

UC Berkeley

UC Berkeley Electronic Theses and Dissertations

Title

Tortured Logics: Crafting the U.S. Response to Human Rights Violations during the Argentinian Dirty War and the Salvadoran Civil War

Permalink

<https://escholarship.org/uc/item/2531d5x1>

Author

Fillingim, Angela Elena

Publication Date

2014

Peer reviewed|Thesis/dissertation

Tortured Logics: Crafting the U.S. Response to Human Rights Violations during the Argentinian
Dirty War and the Salvadoran Civil War

By

Angela Elena Fillingim

A dissertation submitted in partial satisfaction of the
requirements for the degree of

Doctor of Philosophy

in

Sociology

in the

Graduate Division

of the

University of California, Berkeley

Committee in Charge

Laura J. Enríquez

Irene Bloemraad

Carlos Muñoz Jr.

Eric Stover

Summer 2015

ABSTRACT

Tortured Logics: Crafting the U.S. Response to Human Rights Violations during the Argentinian Dirty War and the Salvadoran Civil War

by

Angela Elena Fillingim

Doctor of Philosophy in Sociology

University of California, Berkeley

Professor Laura J. Enríquez, Chair

My dissertation examines the relationship between law and society by analyzing the implementation of U.S. human rights legislation. In the 1970s, the U.S. Congress, reflecting the growing international consensus that human rights were a matter of international policy, legislated that respect for human rights be considered in all foreign aid decisions. A central feature of this legislation stipulated that aid should not go to countries “engaged in gross violations of internationally recognized human rights.” Subsequently, many have concluded that the United States has inconsistently applied this legislation, especially in United States-Latin America relations. These researchers have studied human rights as a self-evident concept, obscuring the fact that policy advocates—those with a vested interest in defining human rights and their violation and the United States’ response—imbue the concept with of human rights with meaning through policy debates. This dissertation takes a different approach, studying what I call the *politics of meaning-making*: the process by which policy advocates define and contest the meaning of these phenomena. In order to develop this approach, I examine two cases testing the United States’ commitment to promoting respect for human rights abroad: the ‘dirty war’ in Argentina (1976-1983) and the civil war in El Salvador (1980-1992). The similar scope and severity of human rights violations in both cases provides for a powerful comparison. Based upon a content analysis of 160 U.S. Congressional hearings—summing to more than 35,000 pages of documents, I find that policy advocates assessed each society’s supposed capacity for self-governance and leveraged their own analysis to develop a plan of restoring respect for human rights in Argentina and of establishing respect for human rights in El Salvador. The distinction between restoring and establishing respect for human rights is important because each had significant social consequences for all of the nations involved, both during and after these conflicts officially ended. This analysis served as a foundation for both how policy advocates framed human rights violations perpetrated during each conflict, and how they measured progress towards curbing human rights abuses. I trace the logics and resources policy advocates used to respond to each specific case of human rights violations abroad. My analysis offers a new way to understand the United States’ response to human rights violations through a unique lens. Moreover, my research points to the importance of examining the boundaries between crime and human rights violations. How and by whom these boundaries are drawn and redrawn, impacted all of the societies studied, and continues to have a contemporary impact on local, national, and global levels.

Introduction: Reframing U.S. Human Rights Policy

Since the end of World War II, and the subsequent writing of the Universal Declaration of Human Rights (UDHR), promoting respect for human rights has become a central tenant of governance. In the 1960s and 1970s, the U.S. Congress passed a unique set of laws mirroring the growing global concern for human rights by making this issue a central feature of U.S. foreign policy: Congressional legislation stipulated that U.S. aid should not go to countries “engaged in gross violations of *internationally* recognized human rights” (P.L. 87-195 Sec. 502[b][2]: 256).¹ The development, passage and implementation of this legislation was a contentious process (Schoultz, 1981; see also Sikkink, 2004). Traditionally, the president had controlled the United States’ foreign policy agenda. However, after the debacle of Vietnam and the United States’ involvement in the 1973 coup in Chile, the Congress gave itself the power to defund the president’s foreign policy agenda because of human rights concerns. Upon its passage, many worried that this legislation threatened U.S. national security, as it potentially mandated cutting off aid to nations fighting communist insurgencies because of human rights concerns. For others, this was a sign that the United States was changing its foreign policy of supporting friendly and notably repressive dictators, and, instead, using its power to promote respect for human rights. In the end, U.S. human rights policy has failed to conform to these fears and hopes. Instead, it has been inconsistent. Why has this been the case?

Generally, the literature on U.S. human rights policy has focused upon the political conditions that have led the United States either to support or sanction a rights-violating regime. Many researchers (e.g., Donnelly, 2002; Forsythe, 1989, 2000; Schoultz, 1981; Sikkink, 2004) and public commentators have concluded that the United States’ response to human rights violations abroad² has been marred by inconsistencies: the United States has a record of supporting rights-violating regimes aligned with its interests, while condemning the human rights records of other governments that do not figure into U.S. strategic interests. By way of illustration, the United States has supported numerous rights-violating regimes allied with U.S. interests in Latin America (e.g., it supported anti-communist dictatorships in Chile, El Salvador, and Guatemala, during the Cold War). In contrast, the U.S. government has often condemned rights-violating regimes opposed to U.S. interests (e.g. the U.S. condemnation of the human rights records of “communist dictatorships,” such as those of Nicaragua or Cuba during the Cold War).

These inconsistencies continue today. For example, the Washington Office on Latin America³ (WOLA) recently issued a report calling attention to the United States’ support for

¹ From my reading of the literature, the United States’ was one of the first “powerful” nations to link respect for human rights to foreign aid.

² I use the term “abroad” to refer to human rights violations in non-Western or in developing nations. This usage is in accordance with much of the literature that examines the impact of human rights norms on and in developing nations. Further, much of the literature has focused on the role of the international community—usually Western nations—in enforcing human rights norms in developing nations (see Keck and Sikkink, 1998). While this definition implies that the United States is not a human rights violator, I recognize that human rights violations have been both condoned and perpetrated by the United States. From here on, I use “human rights violations” to refer to human rights violations perpetrated abroad.

³ The Washington Office on Latin America is a policy institute promoting respect for human rights as a central feature of U.S. foreign policy.

rights-violating regimes engaged in counter-narcotics operations in Latin America; and its condemnation of human rights violations perpetrated by other governments in the same region (Isacson, Haugaard, Poe, Kinosian, and Withers, 2013). Specifically, the United States has refused to condemn the human rights violations perpetrated by the Honduran government during U.S. led and funded counter-narcotics operations (ibid.). In contrast, the United States has supported efforts to prosecute members of the Mexican, Colombian, and Guatemalan armed forces for their respective roles in human rights violations because such actions do not threaten U.S. interests (counter-narcotics campaigns) in the region (ibid.).

In their studies of the implementation of U.S. human rights legislation, numerous researchers have argued that the decision over whether to support or sanction a rights-violating regime is the result of a political calculus. Policy-makers must weigh national security concerns against the prominence of a moral constituency⁴ using international norms to shape U.S. state behavior. Following this logic, a political calculus determines U.S. human rights policy. The 2013 WOLA report provides us with another example of the view that national security determines U.S. policy: in arguing that the United States has actively supported rights-violating regimes, so long as human rights violations were perpetrated during U.S. counter-narcotics operations (Isacson et al., 2013). At the same time, the report represents the efforts of a moral constituency to use international norms to curtail the United States' support of rights-violating governments. According to scholars studying international norms, only once a moral constituency reaches a critical mass will policy-makers opt to sanction a rights-violating regime.

Generally, existing approaches have been one dimensional, they have treated human rights norms as self-evident, positing that actors either take a moral position on the issue or an immoral position (e.g., an actor supports national security at the cost of promoting respect for human rights). Following this logic, all actors are exposed to human rights scripts, such as those embodied in the UDHR. However, only certain constituencies use these scripts to guide their actions. Hence, the United States' response to human rights violations has been inconsistent because only one constituency can win the votes to determine U.S. human rights policy. Yet, sociologists have demonstrated that policy-making is a social process in which actors actively engage in the social construction of meaning (see Dobbin, 1994; Mora, 2014; Skrentny, 2002; Steensland, 2006; Wilson, 2011). This research suggests that we should approach U.S. human rights policy as a process of meaning-making. As such, U.S. human rights policy could be consistent with a yet to be revealed logic.

