

Torture, Silence and Recognition

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I would also hope, we would realise that what we feel when we watch and whisper and ache with these faraway people from faraway Chile could well be that strange trembling state of humanity we call recognition, a bridge across our divided globe (Dorfman 1991: Afterword).

Torture by state officials is a regular occurrence (Rejali 1994).¹ Between 1997 and 2000, torture was applied systematically in seventy countries and employed by three quarters of the world's governments (Amnesty 2000). Torture, however, is also commonly recognised as unacceptable (Campbell 1999). Even in the contentious world of criminology, where arguments have long progressed on what is or is not acceptable study, there is agreement in the small but growing literature that gross human rights violations like torture must be defined and dealt with as serious state crime (Cohen 1993; Green & Ward 2000, 2004).

This criminological consensus illustrates the position taken within the international human rights arena. The 1984 UN Convention against Torture², for instance, establishes that torture is an act that can never be justified. With this in mind, human rights organizations, bolstered through the development of information technologies,³ have speedily transmitted the details of offending states around the world and promoted campaigns to end torture. This development has been taken further in the new trans-national engagement to deal with torture and other violence inflicted by states, demonstrated through mechanisms such as truth commission bodies,⁴ ad hoc tribunals⁵ and the International Criminal Court.

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1 International legislation details that torture is an act of severe pain or suffering, whether physical or mental, 'intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.' (UN Convention against Torture, Art 1.1).

2 United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984 (CAT)

3 Rejali's (2003) latest work illustrates how new technologies (such as electro-shock) also hide torture in their production of seemingly un-maimed bodies. See also the work of Steve Wright (1998) and Brian Rappert (2003).

4 Over the last thirty years, there have been over twenty truth commissions around the world (including Argentina, Bolivia, Chad, Chile, El Salvador, Ethiopia, Germany, Guatemala, Haiti, Philippines, Rwanda, Sierra Leone, South Africa, Timor Leste, Uganda, Uruguay and Zimbabwe). Their popularity has grown significantly over the last decade and some (e.g. the South African Truth and Reconciliation Commission) have made international headlines.

All of these new rights-based developments seek to chart and respond to testimonies of state crime. While each attempts to break the silence and recognise those who have suffered or perpetrated, truth commissions in particular have played a central role in an emerging politics of recognition. The significant success of truth commissions over other official mechanisms such as tribunals and courts has been that they create an opportunity to 'invert the rituals of power from one which silences the victim ... into one which allows the victims to speak' (Humphrey 2003:173). They present an opportunity for the testimonies of survivors⁶ to be heard in a supportive atmosphere. This in turn, it is commonly assumed, will assist individuals, societies and states to deal with a difficult past and encourage steps to a more hopeful future (see Stanley 2002).

This article has emerged out of criminological research on the successes and weaknesses of truth commissions as a means to deal with torture. In particular, it has developed out of a specific research project⁷ on Chile, a country whose population suffered gross human rights violations at the hands of the Pinochet regime (1973–1990). From that time, Chile has continued to struggle with the issue of justice in the national and international arena. It has been credited, however, with having had a relatively successful commission process to deal with the issue of 'truth'. The Chilean National Commission on Truth and Reconciliation (the 'Rettig Commission') is widely perceived as having had a profound effect on Chilean society as it exposed the truth about the systematic and gross nature of violations undertaken by the military and the security police against innocent people.

Nevertheless, there is still deep uncertainty within Chilean society on the extent, nature and legitimacy of violations undertaken by the Pinochet regime. This is particularly so with regards to crimes of torture. Indeed, I argue that neither torture survivors nor the issue of torture itself have been sufficiently recognised by the new 'democratic' state. In Chile, torture has remained hidden. The reasons for this, which form the basis of this article, are diverse including: (i) the effective political management of violations during the Pinochet regime so that torture was represented and popularly accepted as a 'just cause' and a 'necessary evil' against a dangerous, criminal population; (ii) the narrow approach to the collection of truth adopted by the Rettig Commission in which the Commission only examined cases that ended in death, omitting those cases where victims survived; (iii) the closed attitude taken by involved state officials in the aftermath of the regime; and, (iv) the reticence of torture survivors to individually speak out on their treatment. Silence for survivors has reflected concerns regarding protection, coping, resistance, control, the inadequacy of language, the lack of listeners and the management of identities or recognition.

The suppression of testimonies on torture in Chile has operated at institutional, social and personal levels. Consequently, many survivors of state crime remain isolated and feel aggrieved despite the processes of a successful truth commission. The after-effects of this lack of recognition with respect to the issue of torture and those involved in such violence are explored below. In particular, it is argued that this situation has negatively impacted on

5 Such as the International Criminal Court for the Former Yugoslavia, the International Criminal Court for Rwanda and the UN Special Panel for Serious Crimes in Timor Leste.

6 The terms 'survivors' and 'victims' are used interchangeably in this article. The term 'survivor' defines an individual who has been subject to past state violence while 'victim' denotes someone who continues to suffer violence, either directly or in the individual's inability to move forward. Within direct quotes, the term is written as initially expressed.

7 This project has run from 1998 to the present day. Most of the testimonies for this article were collected during a research visit to Chile, September to October 1999. Interviews have also been undertaken with Chilean nationals in the UK from 2000 to 2002. On requests from participants, names have been changed.

the potential for individual survivors to recover their 'voice' and heal their past. It has also ensured that perpetrators have enjoyed immunity from prosecution or shaming; further, it has skewed Chilean perceptions of the nature of repression and violence during the regime. Working from such difficulties, as a means of conclusion the article raises some potential solutions, highlighting good practice from other transitional states and detailing areas of potential change to processes in Chile. Before progressing to this material however it is useful to first briefly consider the global context of the silence and recognition of torture.

The Global Context of Torture

Torture is often rationalized by states as an unpleasant but necessary means to an end, a tool to obtain information or talk about threatening people, events or organizations.⁸ This justification dominates common assumptions yet torture has other recognised uses, all of which relate to aspects of state control over populations. Torture can be used:

- as a means for state officials to obtain 'confessions' that can push individuals through the criminal justice system (Rejali 1994);
- as a public demonstration to others. The tortured 'victim' becomes part of the state marketing of power, an example of what can happen if you decide to challenge the state (ibid);
- to destroy collective cultural identities and affiliations. Although torture is physically directed at individuals, it also targets and attacks the group that the individual represents (Sironi & Branche 2002);
- as a tool to outwit state opponents. The 'strategic rationality' (Rejali 1994:163) of torture can bolster support of state activities and spread fear among oppositional groups;
- as a means to 'turn' people, to make them switch allegiance from state resisters to 'supporters' thereby fracturing any opposition movement (Stanley forthcoming).

Within each rationalization, the attack on the individual through torture also becomes effective at a collective level. Through the state's manufacture of fear and terror, torture attempts to 'win ... or reduce to powerless' all perceived opponents (Peters 1985:164).

It is perhaps not surprising, given such rationalizations, that torture often goes mis-recognised since torture engaged in by states is also denied and neutralized by states (Cohen 2001). As such, torture is euphemistically renamed as 'crime fighting', 'intensive questioning', 'challenging conditions' or 'counter-terrorism'. In effect, torture becomes recognised as 'something else'.

