

# “Vigilante” Expressions of Social Memory in Chile

## Exploring *La Comisión Funa* as a Response to Justice Deficits

HOLLY L. GUTHREY

Nearly thirty years after the transition to democracy following the dictatorship of Augusto Pinochet, the issue of how to remember and interpret the past continues to be a polemic topic in Chile. The roles played by the ideological Left and Right during the Pinochet regime continue to be disputed and debated. While today it is generally accepted that abuses took place under Pinochet's regime—at least in part as a result of the final reports completed by Chile's two truth commissions—the understandings of why violations were committed and whether or not they were justified remains divisive. As Steve Stern writes, “the qualm was not about the facts but their explanation”.<sup>1</sup> The “persistent range of ethical and political divisions” between varying interpretations of the past, according to Elizabeth Lira, have indeed survived into the present, “despite a consensus on past events”.<sup>2</sup>

At the extremes of the memory continuum are, on one end, the Right as saviours of the country and the Left as terrorists threatening national security, hence justifying whatever abuse may have befallen them. Stern has referred to this as the “memory as salvation” narrative.<sup>3</sup> On the far end of this narrative is the memory of the dictatorship as “cruel rupture,”

<sup>1</sup> Stern, Steve J., *Reckoning with Pinochet: The Memory Question in Democratic Chile, 1989–2006* (Durham 2010), p. 15.

<sup>2</sup> Lira, Elizabeth, “Chile: Dilemmas of Memory” in *The Memory of State Terrorism in the Southern Cone: Argentina, Chile, and Uruguay*, eds.: Francesca Lessa & Vincent Druliolle (New York 2011), p. 108.

<sup>3</sup> Stern (2010).

marked by “astonishing cruel and unending rupture of life” under military rule.<sup>4</sup> The latter narrative is further contextualised by a recognition that the military coup was predicated upon a now-debunked rumour of a left-wing “auto-coup” (known as Plan Zeta) wherein supporters of Salvador Allende allegedly planned to assassinate ranking members of the armed forces and Allende opponents.

The memory of human rights violations being committed under false pretences compounds the human suffering of the Left as the coup was predicated upon a lie that led to as many as 3,000 individuals losing their lives and upwards of 40,000 being victims of torture.<sup>5</sup> The resistance of the more extreme right to denounce the salvation narrative is seen to deny survivors and victims’ relatives acknowledgement that past violations were wrong, thus compounding the “cruel rupture” narrative. Such conflicting accounts of the past reflect what John Bodnar has referred to as “vernacular memory”, wherein an event is “remembered differently by various individuals and groups, so that there is always a large number of vernacular memories, many of them in conflict with one another”.<sup>6</sup> In this conceptualisation of memory, ordinary people or private citizens may both appropriate and reproduce different public narratives in their own ways, which do not necessarily align, thus representing the diversity of interests in a society.<sup>7</sup>

While there is much nuance in-between these extremes, the difficulty in reconciling the contradictory ways of remembering not only the 1973 military coup itself but the seventeen-year dictatorship that followed continues to have crucial implications for the way in which transitional justice—and by extension, memories of the past—has unfolded following the transition to democracy. The salvation narrative that has been continually used to justify or legitimise the abuses committed by the

---

<sup>4</sup> Stern (2010), p. 5.

<sup>5</sup> Borzutzky, Silvia, *Human Rights Policies in Chile: The Unfinished Struggle for Truth and Justice* (Cham 2017).

<sup>6</sup> Bodnar, John, *Remaking America: Public Memory, Commemoration, and Patriotism in the Twentieth Century* (Princeton 1992); Iriye, Akira, “Introduction: Historical Scholarship and Public Memory”, *The Journal of American-East Asian Relations* 4:2 (1995), p. 89.

<sup>7</sup> See e.g. Bodnar (1992); Breur, Lars & Delius, Anna, “1989 in European Vernacular Memory”, *East European Politics and Societies and Cultures* 31:3 (2017), p. 459.

junta has, at least in part, helped to insulate the armed forces and complicit civilian actors from being held socially and legally accountable for their role in past crimes. Remembering regime opponents as terrorists has served to dilute blame against perpetrators associated with the regime. This sentiment is clearly characterised in the statement by the first democratically elected president that succeeded Pinochet, Patricio Aylwin, who emphasised the need for reconciliation because “we were all responsible”.<sup>8</sup> This understanding and framing of the past remains a sticking point for survivors and victims’ relatives, who instead remember the cruel rupture of lives caused by the regime’s brutal policies and tactics, which targeted them and their loved ones.

While various transitional justice measures—two truth commissions, numerous reparations programmes, and domestic human rights trials—have been undertaken in Chile under the auspices of facilitating justice and reconciliation, the socio-political context in which they were developed has meant that their reach has been ultimately limited. Structural factors developed by the regime have provided a legal basis for a “protected” or “highly restricted democracy” to be installed after the fall of the dictatorship.<sup>9</sup> In conjunction with this, it can be argued that the divisive memory landscape in Chile has inhibited taking a stronger stand on past human rights violations, especially as it relates to accountability.

In particular, although the more extreme right who support the salvation narrative is technically a minority, this group comprises a powerful political and economic force in the country.<sup>10</sup> It has an interest in maintaining the status quo, not least as it relates to the 1980 Constitution authored by the Pinochet regime, which provides protections for elite business leaders, right-wing politicians and the armed forces, which are part and parcel of the resulting restricted democracy.<sup>11</sup>

<sup>8</sup> Collier, Simon, and William F. Sater, *A history of Chile, 1808–1994* (Cambridge 1996), p. 355.

