The Ministry first denied knowledge but subsequently told her that the military presence was because of a complaint from her neighbour. No investigation was undertaken to discover the reason behind this incident. Following on from this, the Inter-Commission on Human Rights recommended precautionary security measures and two officers were required to accompany Lucha Castro during the day. On two occasions the officers failed to fulfil their obligations and the Centre asked for a withdrawal of the protection measures because they were ineffective.<sup>39</sup>

Lucha Castro and the Centre then asked for more permanent protection measures. This request was met but with ineffective facilities such as a panic button outside the building on the street, an intercom system which does not work, a one-way mirror system, encrypted telephone lines where some are too expensive to use on a daily basis and some broke down after a few weeks. Although Lucha Castro requested a follow-up meeting with the government to discuss such measures, she has not yet received a response.

Lucha Castro attended the Fifth Dublin Platform in 2010, where she gave a heart-warming and somber testimony on the struggles she faces because of her work.<sup>40</sup> She was also one of five human rights defenders from all over the world nominated for the 2010 Front Line Defenders award.<sup>41</sup>

Front Line Defenders also hosted a regional Training of Trainers on security and protection in Mexico City for HRDs from eight countries throughout Latin America. From the attendees' experiences it was apparent that apart from the physical effects caused by working in a high

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<sup>39</sup> This information on Lucha Castro was taken from different biographies and articles on her work in Front Line Defenders' archive.

<sup>40</sup> [http://www.frontlinedefenders.org/files/Dublin%20Platform%202010%20Book%20of%20Testimonies%20wcb%20version\\_0.pdf](http://www.frontlinedefenders.org/files/Dublin%20Platform%202010%20Book%20of%20Testimonies%20wcb%20version_0.pdf).

<sup>41</sup> <http://www.frontlinedefenders.org/node/2535>

risk environment, HRDs also reported considerable effects on their stress levels and mental health. Quoting a poignant statement from one participant, ‘in the thirty-seven years we have been working here, we have saved many lives but also buried many people....we are kind of dead – alive, living dead’.<sup>42</sup> The most essential point of security to emerge from the workshop was that local knowledge is crucial, especially when many participants spoke about their feeling of vulnerability while travelling in rural areas. If one knows who the intimidators are, one can better assess the risk and react appropriately.

## **Conclusion**

Front Line Defenders continue to report many cases of death threats, surveillance, harassment of family members, raids on offices and homes, and violent attacks including enforced disappearances and killings of human rights defenders from across Latin America. Those being targeted come from a broad range of human rights work from civil and political to social, economic and cultural rights. Front Line Defenders works to support human rights defenders who are at risk as a result of the legitimate and peaceful work they do in defending and promoting the rights of others. The aforementioned case studies are specific examples of different types of risks faced by HRDs, and different actors who can be engaged in violating rights, and whilst not intended to astonish, although some do, they aim to show different levels of repression that do not always fit the traditional idea of state versus society.

There are many actors who feel threatened and challenged by the work of HRDs, as in the case of Luz Perly Córdoba Mosquero and Abelardo Sánchez Serrano, which demonstrates the close relationship between state-run institutions and paramilitaries, an element distinctive in Colombia’s political landscape. Also, the struggles faced by Dr. Yuri Melini in Guatemala are symbolic of state and non-state actors coexisting in a country where prevailing impunity benefits both groups and encourages continued violations for the sake of profit. Furthermore, the persecution of Lucha Castro, ensuing from her efforts to challenge the climate of impunity in Mexico through evidencing human rights violations perpetrated by members of the military and drug cartels is also proof of how strong voices are perceived as threatening forces against a government. All these specific cases share the common need for protection from the government. This need often works against the interests of the government especially when human rights defenders are calling for accountability of certain governmental actors or revealing corruption among local authorities, officials and private companies.

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<sup>42</sup> [http://www.frontlinedefenders.org/files/en/Dispatches%202009\\_0.pdf](http://www.frontlinedefenders.org/files/en/Dispatches%202009_0.pdf)

When governments fail in their duties and obligations, it takes organisations such as Front Line Defenders to raise the national and international consciousness to the plight of HRDs. More than that, Front Line Defenders' practical support has ranged from financial assistance for physical protection to training in digital security and personal security, and lobbying in order to garner support from major regional powers. These different areas of support are an indication of both the subtle and obvious needs for protection of HRDs in Latin America, which focuses not only on reactionary measures but also preventative measures like training and networking. Until governments across Latin America uphold their international human rights obligations, Front Line Defenders will continue to apply its unique and sadly necessary spectrum of tools to empower and protect HRDs and to remind them that they are not alone in their cause.

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**Robert M. Burroughs, *Travel Writing and Atrocities: Eyewitness Accounts of Colonialism in the Congo, Angola, and the Putumayo*. (Routledge, 2011)**

**Angus Mitchell**

*Angus Mitchell is the editor of *The Amazon Journal of Roger Casement* (2011). He also recently curated an exhibition on Roger Casement in Brazil.*

The discourse on human rights has been interpreted in recent years along two lines of argument. One view suggests that human rights are historically located: part of a long struggle, reaching back to the philosophy of classical Greece and Rome and the ethos of different world religions. After many centuries of struggle for 'rights', human rights are exalted as the language of international relations, a harmonising and universally applicable set of articles. According to this view, human rights extend out of an evolving discourse on natural rights, the rights of man and empathy for the 'other' born from the revolutionary thinking of the enlightenment and the antislavery movement of the nineteenth century. While there is something convenient and comforting about this evolutionary explanation, not all are in agreement with the trajectory. An alternative argument suggests that human rights are less the triumph of centuries of struggle for rights, but rather a specific response to the failure of other utopian ideologies. They are a distinctively modern manifestation: a reaction to the war and genocide of the mid twentieth century. In spite of their recognition in the Universal Declaration of Human Rights in 1948, they only surface after the collapse of Communism and the demise of Pan-Africanism and anti-colonialism. Were they a necessary corrective to the limitations of the nation state to protect its citizenry? Are they an essential set of beliefs for the post-religious age?

One leading disbeliever in the history of human rights as a narrative of progress is Samuel Moyn. In *The Last Utopia: Human Rights in History* (2010), Moyn argued perceptively that the history of human rights has been constructed rather like church history, a small group of people struggling through time to assert a set of universal values. But this, he claims, amounts to a narrative fallacy. Only in the 1970s did human rights become a widespread and motivating cause for public activism and international law. Before the modern conception of human rights, rights were about citizenship and the relationship of the individual to society. Hannah Arendt in *The Origins of Totalitarianism* (1951), captured the difference well

when she observed how the assertion of rights was the first prerogative of citizens, but they now risked becoming the last refuge of humans.

While the practical adoption of human rights as an instrument of international law can be accurately located in time and measured in terms of their application, it is not unreasonable to argue that there are legitimate historical antecedents. Even if the specific use of human rights is a product of recent times, the struggle for the rights protecting humanity, and advocating a set of universal values applicable to those unprotected by the state, are the cumulative product of earlier struggles and activisms.

One identifiable moment in turning the conversation about rights towards the margins and those without the protection of a benevolent state can be located in the investigations into the new slaveries resulting from world resource wars at the start of the twentieth century. A series of interconnected enquiries into atrocities, largely caused by the global demand for latex rubber, began to shift the conversation on both rights and freedoms in alternative directions. This discussion had an impact on questions to do with national sovereignty, anti-colonialism and the rights and status of peoples who had been dispossessed by imperial expansion and dehumanised by the impact of modernisation.