As a result, I have developed an alternative framework through which we can (re)examine and reframe the crafting of U.S. human rights policy with an eye towards uncovering its underlying systems of meaning. This approach requires that we consider the larger social context actors were embedded in, the resources they used to understand what *the concept* of human rights meant to them, and how they translated their understanding of human rights into action. As such, my research has been guided by a different set of questions: (1) how did actors define what constituted respect for human rights—and thereby a violation of them; (2) what resources did actors use to examine the foreign conflicts and human rights violations perpetrated therein; and, (3) how did this shape the solutions actors developed for human rights violations? Hence, I argue that we must examine how actors *translated* respect for human rights

⁴ The term “moral constituencies” is akin to what Keck and Sikkink (1998) have called “transnational advocacy networks.” I use moral constituency to describe networks that mobilize with either domestic or transnational orientations, and with the goal of promoting respect for human rights.

into policy, paying close attention to how policy-makers understood what constituted a human rights violation in a particular situation.

In order to show the power of an alternative approach, I opted to revisit the archive—Congressional hearings—and to examine two cases that have been central to the existing literature on this topic: the United States’ response to human rights violations in Argentina (1976-1983) and El Salvador (1980-1992). More importantly, these two cases bear a striking resemblance in terms of the scope and severity of human rights violations; namely each government’s military engaged in: disappearances, illegal detention, torture, extra-judicial execution, and the illegal adoption of children. Further, the logic of repression was the same: to eradicate the specter of subversion. Moreover, these cases embody the contradictions of U.S. human rights policy. Despite the scope and severity of human rights violations in the two cases, the U.S. cut-off aid to the Argentine military regime, while it sent over \$5 billion in aid to El Salvador over the course of that nation’s 12 year civil war. By revisiting the cases and archive, Congressional hearings, I offer a complementary understanding of the United States’ response to human rights violations, one that uncovers the discursive practices and systems of meaning underlying the United States’ human rights policy. This approach allows us to reframe the United States’ support for, and alternatively, its condemnation of, a nation’s human rights record, as part of a system of meanings. My analysis pays close attention to the discourses and constructs policy-makers used to examine the human rights situation in a foreign society.

REFRAMING U.S. HUMAN RIGHTS POLICY

By taking a different approach to analyzing the crafting and implementation of U.S. human rights policy, we can reveal the social processes that are part and parcel of policy-making. Researchers studying the formation of U.S. domestic policy have found that policy-making inherently involves a process of meaning-making (see Dobbin, 1994, 2011; Lakoff, 2010; Mora, 2014; Skrentny, 2002; Steensland, 2006; Wilson, 2011). That is, to have a holistic understanding of policy we must account for the social process inherent in defining, crafting, and implementing a particular law or regulation. Research examining the expansion of civil rights legislation (Skrentny, 2002), social policy (Steensland, 2006), and the U.S. government’s racial categories (Mora, 2014) has shown the importance of examining the *social* process through which particular policies come into being, a process of constructing and diffusing meaning.

Research demonstrates that crafting policy is also a struggle over how to define an issue and to gain support for a particular policy position (see Dobbin, 1994; Lakoff, 2010; Mora, 2014; Skrentny, 2002; Steensland, 2006; Wilson, 2011). Thus, we must also look at the systems of meanings developed through debates that eventually resulted in a particular political outcome. Research has shown that individual meanings are bound to larger collective understandings of an issue, which then serve as the foundation for policy outcomes (Lakoff, 2010; Meyer, Boli, Thomas, & Ramirez, 1997; Skrentny, 2002; Steensland, 2006). As such, policy-makers do not operate in a social vacuum. Rather, they are thoroughly rooted in a larger social and cultural context that they incorporate into policy debates and decisions. In sum, this approach shifts our attention to the social relations that encompass the policy-making process.

Applying a different lens to the United States’ response to human rights violations focuses our attention on how meanings are socially constructed within policy-making institutions and how these meanings are reflected in policy statements. Hence, I argue that we should study what I call the “politics of meaning-making,” which is the process by which actors engage in a protracted discursive struggle to define, expound and defend a particular definition of a policy

issue. I view the United States' response to human rights violations as part of a political process that inherently involves the social construction of meaning. Thus, I use the term "politics" to highlight both the political arena in which policy debates took place and the struggles over the meaning of a concept. In so doing, my aim is to use the term "politics" to advance decolonial knowledge (see Glenn, 2015; Grosfoguel, 2003, 2007; Mignolo, 2002), highlighting the "two-sides of the coin": these battles were both over the power to determine a policy and over how to define a human rights violation. Thus, existing research and my study are complementary, and my goal is to uncover another aspect of U.S. human rights policy.

I use the term politics of meaning-making to trace the constructs and discursive strategies used to define the contours of U.S. human rights policy. To do this, I examine how policy advocates,⁵ who I define as those participating in policy debates, marshal evidence to support a particular view of the human rights issue. That is, in order to respond to such violations, policy advocates first have to define what "human rights" are to begin with, and second, what constitutes a human rights violation. Moreover, policy advocates actively construct a frame for the issue: identifying a human rights grievance, its cause, and the "appropriate" policy response.⁶ As such, policy advocates must marshal evidence to expound and defend their position on the issue.

To illustrate the power of this different approach, I reexamine two cases from the same geopolitical region that tested the United States' newfound commitment to promote respect for human rights: Argentina (1976-1983), and El Salvador (1980-1992) (see Forsythe 1989; Schoultz, 1981). I selected these cases for both theoretical and empirical reasons. As mentioned previously, these cases have been central to existing theorizations of U.S. human rights policy. Moreover, the United States' disparate response to human rights violations in Argentina and El Salvador provides us with an opportunity to uncover the meanings that policy advocates used to craft their response to abuses.

Empirically, these cases bear a striking resemblance in terms of the event precipitating the conflict—a military coup—and in of the scope and severity of human rights violations perpetrated in each case. Further, in the early 1980s, the Argentine military trained the Salvadoran military in counterinsurgency tactics (Armony, 2009), suggesting that in each case, the offending government drew upon a similar repertoire of tactics for human rights violations. In fact, each government used disappearances, torture, extra-judicial executions, and illegal and prolonged detention, to repress all regime opposition. In both cases, the government proclaimed that it was engaged in a war against Marxist subversion to justify its repressive tactics (see *CONADEP*, 1984; Boutros-Ghali, Planchart & Buergethal, 1993).

In 1976, the Argentine military staged a coup d'état launching the "Dirty War," which it viewed as a war against subversion. The military government that the coup put in place engaged

⁵ In accordance with my goal—to explore the politics of meaning-making—I use the term policy advocates to mean those engaging in this discursive struggle. Thus, in my view, policy advocates are not merely those with a vote in the United States' federal government, but, all of those trying to define the contours and direction of the United States' response to human rights violations. This definition supposes that members of the federal bureaucracy and other "norm entrepreneurs" (Finnemore & Sikkink, 1998) advocate a particular position on human rights issues, and supposes that even those advocating support for a rights-violating regime engage in a struggle to define human rights and their violation. For clarity, when the distinction between state policy advocates and NGO policy advocates is important, I distinguish between these groups.

⁶ That is, both a policy sanctioning the rights-violating regime and a policy supporting a rights-violating regime, are "responses" to human rights violations as U.S. human rights legislation only required that U.S. policy-makers *examine* a nation's human rights record when crafting U.S. foreign policy.

in brutal acts of repression, targeting anyone who was or could become a “subversive.” The military regime disappeared its victims and brought them to military facilities—akin to concentration camps—for torture and extra-judicial execution (*CONADEP*, 1984). Victims—including children—were beaten, raped, some were tortured in front of their families, and some were operated upon without anesthesia (*ibid.*). In some instances, the military government stole the children of subversives and placed them with military families (Arditti, 1999; *CONADEP*, 1984). The goal of disappearances was to “stop the spread of Marxism” (*ibid.*) and to terrorize the population into quiescence. Over the course of 7 years, the military regime disappeared an estimated 30,000 people, many of whom remain disappeared.