<sup>9</sup> Barahona de Brito, Alexandra, “Passion, Constraint, Law and Fortuna. The Human Rights Challenge to Chilean Democracy”, in *Burying the Past: Making Peace and Doing Justice after Civil Conflict*, ed. Nigel Biggar (Washington, D.C., 2003); Collins, Cath, “Human Rights Trials in Chile during and after the “Pinochet Years”, *International Journal of Transitional Justice* 4:1 (2010), pp. 67–86; Borzutzky (2017).

<sup>10</sup> Stern (2010).

<sup>11</sup> See e.g. Stern (2010).

Among those who remember the dictatorship as “cruel rupture”, discontent with the slow and insufficient advances in accountability of Pinochet-era perpetrators has manifested in what could be categorised as “vigilante” expressions of social memory in the form of “public outings” of these individuals known in Chile as *funas*. Backed by the social movement *La Comisión Funa*, survivors, victims’ relatives and other supporters take to the streets to publicly mob and shame alleged perpetrators in public spaces such as workplaces, homes, and cafés to expose them to their neighbours and colleagues. *La Comisión Funa*, working under the motto “*si no hay justicia, hay funa*” (“if there is not justice, there is funa”) takes justice into their own hands in these confrontations that are designed to at the very least socially and morally sanction perpetrators through forcing onlookers to engage with the gravity of human rights violations committed by actors of the regime as banners are flown with words such as “murderer” and “torturer”.

This chapter investigates how tensions in social memory of the Pinochet regime have resulted in the pursuit of “vigilante” initiatives for preserving and transmitting memory about the dictatorship, advancing “justice” in their own way in the absence of sufficient institutional acknowledgement (not least through accountability) for the harms suffered that in many cases continue to have present-day consequences.<sup>12</sup>

The chapter begins by contextualising the manifestation of the polemic memory narratives in Chile through the description of *Plan Zeta* (or Plan Z). Secondary source material will be complemented with in-depth interview data that illustrates the persistence of the regime opponents as “terrorists” narrative in the present day and the effects this has had on survivors and victims’ relatives.<sup>13</sup> A brief outline of the tran-

<sup>12</sup> See e.g. Guthrey, Holly L., “(In)equality before, during and after state repression in Chile: Examining casual mechanisms of distrustful attitudes” (unpublished paper).

<sup>13</sup> Twenty-six in-depth interviews were conducted with survivors, victims’ relatives, human rights lawyers, academics and activists in two periods, April to May 2018 and November to December 2018 (fieldwork for this project was partially supported by the International Peace Research Association Foundation). For a comprehensive description of the field research process in Chile during which in-depth interview data was collected, see Guthrey, Holly L., “Trust after Transition? Exploring Attitudes toward Perpetrators in Post-dictatorship Chile” (under review). All interviewees are referred to by pseudonyms in this chapter to protect their anonymity.

sitional justice strategies that have been undertaken will then be provided, with an emphasis on the challenges faced by the processes which have in effect softened their potential impacts—especially in terms of holding perpetrators accountable in ways that align with international (and in some cases, domestic) legal norms.

The chapter then introduces background on *La Comisión Funta*, coupled with media sources and in-depth interview material to depict the way in which *funas* are used in Chile as a grassroots means to counteract deficiencies in accountability measures and, in essence, force the public to face the memories of suffering during the dictatorship. I conclude with a discussion of how *funas* reflect the importance of institutional and social acknowledgement of past human rights violations, illustrating that without sufficient social and moral sanctions for perpetrators levied through transitional justice processes, victims might be likely to empower themselves through taking “justice” into their own hands outside of formal systems.

In all, *funas* appear to represent an inherent need for victim-survivors to have their experiences recognised, even if by essentially imposing them upon onlookers when public memory or specific vernacular memories localised within powerful elite circles fail to validate the cruelty of their suffering. While it is unclear whether these outings of perpetrators have had an effect on the larger society, their mere occurrence is now a component of Chile’s contemporary history and an ongoing process of reflecting on the past and (re)claiming agency and space for narratives of victim-survivors.

## Social Memory in Chile

This chapter focuses on the most extreme ends of the memory continuum in Chile—based on Steve Stern’s conceptualisations of “memory as salvation” and “memory as cruel rupture” as the tension between these narratives directly captures the opposition that has coloured the country’s pursuit of transitional justice. I extend these conceptualisations for the purpose of this chapter by referring to them as the salvation-terrorist and contrasting rupture-injustice narratives. Both national security and eco-

nomic success have been used as touchstones for the right-wing to employ an “ends justify the means” narrative in which human rights violations were defensible because of the economic advancement that was achieved through the neo-liberal model pursued under the regime.<sup>14</sup> The left-wing “terrorists” were then a roadblock to this progress and deserved to be eliminated for the sake of the nation, protecting it from the perils of communism but also the imminent internal war for which the Left was allegedly preparing.

On the other hand, in the rupture-injustice narrative, the abuses committed under the dictatorship are indefensible, no matter what economic success may or may not have resulted from the regime’s neo-liberal policies. Leftists and alleged leftist supporters were imprisoned without due process, held without the right of *habeas corpus* and commonly tortured in the facilities in which they were kept. Equally if not more psychologically damaging was the widespread practice of disappearing people, which “was aimed at destroying left-wing organisations defined as threats to the national security of the country”.<sup>15</sup> In the absence of “‘evidence’, the military could always deny the existence of the crimes and avoid being accused of murdering its own people”.<sup>16</sup> It could be as if these crimes never happened, which has inherently complicated holding perpetrators accountable in the present. The massive loss in addition to the rifts created in the continuity of peoples’ lives during the dictatorship without a sense that the state has properly reckoned with the consequences of this suffering adds a profound feeling of injustice to the memory of cruel rupture.

