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The Mathew O. Tobriner Memorial Lecture

Balancing Ethical Imperatives and Political Constraints: The Dilemma of New Democracies Confronting Past Human Rights Violations*

by
JOSÉ ZALAQUETT**

Forty-three years have passed since the proclamation of the Universal Declaration of Human Rights and thirty years since the founding of Amnesty International. Fifteen years ago, President Carter announced that human rights would be one of the cornerstones of his administration's foreign policy. Only yesterday, most of Latin America was under military rule. As we gather here today, the effects of the political events that led to the thunderous tumbling of the Berlin Wall continue to be played out dramatically.

These milestones are of dissimilar character and consequence. Nevertheless, each marks a new phase in the steady progression of the human rights cause. Although its roots are ancient, the human rights cause entered the international arena only after the Second World War. Initially, human rights concerns were confined to the United Nations and other intergovernmental forums. During the 1960s, human rights began to be

* This lecture was presented at Hastings College of the Law on October 15, 1991. The Mathew O. Tobriner Memorial Lecture, in honor of Justice Mathew Tobriner of the Supreme Court of California, was established by close friends and relatives of the Justice to serve as a permanent memorial to him and his life's work. Justice Tobriner said: "In the context of law, the underlying moral value of our American society, I think, is the protection of the individual citizen for the purpose, and in hope, that he may reach his greatest fulfillment and self-realization as a person."

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a rallying point for international activism by ordinary people on behalf of persecuted people elsewhere in the world. Starting in the 1970s, human rights became a recurring agenda item in superpower summits as well as in other relations between states. In recent years, human rights norms have come to be accepted as beyond dispute, across borderlines and political or religious divisions. Human rights are now strongly associated with democracy and are widely recognized as the preeminent issue of political ethics.

Progress has occurred. Perhaps it can be said that a whole chapter has been completed in the history of human rights as an international cause. But there is no room for complacency. Human rights violations, though abated in many places, persist in others. We are thus reminded that the fact that human rights norms have become indisputable is not a guarantee that transgressions will cease. The very political changes that have contributed to strengthening the human rights cause have also brought about novel ethical and political challenges. We are thus reminded that solutions often pose new problems.

Two new problems have emerged in the field of human rights in recent years. The first relates to the protection of human rights in various situations of armed conflict and political violence. Ten or twelve years ago, the typical transgression confronted by human rights activists was the arbitrary attack of dictatorial governments upon the rights of peaceful opponents. Now, most atrocities are caused by governmental and non-governmental armed groups in the context, or under the pretext, of conventional warfare; armed resistance against occupation; civil war, insurgency and counterinsurgency campaigns; and separatist, religious and other such interethnic or intercommunal violence. In this context, it is necessary to promote basic principles to hold all political actors—government and opposition groups—accountable.

The second significant problem in the human rights field is how emerging democracies ought to address the atrocities of their recent past when the perpetrators still wield considerable political or military power. This problem has become evident and urgent only in recent years. Starting in the 1960s, nongovernmental human rights organizations, which form the backbone of the human rights movement, grew and spread internationally to many countries where there was a pattern of political repression. For nearly twenty years these organizations, most notably Amnesty International, dealt with human rights violations committed by governments. It was within the power of these governments to continue or stop such practices. Thus, they could not argue that it was beyond their authority to comply with demands for the immediate cessation of

human rights violations. However, demanding that successor governments fulfill the positive obligation of dispensing justice for past crimes is altogether different from requiring that they discharge the negative obligation of refraining from committing crimes.

From 1974 to the early eighties, Amnesty International and other human rights organizations had to deal with governmental policies regarding alleged crimes by deposed regimes in countries such as Greece, after the downfall of the military rulers in 1974; Vietnam, following the Hanoi regime's victory; and Nicaragua, after the Somoza government was overthrown in 1979 and the Sandinistas brought thousands of alleged agents and supporters of the fallen dictator to trial. In all three cases the new governments had the power to mete out punishment. The rulers in Vietnam and Nicaragua had won decisive military victories. In Greece, the military had just been defeated by Turkey in Cyprus, and its demoralization prevented it from achieving the cohesion necessary to oppose the trial of some of its leaders. Human rights watchdogs were concerned about unfair trials and other, possibly arbitrary actions being taken by these governments in the name of justice.