In some regards, the Salvadoran counter-insurgency campaign surpassed that of the Argentine military, not only in terms of the numbers, but, also, in terms of public displays of violence. The civil war there was precipitated by a series of three coups starting in 1979 and by 1980, a civilian-military junta had taken formal control over the Salvadoran government. Despite the incorporation of civilians into the ruling junta, repression continued and in some cases outpaced prewar levels. Over the course of the following twelve years, an estimated 70,000 people were killed. In El Salvador, the security forces disappeared alleged “subversives,” whose mutilated bodies were later discovered in public places to instill fear in the rest of the population. The counter-insurgency campaign there relied upon both large-scale and small-scale massacres, including of entire populations of small towns in the “leftist” areas of the country, as well as the indiscriminate bombing of these regions. U.S. trained battalions became known for their brutal tactics, such as machine gunning families, raping women and young girls, throwing babies in the air and catching them on the ends of bayonets, and throwing children out of helicopters to their deaths.⁷ Similar to the Argentine military regime, the Salvadoran government participated in the illegal adoption of children, sending many of them to the United States (Fillingim, 2013).

Generally, research would lead us to conclude that the United States should have developed a more forceful response to human rights violations in El Salvador. That is, research suggests that when there has been a clear causal chain between the perpetrator and victim, and that when human rights violations have involved bodily harm against a vulnerable population, the international response to human rights violations should be stronger (Keck and Sikkink, 1998). Thus, given the very nature of disappearances in Argentina—victims were taken to secret detention centers and the military regime went to great lengths to cover up evidence of the disappeared—linking the military regime to human rights abuses was a difficult task. Moreover, the vast majority of those disappeared, 70%, were men (*CONADEP*, 1984: 285), whom are not usually considered a “vulnerable population.” And yet, the U.S. Congress enacted aid restrictions. In contrast, one could argue that the public nature of human rights violations in El Salvador, coupled with clear links between military engagement in a particular region and human rights violations, made the chain between the victim and perpetrator clear. Further, the military engaged in repression against vulnerable populations, targeting the civilian population.⁸ Therefore, we would expect the United States to condemn the rights-violating Salvadoran regime.

⁷ This portrait of the Salvadoran civil war is based upon my reading of the Truth Commission Report (Boutros-Ghali et al., 1993), my readings of Congressional hearings, and my previous research on human rights violations perpetrated during the Salvadoran civil war.

⁸ Presently, I am searching the second volume of the Truth Commission Report that contains a statistical analysis of the victims of human rights violations.

Additionally, given research on the diffusion of international norms,⁹ we would have expected a more forceful response to human rights violations in El Salvador. This research would suggest that international norms, such as promoting respect for human rights, become more powerful overtime. By the time the Salvadoran conflict began, human rights norms had been a consideration in U.S. foreign policy for nearly five years, suggesting that the norm should have been a more forceful aspect of foreign policy. Yet, as mentioned previously, the United States' response to these two regimes was noticeably different. In response to human rights violations in Argentina, the United States used both diplomacy and aid sanctions to pressure the Argentine government to respect human rights. In response to human rights violations in El Salvador, the United States pressured the rights-violating Salvadoran regime to respect human rights, but also provided the regime with both military and economic aid throughout the course of the war. In light of U.S. human rights legislation, how can we explain the United States' sanctioning of the Argentine regime and its support for the Salvadoran military regime?

Scholars examining international norms would suggest that human rights became a consideration in U.S. foreign policy once moral constituencies¹⁰ used "information politics" to expose the scope and severity of human rights violations (Keck & Sikkink, 1998). The emergence and growth of these constituencies resulted in the U.S. government sanctioning rights-violating regimes (ibid.). According to these theorists, the power of pluralism has the potential to trump national security concerns. In both the cases of Argentina (Keck & Sikkink, 1998; Sikkink, 1993) and El Salvador (Nepstad, 2001; Perla, 2008b), moral constituencies formed and influenced the nature and direction of U.S. policy toward each respective nation. Applying this lens to the cases at hand, we would conclude that the United States responded differently to each regime because of the differing power of these groups: Argentine moral constituencies were able to gain political sway quickly; while it took Salvadoran constituencies nearly a decade to achieve the same measure of influence.

Alternatively, the realist approach—the realpolitik lens—has argued that inconsistencies are the result of national security interests being the single paradigm guiding U.S. foreign policy (see Donnelly, 1986; Forsythe, 1989; Schoultz, 1981; Thomas, 1997). According to this view, the only actors involved in the policy-making process are members of the federal government, with the President holding the most authority over the tone and scope of U.S. foreign policy. We could use this lens to understand the inconsistency of the United States' response to human rights violations in Argentina (1976-1983) and El Salvador (1980-1992). Accordingly, we would interpret U.S. sanctions against the Argentine military regime as a result of the United States having few security interests in the Southern Cone. In contrast, U.S. security was directly threatened by the prospect of another "communist" government in Central America. Thus, the United States had to support the rights-violating Salvadoran regime.

Yet, when we apply these lenses to the cases at hand, some glaring shortcomings are brought to light. First, the United States' inconsistent approach to the two regimes cannot be explained by the change in administration, as President Reagan's policy toward El Salvador represented an expansion of President Carter's policy (see Apodaca & Stohl, 1999; M. Gómez,

⁹ e.g., Cole, 2005; Drori & Krucken, 2009; Finnemore, 1996; Keck & Sikkink, 1998; Khagram, Riker, & Sikkink, 2002; Meyer et al., 1997; Strang & Meyer, 1993

¹⁰ Keck and Sikkink (1998) popularized the term "transnational advocacy networks" as the central group using "information politics" to shape policy. They define this group as "networks of activists, distinguishable largely by the centrality of principled ideas or values in motivating their formation" (1). I call them moral constituencies because this better highlights the political orientation and the assumed nature of their goals.

2003). Further, the U.S. Congress, in both cases, initiated the application of U.S. legislation linking U.S. aid to specific human rights improvements. Thus, while Reagan's Cold War agenda undoubtedly influenced United States-El Salvador policy, Congressional legislation forced the Reagan administration to deal with the issue of human rights violations. Even Henry Kissinger, a staunch Cold Warrior, had to engage with human rights issues in his commission's evaluation of the situation in El Salvador. When discussing the human rights situation there, Mr. Kissinger argued that "...significant progress towards human rights must be made" (*Foreign Assistance Legislation for Fiscal Year 1985 (Part 6)*, February 8, 1984:18), and that the human rights problems in El Salvador were "...inherent in the chaos of [the] country" (ibid.: 22). Consequently, even Cold Warriors had to consider human rights issues and what they arose from. These gaps between the reality of what occurred and what theory would lead us to expect, highlight the fact that we know little about how policy advocates engaged in the politics of meaning-making or how they translated international norms into policy discussions and actions.

This dissertation is based upon a content analysis of Congressional hearings convened during each nation's respective conflict (see the Methodological Appendix). I examined hearings pertaining to Argentina convened between 1976 and 1983, and hearings pertaining to El Salvador convened between 1980 and 1992. I used Congressional hearings as evidence for a variety of reasons. First, past research has used them to examine the battle between the legislative and the executive branch to define the nature and scope of United States-Latin America policy (see Arnson, 1993; LeoGrande, 1998; Schoultz, 1981)—research that generally has supported the realist perspective. Using Congressional hearings allows me to revisit existing research using a new lens, and to delve deeper into policy-making as a social process. Secondly, Congressional hearings are an extraordinarily rich source of data. These hearing transcripts are a record of Congressional debate on the issue and include the voices of a wide array of policy advocates—including representatives of the U.S. presidential administration, human rights organizations, policy institutes, religious organizations, foreign states, and victims of human rights violations—who each advanced a particular discursive position on, and prescription for, curbing human rights abuses.

Furthermore, Congressional hearings provide a verbatim record of both the questions asked and answers provided, revealing the discursive strategies that policy advocates used to engage in the politics of meaning-making. Additionally, those participating in hearings submitted materials for the record to substantiate a particular discursive stance, including: administration reports detailing the goals of U.S. foreign policy and methods for accomplishing those goals; human rights reports, prepared either by the U.S. government or non-governmental organizations; news articles from the United States and the foreign press; policy reports; Congressional reports; transcripts of radio programs; testimonies from victims of human rights organizations; and letters from constituents and solidarity organizations. Thus, Congressional hearings offer a rich archive of what was said, the context in which it was said, and the various constructs and information policy advocates used to support their stance.