## Plan Z: Historical Background and Contemporary Effects

The background of how the salvation-terrorist narrative developed prior to the military coup as way to legitimise the ouster of Salvador Allende and subsequent use of force against leftists is foundational for understanding the way in which transitional justice, and consequently how the past is remembered, has unfolded over time. This section starts by

---

<sup>14</sup> See e.g. Lira (2011).

<sup>15</sup> Borzutzky (2017), p. 13.

<sup>16</sup> Ibid.

describing the context that stoked fear in political and military elites in the face of losing socio-economic power as a consequence of Allende's socialist doctrine, which foregrounds the spreading of the rumoured Plan Z that in turn concretised the salvation-terrorist narrative associated with the dictatorship.

Salvador Allende, democratically elected in 1970 by just over one-third of the Chilean population, embarked upon his socialist vision for the country immediately after taking office. He made efforts to nationalise Chile's natural resources, social services and banks as well as pushed for land and agrarian reforms. The latter was espoused in tacit consent from the government for peasants to seize "huge estates owned by absentee landlords", which sometimes also resulted in their taking land from small-scale farmers.<sup>17</sup> The new fiscal policies, however, "shattered Chile's economy instead of helping it" and brought ire from rich Chileans "who despised him [Allende] for seizing the property from which their wealth had come", but also "the middle class, squeezed by inflation and plagued with shortages".<sup>18</sup> The Nixon Administration in the United States was also antagonistic toward the Allende government and grew increasingly hostile when copper mines were fully nationalised in addition to "other industrial properties owned by US companies". Compounding the hostility, the Allende government refused to pay compensation for these properties and US exports to Chile decreased by 50% during his administration.<sup>19</sup>

Against this backdrop, rumours began to circulate about a "supposed plot of the extreme Left to impose communism definitely upon Chile", known as *Plan Zeta* (or Plan Z), which was essentially used to substantiate the military coup and ultimately served as a "justification for the thousands of people who were brutally tortured, killed and/or 'disappeared' especially during 1973".<sup>20</sup> Plan Z, which was allegedly "found in the desk of a commu-

<sup>17</sup> Winn, Peter & Cristobal, Kay, "Agrarian Reform and Rural Revolution in Allende's Chile" in *Journal of Latin American Studies* 6:1 (1974). See also "Chile: The Bloody End of a Marxist Dream", *TIME Magazine*, 24 September 1973, p. 39.

<sup>18</sup> Winn and Kay (1974); "Chile: The Bloody End of a Marxist Dream", p. 45; see also Lira (2011).

<sup>19</sup> "Chile. The Bloody End of a Marxist Dream", p. 38.

<sup>20</sup> Valenzuela, Arturo & Valenzuela, Samuel J. "Visions of Chile", *Latin American Research Review*, 10:3 (1975); Oteiza, Teresa, "Evaluative patterns in the official discourse of human rights in Chile. Giving value to the past and building historical memories in society", *Documentação de Estudos em Lingüística*

nist former under-secretary for the interior” was part of the “White Book on the Change of Government” rushed together by Pinochet’s regime in the weeks after the coup.<sup>21</sup> Although later proven through declassified CIA documents that this was false and only invented by the architects of the military coup, the rumoured “blacklist” contained names of “key leaders of the armed forces and of the opposition” to Allende to be assassinated.<sup>22</sup> It likewise included information about supposed terrorist training camps in Chile, which ultimately played a determinate role in the radicalisation of the military and civilian supporters of the dictatorship, who, afraid of being victims of treacherous crimes of the leftists, imposed the logic of “*ellos o nosotros*” (them or us).<sup>23</sup> The propagation of the “myth of Plan Z” was used to “exacerbate the military’s hatred of communism” and caused “many military officers to believe that they had to kill in self-defence”.<sup>24</sup>

Right-wing activists used the “lexicon of mental disease” to describe leftist activists as “crazed people” who were “wilful and diabolical, turned rampant”, and fanatic assassins.<sup>25</sup> Dehumanisation of the Left began to take hold with this group being painted as lacking even “the most basic human integrity”, which some political figures went as far as suggesting these “subversives were a different sort of being—‘humanoids’, who “would assassinate masses of innocent people... in cold blood—even sympathisers and one another” as “they would stop at nothing to impose their will”.<sup>26</sup> As Lira further comments, the “so-called subversives, extremists, and leftists were defined as non-Chileans, as anti-patriots, and traitors” which left them “susceptible not only to exclusion, but also extermination”.<sup>27</sup>

---

*Teórica e Aplicada (DELTA)* 25 (2009), pp. 619–20.

<sup>21</sup> “The Pinochet affair. Blackwashing Allende”, *The Economist* 28 January 1999, <https://www.economist.com/the-americas/1999/01/28/blackwashing-allende> (accessed 22 November 2019).

<sup>22</sup> Valenzuela & Valenzuela (1975).

<sup>23</sup> “Blackwashing Allende” (1999); Sohr, Raúl, “Secretario de Prensa de la Junta Militar sobre el Plan Z. ‘Fue una gran maniobra de guerra psicológica’”, *The Clinic*, 2 September 2013, <https://www.theclinic.cl/2013/09/02/el-plan-z-la-mentira-que-ensangrento-a-chile/> (accessed 22 November 2019).

<sup>24</sup> Heinz, Wolfgang S. & Frühling, Hugo, *Determinants of Gross Human Rights Violations by State and State-sponsored Actors in Brazil, Uruguay, Chile, and Argentina, 1960-1990* (Leiden 1999), p. 525.

<sup>25</sup> Stern, Steve J. *Battling for Hearts and Minds: Memory Struggles in Pinochet’s Chile, 1973-1988* (Durham 2006), p. 46.

<sup>26</sup> Valenzuela & Valenzuela (1975), p. 168; Stern (2006), p. 46, 50.