In recent rewritings of these investigations they have been claimed as important stepping stones along the path to human rights. Adam Hochschild in *King Leopold's Ghost* (1998) and Jordan Goodman in *The Devil and Mr Casement* (2008) have both asserted that the campaigns into rubber atrocities can be legitimately claimed as a bridge linking nineteenth century antislavery campaigning and humanitarian endeavour with the modern discourse of human rights and the culture of international non-governmental organisation. Concerns about fair trade and corporate responsibility were also part of the reform movement. The term 'crime against humanity' was used by the activists involved in the campaign and notions of what constituted 'human' moved away from Christian imperatives towards a more secular definition. The Congo Reform Association, an early international non-governmental organisation, drove this change.

In *Travel Writing and Atrocities: Eyewitness Accounts of Colonialism in the Congo, Angola and the Putumayo* (2011), Robert Burroughs takes a much closer look at how the travel literature describing these atrocities altered the language on empire and humanitarianism. By advancing a historicist interpretation of the textual production describing these atrocities and examining their reception, he has produced a stimulating and relevant study. He seeks to answer a vital question: how did the description by travellers on the margins alter the discussion in the centre?



The travel writing under investigation here is not ‘travel writing’ as most would understand the term. The principal texts examined are more akin to investigative journalism and official reporting. The motivation behind much of the writing was to assert claims upon the truth and construct evidence revealing the injustices, horrors and violence born of colonial administration and malpractices resulting from unregulated and asymmetrical trade relations between the industrialising North and the resource-rich South. Diaries and journals were a key element of this atrocity literature and often formed the basis for studies published subsequently. But what Burroughs convincingly demonstrates is how techniques of witnessing changed in a relatively short space of time. Travel writing shifted from its integral position in the cultural process of discovery and the spatial conquest of territory, promoting national and imperial interests; to a form of writing which bore witness by analysing the destructive capacity of colonial labour systems. This approach was both anti-conquest and anti-colonial.

The imprint of the *Heart of Darkness* is evident throughout the analysis. Joseph Conrad’s novel mirrored the type of confessional narrative which dominated the writing on Africa in the 1890s. The view that travel into the interior could unhinge a man’s mind was popularly held. A crisis in the authority of travel writing followed the disastrous Emin Pasha Relief Expedition. The leader of this venture, the explorer Henry Morton Stanley, was fixated with controlling the storyline. This provoked a war of representation among his subordinate officers and demonstrated how contradictory views of the same event could be shaped, managed and circulated. Truth was many-sided and travel narratives were unstable and vulnerable to manipulation. At the start of the twentieth century, with a desire within some circles in Europe to represent Africa in new ways, there was a move to reassert the legitimacy and authority of travel writing. This is most evident in the witnessing and description of atrocity. The new slaveries of the early twentieth century generated a vast paper trail stretching from official government archives to established humanitarian organisations such as the Anti-Slavery and Aborigines’ Protection Society and emerging ones such as the Congo Reform Association.

Of the three regions under investigation in Burroughs’ study – Congo, Angola, Putumayo – the most outrage was levelled against the administration of King Leopold II in the Congo Free State. Eye-witnesses, many of them evangelical missionaries, described observing and hearing about ‘unspeakable’ acts. In 1900, the campaign against King Leopold II’s administration began to organise around an Anglo-French journalist, E. D. Morel. Through his tireless work as editor of the *West African Mail*, and as author of a stream of books on European governance in West and Central Africa, he began to critique the impact of international trade as agreed among European and US diplomats at the Berlin West Africa Conference

of 1884 to 1885 and describe its often negative impact on the people and environment. Morel shouldered the responsibility of collating, verifying, publishing and popularising narratives and producing a kind of *histoire engagée*, a history in the present, which would live on and never be forgotten. In 1904, he was co-founder and acting secretary of the Congo Reform Association (CRA) and over the next decade mounted an effective campaign which awakened international consciousness by building public awareness and pressurising the British Foreign Office and the diplomatic world.

Other writer-reformers included the Baptist missionaries, John and Alice Harris, who had arrived as newly-weds in Africa in 1898, where they joined the mission station at Baringa. There they bore witness to the activities of the Anglo-Belgian India-Rubber Company at its most rapacious. In 1905 the Harrises returned to London and involved themselves in the CRA before John Harris accepted the appointment as acting secretary of the Anti-Slavery and Aborigines' Protection Society. Harris was principally responsible for building the link between evangelical protest and the emerging arguments concerned with political and economic reform of empire.

Henry Nevinson, described by Burroughs as 'a war correspondent and reporter of international human-rights violations', was one of the most fêted journalists of his day (Burroughs, 2011, 103). From December 1904 to June 1905, he followed the slave trade route from the interior of Portuguese West Africa (Angola) to the 'cocoa islands' of San Thomé and Príncipe, in the Bight of Biafra. An estimated 97,000 African bodies had been involved in this slave trade over two decades. His serialised articles were quickly collected and published in *A Modern Slavery* (1906) and shocked the public with images of shackled bodies and brutal working conditions. Cruelties performed on the 'native' body were the stamp of authenticity of narratives investigating slavery and these violations were then used as a means of justifying colonial intervention. But Nevinson's narrative ventured beneath the surface to reveal British culpability at the very core of the system. The moral imperatives behind Britain's nineteenth century antislavery campaign had been usurped by a new duplicity, which could turn a blind eye to slavery if the business remained profitable. In turn these trading practices were supported by the old diplomatic alliance between Britain and Portugal. What gave the story a further twist was the involvement of the Cadbury family, one of the main buyers of the slave-stained cocoa. The Cadburys were upheld as a dynasty of antislavery philanthropists. Their factory at Bournville, where the well-being of the worker was situated at the centre of their corporate ethos, was a model of industrial best practice. Yet the cocoa used to produce their chocolate and maintain their workers was infused with African blood.

Lowell J. Satre's recent history *Chocolate on Trial* (2005) explains this contradiction and the resulting scandal it provoked.

The most radical voice in this analysis of the political economy of the Atlantic was a product of the covert world of the British Foreign Office. The official investigations undertaken by Roger Casement into the administration of the Congo Free State and the business of extractive rubber in the Putumayo region of the north-west Amazon, form the basis for two of the five chapters. Burroughs demonstrates how Casement 'helped to forge a new rhetoric of authentic travel in the Congo; off the beaten track, independent of technological aid, and in close contact with 'the people'. His official report of 1904 details the degeneracy of the colonial system by using the victims of that system to tell their own stories. Often this approach transgressed accepted racial, gender and sexual protocols of diplomacy. But Casement's technique anticipated a form of investigative reportage used later in the century by Amnesty International, Human Rights Watch and other such organisations.

*The Amazon Journal of Roger Casement* (1997) is where these skills are most evident. Burroughs claims that this text 'represents the outermost limit of antislavery travellers' embrace of political radicalism in its period: the representation of the traveller, pained and angered by the atrocities that he witnessed, and willing to trace those atrocities, and that anger, to their bases in British venture capitalism in colonised territories' (Burroughs, 2011, 132). *The Amazon Journal* is an intense and multifaceted narrative. In the dozen pages dedicated to its analysis by Burroughs only a fraction of the essence is captured, and his conclusion is partial and misconstrued.