In order to analyze the data, I used both an inductive and deductive approach (see the methodological appendix for a more detailed explanation). This allowed me to account for existing theories of U.S. human rights policy, while also tracing the systems of meaning that policy advocates relied upon to develop their final policy decisions. My initial concern in this project was to assess whether moral constituencies or national security determined the United States' response to rights-violating regimes. As a result, my initial coding scheme was based upon what the existing literature predicted would be major policy concerns (e.g., national

security, communism, moral constituencies). However, as I began reading the hearings, it was clear that policy advocates were struggling to discern what constituted a human rights violation *in each particular society*. To do this, they relied upon shared understandings of a foreign society to develop an understanding of what constituted a human rights violation there. As such, my coding scheme was also inductive,¹¹ it developed through reading the hearings and seeing how actors struggled to come to a collective understanding of what constituted a human rights violation in another society. In coding materials, I developed detailed sets of sub-codes to preserve the nuances of the meanings constructed in the hearings. For the purpose of analysis, I have grouped these detailed sub-codes into broader thematic categories. Since this approach could be read as overly subjective, I have tried to provide quantitative grounds for my statements where possible. The information I present here is a reconstruction of the systems of meaning articulated in the hearings.

One caveat, one could argue that President Reagan's emphasis on fighting the Cold War in Latin America diminished the "political opportunities" that NGO policy advocates¹² enjoyed during President Carter's term. That is, because President Reagan was bent on stopping the spread of communism in Central America, NGO policy advocates had to adopt some of Reagan's world-view in order to gain some political ground and influence. Also, given President Reagan's stance, it is possible that NGO policy advocates lowered their expectations about what they could accomplish in such a hostile political landscape and focused upon trying to achieve policy reforms (i.e., rather than seeking to cut off all aid they advocated for conditioning aid on human rights improvements). Regardless, the views that NGO policy advocates articulated in the hearings represented the particular configuration of the political field and the systems of meaning that were influential at that time. Moreover, if the aforementioned conditions shaped how NGO policy advocates engaged in the politics of meaning-making, then they had to work even harder to identify the shared meanings that they could use to shape U.S. human rights policy. My analysis is based upon an examination of both NGO policy advocates' oral testimony and their prepared policy reports, thus, I consider what was said in a contentious political environment and the larger organization's public campaign. Even if NGO policy advocates adopted different meaning-making strategies, the nature of this analysis and the variety of data included therein, reveals the meanings that were possible within the given political field.

In the following chapters I will illuminate how policy advocates engaged in the politics of meaning-making, paying attention to the various strategies and evidence actors used to support a particular discursive position. Since research suggests that policy options are shaped by existing cultural categories of meaning (see Edelman, 1992; Ferre, 2012; Gamson & Modigliani, 1998; Lamont, 2000; Lakoff, 2010; Skrentny, 2002; Steensland, 2006), I pay particular attention to existing cultural categories of meaning embedded within United States-Latin America relations. Particularly, United States-Latin America relations have centered upon North American's¹³ view of Latin Americans as unfit for self-governance because they were perceived as socially and culturally inferior (see Cornell-Smith, 1974; Dent, 1999; Grosfoguel, 2003; Mignolo 2002, 2005). As I will argue, this perception left an indelible mark on United States-Latin American

¹¹ When I added a code, I would recode all of the previous materials to ensure consistency across the project.

¹² For clarity, when the difference between state policy advocates and NGO policy advocates is important, I distinguish between the two groups. When their views overlap, which I argue was often the case, I simply refer to them as "policy advocates".

¹³ I use the term "North Americans" to refer to Anglo-Americans within the United States, while recognizing that the North American continent spans Canada and Mexico.

relations and on U.S. human rights policy. I will show that a society's supposed capacity for self-governance and Westernization were a central feature of how policy advocates understood the nature of human rights violations, how they measured progress, and how they defined a policy solution.

And, while there might be a temptation to view governmental policy advocates and NGO policy advocates as having antithetical views of human rights issues, this was not the case. That is, policy advocates drew upon shared systems of meanings to engage in the politics of meaning-making. Thus, I present the quotes that most clearly articulate these shared interpretations and meanings.

OUTLINE OF THE DISSERTATION

This dissertation will uncover the constructs and discursive resources that policy advocates used to craft a policy of restoring respect for human rights in Argentina and a policy of establishing respect for human rights in El Salvador. My central argument is that in order to engage in the politics of meaning-making, policy advocates assessed each society's supposed capacity for self-governance, and relied on assumptions of inferiority in adjudicating this. Non-Western groups' supposed incapacity for self-governance, or incapacity for self-regulation, has been used to justify colonialism, slavery, Manifest Destiny, imperialism, and, most recently, inequality.¹⁴

I argue that despite the similarity in the scope and severity of human rights violations between the two cases, policy advocates viewed Argentina as a society whose capacity for self-governance had been temporarily disrupted by the Dirty War. Following this view, they articulated a policy of *restoring* respect for human rights in Argentina. In contrast, policy advocates constructed Salvadoran society as incapable and unfit for self-governance in its then present state. Given this view, they discussed leveraging U.S. policy to modernize Salvadoran institutions in order to *establish* respect for human rights there. Policy advocates viewed Argentina as a modernizing and Westernizing society, which, despite this "progress," was still inferior to the United States. They discussed El Salvador as a traditional society that required Western intervention in order to establish the foundation for modernization and respect for human rights. As such, I argue against other scholars suggesting that the Western/non-Western binary has defined human rights policies (see Mutua, 2001). Rather, I posit that policy-advocates had a more nuanced analysis that entailed judging whether the society had an indigenous capacity to "Westernize" or whether it required Western intervention to learn and adopt human rights values.

Looking forward, in Chapter 1, I review the theoretical perspectives on how and why the United States has responded to human rights violations. In this chapter, I present a framework that will help us to analyze policy-making as a process involving the social construction of meaning. In Chapter 2, I outline the larger context and history of United States-Latin America relations, paying particular attention to North American's perceptions of Latin Americans as a socially and culturally inferior group. Additionally, I discuss the development of Congressional legislation mandating the linkage of U.S. aid to a recipient country's human rights record and how this policy was a reflection of the superiority/inferiority perception that had long characterized international relations. Soon after this landmark legislation was passed, the U.S. commitment to promoting respect for human rights was tested by the conflict in Argentina

¹⁴ See Bonilla-Silva, 2003; Burton 1998; Dent, 1999; Dower, 1998; Foner, 2002; L. Gómez, 2007; Grosfoguel, 2003; Langley, 2010; Lewis, 1975; Mignolo, 2002; and Quijano & Wallerstein, 1992.

(1976-1983) and, subsequently, the conflict in El Salvador (1980-1992). In the second section of this chapter, I trace the origins and nature of each conflict, paying particular attention to the issue of human rights violations and highlighting the similarities that make these cases such an important and revealing comparison.

In Chapters 3—5, I explore the various ways that a society's perceived capacity for self-governance permeated debates on U.S. human rights policy. In Chapter 3, I examine the resources that policy advocates used to understand human rights violations perpetrated during each conflict. U.S. law stipulated that they examine whether or not a government was “engaged in gross violations of internationally recognized human rights” (P.L. 87-195 Sec. 502[b][2]: 256). In so doing, policy advocates engaged with the politics of meaning-making by conducting an analysis of each society, and assessing its supposed historical capacity for self-governance and for practicing respect for human rights. To do this, policy advocates focused overwhelmingly upon a single event in each society's respective history, which illustrated, according to them, the society's historical (in)capacity for self-governance and its supposed ability to practice respect for human rights.

In Chapter 4, I use the sociological literature on framing to analyze how policy advocates constructed the meaning of human rights violations in each case. Specifically, I examine: (1) what policy advocates identified as the principal human rights violation(s) being perpetrated during the conflict; (2) who they saw as being the principal perpetrator(s) of human rights violations; and (3) what actions the U.S. government needed to take in response to human rights violations. I find that despite the fact that policy advocates used the concept of “repression”¹⁵ to describe 85% of the human rights violations perpetrated in each case, they had distinct qualitative understandings of the nature, cause, and solution to these violations. I argue that policy advocates' frame for each conflict was based upon their evaluation of the society's supposed (in)capacity for self-governance.

Throughout the duration of these conflicts, the U.S. Congress held hearings monitoring the human rights situation in each respective offending nation, and searched for indicators of an improvement in the human rights situation. While other researchers have assumed that the main indicators of an improved human rights situation are the end of abuses or regime change, in Chapter 5, I examine how policy advocates evaluated and monitored an “improved human rights situations” during instances of protracted conflict. Although policy advocates analyzed changes in each society's political and judicial structures, their perceptions of each society's supposed capacity for self-governance shaped how they identified and interpreted progress. In the case of Argentina, policy advocates measured progress towards an improved human rights situation based upon their evaluation as to whether political and judicial order were being *revitalized* at the volition of Argentines themselves. In contrast, policy advocates assessed progress in the human rights situation in El Salvador based upon their views as to whether Salvadoran society had sufficiently modernized, thereby *establishing* the institutional safeguards to protect human rights.