<sup>27</sup> Lira (2011), p. 115.



By usurping the “humanness” of others and subjecting them to what Susan Opatow has referred to as “moral exclusion”, the Other “lose[s] the capacity to evoke compassion and moral emotions”, which makes it easier to treat them viciously.<sup>28</sup> This process of exclusion suspends normal boundaries associated with moral values and rules, making violence appear permissible and defensible. The above conceptualisation of the Left as cold, rigid and calculating parallels Haslam’s notion of “mechanistic dehumanisation”, which he argues results in indifference rather than disgust.<sup>29</sup> In this context, these people will be disregarded as “social partners”, which justifies a denial of their rights because they have no minds or emotions that make them entitled to or worthy of rights.<sup>30</sup>

Indeed, this dehumanising narrative of the “evil” Left within Plan Z “justified indifference to the fate of the persecuted”, and was overtly intended “to provoke the slaughter of a million opposition persons” according to comments from Pinochet himself.<sup>31</sup> Following the coup, the Junta claimed “that all political prisoners either participated in preparations for Plan Z, or were guilty of civil offenses during the period of the ‘illegal’ Allende government”.<sup>32</sup> Hence, violence against the Left was justified to prevent the supposed “auto-coup” that would eliminate members of the military and Allende opponents. The military junta illuminated itself “as the saviour of the nation and justify all of its measures as necessary to root out the evil of Communism” who “spared the Chilean people of a Left so demonic it defied belief”.<sup>33</sup> The narrative of “salvation” that developed has ultimately become cemented in right-wing Chilean political rhetoric and continues to be used as a justification for the abuses committed against the Left during the dictatorship.<sup>34</sup>

<sup>28</sup> Kelman, Herbert C. (1976). “Violence without Restraint. Reflections on the Dehumanization of Victims and Victimizers”, in *Varieties of Psychohistory*, eds.: George M. Kren & Leon H. Rappoport (New York 1976), pp. 282–314; Opatow, Susan, “Moral Exclusion and Injustice: An Introduction”, *Journal of Social Issues* 46 (1990), pp. 1–20; Haslam, Nick, “Dehumanization. An Integrative Review,” *Personality and Social Psychology Review* 10:3 (2006), p. 254.

<sup>29</sup> Haslam (2006), p. 258.

<sup>30</sup> *Ibid.*, p. 261.

<sup>31</sup> Stern (2006), p. 46, 50.

<sup>32</sup> Heinz & Fruhling (1999), p. 481.

<sup>33</sup> Valenzuela & Valenzuela (1975), p. 167; Stern (2006), p. 46; Lira (2011).

<sup>34</sup> Stern (2010).

As a result, intergroup threat was manufactured, or manipulated, and used to mobilise prejudice against the Left to justify the immense violence against those opposed the military junta. While the intensification of dehumanisation narratives is not an uncommon precursor to mass violence, the widespread acceptance of the veracity of this completely fabricated plan to demonise the ideological opposition by the Right in order to justify the coup is particular. Strength and credence were presumably added to this narrative as a function of the support from the US, which was virulently opposed to communism across the globe and notably cosy with the Chilean armed forces—a proposition validated by the Plan Z document being part of the White book that was supported by the CIA.<sup>35</sup> Despite widespread punishment of Allende supporters under the auspices of their association with Plan Z through military tribunals, it is notable that “no military court case was ever presented to prove the existence of the so-called ‘Plan Z’ as a national plan, nor to punish its authors” and that “in the years following 1973, it was practically never mentioned”.<sup>36</sup>

The “terrorist” narrative was further engrained into political discourse in Chile with the establishment of the Anti-Terrorist Law in 1984. In response to increased popular protests amid the economic crisis in the early 1980s, the law allowed the state and its security forces

to arrest and search without a warrant; to detain for up to 30 days before committing to trial; to keep a detainee incommunicado for up to 15 days; to withhold evidence from the defence for long periods; to use the CNI to assist in the investigations; and to increase the penalties for a wide range of offenses.<sup>37</sup>

Hence, although the terrorist narrative had been promulgated prior to the military coup, regime opponents could now legally be considered “terrorists”, which means repression became legalised.<sup>38</sup> This law still remains in force today, which likely has implications for the ease with which some

<sup>35</sup> See e.g. Stern (2006), p. 49. This is particularly illustrated in the extension of “\$10 million to the Chilean air force to buy transport planes and other equipment” in 1972 by the United States; see “Bloody End” (1973), p. 45.

<sup>36</sup> Heinz & Fruhling (1999), p. 456.

<sup>37</sup> Borzutzky (2017), pp. 29–30.

<sup>38</sup> See e.g. Lira (2011).

extreme right-wing politicians and other *Pinochetistas* mobilise this terminology to continue justifying past abuse committed against the Left.

## Contemporary Illustrations and Implications of the Salvation-terrorist Narrative

In 2018, the salvation-terrorist narrative was mobilised by right-wing senator Deputy Ignacio Urrutia (UDI), who in the context of discussing a new victim reparations bill (which was later withdrawn by the Piñera government) said:

Excellent news! The Government has withdrawn this project that is disastrous since it is not the first time these little gifts are given to people who, more than exiles, were terrorists. So in good time the government withdrew this *aguinaldo* [Christmas bonus/tip usually given to kids] that was to be given to these people again.<sup>39</sup>