After subsequent political changes in the 1980s, an array of difficult ethical, legal, and political issues relating to the transition from dictatorship to democracy became fully apparent. Elected governments replaced dictatorial regimes in countries notorious for human rights abuses such as Argentina, Uruguay, and the Philippines. Following this came the precipitous process of political liberalization that we have witnessed in recent years in Eastern Europe and many other regions of the world. Human rights organizations began to focus not only on the possibility of unfair trials and arbitrary punishments for past human rights violations, but also on the real probability of impunity.

The foremost test-case in the early and mid-eighties was Argentina. The Alfonsín government, which came to power in 1983, brought leaders of the previous military juntas to trial. It also published a report entitled "Nunca Mas" ("Never Again"), prepared by a presidential panel appointed to investigate thousands of political "disappearances" during the period of military rule. Just as in Greece seven years earlier, the Argentine armed forces had been humiliated by a foreign power outside the mainland. This situation helped bring the main Argentine leaders to justice. Yet, as the military regained cohesion and determination, it became much more difficult to dispense justice for past human rights violations. Intense military pressure forced the Alfonsín government to adopt measures of leniency. This undermined its initial stand, strongly grounded on ethical convictions, and diminished the authority of its administration.

Although President Alfonsín undoubtedly acted with the best of intentions and actually realized some notable achievements, the final outcome of his government's policy suggests that he staked out a position he could not sustain.

The view of most human rights organizations and international observers at the time of the events in Argentina was influenced by the ethical and legal legacy of the paramount war crime cases of our time: the Nüremberg and Tokyo trials, and the policies adopted by several European countries regarding war criminals. These cases emphasized the duty to prosecute and punish those guilty of certain crimes so as to preserve the collective memory and build up an effective deterrent. This policy, which is mandated by human conscience and several international legal norms, has guided the prosecution of war criminals for decades. As a consequence, the lessons of World War II have been further engraved in the conscience of international public opinion.

As human rights organizations followed the events in Argentina, they applauded the prosecutions and deplored the subsequent leniency. These reactions may have been justified, but they stemmed from a post-World War II model for prosecuting war criminals that is not fully adequate to deal with perpetrators who still wield considerable power.

The war criminals brought to justice after the Second World War had lost both political power and their weapons. Their defeat was absolute and the victors did not have to wrestle with the question of whether punishing war criminals would provoke an armed reaction. Instead, the victors were guided by their own sense of justice and by considerations of the long-term effect of their policies.

In contrast to the situation after World War II, the perpetrators of past atrocities in Argentina had not lost their monopoly on weapons within the country. Their military humiliation was the main factor that debilitated them and thus permitted some measure of punishment. However, the limits on the government's ability to punish members of the military soon became apparent.

In other countries, political constraints were even more severe. For example, the government may have had the legitimacy of a democratic election, but the military remained a cohesive force with control over the weapons. Alternatively, past rulers or the party they represented may have still enjoyed a significant measure of political support among sectors of the population. Finally, a change of government may have taken place in the context of a negotiated peace or truce after a bitter civil war with atrocities on both sides and no clear victor.

These scenarios represent political transitions that took place at the time of, or shortly after, the Argentinean trials. In Brazil, Uruguay, Guatemala and the Philippines; in Poland, Hungary and Czechoslovakia; and, more recently, in Chile, Nicaragua and El Salvador, the perpetrators of past crimes still wielded considerable political or military power or were inextricably meshed with the fabric of state institutions.

As a result of these political changes, the implications of the dilemmas involved in transitional political situations have become fully apparent. To highlight this point further, consider a plausible hypothetical case involving South Africa. What would happen if Nelson Mandela were to gain political power following a negotiated agreement that permitted whites to retain important quotas of military and police control and a measure of political veto? Would the international community demand that Mandela's government prosecute all of those in authority who had engaged in apartheid? Would it do so regardless of Mandela's actual power to comply, and unmindful of the foreseeable or unforeseeable consequences of such a move on the peace and stability of the nation? Probably not. Such a hypothetical government's policies would likely emphasize disclosing the full truth about apartheid, preserving the collective memory of the odious past, seeking compensation for the victims of the greatest abuses, and perhaps investigating some particularly heinous crimes.

In ambiguous transitional situations, dealing with past human rights violations is indeed a wrenching ethical and political problem. But there are no hard and fast rules on how to proceed. Ethical principles provide guidance but no definite answer. Political leaders cannot afford to be moved only by their convictions, oblivious to real-life constraints, lest in the end the very ethical principles they wish to uphold suffer because of a political or military backlash. In the face of a disaster brought about by their own misguided actions, politicians cannot invoke as a justification that they never yielded on matters of conviction. That would be as haughty as it would be futile, and certainly would bring no comfort to the people who must live with the consequences of the politician's actions.