Burroughs illustrates how, in his ethnographic description of the Putumayo Indian, Casement projected idealised discourses on the typology of the Irish peasant and how his relationship with the other commissioners enabled his construction of his Manichaen world by drawing the 'British colonial metropole into the frame' (Burroughs, 2011, 134). If all Europe was responsible for the making of Kurtz, so the second industrial revolution, resulting from the efficiency of the Ford production line and global intercommunication, was responsible for the Putumayo atrocities. As he ventured deeper into analysing the extractive rubber economy, Casement linked the history of slavery, ethnocide, inhumanity, resource wars and colonialism across time and space. He interconnected his Congo investigation with what he witnessed on the spot in the dystopian underworld of the Putumayo. This, in turn, informed his aspirations for an *Eire Nua* (New Ireland) rooted in a modern code respecting humanity and encouraging empathy for the marginalised and dispossessed. In this narrative, the fusion of 'human' and 'rights' is made plain.

Through his emotional immersion in what he witnessed, Casement entered into profound communication with the human condition, inhumanity and the structure of national and international rights which either recognise or deny that condition. Under the lawless company regime of the Peruvian Amazon Company, the hierarchical natures of both rights and freedoms are evident. At the bottom of the ladder was the Indian, who had no rights at all: either natural or human. At the top of the ladder was the financier, divested of responsibilities by the market and divorced from the localised realities rendered vulnerable by the ruthless search for profit.

One reason for the revival of interest in Casement in recent years is because it has required the discourse of human rights to be historically located in order for his deeper message to emerge. Though Casement may not have specifically adopted the term 'human rights', he realised that humanitarian intentions were a component of the deceptive claims of 'civilisation'. In the Congo, Amazon and Ireland he advocated new configurations for delivering international justice especially for those dispossessed and oppressed by the system and with no recourse to agencies of state power. He made explicit the difference between citizens and those without rights, and in making that distinction he recognised the need for a form of international law capable of transnational protection.

Although these investigations may have been separated in geographical terms by the Atlantic Ocean, Burroughs analyses them as a series of contingent protests. Through interaction and collaboration the immense textual production generated by each enquiry helped to stimulate a new language relevant to race and gender relations as well as ethical standards in business. With the outbreak of the war in 1914, Casement turned on the British Empire and advocated global colonial revolution. Morel's focus also shifted towards the abuse of both secrecy and diplomacy in the undermining of democratic governance, and both were branded renegades. Casement was executed for high treason in August 1916. Morel was imprisoned the following year for a technical breach of the Defence of the Realm Act. Their networks of influence were demolished and the narratives of their *histoire engagée* were first of all silenced, and later scrambled in the public imagination.

While Burroughs' study is compelling and valid for both historians and historicists, his analysis is lacking in two critical respects. Despite the use of the word 'atrocities' in the title of the work, Burroughs avoids any sort of considered critique of the use and abuse of atrocity narratives. The atrocities under examination shook the foundations of the imperial project and the assumptions supporting civilization, Christianity and commerce, which underwrote the European scramble for the interior regions of both Africa and South America. History teaches us how atrocities in every age

are carefully managed, and too often manipulated for political purpose. In the late nineteenth century several atrocities were used for political leverage; Bulgaria, Armenia, and the Indian famines are the better known ones. The representation of atrocity tends to serve particular configurations of power and when they have served their purpose they are often propelled into oblivion. Historians in Belgium have recently reassessed the production and diffusion of their colonial history in the Congo to illustrate how unpalatable elements were suppressed and disremembered in Belgian school books. Guy Vanthemsche's (2006), analysis of how the story of Belgian's colonial history in the Congo Free State was carefully managed during the twentieth century should make us wary of the long-term issues born from the investigation of the new slaveries. That the most celebrated investigator of international atrocities at the height of imperial expansion went on to be instrumental in the founding of the Irish Volunteers might alert us to the possibility that the powers which authorised him to investigate the atrocities wished to control his narrative once his treason was identified.

While Burroughs is prepared to refer to some of the Irish dimensions in the story, his analysis falls short. The first meeting of the Congo Reform Association (CRA) took place in Ireland at the Slieve Donard Hotel in County Down. The supporters of the CRA included a notable number of Irish Home Rulers, among them Lord Morley, Lord Aberdeen and the historian Alice Stopford Green. Stopford Green was a great mentor and financial support to Morel and she collaborated with Casement in the running of guns into Ireland for the Irish Volunteers, a week before the outbreak of the First World War. It is also essential to read the politics of Ireland in Nevinson's investigation. The two barristers involved in the libel trial of *Cadbury Bros., Ltd. v. The Standard Newspapers* would later resurface as strategic players in the disintegration of affairs in Ireland. The architect of the Ulster Volunteers, Sir Edward Carson, represented *The Standard Newspapers* and faced Rufus Isaacs on behalf of the Cadbury family. Isaacs later was the presiding judge at Casement's trial for treason. When Britain came to the defence of Belgium in 1914, the Congo campaign was an extremely inconvenient truth. The Putumayo investigation was also a highly embarrassing attack on the moral turpitude of venture capitalists. Meanwhile, Casement's own transgression into revolutionary politics compounded the problem and rendered it unspeakable.

By avoiding confrontation with the political implications of the representation of atrocities, Burroughs is able to fudge the controversy of the Black Diaries and the persisting storm at the eye of the Casement story. He ignores how the Black Diary narrative has successfully impeded and challenged the authority of Casement's investigations, and that same generation of anti-slavery activist who risked everything to take on the forces of untrammelled global capitalism. He also avoids undertaking the

necessary comparative analysis of the parallel diaries, or seeks to answer the awkward questions prompted by the clash of two such diametrically opposed versions of the same journey. This requires Burroughs to disregard the significance of how the Black Diaries configure and overlap with the three key moments of Casement's investigation into crimes against humanity in 1903, 1910 and 1911. Casement's reliability as an investigator was dependent upon his scrupulous reporting of the facts in a dispassionate way; occupation of the moral high-ground was essential to the legitimisation of his official reports, to his public image and to justifying his revolutionary turn. In a book analysing the relationship between travel writing and the reporting of atrocity some effort should have been made to answer this critical and persisting concern.

While such omissions in the analysis might be addressed by the author they should not dissuade the potential reader away from this otherwise coherent and innovative study. The history of human rights may still be in its infancy, but Burroughs has contributed to expanding scholarly understanding of a critical conjunction and pushing research and reasoning in new directions and along other dimensions.

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# **The Life of John Bourden**

**Karst de Jong**

*Karst de Jong was born in the Netherlands. He spent part of his formative years on the island of Curaçao, sparking an interest in the Caribbean. After moving to Northern Ireland in 1998, he completed his Masters in Irish History at the Queen's University of Belfast in 2010. Marrying his interest in the Caribbean and Ireland, the focus for his dissertation was the Irish on Jamaica in the seventeenth century. He is currently in the second year of his PhD researching the Irish in Jamaica in the long eighteenth century.*

## **Abstract**

The Irish in the Caribbean during the seventeenth century has recently been the subject of study on both sides of the Atlantic. In this research, Jamaica only featured sporadically, and thus warranted further exploration. In this article, recent research uncovered both on Jamaica and Ireland resulted in the case study of the Coleraine-born John Bourden, president of the Council. The focus is on the period of the Cromwellian conquest in 1655 to the destructive earthquake of 1692, a small number of Irish arrived on the island that became small planters, tradesmen and domestic servants. This study intends to expand the historical understanding of the Irish presence in the Caribbean by considering how the protestant and catholic settlers from Ireland functioned in the emerging Jamaican society.