In addition, those caught up in torture as perpetrators or victims are also subject to mis-recognition. Under the rhetoric of 'state security' and 'social good' (Tindale 1996), those who are deemed to oppose the state are subject to ideological censure at an official level (Cohen 1996).⁹ The targets for torture are variously denoted as 'terrorists', 'subversives' and the 'unruly'. Alternatively, they are described as being outside human existence altogether — as 'cockroaches', 'rats', 'worms' and 'vermin'. Under such representations, those tortured are seen as bearing some blame for their treatment; in stepping outside state, societal and human interests, the victim 'deserved' it (Huggins 2000).

8 This understanding is re-iterated through international legislation, see footnote 1.

9 Eugene McLaughlin (1996) makes this point in relation to those suspected of terrorism. This argument could certainly be applied to those detained as suspects in the current 'global war' against terror, for example at Guantanamo Bay and under preventative legislation in the UK and other liberal democracies.

Through this mis-recognition, torture is engaged in as an ideologically legitimate enterprise and a 'just cause' within specific political contexts (Huggins 2000). As such, torturers are rarely recognised as torturers in official discourse. They too become 'something else' — 'security agents', 'crime fighters', 'anti-terrorist agents'. Under notions of 'rationality, instrumentalism and science' (Huggins et al. 2002:74), torturers are re-assigned as professionals deserving of national awards, career enhancements and standing privileges (Conroy 2001; Haritos-Fatouros 1988; Stanley forthcoming).

Moreover, at a global level, torture and torture survivors tend to go un-recognised, ignored altogether. Through an array of international human rights instruments and bodies (including the UN Convention against Torture, the Universal Declaration of Human Rights, the International Covenant of Civil and Political Rights, three regional mechanisms,¹⁰ a Special Rapporteur and a focused UN Committee), torture is universally condemned (Rehman, 2003).¹¹ It is one of the few rights that is universally applied and cannot be derogated from. Despite this machinery, 'torturers are very rarely punished, and when they are, the punishment rarely corresponds to the severity of the crime' (Conroy 2001:228). Together with the fact that torture is infrequently reported in the media and seldom the subject of academic debate¹² or political discussion,¹³ survivors of torture are left with limited ideological or pragmatic support; in the wake of their suffering, they receive little recognition for the crimes inflicted against them.

Within this global context of mis-recognition and un-recognition, 'torture attempts to accomplish ... solitude ... (its) stark lesson is precisely ... enveloping silence' (Weschler 1998:238). This production of silence, through the management of recognition, will now be addressed with a focus on the repression in Chile.

Repression, Torture and the Truth Commission in Chile

September 11th 1973 is a symbolic day in Chile. Marking the start of the seventeen-year Pinochet dictatorship, the date represents the overthrow of an elected government, state repression and terror. The first months of the Pinochet regime were a period in which the junta consolidated its control through the issuance of hundreds of decree laws that ruled 'on the most diverse matters in the political, social and economic realms' (Rettig Report 1993:76). Through this legislation, the junta dissolved the National Congress and the Constitutional Tribunal, outlawed political parties and suspended political rights, declared election lists null and void, dismissed mayors, gave interim status to government employees, controlled union activity and teaching within universities, and issued a state of emergency (O'Shaughnessy 2000). Backed by a judiciary that emphasised that the 'efficacy' of the regime's 'emergency powers must be preserved' (Constable & Valenzuela 1991:121), the junta declared that 'the armed forces and the police will vigorously exercise the principle of authority, and will severely punish any outbreak of undisciplined behaviour or anarchy' (Rettig Report 1993:80).

10 Specifically the European Convention on Human Rights, the American Convention on Human Rights and the African Charter on Human and Peoples' Rights.

11 The UN's work towards outlawing torture commenced with the 1975 Declaration on Torture. This Declaration was propelled by the reports of widespread torture and other abuses that emerged from the 1973 coup in Chile.

12 Given the paucity of state crime research, compared to that on 'crimes of the street', it could be argued that the discipline of criminology has also contributed to a silencing on torture.

13 Albeit there has been a small surge in debate regarding the treatment of prisoners held by the United States at Guantanamo Bay, Cuba and at Abu Ghraib prison, Iraq.

The National Intelligence Directorate (DINA),¹⁴ that carried out assassinations and controlled torture centres, viciously imposed this authority. Under the rubric of control and governance, thousands of people were harmed by the military regime. The official estimates indicate that 3178 individuals died or 'disappeared' as a result of human rights violations.¹⁵ It is also estimated that state officials tortured between 50,000 to 200,000 individuals during the dictatorship (Hayner 2001). Torture was a 'universal feature of detentions', an 'unquestionable fact' that was 'commonly used' (Rettig Report 1993:133–136).¹⁶

For many Chileans, the reality of the Pinochet regime was dictated by fear. One woman, Rosa, detailed her own experiences, 'When we had the coup ... my mother was arrested because she voted for Allende; my brother was arrested as well ... we lived a terrifying time'. Similarly, Victoria remarked, 'I remember, well we all felt, that the fear was constant'.

Despite this, many Chileans also supported the Pinochet coup and dictatorship. The junta espoused the economic and political interests of dominant global states and Chilean classes, significantly following the free market ideals of the US and UK while denigrating 'communism' at every turn (Trumper 1999). This ideological backdrop underpinned the management of recognition of those victimised by the regime. Those who suffered state violence were effectively represented as 'political monsters' (Cohen 2000:39). As Viviana explained, '... during the military government these people, the victims of repression, were always referred to as criminals, terrorists, communists ... subversives ... so people did nothing'.

Such representations, instilled in the common psyche through political talk, media reporting and state institutional action, bear a legacy that is hard to shift, even in the light of wider societal transition. It is still not unusual in Chile to come across those who argue, 'they were tortured, but they must have done something!' In their minds, those who suffered under the regime must carry some responsibility for state violence. This mis-recognition of the implicitly guilty also made violations, like torture, acceptable and necessary. As Paz Rojas puts it, 'to eliminate the enemy... (was) an act of honour, of courage, there (was) no guilt... you (were) saving the Western world, the values of society ... the economy, freedom, justice' (in Agger & Buus Jensen 1996:74).

The official management of recognition therefore underpinned a support for violations. Acts such as torture were officially represented and socially registered as a 'necessary evil'. In this context, speaking out about torture was and continues to be very difficult for survivors in Chile. This situation is further intensified as, alongside this legacy of mis-recognition, survivors have found that their opportunities to speak out about torture have also been hampered by their exclusion from the Chilean truth commission, the principal process established to deal with past repression.

The Rettig Commission, often viewed as one of the most successful truth commissions, started work almost immediately after the election of Patricio Aylwin as President of Chile in the spring of 1990. The eight commissioners, headed by Raúl Rettig, were chosen for

14 The DINA was replaced in 1977 by the CNI (the National Centre for Information).

15 The Rettig Commission Report details 2,279 cases while the Corporación Nacional de Reparación y Reconciliación (1996), established after the Rettig Commission, provides a further 899 cases concerning those in which it was not possible to attain certainty with regard to the condition of victims of human rights violations or political violence or where the Commission did not issue an opinion due to lack of information.

16 Torture, practiced across numerous detention sites, was also extremely varied including: beatings; sensory deprivation; solitary confinement; denial of food, water or basic necessities such as clothing; suffocation; sexual degradation; simulated firing squads; electro-shock; forced use of drugs; suspension; asphyxiation; and psychological torture.

their political diversity and although all hearings were held *in camera*, away from the public gaze, they sought to imbue findings with a neutral credibility. After an intensive nine-month collection of testimonies, the Commission's report details acts of disappearances, politically motivated kidnappings, executions and deaths resulting from torture. The findings were, given the non-partisan nature of the Commission, popularly accepted as legitimate. This legitimacy was reinforced by President Aylwin, who made an impassioned plea for forgiveness on national television, and by state authorities who instigated reparational, legal and executive measures to compensate suffering and prevent future abuse.