A variation of that position is often put forward by ideological purists of all stripes: it is preferable to suffer longer under tyranny, in the hope of a fully satisfactory political outcome, than to make progress through untidy compromises. Implicit in this position is the arrogant expectation that the future will comply with one's wishes and a disdain for the dreadful costs of such a cavalier gamble. However, it must also be firmly stated that a politician cannot invoke the need for prudence in

an attempt to justify mere temporization and neglect. The ghosts of the past, if not exorcised to the fullest extent possible, will continue to haunt the nation tomorrow. Political leaders should try to do their best. Yet if it becomes clear that a politician's rule has little practical effect other than providing a mere veneer of legitimacy for the continued rule and continuing abuses by the old forces, quitting power may better serve the principles being pursued.

The approach of democratic leaders in such difficult transitional situations should, then, be based on the ethical maxim that Max Weber lucidly characterized in his famous lecture, *Politics as a Vocation*: Political leaders should be guided by the ethics of responsibility, as opposed to the ethics of conviction.¹ Weber explained that an ethic of responsibility does not imply a lack of conviction, just as an ethic of conviction does not imply a lack of responsibility. He stressed the fundamental difference between acting according to an ethical precept regardless of the outcome, and acting while considering the predictable consequences of one's action.² In Weber's view, politicians must always be guided by an ethic of responsibility.³ This is especially true where the stakes for society are as great as the stakes involved in the types of situations we have been pondering.

Let us examine, then, the two considerations that must be balanced—the ethical principles that ought to be pursued, and actual political opportunities and constraints that ought to be taken into account. By balancing these factors, ethical principles can be realized to the fullest possible extent.

No single international convention or set of norms exists where such principles can be found. These principles must be fashioned from existing international norms, from ethical postulates, and from judgment, taking into account all relevant experiences.

I submit that these principles should be the following:

a) A policy to deal with past human rights abuses should have two overall objectives: Preventing the recurrence of such abuses and, to the extent possible, repairing the damage they have caused.

b) For a policy to be legitimate it must, first, be adopted with full cognizance of past human rights violations. Second, it must be adopted

1. Max Weber, *Politics as a Vocation*, in FROM MAX WEBER: ESSAYS IN SOCIOLOGY 77, 120 (H.H. Gerth & C. Wright Mills eds. & trans., 1946). This latter one, "gesinnungsethisch," has also been translated into English as "the ethics of ultimate ends." *Id.*

2. *Id.* at 120-22.

3. *Id.* at 127.

through a body of democratically elected representatives or by other means clearly reflecting the sovereign will of the nation.

c) Within the terms just stated, nations have ample discretion concerning the content of the policy. They may lean towards severity or clemency. But international law limits such sovereign discretion. The treatment of alleged perpetrators, including their prosecution and punishment, must not violate the perpetrators' rights. Measures of governmental magnanimity are also limited by international law inasmuch as it imposes the duty to prosecute those who have committed certain crimes.

The examples I have mentioned thus far illustrate several typical situations involving a balance of political opportunities and constraints that will allow us to put these principles into practice. At one extreme, if the perpetrators have been completely defeated, the new government has the greatest latitude of action. But past experience suggests that unfettered power to mete out punishment is itself a factor that may place justice at risk. At the other extreme, if the perpetrators are a cohesive and determined force enjoying a monopoly on military strength, the obstacles to justice are most severe. Yet political situations are far from static, and if the new government consistently follows the best possible approach, despite being limited by the circumstances it faces, new possibilities may open up along the way.

Many other factors combine in real life to make each situation unique. The following are some examples:

(a) Those who committed the human rights abuses may have persuaded themselves and others that such acts, although not desirable, were required to avoid subversion or an impending civil war. While such justification is, of course, unacceptable, it may strengthen the perpetrators' resolve to oppose trials and punishment.

(b) Peace may have been achieved after protracted civil war or a similar armed conflict, with neither side having been defeated and neither wishing to have its people subjected to prosecutions.

(c) Some opponents of the deposed dictatorial regime may also have engaged in violence, sometimes against innocent targets, or otherwise transgressed basic rules of humane behavior. Their liability for past acts of resistance may be used by partisans of the previous regime to press for a general amnesty or for impunity for agents of the dictatorship.