## **The Member for St. Catherine**

John Bourden was born in 1633 in Coleraine, Co. Londonderry, a town that was part of the Plantation of Ulster and built by English colonists.<sup>1</sup> The first years of Bourden's life were turbulent as wars ravaged the country and the native Irish attacked the settlement. How John Bourden eventually arrived on Jamaica is unknown but there is some speculation that he might have travelled from one of the other islands or possibly had family in Jamaica (Cundall 1935: 140-142). However, considering his military background, Bourden probably arrived with the Irish regiment that landed in Jamaica in the spring of 1657. The following four years such experienced Irish soldiers fought against the remnants of the Spanish

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<sup>1</sup> Implemented at the start of the seventeenth century by James I, the Plantation saw ownership of lands transferred to English settlers. This was most prominent in the North-West of present-day Northern Ireland, where the London companies took possession.

settlers. After 1660, Bourden continued his military service and became part of the officers' class. In contrast to some of his fellow soldiers, who either perished or moved to North America, or remained in the army for little pay. In general, the Catholic Irish on Jamaica settled on the smaller plots of land, grew crops for the local market or herded cattle (Dunn 1972: 154-155).

At the start of the 1670s, Bourden had settled in the parish of St Catherine on the southern part of Jamaica, close to Spanish Town, the capital. According to the James Modyford survey he maintained an estate of 2,255 acres and had risen to the rank of captain (Sainsbury 1889: 98-104). When the military campaign for the conquest of Jamaica had ended in 1660, the defence of the island was organised in militias. This was a common practise on the Caribbean islands, where in the case of martial law being declared, servants and other able men were called up to serve. In his role as captain, Bourden would have had a number of the Irish servants and small holders under him. The experience in Coleraine must have influenced his view of the Catholic Irish, who were generally suspected of collaborating with the French and Spanish. As in other English colonies, Catholics could not hold senior positions in the militia or sit in the local assembly. Taking these positions would force them to swear the oath of supremacy. The latter meant accepting the King as the head of the established church, something that was in direct conflict with their religion, where the Pope had this position. Despite these restrictions, there were no reports of any problems with the Irish in Jamaica. For the planters, the militias meant that part of their labour force was called away and it forced the smallholders to abandon their small pieces of land. It made the militias very unpopular with the population in the seventeenth century, and there were constant problems with filling the ranks. In contrast, Bourden benefited from his position in the militia, when the Council ruled to keep his property under guard during a slave revolt in 1676 (Cundall 1935: 140).

The head of the colonial government of Jamaica was the governor, who was assisted by a small number of advisors in the Council. Elections were held at regular intervals for a local assembly that could propose bills and amend ones submitted by the governor. By the middle of the 1670s, Bourden was deemed prolific enough to stand for the local assembly elections, and on 26 April 1675 he took his seat as the elected member for the parish of Vere. To participate in the democratic process, both the voter and the candidate had to have funds and property at their disposal. In March 1677, Bourden was again elected, this time to represent Spanish Town, the capital. In contrast, many of the Irish smallholders and servants were excluded from the elections, as only freeholders were able to vote. Even when a small number of them were eligible, the reports showed that many people did not avail of their voting rights and candidates often had



to be persuaded to take up their seats. After his election to the assembly, Bourden was selected to inform the governor that the assembly was in session. During its proceedings, 'Major John Bourden brought from the house four bills' and he became deeply involved with the factional politics. Since the assembly was established in the 1660s, two opposing factions had emerged. One consisted of the big planters on the island who had established themselves after the conquest of Jamaica had been completed. The second group was made up of the leading privateers and the merchants trading out of Port Royal. Throughout the seventeenth century the privateers and merchants hampered local decision-making, and the English government tried at various times to exercise control over their actions. The planters also had self-interest at heart as they sabotaged the governor's attempt to gain tax-raising powers (Aikman 1811I: 12-19). In September 1677, Bourden was elected to the parish of St. Catherine and remained elected for every subsequent assembly.

In April 1678, lieutenant-governor Henry Morgan called a Council of War, as the islanders were in fear of a French invasion. The Catholic Irish found themselves under suspicion for colluding with the French. Morgan exaggerated the threat and the attack never materialised, but it was the first Council meeting that Bourden attended. When martial law was declared, he was one of the senior officers in the general's regiment (Minutes of the Council I: 300-4). This regiment, the largest on the island, consisted mostly of those living in Port Royal, where the majority of Irish servants were living. During the event, the army was not called into action, but the episode did highlight Bourden's importance and the part the militia played in his life. In this period of increasing threat to the island, Bourden's role in the assembly continued to grow in importance, reflected by his increasing responsibility and obligations. He was asked to request the vicar to perform the prayer every morning and was part of the committee considering the bills. In August 1679 during another session, Bourden was again invited to see the governor, to become a member of committees and to meet with the Council.

The assembly and the politics of local government had little effect on the Irish smallholders and servants. Only the conflict between the Assembly and the governor caused confusion for the smallholders about how they were about to be taxed (Dunn 1972: 158). At the start of the 1680s, the rivalry between the planter faction and the former privateers was augmented by the announcement that Sir Thomas Lynch had been appointed the new governor.<sup>2</sup> Lynch quickly called an assembly where Bourden was to play his most prominent role yet through regular meetings with the governor. At the end of September 1681, 'Major Bourden and

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<sup>2</sup> Lynch, not an Irishman by birth, was a prominent planter who had been part of the original Cromwellian expedition in 1655.

Mr. Broughton were ordered to wait for the governor, and acquaint him to the house' (Aikman 1811 I: 58). Unlike previous sessions, Lynch did not dissolve the assembly or call any further elections. When a member was absent or had died he was simply replaced. Bourden remained in the assembly as one of its most senior members until the end of 1683. On 27 December of that year, Bourden was made a Councillor and had 'taken the oath of allegiance and supremacy and was admitted one of His Majesty's Council' (Minutes of the Council II: 78.). He became part of the higher echelons of the island's elite and a close confidant of the governor.

The presence of John Bourden on the Council indicated that there were opportunities for people from Ireland to climb the social ladder. As a protestant Irishman, Bourden faced no restrictions while his consistent presence in the assembly and senior rank in the militia made him an obvious choice. However, his most testing time in local politics was yet to come in the decade that followed.

### **Councillor Bourden**

A war with the Maroons was to dominate much of the 1680s, causing problems for a number of Irish smallholders and servants as plantations and settlements were attacked.<sup>3</sup> Bourden's plantation was also under threat, while he also had to deal with a troublesome period on the Council. He was now part of the governing elite of the island, and the councillors met on a more regular basis to advise the governor and to deal with petitions and issues of law and order. In January 1684, Bourden was called to task when asked to carry out the court martial of Captain Archibald who had used 'many violent and unbecoming expressions' (Fortescue 1898 XI: 584) when addressing governor Lynch. On the 19 January 'Col. John Bourden [was to] be associated with the commission' (*Minutes of the Council* II: 82) in Port Royal where the court marshal was to take place. The governor and the Council were at odds with the lawyer Roger Elletson who represented the former privateers, including Archibald. Lynch died in 1684 and was succeeded by Hender Molesworth.

The local intrigue continued under the new lieutenant governor when Councillor Ivy questioned the validity of Molesworth's appointment and Bourden's installation to the Council. He 'asked to see the king's letter by which Bourden was appointed' (Fortescue 1898 XI: 683) but was quickly rebuked and eventually suspended. The former privateers openly attempted to undermine the planter government. The Maroon wars continued to cause problems, notably in St Catherine where some of the Irish worked on the oldest plantations of the island. Here, a violent slave-rebellion erupted around Guanaboa Vale in 1685 and Bourden was called

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<sup>3</sup> Militias of runaway slaves, who had settled in the mountains of Jamaica.

in to control it. After ten days, the rising had been suppressed and prisoners detained while Bourden carried out the court martial. The rebellion and the response to it caused further disturbances and awards were offered to catch the perpetrators. Bourden was ordered to 'repair the several plantations at Guanaboa and parts adjacent and there in the most convenient manner make the negroes sensible of the promised reward encouraging them to use their endeavours in killing and destroying the rebellious negroes' (*Minutes of the Council II*: 234). It was to bear very little fruit and by early February 1686 the resistance re-emerged and the Council was forced to send in more troops. Once again, Bourden played a significant role in the operation.