While the Rettig Commission has a number of strengths, its mandate does have an underlying weakness since 'only the most grave violations could be considered and investigated' (Rettig Report 1993:14). As such, the Commission only dealt with cases that ended in death, it did not address the 'truths' of those who survived. This decision can be attributed to a couple of issues, each of which relates to the fact that so many people suffered violations that did not ultimately result in killing. First, the Commission operated to ensure that all reported cases could be adequately investigated and verified. The time-scale and resources given to the Commission were seen to make this an impossible task for such a large group of victims. Second, the executive wanted to 'limit the universe of victims according to how much they would be able to afford in reparations' (Hayner 1998:213). As a result, the Commission narrowed its mandate to investigate those cases that illustrated the 'most grave' cases¹⁷ and torture survivors were omitted from the process.

Unsurprisingly, this has left many torture survivors feeling embittered about the Commission. Those who have spoken out about torture often re-iterate that for decades their lives have been hidden from history.¹⁸ Other groups in Chile, such as the 'detained-disappeared', have rightly received attention, in the official collection of truth and subsequent reparational actions, but this recognition has underpinned 'differentiation and divisiveness' (Bauman 2001:141). As Rosa commented, 'Unfortunately, the problem with the Commission was that they didn't acknowledge all the victims and therefore it was a one-sided, incomplete truth'. Isabel was more direct with her thoughts, 'In Chile, I sometimes think that you are better to be dead'.

For many torture survivors in Chile, there is a feeling that they have been 'twice silenced' (West 2003). In the first instance, they were silenced by state officials who tortured them and in the aftermath of dictatorship they were silenced 'by those who refused them a space for dialogue' (ibid:356). These transitional processes do not stand, however, as the sole explanation for silence; those involved in torture may also remain quiet for institutional, social and personal reasons.

The Silence of Torturers

Torturers tend to remain silent about their activities (Conroy 2001; Huggins 2000, Huggins et al 2002; Haritos-Fatouros 2002). This is unsurprising as most perpetrators and their government superiors would not want to draw attention to institutional contraventions of

17 This restricted approach could also be attributed to the fact that the Families of the Detained-Disappeared were more powerful and organised in campaigning for official action than other victim groups. Thanks to an anonymous reviewer for highlighting this point.

18 For example, in response to NGO campaigns in Chile to have torture officially recognised by the state, officials such as the Minister of the Interior, Jose Miguel Insulza, have argued that such human rights activity would be 'detrimental to the country's social peace'.

international human rights law. It is also understandable given the circumstances detailed above in which torture is linguistically constructed as 'something else', that torturers may not necessarily identify themselves *as* torturers (Haritos-Fatouros 2002).

What is clear is that when individual torturers do choose to speak out it is often when they feel like they have nothing to personally lose in breaking from the institutional norm. More often than not, torturers break their silence as social or political moods change, when they lose legitimacy or feel repentance (Conroy 2001). These decisions are made under a certain agenda: to gain amnesty or to achieve recognition of a new repentant and reformed identity.

In Chile, as in other torturing states, the main perpetrators (the military and security police) have kept quiet. In fact, for the Chilean perpetrators, torture does not really exist — it is rarely spoken about and if allegations are posed, they are just deemed to be one-off events. One Pinochet supporter, Bernardo, commented, '... you have to remember, my dear, that such acts were only undertaken in very urgent circumstances. They were unusual events'. This 'very close and impenetrable circle'¹⁹ in which torture has been hidden has been almost impossible to counter. As Chilean President Ricardo Lagos admits, three decades on from the start of repression, 'many people who have information are still sunk in a cruel and persistent silence' (BBC News 2003).

The closed attitude taken by involved state officials reflects a typical, self-protective response from torturing institutions across the world. What is perhaps surprising is that survivors also regularly maintain silence. Those who speak out about their experiences of torture are not typical (Simpson 1993).

The Silence of Survivors

Many survivors of torture remain silent about their experiences. This is the case in Chile. The reasons for this silence are varied, encompassing: the difficulties in communicating pain; desires to protect the self and others; attempts to manage identities; and, confusion in the recognition of their perpetrators 'humanity'. Of course, those who have spoken out have guided these stated reasons. As such, there will be gaps in this paper. Those who have not yet vocalised their experiences of torture in Chile will probably have alternative views on their personal silence.

Communicating the Pain of Torture

Torture is an attempt by the state to get individuals to use their voice against themselves and against others. As noted above, the common sense understanding of torture is that it operates to get information out of individuals. From this perspective, it is thought that an act of torture will end when the victim speaks and when the torturers are satisfied they have all the information they need. Yet, the 'voice' of the tortured is directed and destroyed by the torturer. Through the application of pain, torturers seek to control who says what, when and how. As Elaine Scarry (1985:54) details:

... torturers ... mime the work of pain by temporarily breaking off the voice, making it their own, making it speak their words, making it cry out when they want it to cry, be silent when they want its silence, turning it on and off ...

19 Alejandro Gonzalez, Head of the Corporación Nacional de Reparación y Reconciliación, in interview with author, September 1999.

For the torturer, “making them talk” is about power, about imposing one’s will on another’ (Crelinsten 1995:37). For the tortured, ‘to be silent or to speak may constitute the difference between life and death’ (Agger & Buus Jensen 1996:82) but the voice is the only thing to control.²⁰ Consuelo Rivera-Fuentes, a Chilean survivor, explains it like this:

I have chosen **my** silence, my silence of thoughts, **my** silence of actions, the silence of my heart pumping blood silently through my body, making me live in spite of **my** silence and of the face of death (Rivera-Fuentes & Birke 2001:656, *emphasis in original*).

For Rivera-Fuentes, silence is something to own; it is a chosen form of resistance.

Others have argued that, in the aftermath of torture, the silence of survivors is the real aim of the torturer’s work (Sironi & Branche 2002). This silence however is not meant to be ‘total’ as regimes want to keep some ‘memory of fear alive’; instead, the ‘control of the spaces of speech and silence’ is sought (Trumper 1999:27). State denial of violence is common but the careful management of social knowledge about violations can also be useful. In Chile, for example, the facts of state violence accrued in the early years (1973–1978) of dictatorship, the period in which the worst political repression took place, endured throughout the regime. This knowledge contributed to the disciplining process within Chilean society. Even in the wake of transition, there are individuals who continue to take ‘precautions’ to ensure that they will not bear the brunt of state violence once more.

In this context, talking about torture is repeatedly demonstrated to be difficult. Scarry (1985), for instance, describes how torture wipes out the ‘voice’ completely. As she remarks, the ‘goal of the torturer is to make ... the body, emphatically and crushingly *present* by destroying it, and to make ... the voice, *absent* by destroying it’ (ibid:49). The experience of violence is such that speech becomes useless to provide an insight into pain and known language cannot adequately represent trauma (Godobo-Madikizela 2003). Stories of torture are, in this frame, ‘inhabited by the impossibility of telling’ (Laub 1992:79).

The ‘impossibility of telling’ represents, at first glance, an interpersonal perspective on the silence of torture in which individual survivors faced with a stifling experience can find no way to explain their position. Yet, the language to explain torture only really exists ‘within a collectivity’ (de Saussure 1974:14). As others (Das 1997; Rejali 2003) have argued, the failure to communicate about torture is representative not of the destruction of the ‘voice’ or knowledge of the survivor but of a ‘failure in spirit’ of the listeners. That is, stories of torture are subject to silence as survivors sense that listeners cannot take in their account of what happened (Ochs & Capps 2001).