The goal of this dissertation is to rethink our understanding of the United States' response to human rights violations by showing how distinct actors engaged in a discursive battle to define the issue. To be clear, I do not defend the United States' response to human rights violations in either case. My aim is to show the constructs that policy advocates used to justify a

¹⁵ This entails violations of the “basic rights of security of the person, including freedom from genocide, summary execution, torture and cruel and inhuman treatment, disappearance, and prolonged detention without charges” (Sikkink, 2004: 80).

particular policy decision, not to endorse that choice. Using the findings of this dissertation, in the Conclusion I will argue that we need to be more attentive to the ways in which concepts such as human rights are interpreted and applied in policy by social actors. As others have argued, these actors are embedded in society and rely on cultural scripts to shape policy. As such, developing policy is often constrained by the meanings that actors associate with the policy category (e.g., social policy, civil rights), and the potential beneficiaries (e.g., minorities, the (un)deserving poor) (see Skrentny, 2002; Steensland, 2006). Thus, actors do not merely weigh political constraints when crafting policy, they are also constrained by the field of meanings they and their peers draw upon.

Policy advocates imbued the concept of human rights with meaning by drawing upon shared understandings of what constituted respect for human rights in Western, Westernizing, and non-Western societies. These views, in turn, shaped how policy advocates understood the nature of human rights violations, how they discussed solutions to the conflict, and how they measured progress towards an improved human rights situation. Policy advocates' assessment of the human rights situation in each society was part and parcel of the longer history of United States-Latin American relations. Historically, North Americans' have questioned Latin American's capacity for self-governance, and felt compelled to "civilize"/modernize the region and its peoples (see Chapter 2). This history developed into a more nuanced analysis, positing that some nations had modernized and had a developing respect for human rights, while others in the region remained "traditional" non-Western societies and social relations were predicated upon human rights violations.¹⁶ In sum, I argue that U.S. human rights policy was shaped by the politics of meaning-making.

¹⁶ This evaluation is very much a reflection of the United States' post-1959 relationship with Latin America, which centered upon the latter's "need" for development and modernization.

Chapter 1 The “Politics of Meaning-Making”: An Alternative Framework

In 1975, the U.S. Congress passed a seminal piece of legislation linking U.S. foreign aid to the recipient nation’s human rights record, and it gave shape to this law by adding additional human rights restrictions on U.S. aid during the Carter administration. The creation and passage of U.S. human rights legislation¹ was contentious, and researchers have since shown that the application of this legislation was an equally contentious issue (see Arnson, 1993; LeoGrande, 1998; Schoultz, 1981). Early research on U.S. human rights policy, which was largely conducted in the field of political science, has focused on the political constraints government officials face when developing a response to a particular rights-violating regime (see Forsythe, 1989; Schoultz, 1981). I argue that solely examining the political conditions surrounding U.S. human rights policy is an incomplete approach, reducing human rights to a universal concept that is unmediated as social actors in complex social-historical contexts apply it. Policy advocates applied this legislation within a complex domestic and international context: they had to examine foreign societies with rich histories and with turbulent relationships with the United States.

In this chapter I argue that we need to approach the study of U.S. human rights policy from a unique standpoint, analyzing what I call the “politics of meaning-making,” the process through which policy advocates construct the meaning of respect for human rights, and thereby what constitutes a violation. Then, policy advocates leverage this to build the discursive foundations for the United States’ response to human rights violations. This approach is meant to highlight the battles over meaning inherent in the crafting and implementation of the United States’ response to human rights violations.

Many scholars have done important research developing and exploring why and how the United States has responded to rights-violating regimes. This research assumes that human rights norms are universally held concepts. In contrast, the approach used in this dissertation emphasizes the politics of meaning-making, the protracted discursive struggle to define, expound, and defend a definition of respect for human rights and their violation. This approach is meant to highlight the social processes underlying policy-making. Those participating in the policy-making process, who I call policy advocates, are social actors who carry with them knowledge, experiences, culture, and positions that they use to engage in the politics of meaning-making. As such, I approach the crafting of U.S. human rights policy as a social process in which policy advocates participated in the social construction of meaning.

U.S. human rights legislation stipulated that regimes involved in “gross violations of internationally recognized human rights” (P.L. 87-195 Sec. 502[b][2]: 256) be denied U.S. aid and assistance. The legislation clearly defined what would constitute a human rights violation under the law:

...the term “gross violations of internationally recognized human rights” includes torture or cruel, inhuman, or degrading treatment or punishment, prolonged detention without charges and trial, causing the disappearance² of persons by the abduction and clandestine detention of those persons, and other flagrant denial of the right to life, liberty, or the security of person... (Foreign Assistance Act of 1961 (P.L. 87-195) Sec. 502B: 260-61)

¹ For the remainder of the dissertation “U.S. human rights legislation” refers to U.S. legislation promoting respect for human rights as a central feature of the foreign policy-making apparatus.

² Disappearances were added to the law under section 701 (a) of the International Security and Development Cooperation Act of 1980.

Yet, as many researchers have pointed out, the United States has inconsistently applied this law, at times opting to support some rights-violating regimes, even regimes that have engaged in genocide (see Donnelly, 2002; Forsythe, 1989, 2000; Sikkink, 2004). For instance, the United States supported the rights-violating apartheid government in South Africa (1948-1994), as well as the Guatemalan regime during that nation’s civil war (early 1960s-1996).

Researchers have yet to fully grapple with the deeply complex social landscape in which U.S. human rights legislation was initially applied. First, U.S. human rights legislation signaled a major shift in foreign policy-making: it meant that Congress was able to exploit its control over the budget to curtail the president’s foreign policy agenda. Moreover, this legislation signaled to the world that the U.S. political arena would be a place where human rights issues would be identified, debated, and dealt with. Second, the United States has long had a turbulent relationship with Latin America: declaring itself the imperial power in the region in the Monroe Doctrine (1823), using the logic expressed in that document to justify invading and occupying different countries in the region on multiple occasions throughout the nineteenth and twentieth century; and supporting military dictatorships throughout the region [e.g., the Somoza family in Nicaragua (1937-1979), Pinochet in Chile (1973-1981)](see Cornell-Smith, 1974; Dent, 1999; Langley, 2010). More importantly, U.S. human rights legislation mandated that these norms be applied in a multifaceted social and historical context, requiring policy advocates to examine a foreign society they likely had little knowledge of or experience with.³

Third, and most importantly, when this legislation was first applied, the world was rife with competing views of what constituted respect for human rights and their violation. For example, during the period of study, 1976-1992, some argued—largely the rights-violating regimes and their supporters—that because the offending government was engaged in a counterinsurgency war, there were no human rights violations: those killed were insurgents not victims of abuses (see Paige, 1997; Sikkink, 2004).⁴ At the same time, others emphasized the moral cause of promoting respect for human rights in order to protect human life threatened by the draconian policies of rights-violating regimes.

The point here is that U.S. human rights legislation was applied in a rich social milieu. As the competing views of human rights violations presented in the previous paragraph illustrate, policy advocates engaged in a discursive struggle to define, defend, and expound a particular view of what constituted respect for human rights and their violation, and to define how the United States should respond to the phenomenon. Reexamining the early implementation of U.S. human rights legislation with a new lens will accomplish three things. First, it brings to the fore the social construction of definitions of respect for human rights and their violation. Second, it provides us with a fuller understanding of the conditions, context, and world-views involved in the crafting and implementation of U.S. human rights legislation. Third, instead of examining inconsistencies, my approach will identify the deeper processes and logics underlying the United States’ response to human rights violations.

In what follows, I review relevant schools of thought pertaining to the emergence, incorporation, and implementation of human rights norms in U.S. policy. This careful analysis of the existing literature, leads me to argue that we need to take the path of scholars studying the

³ According to Schoultz’s (1981) research, when human rights legislation was passed in 1975, very few Congressmen and their staffers had expertise on Latin America. In fact, he argues that Latin America had been a low priority in U.S. foreign policy precisely because so few legislators had any knowledge of the region.

⁴ Paige (1997) has a discussion of this ideology in El Salvador and Sikkink (2004) discusses the cases of both Argentina and El Salvador in this regard.

intersection of culture and domestic policy and reconsider the United States’ response to human rights violations as a process involving the social construction of meaning. Taking this approach, offers the prospect of understanding the meanings contained within the United States’ response to human rights violations.