Bourden's relationship with those of African descent was in all likelihood minimal. The Irish servants, like elsewhere in the Caribbean, had closer contact with black slaves, but there were no reports of them joining in the rebellion as had been the case in Barbados decades earlier. The number of Irish in Jamaica was small (roughly a thousand, based on the James Modyford survey) and the prospect of acquiring land on easy terms made them unlikely to revolt (Dunn 1972: 164-5). Many of the Irish smallholders could not afford to buy any slaves and violence threatened their families and their crops. Therefore, the protection provided by Bourden and his regiment was vital to their survival.

### **Suspension**

The Duke of Albemarle's time as governor at the end of the 1680s caused great upheaval in the local government. The Duke, who found himself in financial trouble, had asked James II to appoint him governor of Jamaica. He hoped to enrich himself with the salvaging of wrecks, a common scheme in this period. As a peer of the realm Albemarle brought a different dimension to the social life on the island. He quickly sided with Henry Morgan and the privateers and gradually removed the planters from power. While many of his friends left for England, Bourden stayed in Jamaica and remained on the Council. It was not long however, before there was a confrontation with Albemarle. The Duke had appointed Roger Elletson as chief justice and this was an affront to Bourden who 'desired to be excused from sitting as one of the assistant judges' (*Minutes of the Council III*: 27th February 1688). Once this was granted, the Irishman left the room. Bourden did not attend the following two Council sessions, and on 5 March 1688 Albemarle had enough reasons to remove him completely from the Council. The Duke decreed, 'he that refuses the King in one capacity is not fit to serve him in any other and therefore his grace thinks fit and does now actually suspend the said Col. Bourden' (*Minutes of the Council III*: 5th March 1688). Bourden would play no further part in local politics during the remainder of Albemarle's tenure.

In contrast to Bourden's demise, the reign of Albemarle brought a new situation for the Catholic Irish on the island as King James II insisted on greater religious freedoms. The number of Catholics on Jamaica was difficult to ascertain, as they were a more clandestine presence and restricted in their worship. After James II had been crowned, an English priest, Thomas Churchill, began to lobby the court for greater tolerance of the Catholics in Jamaica. He asked 'that a priest be sent to minister the faithful on the island' (Osborne 1988: 127). This led to Churchill accompanying Albemarle to establish a church on the island. The governor's instructions included 'You are to give all protection, countenance and encouragement to our Roman Catholic subjects in our island of Jamaica, and particularly to doctor Churchill whom we have appointed chief pastor over them' (Osborne 1988: 128).

The new priest came into direct conflict with the powerful slave trader James Castillo.<sup>4</sup> As a wealthy man, he had converted one of the rooms in his house in Port Royal into a chapel to celebrate mass. On arrival, Churchill established a small church in Spanish Town and quickly petitioned Albemarle to shut down the chapel in Port Royal. Castillo published a 'Cuban Manifesto' by Fr. John Baptist Dempsey arguing that only the archbishop of Havana could make appointments in the region. The governor called Fr. Dempsey to testify and it soon became clear that Castillo was trying to obstruct Churchill from practising his faith. The slave trader's position on the island became untenable when his arrest was ordered. Dempsey and Castillo quickly escaped to Cuba (Osborne 1988: 130-4).

The entire period of Albemarle's governorship was characterised by the rise of Catholics in public positions. The elections for the assembly in January 1688 had given some seats to Catholics, but all of them seemed to be of English origin. For the Irish, having to swear an oath of supremacy remained an obstacle. However, when a letter was sent to the governor thanking him for the introduction of religious freedoms, the signatories included Bryan M'Grath and Redmond M'Raugh (Osborne 1988: 129). Although there was no reference to their place of origin in Ireland, it must be considered plausible that some of the support for Albemarle came from the Catholic Irish on the island. There was no suggestion however that the Albemarle had any specific interest in the Irish. The Duke died in September 1688 and Churchill returned to England soon after without appointing a successor.

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<sup>4</sup> Castillo was Spanish born but had naturalised under Molesworth. He held the *assiento*, the right to trade slaves on the island.

## **Return to the Council**

The late 1680s was a period of political turmoil as the Glorious Revolution brought a change in government and the arrival of the Earl of Inchiquin as governor of Jamaica. As an Irishman, Inchiquin was looked upon with a certain amount of suspicion, and rumours about his religious affiliation quickly undermined his position. An Irish peer at the head of government with a small number of Irish Catholics at the lower end of society made for an interesting situation. Other than the Catholic Irish, the wealthy local planter, John Bourden, was never regarded with any suspicion concerning his country of birth and a long period of dedicated service seemed to absolve him from any suspicion. In the months after his suspension from the Council, Bourden disappeared from public view and retired to his estate, but retained his rank in the militia. In February 1689, instructions were sent from London to have Bourden and others reinstated. Since the death of Albemarle, the responsibility for the local government had fallen to Francis Watson. As President of the Council, Watson had limited powers and could not call an assembly for instance. It was a testing time to be on the Council and Bourden quickly found that he was still in the minority as Albemarle's legacy lingered. For the Catholic Irish, it meant a return to a more repressive regime as the war with France saw an increasing threat to Jamaica developing.

When Watson received the King's orders in March 1689, he stalled over the reappointments and Bourden did not return for his first Council meeting until 4 June 1689. Watson had ensured that the planters were not going to gain control again by adding two more councillors to retain the balance of power. They included William Ivy, who had questioned Bourden's admission to the Council. During this period, the French privateer Laurens threatened to attack the island. On 3 December the Council ordered that Port Royal was put under guard with the troop selection 'left to the discretion of colonel Bourden' (Fortescue 1899 XII: 186-7). The next day in the Council it was also decided that two men out of Bourden's regiment were to guard the prison in Port Royal. Watson remarked that 'there were but three Roman Catholics in the militia, who at once quitted their commands' (Fortescue 1899 XII: 59). By the end of the 1680s, Port Royal had grown to become the largest English port in the region. Many merchants, government officials and wealthy planters that lived in the town had large households and needed servants. As on Barbados, they initially looked for poor whites to settle on the island on an indenture. It meant serving for five or seven years to pay back the cost of the passage. Many Irish had used this method in the seventeenth century to emigrate (Rodgers 2007: 30-55). But by the time Jamaica was conquered, the numbers had declined sharply and the authorities had great difficulty attracting servants.

In May 1690, in anticipation of Inchiquin, Bourden and the other councillors brought Watson under control. William O'Brien, the second Earl of Inchiquin was born in 1638 into Irish nobility that could trace his lineage back to the high kings of Ireland. As a supporter of William and Mary, he was keen to fulfil his post and the Lords of Trade realised that they needed an experienced soldier as well as an apt administrator to govern Jamaica. The absent planters supported the appointment of someone with military experience but had misgivings over the powers he was given. In addition to his political powers, Inchiquin was provided with an interest in the slave trade. And like Albemarle, he received a percentage of any treasure found in wrecks. The arrival of the new governor on the 31 May must have caused dismay with the local elite. He was no peer of the realm like Albemarle was, but a one-eyed battle hardened Irish soldier who approached the local political sensitivities with disdain. The Irish on the island must have looked at their fellow Irishman with a mixture of surprise and pride. That one of their own was sent over to reorganise the government of the island must have surprised them. For the smallholders on the island a return to proper law and order was a blessing. The lack of a functioning justice system caused serious problems when dealing with disputes over land or other issues.