For, even as they have tried to speak of these things, they have discovered their audiences unwilling, or unable, to hear them — restive to craft with them a language with which to speak, indisposed to carve out with them a space in which to come to terms with a horrible, but shared, past (West 2003:345).

As such, the silence of torture could be attributed to the way in which audiences shut out or do not hear difficult stories. The re-discovery of pain and attempts by survivors to highlight the sources of agency (Humphrey 2000) are too difficult to ingest. Alejandro explained it like this, ‘In Chile, people have not wanted to hear about torture or political prisoners. It is too much for them to take in’.

20 West (2003) details how one torture victim in Mozambique mutilated his own tongue in a bid to silence himself during torture. In the Chilean research, it also became clear that some individuals had struggled to speak, after feeling that their voice had ‘failed them’ under interrogation. These individuals showed a lack of trust in their voice.

The 'inexpressibility' of torture can lead survivors' truths to be readily dismissed as 'fantastic credibility' (Taussig 1987:133). Story credibility may rest on the popular representation of the teller (who wants to listen to those who are implicitly guilty, who are officially depicted as 'terrorists' or 'subversives'?) but it is also linked to how stories are told since credibility is further dictated by perceptions of what constitutes a true representation. For instance, while some survivors may seek to order their testimonies to demonstrate that they are 'coping if not dealing with the horror' (Taussig 1987:51), others may illustrate the realities of being tortured through a chaotic, disorderly story (Rivera-Fuentes & Birke 2001). Non-linear and confusing testimonies may mean though that listeners do not acknowledge the experience as convincing (Ochs & Capps 2001). This situation is compounded by the fact that most survivors have no proof, they have no physical representation of their pain. Techniques of torture are employed to leave few physical traces, conceal evidence, suppress records and disorient victims (Amnesty 2000). With limited evidence and an unclear presentation of events, the survivor can find that their authority as a credible witness is diminished.

Communicating the pain of torture can then be seen in terms of personal struggles to find the language to reflect experiences of violence but it can also be linked to the wider societal and institutional reticence to hear painful or chaotic stories that challenge common sense notions of state protection. The public desire to make testimonies easily digestible leaves survivors in an isolated position in which silence is often the easier option (Humphrey 2000; Sironi & Branche 2002). Silence becomes a form of communication. In a situation where experiences cannot be easily replayed into words, it can be a 'legitimate discourse on pain' (Ross 2001:272). In these circumstances, there is a need to understand what is behind the silence; the lack of recognition of survivor's pain is a perpetuation of violence. It 'becomes a second form of negation and rejection' for the survivor (Scarry 1985:56).

Protection

Despite the common idea that torture is used solely as a means to extract information, Chilean torturers often knew all about their victims' lives and used torture as a way to demonstrate the 'all-seeing-eye' and the power of the state. Officials engaged in torture to demonstrate to the victim and associates that *they* are watching, that *they* are in charge and can act at will.

Torture was used to send messages to individuals and communities. The words spoken by torturers as part of the violence -- 'if you tell anyone, we will be back' -- live on with isolated survivors (Sironi & Branche 2002). Becker et al (1990) detail the chronic fear that was embedded through the use of violence in every component of personal and social life during the Pinochet regime. The message of repression, that 'anything can happen at any time, no matter who you are, what you think, or what you do', served to 'internalize terror and to privatize political violence' (ibid:136-137). The fear of becoming a victim oneself, or being re-victimized, contributed to a silence on torture.

This protectionist stance can also be highlighted in survivors' desire to ensure that others are not exposed to pain (Jefferson 2000; Cienfuegos & Monelli 1983). One Chilean survivor, Susana, detailed this attitude saying, 'I just didn't speak about it. I had a growing family. I wanted to keep normality for them. What could they do? They were young children. They didn't need to hear this'.

Torture survivors may keep quiet to forget and protect, to place distance between themselves and the torture (Herbst 1992) and to cope with the experience personally, quietly. Such reticence to speak could also be attributed to a desire not to create more fear among family and friends. After all, as noted earlier, the anxiety and confusion that are

inherent in acts of torture can also be re-iterated and reproduced through testimony (Taussig 1987). The amplification of fear and the 'fiction' of torture may continue 'its existence in reality' through the telling of testimonies (Kappeler 1986:10). For some individuals, the dissemination of painful experience could re-make the state's power. Curbing discussion on torture then is chosen as a resistant option.

Managing Recognition of Self

The challenge to the state, through silence, can also be connected to the political motives of the torture survivor. Under state repression, those involved in resistance seek to undertake careful management of their social and political identity. Ross (2001) for example highlights how those involved in the South African anti-apartheid movement often remained silent about their political actions and experiences. Resisters would not tell family members of their role and would demonstrate an ignorance of politics in the social sphere, to manage their life under repression. These types of activities were evident in Chile, as survivors or those under threat of torture silenced their suffering to remain politically active.

This politically motivated silence is also linked to the attempts by the state to destroy collective affiliations and resistance. Torture frequently operates as a technique to create uncertainty and destroy trust within social groups. Torturers hope that the tortured are treated with suspicion. This can affect familial relationships, in that relatives may actually blame the victim for their situation (Crelinsten 2003) but it also impacts on political relationships as no-one, but the tortured and the torturer, can be certain that the survivor did not give away vital pieces of information or know whether they were 'turned'. As such, the survivor can represent the 'enemy within'. Patricio Hales explained this point with regard to political resistance in Chile, stating that

... there was a tremendous fear of betrayal. You never knew if someone was an informant, and you had to keep track of who had fallen, who had been released, and what they might have revealed (in Constable & Valenzuela 1991:97).

The sense that individuals could 'betray' others through torture, transforming 'themselves into executioners of their own political beliefs and companions' (Becker et al. 1990:138), could underpin survivors' reticence to relay their experiences. To remain silent could, in these circumstances, be a strategy to bolster trust and cohesion within the political movement.

Politically, survivors might not wish to associate themselves with having been tortured. This distancing can however also be attributed to more personal reasons. For instance, while testimonies of torture can be viewed as 'authenticating' for some (Ochs & Capps 2001), others see that having the social recognition of being a 'victim' brings its own repercussions. This point was highlighted by Isabel who stated, 'It usually makes people want to mother you. I have never wanted that'.

Silence about torture can therefore be a management of recognition. Survivors may experience that the common assumptions that the society or culture assigns to the identity of the 'torture victim' are 'completely or partially disconnected from the ongoing contexts of their lives' (Das & Kleinman 2001:5). The assumptions made about what it means to be a torture 'victim' may create unwanted identity work for the survivor who speaks out.

Being caught up in violations also denotes for some an 'imaginary complicity' (Laub 1992:82) in which survivor 'participation' in repression is seen as, in some way, reprehensible. As Susana commented, 'I was so ashamed that I became part of that circle of repression'. For this woman, the fact that she had been involved in activities that had always been attributed to 'trouble-makers' was distressing. Other Chilean survivors also indicated

that they felt guilt that they survived when so many died under torture (see also Feitlowitz 1998; Turner & Gorst-Unsworth 1990). For different reasons, these individuals did not necessarily want to be identified as a 'survivor' of state violence.

The shame, felt through the very act of survival, can also be associated with the feelings of humiliation that survivors often feel about their torture. Torturers employ acts that will dehumanise and degrade individuals; torture is often personally, socially and culturally distressing. The use of certain methods, such as sexual torture, can mean that the 'experience of humiliation is so profound that silence seems the only answer' (Becker et al. 1990:139).