(d) Ethnic, religious, or nationalistic divisions may conspire against the possibility of adopting a policy that would be generally accepted as fair and impartial.

It is amidst such complex and changing circumstances that political leaders must obey the call to act responsibly. Since there is no blueprint

to direct their actions, they must rely on good judgment. Responsibility also requires taking into account the accomplishments and failures of other countries that have faced similar challenges. This brings us to the recent experience of the democratic government in Chile.

With the inauguration of President Aylwin in March of 1990, Chile became the last of the Southern Cone countries ruled by similarly minded military dictatorships to achieve a restoration of democratic government. This dubious privilege afforded Chilean politicians the possibility of learning from the example of Chile's neighbors as well as from the world events of the late 1980s. Though it is too early to determine whether those lessons were put to the best use, the Chilean government has certainly tried to be guided by the ethics of responsibility, so far with promising results.

Unlike Argentina, the transition to democracy in Chile took place after the new government negotiated rules of the game with a united, undefeated military that continued to enjoy considerable, albeit minority, political support. Despite this difference, the Argentinean case was telling for Chileans. It proved the importance of a systematic effort to reveal the truth. It also showed the extent to which a government can lose authority when it raises expectations it cannot fulfill.

Uruguay also provided an example for Chile in that the transition there was made under conditions similar to those present in Chile. But in Uruguay the government took too cautious an approach, avoiding not only trials for past state crimes but also any significant official disclosure about past violations. Citizens' opposition to this approach led to a nationwide campaign to collect signatures. The campaign succeeded in fulfilling the constitutional prerequisites for a plebiscite on whether to keep or repeal the legislation that granted impunity. The majority ultimately voted to keep it, but the issue was very divisive and distracted the nation's attention during the crucial first period of democratic restoration.

Taking these lessons into account, the Aylwin government decided to follow a course it could sustain. It adopted the guiding principle that reparation and prevention must be the overall objectives of the policies regarding past human rights violations. Righting a wrong and resolving not to do it again is, at its core, the same philosophy that underpins Judeo-Christian beliefs about atonement, penance, forgiveness, and reconciliation.

At a societal level, the equivalent of penance is criminal justice. Yet the Chilean government's assessment of the situation led it to conclude that priority ought to be given to disclosure of the truth. This disclosure was deemed an inescapable imperative. Justice would not be foregone,

but pursued to the extent possible given the existing political restraints. Forms of justice other than prosecuting the crimes of the past, such as vindicating the victims and compensating their families, could be achieved more fully. The underlying assumption, which I share, was that if Chile gave truth and justice equal priority, the result might well have been that neither could be achieved. Fearing that official efforts to establish the truth would be the first step toward widespread prosecutions, the military would have determinedly opposed such efforts.

Truth was considered an absolute, unrenounceable value for many reasons. To provide for measures of reparation and prevention, it must be clearly known what should be repaired and prevented. Further, society cannot simply black out a chapter of its history; it cannot deny the facts of its past, however differently these may be interpreted. Inevitably, the void would be filled with lies or with conflicting, confusing versions of the past. A nation's unity depends on a shared identity, which in turn depends largely on a shared memory. The truth also brings a measure of healthy social catharsis and helps to prevent the past from reoccurring.

Bringing the facts to light is also, to some extent, a form of punishment, albeit mild, in that it provokes social censure against the perpetrators or the institutions or groups to which they belonged. Although the truth cannot in itself dispense justice, it does put an end to many a continued injustice. It does not bring the dead back to life, but it brings them out from silence. For the families of the "disappeared," the truth about their fate would mean the end to an anguishing, endless search.

For the truth to achieve these purposes, it must be established as solemnly and officially as possible and in a manner that is widely recognized as objective and rigorous. It must cover all the relevant facts about which there is doubt, dispute, or public disbelief. It must also expose all antecedents and circumstances that are necessary to understand why and how the past came to happen.

To establish the truth, President Aylwin appointed the National Commission for Truth and Reconciliation, a panel of eight people from across the political spectrum. Apart from guaranteeing widespread credibility, the even number of members sent a signal, which did not escape political observers, that no precautions were being taken to secure a majority vote in case of divided opinions, that the exercise was done in good faith, and that the matter was too important to be treated in a partisan manner.