The period under Inchiquin saw Watson removed from the Council, the courts restored, and an attempt to suspend the laws approved under Albemarle. An assembly that was called in June 1691 once again proved to be uncooperative. Inchiquin was too impatient, despite the fact that the planter faction was returned as the majority in the house. Bourden became a close advisor to his fellow Irishman, as he understood the workings of both the assembly and the Council. Their Irish connections might have played a role in this, although this was not evident from the sources. When the assembly set up a committee to lobby for the island's interest back in London, Bourden and two other councillors joined to decide how it would be financed. Inchiquin later wrote about these proposals that 'the governor they left out was as if he were a Judas, not to be trusted with the other seven apostles. Beckford and Bourden had the assurance to state in the Council that its chief use was to solicit against a governor' (Fortescue 1899 XII: 522-4). Evidently, the members of the committee felt that Inchiquin's temper would be more of a hindrance than a help and had avoided his inclusion altogether. Perceived as a snub, Bourden advised the governor against signing this bill into law. The bad-tempered Inchiquin dissolved the assembly soon after. Illness remained a serious problem and the governor spent twelve days in bed with 'a violent fever' (Fortescue 1899 XII: 335-7). For the rest of the year the government in Jamaica was at a stand still as Inchiquin's health deteriorated.

When he died in January 1692, Inchiquin already had appointed John White as president of the Council. To the Irish smallholders, the

continuation of the same type of local government must have met with approval. Bourden was passed over on this occasion despite being one of the more senior members. In January 1692, the Council sent a letter to London noting that 'no member has been suspended but we are told by common fame and threatening speeches that several of our members are misrepresenting the King by misbehaving at the Council board'. The councillors feared that they might be removed at a whim and asked 'that no Councillor may be suspended or discharged except by the King's immediate order unless by advice of a full Council'. To avoid cases such as Bourden's suspension they also asked 'that if a governor judges us to be unfit for the King or his own service we may be discharged at once' (Fortescue 1899 XII: 592-6).

The business of local government continued without much incident into the summer months of 1692. It was rumoured that Inchiquin's widow travelled back to England 'having there declared herself a papist' while his youngest son was still on the island.<sup>5</sup> The eldest brother had inherited the titles and James O'Brien received his father's part in the slave trading company in Jamaica.<sup>6</sup> However, the hostility towards the young man must have been considerable and soon it was reported to the Council that 'Colonel James O'Brien resigned the command of the forts in Port Royal' (Fortescue 1899 XII: 619-620). In May, the French attacked the north side of the island and a large force was dispatched to defend it. For the Irish smallholders on that side of the island the threat remained as well as the harsh living conditions. By the middle of June it was confirmed that the former speaker William Beeston was appointed governor of Jamaica.

### **President of the Council**

On the 7 June 1692, an earthquake struck Jamaica, devastating a large part of the basin where Port Royal was situated. This was a turning point in the island's history as it severely affected the lives of all people, including the Irish. A large section of the city was swallowed up by the sea and the councillors fled to one of the ships in the harbour noting that 'on the 7th inst., there was a dreadful earthquake which in ten minutes threw down all the churches, dwelling houses and sugar works on the island. Two thirds of Port Royal was swallowed up by the sea, and a great part of its inhabitants were miserably knocked on the head or drowned' (Fortescue 1899 XII: 651-2). A thousand people died on the day itself and nearly two thousand

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<sup>5</sup> *Letter from John Pulteney to Lord Coningsby*, 26 April 1692, D/638/13/138 (Public Record Office of Northern Ireland).

<sup>6</sup> The eldest son of the second Earl was also called William, which caused some confusion. Cundall maintains that the Earl accompanied William of Orange to Dublin in 1690. As he arrived in Jamaica prior to the battle of the Boyne, it must be concluded that this was the son, the future third Earl.

more after the onset of disease and looting in the weeks that followed. One of those who fell ill was the president of the Council. Many of the Irish servants who worked in the large houses in Port Royal would have been killed or succumbed to the effects of disease. Spanish Town was not spared either and the buildings there were damaged and a number of people killed by falling debris and landslides. For Bourden the devastation must have been enormous. His plantation must have been severely affected and he would have lost a number of his close friends.

In the following month, a start was made with the construction of the city of Kingston. By the end of August 1692, John White had died and Bourden became president of the Council, simply by virtue of being one of the eldest members. As Beeston had already been appointed lieutenant governor, this was a temporary assignment for Bourden until the former speaker arrived in March 1693. Much of his time was taken up with the reconstruction of the island and creating a new settlement. By 20 September 1692, he wrote that 'the island has been in a declining condition for the last seven years, especially the inward part of it, occasioned by the want of white servants' (Fortescue 1899 XII: 710 -1). At the end of September, Bourden decided to entirely abandon Port Royal and move all its inhabitants to the new settlement. The seat of government was also transferred permanently to Spanish Town.

From the minutes of the Council it became clear that the new president ran his affairs with military precision. Strict orders were given, financial matters were speedily dealt with, and defence of the island was maintained as the war with France continued. A good example of Bourden's style was the meeting held on 1 November, where the orders were given 'for H.M.S. Mordaunt to be victual led for a month, for the proceeds of sale of unclaimed goods to be paid to the president for payment of or repair of public buildings in Spanish Town' (Fortescue 1899 XII: 731). In early September, the Queen had asked the Council to provide assistance to the Leewards Islands in the war against France. After a meeting in December, Bourden was asked to respond, on behalf of the Council. He noted that they were 'mightily concerned that we cannot answer her commands. Earthquake and sickness have thinned us much, and we are constantly harassed in remote parts by the French, who have received great accession of strength, and are only twenty-four hours distant' (Fortescue 1899 XII: 751). On the 17 January 1693 Bourden declared martial law and a ship was sent out to the north side of the island to defend it against a possible attack. At the end of the month it returned, and martial law was again suspended. Jamaica was spared a French assault.

On 9 March 1692, William Beeston arrived to take up his position of lieutenant-governor. Bourden would continue to serve on the Council until



his death in 1697. His two daughters married into the local planter elite, while he married late in life. Other relatives disputed the latter and the settlement of his will took some time. He was buried in the cemetery next to the Cathedral of Spanish Town. His gravestone read:

Here lyeth the body of Col.  
 John Bourden  
 Borne in the City of Colraine  
 In the Kingdom of Ireland, in year 1633  
 One of His Majesties Counsel of  
 Jamaica and some time President.  
 A Lover of Justice  
 A Loving Husband  
 A Faithfull Friend and a Good Master  
  
 Dyed the 18<sup>th</sup> day of August  
 1697

(Cundall 1935: 142)

The earthquake brought the presence of white servants on the island to an abrupt end. Throughout the seventeenth century, the recruiting of new servants had been problematic. Many of the Irish servants that had survived moved to North America and by the end of the century very few were left on the island. The Irish small holders were also severely affected by the earthquake and the aftermath of disease had a devastating effect. Many sold their plots to the larger planters who required more land to intensify their sugar production. Not being able to afford the large kettles or the black slaves to carry out the labour intensive work, the small holders had been confined to growing food for local markets (Dunn 1972: 164). After being bought out by the larger planters, some would have continued to work as overseers while others booked a passage to North America. It was likely that Bourden was one of the planters who bought these small plots up to expand his own plantation.