Referring to Senator Urrutia's statement, Fernando, a human rights lawyer interviewed for this study, commented that the things he said

are in the most extreme, but yes Urrutia represents a faction, which isn't minor, in the right-wing parties, that questions the victims. That is to say the victims don't only have to go through this but they expose themselves to bad treatment, they expose themselves to frustrating accusations. It is horrible to read what there is on social networks. "You only want money, you are a terrorist. Go to Venezuela, etc." All of the things you can imagine. So, of course, Urrutia represents a sector of the Chilean congress, and that is worrying, and that is because today, it doesn't shock [cause a scandal in] the bigger society, when someone says that.<sup>40</sup>

Survivors and victims' relatives are acutely aware of this discourse. Several interviewees referred to the salvation-terrorist narrative as a painful reminder of how political power has not shifted in a way that has ade-

<sup>39</sup> Marín, Verónica, "Diputado Urrutia califica a víctimas de la dictadura como 'terroristas con aguinaldo' y oposición abandona la Sala" in *Emol* (19 April 2018): <https://www.emol.com/noticias/Nacional/2018/04/19/903132/Oposicion-abandona-sesion-del-Congreso-luego-de-que-diputado-Urrutia-UDI-calificara-a-victimas-de-la-dictadura-como-terroristas-con-aguinaldo.html> (accessed 11 February 2020).

<sup>40</sup> Interview with "Fernando", Santiago, Chile, 28 November 2018.

quately acknowledged the violations they endured at the hands of the military regime. Carla, for example, noted that

[i]t still hurts when a senator says that we were terrorists or a TV anchor congratulates the senator for what he/she said. It's painful, it's a new torture, and it's a psychological torture.<sup>41</sup>

Others also spoke about the affront they experience in the face of politicians defending past violations for the sake of saving the nation from terrorism. Augustina commented:

Today I was listening to a young congresswoman, in an interview [from] last night, which was really dreadful to listen to her where she defends, she talks about terrorism from before... To defend *Pinochetismo*, the Dictatorship—according to them it is not dictatorship<sup>42</sup>—and the crimes well, “they were doing something”. And they say, no we don't agree with the human rights violations, but they defended the dictatorship. So, every day, it is harder for us.<sup>43</sup>

These remarks from Carla and Augustina emphasise the additional psychological damage of being publicly reminded that there are factions of society that do not recognise the moral wrongness of past human rights violations, which appears to compound the memories of the rupture caused by the dictatorship. Camila similarly said that

They said it [the dictatorship] was justified. They even invented the Plan Z, the famous Plan Z. They wanted to kill everyone who was against them. But the plan was fake... They used that to create incentives in the low ranks to kill opposition members, they killed many innocent people... they say that killing communists was nothing wrong.<sup>44</sup>

Highlighting the fake nature of Plan Z used to justify previous abuse, Camila points again to the intensified sense of injustice resulting from

---

<sup>41</sup> Interview with “Carla”, Santiago, Chile, 10 May 2018.

<sup>42</sup> This comment refers to the ideological division over how to refer to the 1973–1989 period. Those on the left generally refer to the period as the military dictatorship, whereas those on the right commonly reference the government of Pinochet or the military government thereby avoiding the negatively connotated term “dictatorship”.

<sup>43</sup> Interview with “Augustina”, Santiago, Chile, 18 December 2018.

<sup>44</sup> Interview with “Camila”, Santiago, Chile, 4 May 2018.

the conspiracy directed toward leftists. Helena commented on the effect that this kind of labelling has had on her and other regime opponents, marginalising them from society during the dictatorship.

We lived in the most absolute abandonment. People, when they saw us, tried to close their curtains. We were dangerous. So, they said “get away from me because you put my family in danger”.<sup>45</sup>

Helena remembered that at the time of her abuse when she lost her child, she recalled the comment from her abuser: “[imitating] ‘one less terrorist’ they said”. Continuing with reflections about this narrative in the present day, Helena spoke about being intimidated by her perpetrator in relation to participating in a judicial process against him:

Once he told me “how bad that we did not finish killing you” [laughs in disbelief]. Forty years later what do I tell them? How do I react?<sup>46</sup>

She reflected on her disbelief at people being able to say things like this:

Now, you later think, what has happened in our history and our context that allows these people to act this way with the utmost tranquillity? Feeling like they have the right to do what they do, saying [imitating] “what a pity that we didn’t kill you”.<sup>47</sup>

Here, Helena refers to her sense that former regime members have such a degree of impunity and protection that they can make comments like this to victims without consequence. Mateo made explicit reference to how the continuation of the salvation-terrorist narrative is a consequence of insufficient understanding of the past history:

That is how many things are going to be clarified. Because nowadays, there are people that still say, “no this did not happen. This is a lie. All the exiles are terrorists.” Because history has not been opened. There is still no reparation.<sup>48</sup>

---

<sup>45</sup> Interview with “Helena”, Santiago, Chile, 7 December 2018.

<sup>46</sup> Ibid.

<sup>47</sup> Ibid.

<sup>48</sup> Interview with “Helena”, Santiago, Chile, 7 December 2018.

The implication of his comments suggests a need to reckon with past history in a way that acknowledges the harms done without justifying abuse away through denial.

## Framing of the Past and Transitional Justice Efforts

The political pact that allowed the transition to democracy to take place peacefully, coupled with the salvation-terrorist narrative, has continued to protect regime members and accomplices from the severity of legal sanctions that align with international law (and by extension Chilean domestic law as the country is a signatory to treaties such as the Geneva Convention, which prohibits amnesty for disappearances).<sup>49</sup> In particular, the strength of state security apparatuses and protection of right-wing power has remained relatively intact as a result of the 1980 Constitution authored by the regime as well as the adoption of “organic law” of the armed forces hurriedly passed in the final months preceding the democratic transition.<sup>50</sup> In addition, these protections have been ostensibly bolstered because of the strength of the powerful minority comprised of business leaders, soldiers and right-wing politicians who have an inter-

---

<sup>49</sup> Article 5b in the Chilean Constitution states that “the exercise of sovereignty recognises as a limitation the respect for the essential rights which emanate from human nature. It is the duty of the organs of the State to respect and promote those rights, guaranteed by this Constitution, as well as by the international treaties ratified by Chile and which are in force”. Hence, Chilean domestic law requires adherence to the prohibition of amnesty for the crime of disappearances, even in times of war, as mandated by the 1949 Geneva Convention.