THE GROWTH OF HUMAN RIGHTS NORMS

Generally, research pertaining to U.S. human rights policy can be divided into two distinct perspectives. On the one hand, some scholars have focused upon the emergence and diffusion of “international norms.”⁵ On the other hand, the “realists” have focused upon the political constraints that policy-makers confront when deciding how to respond to a rights-violating regime. Each camp has a competing view as to why and how the United States will respond to human rights violations: underlying their views is the assumption that a single factor determines whether the United States will sanction or support a rights-violating regime. The former group of scholars argues that international norms and the proliferation of moral constituencies promoting them determine the nature and content of policy actions. Alternatively, the realists argue that *the* factor dominating the United States’ response to human rights violations is U.S. national security. It is important to note that during the period in which U.S. human rights legislation was passed and initially implemented—during the 1970s and 1980s—many countries in Latin America were ruled by rights-violating regimes. Hence, much of the research in this field has focused on United States-Latin American relations.

International Norms

Both sociologists and political scientists began examining the proliferation of international norms around the same time in the early 1990s. That is, the “world society” approach emerged in sociology around the same time as the constructivists in political science began to study “international norms.” Essentially, the constructivist and world society literatures are intra-disciplinary conversations about the emergence, diffusion, and implementation of world culture or international norms. Generally, these theorists use the terms “world culture” and “international norms” in similar ways, both refer to scripts of appropriate forms of civil society or state behavior that all societies should abide by.⁶ For consistency, I use the term “international norms”⁷ to refer to both lines of theorization as these scholars are interested in the ways that groups, transnational movements, state actors, and international pressure have shaped their diffusion.⁸ Often, these scholars point to the spread of human rights ideas in the post-WWII era as evidence of the proliferation of international norms (*ibid.*). In this line of thinking, societies and nation-states exist in a larger cultural and political context that shapes the similar scripts they enact (*ibid.*). These scholars point to two forms of pressure—socialization and moral constituencies—that shape our scripts and actions.

⁵ Those who focus upon “international norms” are referred to constructivists in political science and as world society theorists in sociology.

⁶ For examples of analyses of “world culture” see: Cole, 2005; Drori & Krucken, 2009; Meyer et al., 1997; Strang & Meyer, 1993. For examples of discussions of “international norms” see: Finnemore, 1996; Keck & Sikkink, 1998; Khagram, Riker, & Sikkink, 2002; Sikkink, 1993.

⁷ I use the term “international norms” because this is the dominant term in the literature examining U.S. human rights policy.

⁸ See Cole, 2005; Drori & Krucken, 2009; Finnemore, 1996; Keck & Sikkink, 1998; Khagram, Riker, & Sikkink, 2002; Meyer et al., 1997; Strang & Meyer, 1993; and Sikkink, 1993.

Generally, one group of scholars has been particularly concerned with examining the striking resemblances between nation-state structures and the similar policies they enact (see Cole, 2005; Drori & Krucken, 2009; Meyer et al., 1997; Strang & Meyer, 1993), among which are policies promoting respect for human rights (see Cole, 2005; Meyer et al., 1997). They argue that civil society and the international community *socialize* state actors into adopting policies and actions promoting respect for human rights (Cole, 2005, 2012; Meyer, 2009a, 2009b; Meyer et al., 1997). According to this view, socialization is process in which adoption and diffusion of new scripts of action, the modeling of a behavior, and the sanctioning of out-of-line states occurs.⁹ A caveat should be made, though, these scholars emphasize that just because a state adopts human rights scripts, they do not necessarily abide by them.

Other scholars within this field have focused upon the particular actors and groups that facilitate diffusion. Thus, for example, the key actors shaping the diffusion of human rights policies are “norm entrepreneurs”: actors seeking to change others’ beliefs and behaviors so that policy and practice come to reflect international human rights norms (Keck & Sikkink, 1998). Norm entrepreneurs can be either state actors (e.g., Congressman Donald Fraser (D-MN) who spearheaded Congressional human rights legislation) and non-state actors (e.g. the Washington Office on Latin America) (see Finnemore, 1996; Finnemore & Sikkink, 1998; Keck & Sikkink, 1998; Khagram et al., 2002; Sikkink, 1998).

These researchers have also shown that moral constituencies¹⁰ have been a powerful force shaping state behavior. According to this view, moral constituencies can impact state behavior in two ways: (1) changing the policy of the rights-violating regime; and (2) generating support for bilateral policies aimed at sanctioning the rights-violating regime (see Keck & Sikkink, 1998). The second of these is of most concern here, because this helps to explain why the United States has acted to sanction or support a rights-violating regime. That is, research utilizing this perspective suggests that the United States has enacted sanctions only once norm entrepreneurs have formed dense and powerful networks that provide information about, and call *international* attention to, human rights violations being perpetrated in a particular case. Researchers have credited moral constituencies formed during the Dirty War in Argentina with curbing human rights violations there (Keck & Sikkink, 1998; Sikkink, 1993); while others have argued that the lack of strong moral constituencies can explain the United States’ continued support for rights-violating regimes in Central America during roughly the same period (Burgerman, 2004). Still, other scholars have credited norm networks formed in response to the civil war in El Salvador with changing U.S. policy towards the Salvadoran regime during the 1980s (Perla, 2008b).

The international norm approach gives us some purchase as to why the United States adopted human rights policies and the contexts from which they emerged. On the one hand, this approach would help us to understand the 1975 Congressional enactment of human rights legislation as part of a larger, global shift. Namely, the UDHR provided U.S. policy-makers with a model for U.S. human rights legislation. Furthermore, there were powerful social movements pressing for the adoption of human rights policies: such as, the Civil Rights movement, de-

⁹ Other factors affect the adoption of international norms, such as if actors view the norm: as part of a global culture (Meyer et al., 1997); as “modern” (Strang & Meyer, 1993); or, as aligning with existing beliefs (ibid.).

¹⁰ Keck and Sikkink (1998) discuss the formation of transnational advocacy networks as the central groups that can shape state behavior and force it to abide by human rights norms. They define these groups as “networks of activists, distinguishable largely by the centrality of principled ideas or values in motivating their formation” (1). I have developed the term “moral constituencies” because this better highlights the assumed nature of their political engagement and their goals.

colonization movements, and the anti-Vietnam War movement. On the other hand, research examining the actors who facilitate diffusion offer an explanation as to why U.S. human rights legislation has been applied inconsistently: because of the differing power of moral constituencies.

Nonetheless, critical gaps remain within this approach. According to this perspective, we should see the greatest variation in promoting respect for human rights *between* nation-states;¹¹ not within them. That is, the United States signaled its adoption of human rights scripts when the Congress legislated that U.S. foreign aid be linked to the recipient nation’s respect for “*internationally* recognized human rights.” However, if the U.S. was drawing on a single script for action, how can we explain the inconsistencies of the United States’ response to human rights violations in Argentina (1976-1983) and El Salvador (1980-1992)? Some would suggest that the power of moral constituencies could explain these “inconsistencies.” However, existing research would predict that Salvadoran moral constituencies should have gained more power and prominence in shaping U.S. policy because the strong transnational connections between the United States and El Salvador (see Fillingim, 2013). On the other hand, since a many scholars have focused upon the similarities between state scripts, we have yet to fully grapple with internal inconsistencies. While these scholars emphasize the importance of international norms, the question remains: how do actors translate international norms into their own policy repertoire? In essence, we are left with little understanding of the politics of meaning-making that is part and parcel of the implementation of human rights scripts. My aim is to address this gap by examining how international norms have been translated into domestic contexts and applied in international social relations.

Furthermore, in the cases of both Argentina and El Salvador: (1) the rights-violating regime engaged in the systematic *repression* of vulnerable populations; (2) moral constituencies formed and could draw upon clearly defined international and domestic human rights norms (e.g., the UDHR and U.S. human rights legislation, respectively); and, subsequently, (3) these constituencies shaped the United States’ response to human rights violations. Despite these facts, the United States developed distinct responses to each rights-violating regime: the United States opted to quickly sanction the Argentine regime, while supporting the Salvadoran regime, providing it with \$5 billion in aid over the course of 12 years.