The president gave the commission a threefold mandate. First, the commission was to describe how the repressive system worked, its antecedents and circumstances. Second, it was to account for every individ-

ual reported dead or "disappeared." The president limited the commission's mandate to these crimes because although the military government never denied that people had been exiled and imprisoned, it did deny that there were people who had been killed or had disappeared. These crimes were the gravest forms of human rights violations. The commission also accounted for the use of torture—a practice the military regime denied—describing it as a phenomenon without deciding individual claims, as it would have been impossible to pass judgment satisfactorily on every case. Further, the commission accounted for crimes committed by opposition groups. Although many think that these acts should not be conceptualized strictly as human rights violations, they are at least similar in nature inasmuch as they violate basic rules of humane behavior that must be respected not only by those in power but also by those who seek access to power. The final element of the commission's mandate was to propose measures for reparation and prevention. To this end, the commission sought the opinions of a large number of Chilean social, religious, and political organizations, as well as the expertise of human rights organizations in Chile and abroad.

Working for nine months with a staff of sixty, the commission examined more than 4,000 individual complaints nationwide, hearing every family and countless witnesses. The available documentation was usually abundant and reliable, notably that of the *Vicaría de la Solidaridad*, Chile's most respected human rights organization. Official documentation was made available to the commission, including autopsy reports and transcripts of past judicial investigations which, although by and large inconclusive, nevertheless provided useful pieces of information. The commission also heard the testimony of retired military, police, and former secret police personnel. Through Chilean embassies, it received the affidavits of witnesses living abroad. In each case, the branch of the armed forces or police that appeared to be implicated by such evidence was asked to comment. While most of these requests were answered, few replies contained any substance.

Of all individual cases examined, about 3,000 fell within the commission's mandate. Of these, the commission declared 2,025 to be cases involving fatal victims of human rights violations committed by agents of the state; 90 to be cases involving fatal victims of groups engaging in violent opposition; and 164 to be cases involving fatal victims of political violence by either side that could not be characterized clearly as human rights violations. In 614 further cases, the commission could not reach a firm conclusion due to a lack of sufficient evidence, and it recommended further steps to advance the investigations in each of these cases.

In February of 1991, the commission presented a 1,800-page unanimous report to the president including its decisions in each of the individual cases, several chapters of historical, political and legal references, and a detailed section containing recommendations for both reparations and prevention.⁴ It proposed pensions for the families of the dead and “disappeared,” measures designed to commemorate the events and honor the victims, and other forms of relief. It further proposed legal, institutional, and educational reforms aimed at enhancing the promotion and protection of human rights. In a televised address to the nation, President Aylwin presented the commission’s findings and, as the head of State, atoned for the crimes committed by its agents.

The report of the Commission for Truth and Reconciliation was published and widely disseminated and discussed in Chile. Congress is considering a bill to provide reparations for the victims’ families and to put into effect many of the commission’s other recommendations.⁵ Controversy about the report, including rebuttals by General Pinochet and by the head of the navy, centered mainly on its historical interpretations and other contextual references. None of the report’s findings about individual victims has been refuted. Across the political spectrum, those findings were explicitly recognized as the truth.

The report had self-imposed limits. It did not name individual culprits. But it did declare whether the victimizer in a given case had been an agent of the state or a member of an opposition group. It also identified the military branch and unit or the political group responsible for the crime, but referred to the courts of law all specific evidence pointing to the criminal responsibility of particular individuals. Naming culprits through an official commission appointed by the executive, which did not have subpoena powers and could not conduct trials, would have been analogous to publicly indicting individuals without due process. The commission declared that the “disappeared” were dead, but because of its lack of subpoena powers it could provide specific information about the remains of the “disappeared” in only a minority of cases. The commission proposed that an agency be created to assist the relatives of the “disappeared” in their search.⁶

4. *Informe de la Comisión Nacional de Verdad y Reconciliación* [Report of the National Commission for Truth and Reconciliation] (La Nación & Ediciones del Ornitorrinco 1991) (on file with author).

5. This bill has been approved by Chile’s Congress and was published on February 8, 1992 as Law No. 19,123 in Chile’s DIANO OFICIAL [OFFICIAL GAZETTE].