<sup>50</sup> The binomial electoral system mandated in the 1980 constitution was “established to create over-representation of the Right” wherein essentially in congressional races, candidates could win seats with a third of the vote instead of a majority”; Stern (2010), p. 25. Notably, “the electoral system continues to favour the political Right (many of whom supported the Pinochet regime)”; Bonner (2013), p. 675. In addition, “organic law” would supersede regular law, and “secured a high level of military autonomy” through “protection against presidential dismissal of commanders and high officers, against civilian intrusion on the officer promotion-and-retirement system, and against pressure through reduction of budgets”; Stern (2010), p. 26. Notably, it was also mandated that the military would receive 10 percent of “gross sales revenue from the state copper corporation,” which would be a minimum of USD \$200 million (Ibid.). For further discussion of the continued autonomy from the civilian government enjoyed by the militarised branch of the national police force (the Carabineros) as well as how they “remain accountable to military rather than civilian courts”, see Bonner, Michelle D., “The Politics of Police Image in Chile,” *Journal of Latin American Studies* 45 (2013), p. 675.

est in maintaining the economic system developed under Pinochet, not least the widespread system of privatisation and consumer credit.<sup>51</sup> This powerful minority is a key group of actors that justify and defend human rights violations committed by the Pinochet regime on the basis of the salvation-terrorist narrative: by rooting out the terrorist threat, Chile was saved from evil Communism and bloodthirsty leftists while also making economic advances.

While the legal frameworks developed by the Pinochet regime have been undoubtedly pivotal in guiding transitional justice policies and processes, when taken together with the political strength of those who subscribe to the salvation-terrorist narrative, the potential for securing truth and accountability for dictatorship-era crimes has faced severe challenges. Although Chile has undertaken multiple transitional justice processes—two truth commissions, reparations programs, domestic human rights trials—these factors working in the background have led to limitations in what transitional justice would actually be able to achieve. Guthrey has called attention to what she frames as “social and legal privileges” that associates of the regime, including convicted perpetrators of human rights violations, have been able to enjoy throughout the duration of various transitional justice processes since 1990 until the present.<sup>52</sup> In particular, she points to how the processes of official truth recovery and retributive justice have not resulted in what survivors and victims’ relatives perceive as sufficient social and moral sanctions for perpetrators’ past crimes. Of particular note are that: perpetrators’ names are kept confidential in truth commission reports; prosecutions result in strikingly low sentences compared with the gravity of past crimes; and when convictions are conferred, perpetrators either enter a special “luxury” prison to serve their sentences, are given house arrest or probation.<sup>53</sup> In addition, prison sentences do not necessarily abrogate one’s rank or military pension paid by the state (and thus citizens’ taxes), allowing those prosecuted to maintain social and economic status even after being convicted as murderers and torturers of their countrymen

---

<sup>51</sup> See e.g. Stern (2010)

<sup>52</sup> Guthrey “(In)equality” (unpublished paper).

<sup>53</sup> For a more comprehensive discussion of these issues see *ibid.*

and women. Finally, while not to diminish the advances made toward accountability in Chile, the number of alleged perpetrators tried for past abuse does not begin to correspond to either those directly involved with regime-era security apparatuses, nor civilian accomplices.<sup>54</sup> This has caused much consternation and anxiety for survivors who have remarked on the commonness of seeing one's torturer in public spaces.<sup>55</sup> As a response to these deficiencies, some have taken "justice" into their own hands through taking part in the work of *La Comisión Funa*.

### Case Study: *La Comisión Funa* as Vigilante Social Memory

At the same time that Pinochet was under house arrest in the UK in the late 1990s, university students—many of which were children of social activists who suffered human rights violations during the dictatorship—began forming a new social movement that staged "demonstrations in front of the homes and businesses of accused perpetrators of human rights abuses".<sup>56</sup> Modelled after the *escraches* in Argentina, *La Comisión Funa* initiated their first demonstration on 1 October 1999.<sup>57</sup> This date marked the first occasion where the group gathered at *La Clínica Indisa* to publicly denounce a cardiologist, Alejandro Forero, that had been associated with *Comando Conjunto* and was known to have participated in torture and disappearances of leftists.<sup>58</sup>

With the primary goal to "combat official impunity for perpetrators with a public shame model", *Comisión Funa* "uses existing NGO documentation of human rights violations to name perpetrators pub-

<sup>54</sup> Ibid.

<sup>55</sup> Guthrey, "Trust after Transition".

<sup>56</sup> Baxter, Victoria, "Civil Society Promotion of Truth, Justice, and Reconciliation in Chile. Villa Grimaldi", *Peace and Change* 30:1 (2005), pp. 123–24; Trafalaf, Sandra, "Si no hay justicia, hay funa". Se reactiva la 'Comisión Funa', *Diario Uchile: Radio Universidad de Chile* (18 June 2014), <https://radio.uchile.cl/2014/06/18/si-no-hay-justicia-hay-funa-se-reactiva-la-comision-funa/> (accessed 22 November 2019).

<sup>57</sup> The *escraches* were "a similar movement of earlier origin in Argentina, the FUNA has an essentially confrontational, mobile, resolutely anti-institutional character"; Hite, Katherine & Collins, Cath, "Memorial Fragments, Monumental Silences and Reawakenings in 21st-Century Chile", *Millennium: Journal of International Studies* 38:2 (2009), p. 391.