Recent research within this perspective has suggested moral constituencies have been indelibly shaped by migrants (Perla, 2008a, 2008b). However, if migrants were key to the construction of moral constituencies in regard to these two cases, then we would have expected different outcomes. That is, most of those fleeing repression in Argentina went to Europe, suggesting that norm networks should have been stronger there than in the United States (Fillingim, 2013). In contrast, Salvadorans fleeing regime repression fled primarily to the United States, leading us to expect that norm networks targeting United States-El Salvador policy should have been stronger and more impactful throughout the decade-long conflict (*ibid.*).

Further, these researchers’ emphasis on moral constituencies is as problematic. First, there is the underlying assumption that a single moral agenda exists, which actors either support or oppose. That is, we are left to assume that some actors are “immoral” if they do not support a particular view of respect for human rights. Thus, some scholars have dismissed conceptions of

¹¹ This is especially true in studies of “world society” because researchers’ primary concern is examining state scripts. More broadly, because these theorists either emphasize “socialization” or “moral constituencies” that target state behavior, we expect that some states are in line with human rights norms, while others are out of line. Thus, the greatest variation in respecting for human rights should be between states.

human rights that have been unaligned with a moral stance, concluding, for example, that Cold Warriors promoted national security without giving thought to human rights issues. In sum, these researchers have assumed that respect for human rights is a self-evident concept that actors either endorse or oppose. Hence, these researchers have ignored the politics of meaning-making.

The Realists

Generally, the realists have discussed national security and human rights norms as competing and opposing logics. According to realists (who hold what is also known as the *realpolitik* position), U.S. interests—of an economic, security, strategic, and resource-related nature—have been *the* guiding principle underlying the United States’ response to human rights violations (see Donnelly, 1986; Forsythe, 1989; Schoultz, 1981; Thomas, 1997). The result has been that U.S. policy-makers have responded to rights-violating regimes “on a case-by-case basis,” generally opting to protect U.S. interests rather than promote respect for human rights (Donnelly, 2002: 171). As such, the United States has not created an overarching and consistent human rights policy (see Donnelly, 2000, 2002; Forsythe, 2000; Schoultz, 1981; Thomas, 1997). The arguments of the realists leave us to conclude that “moral concerns,” such as respect for human rights, have had little impact on the United States’ response to human rights violations.

One of the first comprehensive studies of the United States’ response to human rights violations in Latin America was published less than a decade after human rights legislation was initially passed. In this study, Lars Schoultz (1981) found that, although President Carter emphasized human rights principles as a central tenant of international relations, his foreign policy agenda was not determined by these principles. Schoultz (1981) wrote that, “[h]uman rights hardly replaced national security as the fundamental guiding principle of U.S. foreign-policy, but where national security values were not threatened, human rights became a significant component of foreign-policy decision making” (4). This view has been echoed in more recent works studying how other administrations have responded to human rights violations (see Donnelly, 2002). Following this logic, the United States will respond to human rights violations in cases where it has few security or other interests in the nation or region. For instance, research supporting the realists’ assertions has found that the United States supported the apartheid regime in South Africa because the nation: (1) housed a U.S. military base; (2) was along a shipping route; and, (3) contained valuable minerals (Thomas, 1997).

Realists posit that concerns about national security have also determined the types of actions the United States will take in response to human rights violations (Donnelly, 2002; Donnelly & Liang-Fenton, 2004; Fraser, 1979). In cases where publicly condemning the human rights record of a regime would pose a threat to U.S. security or other interests, the United States might use “quiet diplomacy”—behind the scenes pressure—to press for an improved human rights record (see Donnelly, 2002; Donnelly & Liang-Fenton, 2004). This might mean using diplomatic, as opposed to public, channels to outline the consequences for the continued violation of human rights, such as: cuts to, or the termination of aid and other forms of assistance; opposition to multilateral funding and loans; or, the reduction or cessation of social, political, cultural, and economic exchanges between the two nations (Donnelly, 2002; Donnelly & Liang-Fenton, 2004; Thomas, 1997).

We could understand one aspect of United States-El Salvador policy during the Salvadoran civil war as a classic example of this type of response. During the civil war, death squads—paramilitary groups with connections to the Salvadoran security forces—became a serious human rights issue. Instead of making public statements condemning the actions of the

death squads and their links to the Salvadoran security forces, the Reagan administration opted to hold a private meeting about them with the Salvadoran military in 1983. During the meeting, President Reagan’s representative made it known that unless the Salvadoran government could curb death squad activity, the administration might be forced to halt aid.¹² Many have argued that this form of quiet diplomacy led the Salvadoran military to curb death squad activity (see Arnson, 1993; LeoGrande, 1998).¹³ Conversely, the United States has publically supported the human rights records of the Colombian and Honduran governments, despite evidence of human rights violations, because both these nations are important to U.S. counter-narcotics operations (Isacson et al., 2013).

According to the realists, the United States will only engage in public condemnation of a nation’s human rights record if it has little to lose in terms of national security or it has other interests in doing so. These more public displays might take the form of shaming the rights-violating regime by holding Congressional hearings on the human rights situation in the offending nation; by making public statements against the regime; by creating committees to investigate accusations; and by publishing detailed reports of human rights violations in the State Department’s (DOS) annual Human Rights Report (Donnelly, 2002; Donnelly & Liang-Fenton, 2004). Argentina’s Dirty War could be read as an example of this type of action, as President Carter publicly condemned human rights violations perpetrated by the military government there. Additionally, Congress publically shamed the Argentine military government for its poor human rights record by holding Congressional hearings on the issue, and by passing legislation restricting U.S. aid to that country until there was a marked improvement in its human rights situation.

The realists assume that the United States will respond to human rights violations in inconsistent ways because it has distinct security and other interests in different nations and regions of the world. We are left to assume that policy-makers are the primary actors shaping the United States’ response to human rights violations. Moreover, according to this view, policy-makers are exclusively rational actors with a narrow nationalist agenda, and their political role can lead them to ignore evidence of flagrant human rights violations. That is, this school’s emphasis on inconsistency would lead us to the conclusion that national security and human rights norms are competing logics that result in a zero-sum game: either national security is promoted, or, respect for human rights is promoted.

Yet, the realist approach raises more questions than it answers. If national security was the single force guiding U.S. foreign policy, then: (1) why did the U.S. Congress write human rights legislation, giving itself and the DOS the power to use human rights to shape foreign policy; and (2) why were United States-Argentina and United States-El Salvador relations, in light of human rights violations, such contentious issues in U.S. foreign policy (see Arnson, 1993; LeoGrande, 1998; Schoultz, 1981)?¹⁴ The Reagan administration opted to use quiet diplomacy, while the U.S. Congress engaged in public shaming of each regime, suggesting that the realist position cannot fully address this issue. Moreover, President Reagan, a fervent

¹² While this meeting became public knowledge, the private exchange allowed the Reagan administration to broach the issue of respect for human rights. Further, this approach showed the administration’s continued *public* support for the Salvadoran military despite its ties to the death squads.

¹³ This interpretation of events was also expressed during Congressional hearings on El Salvador.

¹⁴ I recognize that there may be conflict over the idea of national security. Nonetheless, this perspective would lead us to conclude that national security and human rights are competing logics, and that actors promote one at the cost of the other. As such, we would not expect human rights concerns to be an issue of contention when the United States’ national security was at stake.

advocate of the realist position, had adopted some human rights rhetoric by the end of his presidency (Arnson, 1993; LeoGrande, 1998; Sikkink, 2004), demonstrating the contingencies of realism.¹⁵ Furthermore, why did the U.S. Senate defeat Reagan’s nomination of Ernest Lefever, a man who wanted to revive realism as a tenant of U.S. foreign policy, as Assistant Secretary of State for Human Rights and Humanitarian Affairs? Why would the U.S. Congress hold hearings on the human rights situation in Argentina and El Salvador, and ask the DOS to explain and justify the United States’ response to human rights violations? The power struggles around the United States’ response to human rights violations suggests that the battle over the place of human rights in foreign policy was more complex than realists have acknowledged.

THE POLITICS OF MEANING-MAKING

What has been lacking has been an approach that gives a central role to the *social context* in which we construct, contest, and define a concept and practice such as respect for human rights, or what I call the politics of meaning-making. That is, as actors have crafted U.S. human rights policy, they have engaged in a protracted discursive battle to articulate, expound, and defend a particular definition of the phenomenon. I argue that such an approach gives us a way of understanding the social construction of human rights, both as a concept and as a policy.