The life of John Bourden provides us with a new perspective on the Irish in the Caribbean during the seventeenth century. A Protestant Irishman and a product of the Plantation of Ulster, Bourden emigrated to improve himself. As many Irish before and after him, a career in the military was a stepping-stone for colonial success. Bourden's career can be compared to other prominent Irishmen in the region, like the Stapleton's on Montserrat. Contrary to the Irish on the Leeward Islands and Barbados,

Bourden seems to have had little connection with Ireland. However, he was obviously proud of his Irish origins, as his gravestone noted the 'Kingdom of Ireland' as his place of birth. The Irish were a small, but distinct group on Jamaica in the seventeenth century. While most of the Protestant Irish integrated and became part of the elite, their Catholic counterparts faced restrictions. These complexities of Irish life on Jamaica would continue well into the eighteenth century.

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**Reseña: Miguel Savage, *Malvinas: Viaje al Pasado. La historia de una herida que no para de sanar* ([www.viajemalvinas.com.ar](http://www.viajemalvinas.com.ar) 2011)**

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Tolstoi, en su famosa novela *La Guerra y la Paz*, planteaba que la historia era el resultado de las motivaciones anónimas, en lugar de los promovidos por los grandes personajes nacionales. En efecto, la percepción de Tolstoi de rescatar al sujeto anónimo -aquél que no cuenta dentro de la Historia oficial, pero que ha sido motor del acontecer humano en el tiempo-, supone un avance indiscutible con respecto a las pretensiones de neutralidad postuladas por los partidarios del positivismo científico. Esta historiografía tenía un ángulo de visión elitista, es decir, sólo concentraba su análisis en las gestas de los estadistas, pues, su objetivo era la política. En cambio, al resto de la humanidad se le asignaba el papel de figurantes, de extras o de meros comparsas. Como es obvio, Estos últimos no estaban considerados dentro del objeto de estudio de la historiografía positivista.

En tal sentido, y con el objetivo de evitar la invisibilidad de aquella multitud anónima de soldados argentinos que lucharon en la Guerras de las Malvinas, Miguel Savage nos presenta *Malvinas: Viaje al Pasado. La historia de una herida que no para de sanar* un emocionante relato de su experiencia como sobreviviente del Regimiento N° 7 de Infantería Mecanizada de ciudad de La Plata.

Este libro apela precisamente a la memoria. Recordar no sólo puede traer al presente ese pasado que a veces hemos querido olvidar y no podemos, sino que permite resignificado de acuerdo a los acontecimientos de nuestro presente. Demás está decir que el lector se encontrará con un testimonio crudo del frente de batalla que posibilita una nueva lectura de la Guerra de las Malvinas capaz de cuestionar y poner entredicho las versiones oficiales de la historia argentina.

Así, pues, Savage, en su obra, nos sumerge en esa infinita cantidad de imágenes y emociones de su estadía en Malvinas, con la muerte sonriendo a cada momento en medio de metrallas y bombardeos. Ello generó un daño en la salud mental de este sobreviviente que pareciera que su propia

vida comenzaba con la guerra. Es decir, todo lo vivido antes de tal acontecimiento quedó en el olvido. Al respecto, Savage señala en la presentación del libro lo siguiente: ‘Esta debe ser la quinta vez que intento sentarme a escribir esta historia, siento el impulso visceral de documentarla, de registrar la catarata de imágenes y emociones que me invaden. Pero cada vez que, con muchísimo esfuerzo, me sumerjo en mis recuerdos, siento que dominan, que esos fantasmas todavía están, y que al sentarme a escribir me oprimen y perturban’ (3).

El descrito testimonio de Savage, claro está, nace como un derecho a construir cada torsión, con otra temporalidad; una nueva ‘historia’ para que el lector pueda leer el grito desesperado de ese sujeto anónimo que no había tenido la oportunidad de contar su verdad. En ese sentido, Savage se atreve a romper la desmemoria de la sociedad argentina hacia los combatientes y decide entregarnos su corazón que dispara sencillas palabras.

En relación a los aspectos formales, el libro consta de dieciséis capítulos, partiendo con la mencionada presentación —muy conmovedora, por lo demás— en la cual expone el doloroso recuerdo de una herida que no para de sanar. En el breve capítulo primero titulado *Año 2001*, se establece una interesante conexión entre la crisis Argentina del 2001 y las secuelas post traumáticas de la guerra. La sensación de incertidumbre que atormentó a miles de argentinos fue la misma que tuvo Savage en la Guerra de las Malvinas, lo que motivó a escribir su experiencia de soldado.

En el segundo capítulo titulado *La Colimba* aborda los inconvenientes que tuvo el conscripto Savage en el Regimiento 7 cuando realizaba su servicio militar. Si bien estaba circunscrito en una época de dictadura, Savage sufrió todo tipo de aberraciones que cuestiona si el ejército argentino estaba verdaderamente preparado para enfrentar una situación real de guerra, con un ejército profesional y muy superior como el británico. Lo anterior está relacionado con el recuerdo de algunos instructores que ‘jugaban a hacer la guerra’, lo que, claramente, cuestiona la calidad profesional del ejército argentino (10) en ese entonces. Por cierto, tales humillaciones se cometían en nombre de la patria.

Por otra parte, los capítulos siguientes contienen el fatídico llamado a la guerra en cual puede observarse el preludio al infierno que Savage viviría en Malvinas. La escasa preparación ante una guerra (a la cual jamás les mencionaron que irían) llevó a serios cuestionamientos por parte del autor a participar de ella (‘¿Cómo voy mentalizarme si no tengo la instrucción adecuada y no tengo alma de milico?’). De allí que se pueda desprender la siguiente tesis del libro. La derrota de Argentina se debió principalmente a la inexperiencia e inmadurez de los jóvenes conscriptos que combatieron en esa batalla. Tal como el propio autor señala, el desconocimiento para

manejar un arma, algo tan imprescindible en toda batalla, hacía que estos militares fueran al directamente suicidio, cuestión que deja una interrogante: ¿tenía lógica la política de la dictadura militar argentina de invadir las Islas Malvinas? Claramente la respuesta es no, y, como ya señalamos anteriormente, la desidia y el abuso de los oficiales a los conscriptos no permitió que existiera una “unidad” para enfrentar a Inglaterra. Ello no significa que el ejército argentino no fuera profesional, sino que se debió a las absurdas decisiones de los altos mandos de enviar a jóvenes inexpertos al sacrificio. Fue la crónica de una muerte anunciada. Ya que, al momento del arribo, los inexpertos soldados pudieron dimensionar la alta complejidad de enfrentarse a los ingleses.

Pues entonces, la interrogante es: ¿cómo pudo haber pasado todo esto? La respuesta está en la propia dictadura militar argentina. Con un régimen autoritario, bastante debilitado, cada vez más impopular, que encontró en la antigua reivindicación del territorio de Malvinas, un discurso de ‘unidad nacional’ que les permitía recuperar popularidad y legitimación. Sin embargo, tal discurso unitario se constituyó en un verdadero crimen contra sus propios ciudadanos. Lo que ponía en cuestión el carácter ‘patriótico’ de la junta militar.

En tal línea, Savage recuerda: ‘Nos bañamos en un galpón con agua de mar, salada... Ahí fue cuando me di cuenta cabalmente de lo grave de nuestra desnutrición. Al sacarnos la ropa, nuestros cuerpos desnudos se veían raquíticos, huesudos, con la panza hinchada, tal cual recordábamos a los prisioneros de concentración nazis. Cada vez que lo pienso siento que nos trataron como a ellos, con el mismo método... ¡Y no estoy hablando del enemigo!, estoy hablando del trato que nos dieron nuestros propios compatriotas ¡devenidos en jefes’ (46).