<sup>58</sup> Stern (2010); Trafalaf (2014).



licly,” which commonly happens outside of their homes or workplaces.<sup>59</sup> The activities of the group have largely grown out of dissatisfaction with the judicial process, especially lenient sentences for human rights violations and perceptions of ongoing impunity, including that relatively low numbers of perpetrators have been tried in relation to the extent of state security apparatuses (and civilian collaboration) during the regime.<sup>60</sup> According to a 2014 comment from the then president of the *Agrupación de Familiares de Ejecutados Políticos* (Association of Relatives of the Politically Executed, AFEP), La Comisión Funa can be seen as necessary in the sense that if justice is not achieved, at least perpetrators will be subjected to a moral, social and/or political sanction in their neighbourhoods or among their work colleagues as these people come to know what “class” of person they are associating with, i.e. that the subjects of the demonstrations were involved in committing or supporting torture.<sup>61</sup> Members of *La Comisión*, such as a daughter of a *detenido-desaparecido* (detained-disappeared person), likewise indicate that their work is important for achieving social justice through making crimes against humanity visible, and thus doing justice.<sup>62</sup> Consisting of as many as “several hundred people at a time” taking part in these public denunciations, La Funa turns “the memorial gaze from the victim to the perpetrator”, particularly through explicitly calling attention to their past crimes.<sup>63</sup>

*Funas* are commonly advertised on social media platforms with reference to the time and date of the demonstration and the subject to be approached as well as their role in the dictatorship. Often, the demonstrations are recorded and uploaded to these platforms allowing followers and supporters to vicariously take part in the activities.

*La Comisión Funa* has “made memory a political and public process by organising protests, publicly unmasking human rights violators living in impunity, and initiating numerous judicial processes and investigations that have led to the discovery of clandestine mass graves and

<sup>59</sup> Baxter (2005), p. 125; Hite & Collins (2009), p. 391; La Comisión Funa, “Somos”, <http://comision-funa.org/somos/> (accessed 22 November 2019)

<sup>60</sup> For a summary see e.g. Guthrey “Trust after transition”.

<sup>61</sup> Trafilaf (2014).

<sup>62</sup> Ibid.

<sup>63</sup> Hite & Collins (2009), p. 391.

the trials of a significant number of military officers in recent years”.<sup>64</sup> Their approach confronts a broader audience with memories of the past as *funas* demonstrations have their own unique impact through “reaching of indifferent or even hostile publics who would be most unlikely to approach or acknowledge a fixed site or static memorial”.<sup>65</sup> People who may not be sympathetic to the issue of human rights violations are then actively confronted with narratives of survivors or relatives of victims.

In addition to emphasising with their slogan that *funas* can be used as a functional substitute for punitive justice, their website also indicates that “we neither forget, nor forgive,” which suggests an orientation toward the need to remember the past and also not to brush it aside in favour of “reconciliation without justice”.<sup>66</sup> *Funas* are then a unique illustration of how the memory of abuses *committed* is equally if not more important than the abuses sustained by victims and survivors. In particular, these demonstrations depict the importance of subjecting perpetrators to social sanctions when those sanctions resulting from transitional justice processes are seen as deficient.

One interviewee, Pablo, recounted how he was one of the initial members of *La Comisión*, as he had been conducting his own investigations into past human rights violations after returning from exile and thus had a wealth of information about the perpetrators. He spoke about participating in the first *funa* against the cardiologist Alejandro Forero Alvarez at the hospital in which he worked. Linking to the justification for initiating *funas*, Pablo said “But in the early 2000s most of these guys were just free,” suggesting discontent that perpetrators were continuing their lives in impunity. He continued, “and today, most of the guys that were low ranks are free on the streets, and the *funas* are still doing their work,” again relating the work of the “very frequent” *funas* as a response to the freedom of perpetrators. Teresa discussed why she began participating in *funas* as she said:

Because it was a moment that I did not think justice was going to be achieved, formally. I still think the same [laughs], but in that moment I had a different

---

<sup>64</sup> Klubock, Thomas Miller, “History and Memory in Neoliberal Chile: Patricio Guzmán’s Obstinate Memory and The Battle of Chile”, *Radical History Review* 85 (2003), p. 277.

<sup>65</sup> Hite & Collins (2009), p. 391.

<sup>66</sup> La Comisión Funa, “Somos”: <http://comisionfuna.org/somos/> (accessed 1 December 2019).

driving force. I still think that funas are very important, I think that it is very good for them to be done.<sup>67</sup>

Here there is also a clear link between the initiation of funas and the deficiencies in formal justice for regime members. She continued,

But it is also something generational, the *funas*. The people that started the funas are sons and daughters of militants that have a direct relation to the *escraches* in Argentina, which started from the organisation HIJOS, and for which their great uniqueness is that they retake the political banners of their parents. So, militancy is once again a topic, and a memory that they want to hold up. So, that is what made sense to me in that time, and it still makes sense to me, and that is why I participated in those instances at that time.<sup>68</sup>

The mention here of holding up the memory of the militant movements that resisted the Pinochet regime reflects again the importance of remembering the fight against the brutal dictatorship for victims. *Funas* then serve to uphold the memories of resistance and of parents who perished under the regime, becoming a possible source of empowerment that was challenged during military rule.