Managing Recognition of the 'Other'

Much literature on torture depicts the distancing that occurs within torture. The distancing thesis proposes that perpetrators and victims of torture share no commonalities, no human connection — they are essentially 'othered'. Of course, as detailed above, the 'othering' or 'monstering' of political opponents in Chile was part of state techniques to suppress dissent against violations. The construction of 'victims' as being troublesome threats to the state ensured compliance from individual officers assigned to participate in violence. However, distancing can also be applied to the ways in which those threatened by state violence also see their opponents or perpetrators in dehumanising terms (being 'evil' or 'sadistic' or 'animalistic').

Within such arguments it is implied that there is no real association or relationship between the torturer and the tortured individual, it is not recognised that each participant shares the same humanity (Taussig 1987). This argument might ring true in many cases but it is clear that some survivors do sense that torture is a relational, human event. While torture involves the 'dehumanization of relations between persons', survivors can also determine that those who inflict the pain and brutality are 'also human beings' (Becker et al. 1990:139).

There is a whole wake of new technologies that will allow torture to be carried out at a distance but in most circumstances torture continues to involve individuals in close contact. Michael Ignatieff (1985) has proposed that the relationship between the torturer and the tortured is the most intimate of all relations between strangers: 'eye to eye, hand to hand, breath on breath'. One survivor of torture in Chile, Maria, explained it like this, 'No one has ever seen me like him (the torturer). It is a very personal experience'. For Maria, torture represented a horribly intimate relationship in which her torturer saw her in her most raw physical and emotional state.

This acknowledged 'relationship' between the torturer and the tortured is also reflected in the daily interactions between perpetrators and their victims. From the literature on torture, it is evident that some torturers identify with their victims in humane ways. In Argentina, for example, one torturer known widely for his 'effective techniques' in the torture room took the opinion that detainees should be otherwise treated with dignity; as such, he bought toilet paper for detainees, brought in radios and supplied 'luxuries' like pastries (Feitlowitz 1998). Other torturers have played card games with their victims, read to them, brought in televisions and watched sport with them. In South Africa, torturers took their 'victims' out for a KFC dinner in between torture sessions (Stanley forthcoming). There are other cases where torturers even brought their young children in to meet the detainees (Feitlowitz 1998).

In most instances, this 'closeness' can be seen as a construction, it is part of the torture process itself. As Sironi & Branche (2002:541) note, torture is often undertaken through a 'binary order' mechanism in which victims are faced with systematic alternation of

emotions (a 'good cop', 'bad cop' routine) so that officials can establish an 'obsessive, total regime'. Brutal officials can suddenly become unrecognisable as friendly companions. In Santiago's 'La Venda Sexy' torture house, for example, 'periods of torture were often alternated with periods of relaxation, when the agents even acted friendly in order to obtain the information they wanted' (Rettig Report 1993:488). This binary order mechanism exists arguably in most circumstances. Yet, in other situations, torturers and also survivors of state violence do see such 'human' activities as being outside torture. There is sometimes the recognition that connections between perpetrator and victim can be made.

From a torturer's perspective, it could be argued that torture becomes assigned as just an isolated aspect of a professional life, a performance in which the victim takes a secondary role (Price 2001). Under this perspective, their professional contributions are legitimate. From a survivor's perspective, such recognition may be a means to encounter violators as human beings (Gobodo-Madikizela 2003) and to make sense of their suffering at a personal level. Such 'humane' acts may represent opportunities to see the torturer as an individual, not just as a 'sadistic animal'. This identification of the other can, though, lead to further confusion. One survivor, Victor, spoke about the impact of this recognition, stating, 'For many years, I felt complicit guilt in the torture. It made me think that I had allowed it to happen'. The perceived complicity in his own torture meant that he remained silent for many years about his experiences. The recognition of humanity of the 'other' can clearly weaken a survivor's means to cope with the situation²¹ (Becker et al. 1990).

The Repercussions of Silence

In the Chilean context, torture has been hidden through a web of personal, social and institutional decision-making. For many years, torture was mis-recognised in Chile as an aberrational event that was only directed to those who posed a serious threat to society. Individuals who suffered torture were popularly viewed as deserving of their treatment. These definitions of reality permeated most aspects of political, social and cultural life (Crelinsten 2003) and, in the aftermath, many survivors have not had the strength to challenge these constructions. Faced with a wider public who have not been educated about torture during repression, a result of a narrow mandate taken by the truth commission, many survivors have struggled to deal with and make sense of their experiences.

As detailed above, the personal nature of torture has presented real confusion for survivors in Chile, impacting on their ability to speak out about their experiences. In the maintenance of such silence, some survivors find themselves unable to distance themselves from the event. As Alejandro argues, 'If you keep silent, it creates a sense of complicity and empowers the closeness between you and the man doing those things. It maintains their power'.

While this illustrates a personal painful issue which 'endures through time' (Ross 2001:271), survivors frequently depict that silence is strongly imposed from above. Taken with survivors' own reticence to speak out, the official silencing of torture has invoked some negative repercussions. For some, it has signified that the state continues to assume that those tortured were somehow deserving of their treatment, while for others it has impacted on their abilities to move forward from the status of 'victim' to 'survivor'. As one individual explained:

21 In the South African Truth Commission, perpetrators of torture happily drew on such recognitions to demonstrate their 'humane' demeanour towards their victims. Unlike survivors, the recognition of the 'other' may bolster a perpetrator's ability to cope.

I am still a stigmatised victim, the harm continues. I am different from the rest ... It is a permanent harm, almost chronic, of low self-esteem, insecurity, fear and living permanently with your guard up. I try to be normal, but I am still a victim (Espinoza et al 2002:39).

A lack of official recognition of suffering can hamper survivors' abilities to move forward in life. This has been intensified in Chile as those who survived torture have also faced institutionalised obstacles to much-needed reparational support and justice mechanisms. Those outside the Commission's mandate have not been able to benefit fully from the reparation funds offered to those classified by the state as 'victims'. Aside from access to 'a state-run medical and counselling' programme, survivors have not received any formal assistance (Hayner, 2001:315). As Viviana remarks, 'No-one has concerned themselves with those tortured ... because they didn't die, no-one is concerned. They have no rights to pensions or reparations of any kind'. Such limits on assistance have made it difficult for survivors to effectively deal with and repair their past.²²

Alongside reparation issues, survivors have also had to deal with the notion that their names are still stigmatised in criminal terms. The reliance on dictatorship criminal records has meant, as Viviana further notes, that thousands of individuals processed in an official way still cannot vote for a president or for their representatives. At the same time, the perpetrators of torture remain active in the armed forces and police forces, often promoted and in high positions of power. They go untouched.²³

The narrow focus of 'victimhood' created through the Commission's operations has shaped a difficult situation in which individual survivors of torture regularly feel abandoned by the state. However, this hierarchy also has wider social repercussions as it impacts on how Chilean society comes to think about and recognise repression. As Elizabeth Lira, a mental health practitioner in Chile, commented:

We still need to listen to many people's true stories and memories to be able to understand what has happened because not only the families of the detained-disappeared are the victims but those who have been tortured, exiled, those who lost their jobs, and so on. We haven't reached that point yet. People tend to think about the disappeared as the only victims.²⁴

The repercussions of the silence on torture and on those involved have been wide-ranging. In particular, this situation has negatively impacted on the potential for individual survivors to heal their past. Survivors have struggled to make sense of their experiences and have received little official acknowledgement of their predicament or reparational support to assist them to repair the damage caused. The silence on torture has also ensured that perpetrators have enjoyed immunity from prosecution or shaming; further, it has skewed Chilean perceptions of the nature of repression and violence during the regime. In sum, it has created numerous difficulties and concerns that may have been avoided if Chilean survivors of torture had been officially recognised.