6. Law No. 19,123, *supra* note 5, created this agency.

The overall policy of the Chilean government has other limitations. Prosecutions have been drastically curtailed by an amnesty law passed by the military regime in 1978 that effectively decreed impunity for human rights violations committed from 1973, the time of the coup d'etat, to 1978. This was the worst period, when repression was under the control of DINA, the regime's feared secret police which systematically practiced "disappearances." The Supreme Court has upheld the validity of this illegitimate amnesty. One major crime, however, was exempted from the amnesty: the assassination of Orlando Letelier, a former Chilean ambassador to the United States, and his colleague Ronni Moffitt, a United States citizen, in the streets of Washington, D.C. in September 1976, when a bomb placed under Letelier's car was activated. Chile refused to extradite the head of DINA and one of his lieutenants, sought by the United States to be tried for this crime. Subsequently, the Chilean military courts conducted a perfunctory investigation, which led nowhere. Recent legal reforms, however, have resulted in the transfer of the case to the jurisdiction of the civil courts. A few weeks ago, a special judge appointed to continue the investigation indicted two former secret police officials and ordered their detention pending trial.

Other than this exceptional case, the government's policy has been to accept the Supreme Court's ruling on the validity of the 1978 amnesty. However, the government has pressed for judicial investigations on the grounds that although they may not lead to convictions, they are necessary to help establish the victims' fate. At the same time, the government has refrained from proposing any further measures of amnesty for crimes committed by agents of the state.

Some of the atrocities perpetrated before 1978 and covered by the amnesty law may be characterized as crimes against humanity, or at least as analogous to such crimes, and it could be argued that it is the duty of the Chilean State to prosecute the perpetrators of these crimes. However, if it is not within its power to do so, the government should at least refrain from doing anything that would further validate the spurious 1978 amnesty. If in the future it becomes convenient to enact some general measure of forgiveness, those acts analogous to crimes against humanity ought to be excluded. Even if the perpetrators of such acts cannot be prosecuted successfully, it is important not to set the nefarious precedent that would be established if these crimes were formally amnestied by a democratic government.

The Chilean tribunals are also conducting investigations of crimes committed after the time period covered by the 1978 amnesty law. How-

ever, in most cases evidence is difficult to obtain without cooperation by the armed forces and the police.

Legal restrictions have also prevented the government from releasing all the prisoners who are being tried or have been found guilty of murder or other politically motivated crimes committed during the military regime. These prisoners have not received fair trials and most, if not all, were subjected to torture during the investigations. They have also been detained for years. The president pardoned many, but his powers in this respect are limited. While the Aylwin government does not have the votes needed to pass legislation without compromises, Congress did approve legislation that contributed to the release of many others. By now a large majority of them are out of prison. However, nineteen months after the restoration of democracy in Chile, about eighty still remain in prison.

In an imperfect way, Chile has been earnestly searching for the most feasible course of action to heal the wounds of the past. With the benefit of hindsight, some things could have been done differently. Perhaps others may avoid our mistakes. However, this responsible approach has also produced important salutary results.

In concluding, allow me to offer some very personal recollections and reflections. I had the privilege of serving as one of the members of the Commission for Truth and Reconciliation. I traveled through Chile. I heard hundreds of cases. The contact with so many families of victims convinced me of the paramount importance and cathartic power of seeking to establish the truth. It was a very personal experience to ask what happened to the victims' families, and not just what happened to the victims. The families had refused to allow the previous government authorities to see them cry as they searched for their loved ones. But now they were being received with respect and offered a seat and a cup of coffee. The Chilean flag was on the desk as befits an official commission. They often broke down, because now they could allow themselves that measure of relief. At first, we did not realize that the very process of seeking the truth was thus also a patient process of cleansing wounds, one by one.

The relatives of the victims showed great generosity. Of course, many of them asked for justice. Hardly anyone, however, showed a desire for vengeance. Most of them stressed that in the end, what really mattered to them was that the truth be revealed, that the memory of their loved ones not be denigrated or forgotten, and that such things never happen again.

For me, as for many of my friends and colleagues in the human rights movement in Chile, an eighteen-year period is coming to a close. It began the moment we started to organize the defense of human rights in Chile after the coup d'état of September 1973, and has continued through our present efforts to overcome this dark chapter in our country's history. During this period the human rights movement has grown strong. Major changes have occurred in Chile and in the world. We have learned from them.

Of the many lessons learned, I will refer to one. Back in the hazardous days of late 1973, all of my friends and colleagues in the human rights movement had to face danger on a daily basis. None of them ever claimed to have been endowed with innate bravery. They realized that courage was just another name for learning how to live with your fears. Eighteen years later, we all have come to realize that under changed circumstances, a less striking form of courage is called for. It is the courage to forgo easy righteousness, to learn how to live with real-life restrictions, but to seek nevertheless to advance one's most cherished values day by day to the extent possible. Relentlessly. Responsibly.