In response to questions about whether they would accept to live next door to a former member of the regime, three interviewees noted that if they should discover their neighbour was part of the regime, they would *funar* the person, as discussed in Guthrey's recent research.<sup>69</sup> Helena, for example, expressed that if she were to meet one of her perpetrators in her apartment building, so would likely have the inclination to strike him, illustrating an inherent desire to reclaim agency as a response to her past torture.<sup>70</sup> She continued, however, by saying that at the very least she would *funar* the person and called upon the motto of *La Comisión*, that "if there is no justice there is *funar*". Blanca and Augustina also indicated they would ensure that the perpetrator was exposed to the neighbourhood as being part of the regime. Blanca said:

---

<sup>67</sup> Interview with "Teresa", Santiago, Chile, 18 December 2018.

<sup>68</sup> Ibid.

<sup>69</sup> Guthrey, "Trust after transition".

<sup>70</sup> Ibid.

I would live *funandolo* [repudiating him in a loud manner]. I would be putting posters in his house, I wouldn't let him live in peace so the people who live here know that he is a torturer.<sup>71</sup>

Similarly, Augustina remarked:

If I lived in the rich neighbourhoods and I had a neighbour like that, I would write something every day. "A criminal lives here." I would *funarlo*. I wouldn't let him to be in peace, without assaulting him, without insulting him, but mostly a written paper, a painting in his wall, every now and then some shouts. [I would make sure] that the neighbourhood knows that this man was a criminal in the dictatorship.<sup>72</sup>

Both of these comments emphasise the perceived importance of publicly outing perpetrators to their communities, especially in response to sensing that other forms of accountability have thus far been insufficient. They likewise depict an active reaction to the discomfort of sharing social space with former regime members.<sup>73</sup>

Teresa also recalled a recent *funa* that she witnessed but did not participate in, which provides further insight into their operation and aims:

So, what happened is that there was a funa a month ago, or less. Where one of the intellectual and material perpetrators of my [relative's] case, who was tried and condemned to more than ten years, in the first instance. He was *funado* while drinking coffee. They found him drinking coffee, because it is a routine he had, to drink coffee every day, in...Providencia, which is a like completely central [location]...So, I was working [at the cafe], and suddenly I get a WhatsApp that said [in an angry tone] "hey did you see that...". I start looking and well, it is the same thing again. The guy is drinking coffee, the group appears, and they say, "you are bla bla bla". The guy stands up, takes his hat, and says "yes, it is me, what do you need". Well and then everything the funa entails, which is saying the cases he was tried in and all that. Finally, what happens with these type of things, including what the damage is, including what it means to be a victim, that has different components throughout your life. The damage updates itself. So, without a doubt, every one of those events, means new damage. That day that this happened, I couldn't keep working. It is not that I was crying or anything it is more like [in an angry tone] "puta la wea" [Chilean cursing].<sup>74</sup>

<sup>71</sup> Interview with "Blanca", Santiago, Chile, 10 May 2018.

<sup>72</sup> Interview with "Augustina", Santiago, Chile, 18 December 2018.

<sup>73</sup> Guthrey, "Trust after Transition".

<sup>74</sup> Interview with "Teresa", Santiago, Chile, 18 December 2018.

It is interesting to note here that in Teresa's recounting of the event, the subject of the *funas* had indeed been subjected to formal judicial proceedings. However, her mention of the man having been condemned in the "first instance" refers to how he was only found guilty in a lower level court. Given that many sentences for dictatorship-era abuses mandated at the lower level are appealed in Chile (up the Supreme Court), this man may have been free awaiting the appeals process. While subjecting him to a *funas* might suggest that the demonstrators were not respecting the judicial process, the injustice felt because of his liberty despite being found guilty for human rights violations is at the very heart of the rupture-injustice narrative that presents itself in the promotion of publicising memories of past suffering.

The remark made above about how the *funas* can also compound memories of victimisation is also notable. On the one hand, *funas* may provide some with a sense of agency, but on the other they may cause survivors or victims' relatives to relive the past in a way that is outside of their control.

Teresa recounted a particular instance when she participated in a *funas* and was so overcome that she started more actively threatening a relative of the subject of the *funas*. She commented that this experience brought something out in her that she did not want to transmit to her children and so, she said,

I decided to stop going, because the truth is it faces me with, and it gets something out of me, that I don't want. I don't want to feel that violence inside me. I don't want to feel that rage. So, I decided to stop going.<sup>75</sup>

Hence, while *funas* appear to be a means to force the public to remember the crimes of the dictatorship, they may also have unintended consequences for onlookers who were personally traumatised during that period.

## Concluding Remarks

In conclusion, this chapter has illustrated the complex relationship between social memory and transitional justice wherein divisive narratives can both motivate and constrain the implementation and reach

---

<sup>75</sup> Ibid.

of initiatives seeking to deliver truth, justice and/or reconciliation after mass violence. In Chile, widely divergent narrative memories of the dictatorship continue to compete with one another, reflecting the complicated nature of reconciling “vernacular memories” in the aftermath of atrocity. The competition and structural barriers between the disparate narratives described in this chapter—salvation-terrorist and rupture-injustice—have resulted in what victim-survivors perceive to be deficiencies in formal accountability processes that have in turn provoked some individuals to take it upon themselves to socially and morally sanction those responsible for human rights violations. By compelling indifferent or possibly hostile audiences to engage with the past through public demonstrations of remembrance about who committed abuses and not just who suffered from them, *La Comisión Funa* seeks to counteract both selective truth and accountability by provoking a more multifaceted and dynamic memorialisation, which for some is a way to alleviate the sting of insufficient justice through institutional means.

While it remains unknown what effect these demonstrations have had on Chilean society with regard to coming to terms with the country’s repressive past, the manifestation of this type of memorialisation is now part of Chile’s contemporary history. Further research would benefit from investigating societal reactions to the *funas* and whether Chile’s memory landscape has indeed been impacted by this type of confrontation with former regime members. However, this initial research does provide indications of the importance of holding perpetrators accountable for abuse with or without the direct support of official mechanisms for victim-survivors.