22 Flexible provision, beyond medical and psychological assistance, to deal with the diverse after-effects of torture is required. For example, survivors may find themselves unable to work as they suffer a lack of self-esteem or psychological harm from the criminal activities carried out against them. In this instance, the individual would require support for loss of earnings (thanks to an anonymous reviewer for detailing this point).

23 This lack of judicial accountability has been felt by all groups in Chile including those, such as the families of the detained-disappeared, who were incorporated into truth commission procedures.

24 There have been some ad hoc attempts to recognise torture in Chile. In particular, the razed 'Villa Grimaldi' (a house of torture during the regime) has now been transformed into a peace park. Chilean torture has also recently been recognised at an international level when a number of European countries cancelled the proposed visit of the Chilean 'goodwill' ship, the "Esmerelda" as a result of protests. The "Esmerelda" was used as a unit for the interrogation and torture of detainees at the time of the coup in Chile (Amnesty 2003).

Speaking Out

In the face of state repression and denial, survivors can, as detailed above, find that talking about torture is a difficult process. Despite this, it is repeatedly emphasised that 'speaking out' is the most effective therapeutic, healing technique for those who have suffered torture (Jefferson 2000; Herbst 1992; Cienfuegos & Monelli 1983). Speaking out can allow the tortured person to take control of their voice and the event (Robben 1995). It can be a method of denunciation, a means to challenge complicity with the state (Price 2001).

Speaking out can also provide a means to make sense of the self, for the individual to recognise and accept his or her own history and experiences. Another Chilean survivor, Maria, commented:

It allowed me to comprehend my experiences, it's a way to move forward in life; it relieved me of the loneliness of my burden; and I could share with people close to me an indication of who I am as a person, as a whole, with my own experiences and struggles.

The recovery of the voice would seem therefore to be a central part of the healing process for torture survivors. Speaking out can enable survivors to 'construct new histories' and to 'realize the broader historical significance of their experiences' (West 2003:350). While testimonies of torture cannot 'undo the horror' of violence or 're-establish the safety' of life before repression (Laub 1992:91), it can be a start to deal with the loss experienced through violations. In finding a voice, survivors 'make suffering useful. In the wounds of their resistances, they gain a power: to tell, and even to heal' (Frank 1995:182).

One of the reasons why truth commissions have become so popular as a means to deal with the past is that giving testimony in front of an official body can make those who suffered feel a bit better, speaking out in a public forum can help the individual healing process (Hayner 2001). In exposing that those tortured were ordinary people, not 'subversives' or 'terrorists', stories also highlight the official mis-recognition of identities. Public recognition that violations were wrong can bring dignity to and rehumanize those who were targeted (Crelinsten 2003). Of course, within the Chilean context, survivors of torture have not had a formal opportunity to speak out and their status as 'victims' has never been officially recognised. In an ideal world, the Rettig Commission would have done more to induce more victims to speak.

More recent commissions, such as the South African Truth and Reconciliation Commission, have demonstrated a number of practices that have allowed wider disclosure.²⁵ These include: (i) a mandate to investigate 'gross human rights violations' that incorporated acts of violence (such as torture, arbitrary detention and forced displacement) in which individuals survived; (ii) public hearings, that acknowledged suffering and named those involved in violations, were widely disseminated in the media; and, (iii) the use of amnesty provisions that encouraged some perpetrators to participate in the collation of 'truth' (Stanley 2001). In South Africa, each of these practical methods contributed to a situation in which many survivors of torture felt hope from their official recognition. Further, as hearings progressed, those 'who worked with torture survivors saw a marked increase in the public's understanding and appreciation of victims' needs' (Hayner 2001:28).

Under the right conditions, truth commissions can ensure that the silence on torture is broken. The Rettig Commission missed this opportunity. However, this situation may be open to change. In August 2003, President Lagos announced his government's first major initiative to deal with the human rights violations committed under the dictatorship. These

25 Thanks to an anonymous reviewer for raising this argument.

wide-ranging proposals include a proposal to form a commission to identify victims of torture and, potentially, to offer limited compensation to those recognised (Human Rights Watch 2003). Whether this will go ahead, and if so, how it will be administered, is worthy of further exploration.

The positive aspects of testimonies do have to be tempered, however, as storytelling is a risky business. 'Stories, like other social phenomena, have unanticipated consequences', they bring their own risks (Das & Kleinman 2001:21). As Hayner (2001:141) details:

Victims and witnesses can in effect be retraumatized by giving testimony to a commission, which may be so severe as to result in a multitude of debilitating physical symptoms, such as confusion, nightmares, exhaustion, loss of appetite and sleeplessness.

The South African Trauma Centre for Victims of Violence and Torture in Cape Town, for instance, estimates that between 50–60% of those who testified before the Truth and Reconciliation Commission suffered difficulties after the hearing or regretted having taken part (*ibid*). What is evident from such an example is that commissions have to operate with full awareness of the potential they have to re-traumatize those they seek to heal.

Moreover, those giving testimony might expect that those listening will engage with them and provide acknowledgement, reparation or change. All too often, this anticipated response does not occur. Dominant groups might not necessarily want to listen to difficult testimonies²⁶ and, if they do, may opt not to take direct action. Nor will a commission process automatically ensure that reparations are made in an appropriate way, if at all, or that those involved as perpetrators will ever be punished. Further, a Commission might not be successful in establishing practical changes in state policy or practice. For example, despite the present official rights agenda in Chile, the principles of human rights are not always met in current practice: torture is still being used against those individuals who are presented as the new criminal threats to the social order (Amnesty 2003a; Rejali 2003).

Speaking out, then, brings many potential benefits but it cannot be a process that is taken lightly. The latest proposal by the Chilean government to investigate and acknowledge acts of torture represents a new approach to recognition for survivors. If undertaken appropriately, this torture commission could also 'invert the rituals of power' (Humphrey 2003:173), creating a positive space for those previously silenced to speak and to have their identities and experiences formally acknowledged. However, to be effective in the long-term, this recognition mechanism has to tread carefully, ensuring relevant support structures are in place to support those who testify. The disruption of silence on torture in Chile will be less useful if it is not also tied to practical changes such as compensation, support services, access to criminal justice and the cessation of torture in its present forms (Bauman 2001; Fraser 2000). Moreover, the challenge will be ineffective if such distributive measures evolve to be mechanisms to induce future silence. Compensation for the harms inflicted by states cannot serve as a 'quietener'.

Torture, Silence and Recognition

While torture is legally defined as an unjustifiable serious crime, it frequently goes mis-recognised or un-recognised altogether. As a result of institutional, societal and individual decision-making, torture has remained hidden in Chile. This silence has reflected careful political and personal management of events and identities.

26 In South Africa, for example, the Afrikaner population did not readily engage with the Truth and Reconciliation Commission (Paris 2000). In Chile, the military have similarly ignored the Rettig Commission's findings and have shown little interest in addressing violations.