De acuerdo a lo manifestado por Savage cuesta entender que los propios oficiales argentinos humillaran a sus propios conscriptos. Lo cual hace pensar que aquellos jóvenes soldados estaban bajo una doble presión psíquica tanto de sus altos mandos como de los británicos. En ese contexto, era casi posible que las tropas argentinas derrotaran a los ingleses, sobre todo si se considera que las fuerzas militares en disputa eran radicalmente desiguales: por un lado, estaba un ejército de voluntarios, con un entrenamiento militar profesional y, por otro, un ejército de conscriptos que ni siquiera sabía cómo utilizar las armas. Armas que, por cierto, eran muy antiguas y no funcionaban correctamente.

A lo anterior cabe agregar la escasez de alimentos que llevaron a Savage y a sus compañeros a buscar en los pueblos comida para terminar con el hambre. Ello como consecuencia de la crueldad de los oficiales que poco les importaba el bienestar de su tropa.

Al respecto, Savage relata su furia contra el sargento Ibáñez alias *El Urco*, y lo recuerda como un: ‘...cruel milico, estaqueador, perverso y traidor; acostumbrado a aterrorizar a adolescentes de 19 años, a los que nadie había entrenado para estar allí’ (52).

Como puede verse, queda formulada la siguiente interrogante: ¿qué chances podían tener esos adolescentes para ganar una guerra a la que ni siquiera les habían dicho que iban a ir? ¿Con qué condiciones podían triunfar si pasaban todo el tiempo sufriendo con el frío, los malos tratos de sus superiores y del hambre? ¿Qué recuerdos positivos podía sacar Savage en tales condiciones?.

Quizás sea ésta la relevancia de este libro: abrir una perspectiva de la guerra ‘desde abajo’ proporcionando un (re) descubrimiento y una problemática de la Historia oficial, desde la mirada del soldado raso. En ese sentido podemos contrastar el testimonio Savage con la imagen triunfalista con que los medios de comunicación, controlados por la dictadura militar, emitían frases como: ‘¡Argentinos, a vencer!’ que no hacían otra cosa que ocultar lo que ocurría efectivamente en el campo de batalla.

Sin embargo, tal optimismo comenzó a decaer cuando el poderío británico arrasaba con el ejército argentino dejando en entredicho la superioridad militar de Galtieri y su gobierno. Claramente la ambición por Malvinas constituyó sólo un sentimiento (hasta hoy).

Los capítulos finales del libro no dejan de ser paradójicos. Savage, -siendo descendiente de irlandeses-, hablaba fluidamente el inglés desde pequeño. Ello, en efecto, le permitió salvarse de la muerte, puesto que pudo establecer contacto con los *kelpers* y así pedir alimento en plena guerra. Aunque también le ayudó cuando estuvo detenido por los ingleses. Es así cuando Savage, a bordo del buque inglés *Canberra*, conversaba con notoria facilidad con los oficiales ingleses y, posteriormente, utilizado como traductor para el trabajo con los prisioneros argentinos. Quizás sea un caso excepcional lo que le ocurrió a Savage, sin embargo, el resto de sus compañeros no tuvo la misma suerte.

Cabe finalmente hacer notar que sin el testimonio biográfico de Savage no hubiésemos conocido la interesante interacción entre él y los oficiales británicos, luego de finalizada la guerra. Con respecto a esto último, la liberación de la guerra se convirtió en una nueva prisión para los sobrevivientes. Savage, ya libre, quedó sin salud, sin dinero, y sólo con insulsos reconocimientos militares. Pero nada de eso le quitaba de la mente los malos recuerdos que lo dejaron afectado emocionalmente para toda su vida.

Las secuelas psicológicas de la guerra descritas en el capítulo *Primeros días en familia* cuestionan la poca preocupación del ejército argentino hacia los ex-combatientes. El autor señala que en esos años en Argentina no existía experiencia psiquiátrica con veteranos de guerra (136). Incluso más, la propia sociedad argentina rechazaba a los ex-combatientes. En ese sentido, Savage relata su amarga experiencia en una empresa importadora de caucho; el empresario, al consultarle sobre su situación militar y supo que c Savage fue ex combatiente en Malvinas, no le dio el puesto de trabajo, a pesar de que en un principio se había interesado en él. ¿Razones? Ni el autor sabe el por qué de su actitud (153). Tal vez el empresario pensó que Savage estaba loco o que padecía de alguna otra enfermedad mental a consecuencia de la guerra. Quién sabe.

En los capítulos finales del libro Savage relata su relación de amistad con un joven artista de las Islas Malvinas, James Peck, quien exhibía pinturas de la guerra en una galería de Buenos Aires. Los trabajos de Peck conmovieron enormemente a Savage que le permitieron iniciar un proceso de sanación de sus heridas emocionales. En el año 2000 vuelve a Malvinas invitado por Peck y allí conocí al padre de James, Terry, quien luchó durante la ocupación argentina. Casualmente ellos coincidieron en una granja donde Savage y seis de sus compañeros entraron mientras Terry Peck estaba en la vereda de al frente.

Las últimas páginas del libro son conmovedoras. Sólo se puede decir que el protagonista ha podido sanar los horrores de una guerra injusta y desquiciada. Seguramente ninguno de los oficiales argentinos le devolverá a Savage su juventud, pero, a pesar de que le arrancaron los dientes, él ha sabido sonreír de otra forma.

Finalmente quiero señalar que el libro es un gran documento histórico, pues refleja la visión ‘desde abajo’, desde los ‘marginados’ y pone en discusión el ciego patriotismo de sectores de la sociedad argentina que acusan de la derrota a los ingleses e incluso a la colaboración de Chile, y más particularmente de la dictadura de Pinochet. No es menos cierto que los tres gobiernos en cuestión tuvieron baja popularidad y que fueron fuertemente cuestionados por sus propios ciudadanos. Por ejemplo, como es bien sabido, en Chile existía un profundo desconocimiento por parte de la población sobre el Conflicto del Beagle de 1978<sup>1</sup> y de la Guerra de las Malvinas. Obviamente que todo ello fue consecuencia de que las preocupaciones estaban concentradas en la apertura democrática y en la lucha contra el terrorismo de Estado de Pinochet.

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<sup>1</sup> El papel de la intervención papal en el conflicto del Beagle fue determinante para que Chile y Argentina no hicieran la guerra. Véase al respecto, Fabián Bustamante Olguín, ‘Un enfoque idealista de las relaciones internacionales en el conflicto del Beagle entre Chile y Argentina. La mediación de la Santa Sede, 1979-1984’, en *Revista Cultura y Religión*, Vol. 4, N°2, Universidad Arturo Prat, Iquique, Chile, 2010, pp.57-71.

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En resumen, el libro abre una puerta al estudio de la Guerra de las Malvinas desde una óptica crítica al nacionalismo extremo y a la amnesia histórica que los gobiernos argentinos hicieron con los conscriptos sobrevivientes.

Por último, no me corresponde a mí señalar si las Malvinas deben ser argentinas o británicas, pero lo que sí puedo decir es que Savage nos ha dado una buena lección que podría resumirse en la siguiente frase: las únicas fronteras que existen son las que están dentro de nuestras mentes; la naturaleza no necesita de nuestras jurisdicciones. Si algún día comprendemos eso, éste mundo sería mucho mejor.