At an individual level, perpetrators have used the ideological management of torture to good effect. For Pinochet supporters, torture continues to be upheld as an aberrational and unfortunate reaction to serious security threats. Through overt support and silent acquiescence, this perspective has been sustained through political, cultural and social institutions that have done little to challenge this reality (Crelinsten 2003). With nothing to lose, Chilean perpetrators have not broken rank and have maintained an impenetrable quiet on their activities.

For different reasons, those who suffered have also remained quiet. Given the nature of torture, as a mechanism to induce both speech and silence, what people say or do not say is significant. As noted above, it can in some circumstances mean the difference between life and death. In other situations, it can impact on how survivors are able to protect their lives or on how they can make sense of their own identity or the identities of others. As a result, individual survivors have demonstrated that they seriously calculate the timing and content of their testimonies. In many instances, the preferred option is silence.

While survivors' silence could be seen as the result of personal decisions it cannot be separated from the inexpressibility of pain, the societal reticence to hear difficult testimonies and the dismissal of state institutions to engage fully with allegations. That is, the 'impossibility of telling' is directly related to a lack of safe spaces in which individuals can be heard. In Chile, the opportunities for torture survivors to be recognised were restricted within a truth commission process that otherwise garnered popular support. The commission's focused mandate has created a number of issues. First, it is evident that many survivors of torture feel that they have been 'twice silenced' by the state (West 2003). For some, the official lack of acknowledgement of their experiences has continued the harm of torture itself as individuals have struggled to recover their dignity, take control of their 'voice' and heal their past. This has been intensified by the limits imposed on reparational support for those who were tortured and survived.

Second, the silencing of torture has meant that there has been little opportunity to challenge the identities created and managed by the dictatorship. Those who suffered continue to carry the mis-recognised labels of criminality and subversion while perpetrators of torture are still identified as professional officers immune from prosecution. This situation impacts at a personal level but it also impinges on the wider appreciation of Chilean history and on a collective sense of 'justice'. Finally, the Chilean state response has arguably created a 'hierarchy of pain' that fuels discontent. While some individuals in Chile will have suffered more than others (Smyth 1998), the pain felt by all victims cannot be evaluated 'unless each one is given equal opportunity to argue and prove (their) case' (Bauman 2001:147). Without full recognition of who suffered, how and why, the commission may have created further long-term conflict.

The impetus to create a Chilean commission to identify victims of torture demonstrates that these difficult issues do not dissipate in the long-term; individuals will struggle to be heard and recognised. This commission, if undertaken in the right conditions that pre-empt re-traumatization, could bring real benefits to survivors in allowing them a space to speak out. The recovery of the voice is seen as the most effective healing technique for those who have suffered torture as it potentially allows an individual to make sense of their self, their history and experiences. It could support many victims to move forward and also challenge the wider societal mis-recognition of torture.

While 'revealing' might not be 'healing' for some (Humphrey 2000), many survivors do not want to remain in an imposed silence and, indeed, the hidden reality of torture does not have to dominate. Truth commissions do have the potential to tackle this issue, creating

mechanisms that induce more victims and perpetrators to speak in a safe environment. Similarly, those working in the media, non-governmental organisations and academia can break the silence on torture by recognising the topic in the dissemination of information and research and in supporting those involved to tell their stories. At the very least, these actions may ensure some public recognition that torture inflicted by perpetrators and their superiors is wrong (Crelinsten 2003). Of course, as criminologists have detailed in their exposure of torture as a serious 'state crime', the imperative remains that these challenges to the silence and mis-recognition of torture should also be directly linked to preventative action regarding social and criminal justice. As such, testimonies need to be made useful by, amongst other things, restoring human rights as a central principle of state organization, redressing imbalances of power and punishing those who perpetrate such unjustifiable acts of violence.

REFERENCES

- Agger, I & Buus Jensen, S (1996) *Trauma and Healing under State Terrorism*, Zed Books, London.
- Amnesty International (2000) *Take a Step to Stamp out Torture*, AI, London.
- Amnesty International (2003) *Chile: Torture and the Naval Training Ship, the "Esmeralda"*, AMR 22/006/2003, AI, London.
- Amnesty International (2003a) *Fear of Torture/Ill Treatment*, AMR 22/001/2003, AI, London.
- Bauman, Z (2001) 'The Great War of Recognition', *Theory, Culture and Society*, vol 18, no 2-3, pp 137-150.
- BBC News (2003) 'Chile to Pay Torture Victims', <www.news.bbc.co.uk>, 13 August 2003.
- Becker, D, Lira, E, Castillo, M, Gómez, E & Kovalskys, J (1990) 'Therapy with Victims of Political Repression in Chile: The Challenge of Social Reparation', *Journal of Social Issues*, vol 46, no 3, pp 133-149.
- Campbell, T (1999) 'Human Rights: A Culture of Controversy', *Journal of Law and Society*, vol 26, pp 6-26.
- Cienfuegos, AJ & Monelli, C (1983) 'The Testimony of Political Repression as a Therapeutic Instrument', *American Journal of Orthopsychiatry*, vol 53, no 1, pp 43-51.
- Cohen, S (1993) 'Human Rights and Crimes of the State: The Culture of Denial', *The Australian and New Zealand Journal of Criminology*, vol 26, pp 97-115.
- Cohen, S (1996) 'Government Responses to Human Rights Reports: Claims, Denials, and Counterclaims', *Human Rights Quarterly*, vol 18, pp 517-543.
- Cohen, S (2000) 'Some Thoroughly Modern Monsters', *Index on Censorship*, vol 5, pp 36-43.
- Cohen, S (2001) *States of Denial: Knowing About Atrocities and Suffering*, Polity, Cambridge.

Conroy, J (2001) *Unspeakable Acts, Ordinary People*, Vision, London.

Constable, P & Valenzuela, A (1991) *A Nation of Enemies: Chile under Pinochet*, W W Norton and Company, London.

Corporación Nacional de Reparación y Reconciliación (1996) *Informe Sobre Calificación de Víctimas de Violaciones de Derechos Humanos y de la Violencia Política*, CNRR, Santiago de Chile.

Crelinsten, RD (1995) 'In Their Own Words: The World of the Torturer' in Crelinsten, RD & Schmid, AP (eds) *The Politics of Pain: Torturers and their Masters*, Westview Press, Boulder.

Crelinsten, RD (2003) 'The World of Torture: A Constructed Reality', *Theoretical Criminology*, vol 7, no 3, pp 293–318.

Das, V (1997) 'Language and Body: Transactions in the Construction of Pain' in Das, V, Kleinman, A & Lock, M (eds) *Social Suffering*, University of California Press, Berkeley.

Das, V & Kleinman, A (2001) 'Introduction' in Das, V, Kleinman, A, Lock, M, Ramphela, M & Reynolds, P (eds) *Remaking a World: Violence, Social Suffering and Recovery*, University of California Press, Berkeley.

De Saussure, F (1974[1959]) *Course in General Linguistics*, trans: W Baskin, Fontana, London.

Dorfman, A (1991) *Death and the Maiden*, Nick Hern Books, London.

Espinoza, V, Ortiz, M & Rojas, P with Czitrom, C (2002) *Truth Commissions: An Uncertain Path? Comparative Study of Truth Commissions in Argentina, Chile, El Salvador, Guatemala and South Africa from the Perspectives of Victims, their Relatives, Human Rights Organisations and Experts*, CODEPU and APT: Santiago de Chile.

Feitlowitz, M (1998) *A Lexicon of Terror: Argentina and the Legacies of Torture*, Oxford University Press, Oxford.

Frank, AW (1995) *The Wounded Storyteller: Body, Illness, and Ethics*, University of Chicago Press, Chicago.

Fraser, N (2000) 'Rethinking Recognition', *New Left Review*, vol 3, May/June, pp 107–120.

Gobodo-Madikizela, P (2003) *A Human Being Died that Night: A South African Story of Forgiveness*, Houghton Mifflin, Boston.

Green, PJ & Ward, T (2000) 'State Crime, Human Rights, and the Limits of Criminology', *Social Justice*, vol 27, no 1, pp 101–115.

Green, PJ & Ward, T (2004) *State Crime: Governments, Violence and Corruption*, Pluto Press, London.

Haritos-Fatouros, M (1988) 'The Official Torturer: A Learning Model for Obedience to the Authority of Violence', *Journal of Applied Social Psychology*, vol 18, no 13, pp 1107–1120.

- Haritos-Fatouros, M (2002) *The Psychological Origins of Institutionalized Torture*, Routledge, London.
- Hayner P (1998) 'The Contribution of Truth Commissions' in Dunér B (ed) *An End to Torture*, Zed Books, London.
- Hayner, P (2001) *Unspeakable Truths: How Truth Commissions Around the World are Challenging the Past and Shaping the Future*, Routledge, London.
- Herbst, P (1992) 'From Helpless Victim to Empowered Survivor: Oral History as a Treatment for Survivors of Torture', *Women and Therapy*, vol 13, pp 141–154.
- Huggins, MK (2000) 'Legacies of Authoritarianism: Brazilian Torturers' and Murderers' Reformulation of Memory', *Latin American Perspectives*, vol 27, no 2, pp 57–78.
- Huggins, MK, Haritos-Fatouros, M & Zimbardo, PG (2002) *Violence Workers: Police Torturers and Murderers Reconstruct Brazilian Atrocities*, University of California Press, Berkeley.
- Human Rights Watch (2003) *Discreet Path to Justice? Chile, Thirty Years after the Military Coup*, Human Rights Watch September Briefing, accessed at <www.hrw.org>.
- Humphrey, M (2000) 'From Terror to Trauma: Commissioning Truth for National Reconciliation', *Social Identities*, vol 6, no 1, pp 7–27.
- Humphrey, M (2003) 'From Victim to Victimhood: Truth Commissions and Trials as Rituals of Political Transition and Individual Healing', *The Australian Journal of Anthropology*, vol 14, no 1, pp 171–187.
- Ignatieff, M (1985) 'Torture's Dead Simplicity', *New Statesman*, September 20, pp 24–26.
- Jefferson, AM (2000) 'Remembering and Re-story-ing — An Exploration of Memory and Narrative in Relation to Psychotherapy with Torture Survivors', *Torture*, vol 10, no 4, pp 107–111.
- Kappeler, S (1986) *The Pornography of Representation*, Polity Press, Cambridge.
- Laub, D (1992) 'An Event Without a Witness: Truth, Testimony and Survival' in Felman, S & Laub, D (1992) *Testimony: Crises of Witnessing in Literature, Psychoanalysis, and History*, Routledge, London.
- McLaughlin, E (1996) 'Political Violence, Terrorism and Crimes of the State' in Muncie, J & McLaughlin, E (eds) *The Problem of Crime*, Sage, London.
- Ochs, E & Capps, L (2001) *Living Narrative: Creating Lives in Everyday Storytelling*, Harvard University Press, Cambridge.
- O'Shaughnessy, H (2000) *Pinochet: The Politics of Torture*, Latin America Bureau, London.
- Paris, E (2000) *Long Shadows: Truth, Lies and History*, Bloomsbury, New York.
- Peters, E (1985) *Torture*, Basil Blackwell, Oxford.

Price, LS (2001) 'Finding the Man in the Soldier-Rapist: Some Reflections on Comprehension and Accountability', *Women's Studies International Forum*, vol 24, no 2, pp 211–227.

Rappert, B (2003) *Non Lethal Weapons as Legitimizing Forces: Technology, Politics and Management of Conflict*, Frank Cass, London.

Rehman, J (2003) *International Human Rights Law: A Practical Approach*, Pearson Education, Harlow.

Rejali, D (1994) *Torture and Modernity: Self, Society and State in Modern Iran*, Westview, Boulder.

Rejali, D (2003) 'Modern Torture as a Civic Marker: Solving a Global Anxiety with a New Political Technology', *Journal of Human Rights*, vol 2, no 2, pp 153–171.

Rettig Report (1993) *The Report of the Chilean National Commission on Truth and Reconciliation*, Volumes 1–2, (trans: P E Berryman), University of Notre Dame Press, Notre Dame.

Rivera-Fuentes, C & Birke, L (2001) 'Talking With/In Pain: Reflections on Bodies under Torture', *Women's Studies International Forum*, vol 24, no 6, pp 653–668.

Robben, A (1995) 'The Politics of Truth and Emotion among Victims and Perpetrators of Violence' in Nordstrom, C & Robben, A (eds) *Fieldwork under Fire: Contemporary Studies of Violence and Survival*, University of California Press, Berkeley.

Ross, FC (2001) 'Speech and Silence: Women's Testimony in the First Five Weeks of Public Hearings of the South African Truth and Reconciliation Commission' in Das, V, Kleinman, A, Lock, M, Ramphele, M & Reynolds, P (eds) *Remaking a World: Violence, Social Suffering and Recovery*, University of California Press, Berkeley.

Scarry, E (1985) *The Body in Pain: The Making and Unmaking of the World*, Oxford University Press, Oxford.

Simpson, MA (1993) 'Traumatic Stress and the Bruising of the Soul' in Wilson, J, P & Raphael, B (eds) *International Handbook of Traumatic Stress Syndromes*, Plenum Press, New York.

Sironi, F & Branche, R (2002) 'Torture and the Borders of Humanity', *International Social Science Journal*, vol 54, no 174, pp 539–548.

Smyth, M (1998) 'Remembering in Northern Ireland: Victims, Perpetrators and Hierarchies of Pain and Responsibility' in Hamber, B (ed) *Past Imperfect*, INCORE, Derry.

Stanley, E (2001) 'Evaluating the Truth and Reconciliation Commission', *Journal of Modern African Studies*, vol 39, no 3, pp 525–546.

Stanley, E (2002) 'What Next? The Aftermath of Organised Truth Telling', *Race and Class*, vol 44, no 1, pp 1–15.

Stanley, E (forthcoming) 'Torture and the Professional Male', *paper in progress*.

- Taussig, M (1987) *Shamanism, Colonialism, and the Wild Man: A Study in Terror and Healing*, University of Chicago Press, Chicago.
- Tindale, CW (1996) 'The Logic of Torture: A Critical Examination', *Social Theory and Practice*, vol 22, no 3, pp 349–74.
- Trumper, R (1999) "'Healing" the Social Body: Silence, Terror, and (Re)Conciliation in Neoliberal Chile', *Alternatives*, vol 24, pp 1–37.
- Turner, S & Gorst-Unsworth, C (1990) 'Psychological Sequelae of Torture: A Descriptive Model', *British Journal of Psychiatry*, vol 157, pp 475–480.
- Weschler, L (1998) *A Miracle, A Universe: Settling Accounts with Torturers*, University of Chicago Press, Chicago.
- West, HG (2003) 'Voices Twice Silenced: Betrayal and Mourning at Colonialism's End in Mozambique', *Anthropological Theory*, vol 3, no 3, pp 343–365.
- Wright, S (1998) *An Appraisal of Technologies of Political Control*, Report to Scientific and Technological Options Assessment, European Parliament, author's own.