In what follows, I will highlight the contributions that research on culture and domestic policy makes to this debate, offering another way to approach and understand the United States’ response to human rights violations. I will briefly outline the central contributions of research in the sociology of human rights. However, my main thesis is that the literature on culture and domestic policy offers us a model for how to grapple with the social processes inherent to the United States’ response to human rights violations.

The Sociology of Human Rights

This dissertation also speaks to the recently emerging literature on the sociology of human rights. This literature has two concerns: (1) using sociology to understand the emergence, growth, adoption, and practice of human rights norms (see Blau & Frezzo, 2012; Blau & Moncada, 2005, 2009; Gregg, 2011); and, (2) engaging in public sociology (Blau & Frezzo, 2012; Blau & Moncada, 2005, 2009). The former of these is most important to the present literature review. Research in this field calls attention to the socially constructed nature of human rights norms and the underlying contradictions of U.S. human rights policy; both of which are central to my research agenda.

Early research in this field examined the history, evolution, and adoption of human rights principles throughout the world (see Blau & Frezzo, 2012; Blau & Moncada, 2009; Ishay, 2004). Much of this work has followed a pattern similar to the field of human rights research more broadly, tracing the expansion of human rights norms from the Enlightenment to the present. These scholars’ analysis of each generation of rights is rooted in the social milieu of the period under study. Since the writing of the UDHR, scholars have emphasized the 1970s and 1980s as watershed decades for the expansion of human rights norms and practices (Blau & Moncada,

¹⁵ Some have argued that President Reagan’s human rights rhetoric was part of his Cold War policy (see Arnson, 1993; Donnelly, 2000). That is, scholars have argued that this was a rhetorical strategy that President Reagan used to continue providing aid to El Salvador despite human rights issues (*ibid.*). Thus, according to this view, national security remained the United States’ foreign policy priority. I argue, however, that this still demonstrates an engagement with the politics of meaning-making, as it entailed articulating a position on the *human rights* issue and how to deal with it.

2009; Dezalay & Garth, 2006).¹⁶ What distinguishes this field of study is the emphasis on the *social nature* of human rights, particularly in terms of the shifting boundaries of who can claim these rights and the shifting definitions of human rights violations (Blau & Moncada, 2009; Dezalay & Garth, 2006).

In addition to calling attention to the social nature of human rights, these scholars have also focused on the contradiction between the United States proclaiming to promote human rights abroad, while refusing to promote these rights at home (Blau & Frezzo, 2012; Blau & Moncada, 2009). For instance, they point to the fact that the United States has legislation making human rights a central feature of foreign policy, while at the same time getting it to ratify human rights treaties has been difficult: all human rights treaties ratified by the United States have included non-executing clauses, meaning that they cannot apply to the United States without further legislation (see Blau & Frezzo, 2012; Blau & Moncada, 2005; Soohoo, Ablisa, & Davis, 2009). Another example of the conflicting nature of human rights in the United States is civil rights legislation, which can be repealed through an act of Congress (Blau & Frezzo, 2012). Civil rights legislation remains in a precarious place as evidenced by the trend of some conservative states to pass stringent voting laws that have the effect of disenfranchising minority voters (Democracy Now!, 2013). The only way to guarantee civil rights gains is through a constitutional amendment, which is not on the policy agenda, thus far. Work in this field is part of a growing body of scholarship that engages with human rights as a social construct that has profound material implications. This research has provided scholars with a model for how to be attentive to the sociology of human rights, a call I attempt to heed.

CULTURE AND POLICY: AN ALTERNATIVE FRAMEWORK

Recent scholarship on the role of culture in policy-making offers an important model for how we can generate a new, more comprehensive approach to our examination of the United States’ response to human rights violations. This scholarship emerged as a critique of traditional literature on domestic policy development, which emphasized: the emergence and lifespan of policy issues (see Baumgartner & Jones, 2009; Beland, 2010; Hall, 1993); the constraints on policy-making¹⁷; and lessons learned from past policy (Beland, 2010; Hall, 1993). Scholars examining the relationship between culture and policy-making have argued that traditional policy approaches have over-emphasized the role of institutional constraints or incentives in policy-making (Steenland, 2006). Instead, researchers in this field have provided us with ample evidence of the importance of examining the social construction of meaning that is part and parcel of *the process* of policy-making (see Dobbin, 1994, 2011; Mora, 2014; Skrentny, 2002; Steenland, 2006; Wilson, 2011).

This scholarship has emphasized the importance of “meaning-making” in the development and execution of U.S. laws (*ibid.*). Scholars refer to this process in different ways, for example, meaning making (Skrentny, 2002), schema (Steenland, 2006), and sense-making (Fiss & Hirsch, 2005). Regardless of the terminology, these researchers emphasize that culture shapes meaning, which in turn influences policy-making (see also Edelman, 1992; Ferre, 2012; Gamson & Modigliani, 1998; Lamont, 2000).

¹⁶ See also Ishay, 2004; Keck & Sikkink, 1998; and Schoultz, 1981.

¹⁷ Such as new policies creating “bureaucratic lobbies”—new interest groups invested in the expansion of a policy or program (see Beland, 2010); or, existing policies and bureaucratic structures that have made changing policy risky or costly (Beland, 2010; Hall 1993).

Categories of meanings have constrained the development of various types of policies in the United States (see Dobbin, 1994; Edelman, 1992; Skrentny, 2002; Steensland, 2006). For example, Steensland (2006) found that ideas about the deserving and undeserving poor impacted the development of U.S. welfare policy. Further, the expansion of civil rights policies to non-black minority groups was rooted in whether federal government officials could draw analogies between the needs of blacks, the “obvious” beneficiaries of civil rights policies, and the needs of other minority groups (Skrentny, 2002). Additionally, research has shown that creating the ethnic category of Hispanic, a form of meaning, was contingent upon policy-makers, business leaders, and social movements drawing upon collectively-held ideas about who and what constituted Latin American identity in the United States (Mora, 2014). Researchers have used two types of analysis to examine this, either: (1) social categories of meaning rooted in experiential and societal ideas about the issue (i.e. the deserving and the undeserving poor) (Skrentny, 2002; Steensland, 2006); or, (2) particular political categories of meaning rooted in cultures and practices associated with existing *policies* (i.e. the diffusion of U.S. industrial policy) (Dobbin, 1994). These categories are not mutually exclusive and may be interwoven. In general, research on culture and policy-making has highlighted the importance of examining the social processes underlying policy-making. Hence, phenomena like human rights should not be assumed to be an *a priori* concept—rather, they gain meaning through a social process.

The scholarship on culture and policy has important implications for existing theorizations of the United States’ response to human rights violations, and begs us to consider the politics of meaning-making. In the cases of both Argentina (1976-1983) and El Salvador (1980-1992), policy advocates had to identify the human rights issue, its cause, and its solution. Given what we have learned about the relationship between culture and policy, we must reconsider our understanding of U.S. human rights policy. That is, inconsistency in the application of this policy could have also been tied to the ways in which policy advocates engaged in the politics of meaning-making. My approach shows that policy debates related to human rights were part and parcel of domestic and international social relations that have long been characterized by North American’s questioning of Latin American’s capacity for self-governance. By paying attention to this context and content of policy advocates statements to this effect, I uncover that U.S. human rights policy was predicated on North American’s views of a society’s supposed capacity to respect human rights.

In addition, research on culture and meaning has shown the importance of analyzing an actor’s language to abstract social meanings and generate theory (see also Bonilla-Silva, 2003; Lakoff, 2010). For instance, Bonilla-Silva (2003) closely analyzes the language that actors use to discuss race in the post-civil rights era, finding that they have adopted a language of cultural difference to discuss race. He concludes in the post-civil rights era systems of meaning surrounding race center upon culture, he has called this phenomenon *Racism without Racists*. Thus, close examination of discursive practices and highlights deeper meanings associated with the issue at hand.

THE LOGIC OF THE COMPARISON

In order to “reframe” U.S. human rights policy I reexamined the U.S.’s response to human rights violations in Argentina and El Salvador. These cases provide both theoretical and empirical leverage in developing another framework through which to understand the United States response to human rights violations. First, because much of the research on U.S. human rights policy has focused upon United States-Latin America relations, these cases provide us

with the chance to reevaluate existing theories using a different lens. Second, the parallel scope and severity of human rights violations between the two cases offers the chance to compare empirically similar instances of human rights violations that resulted in “inconsistent” policy outcomes.

In fact, much of existing theory of U.S. human rights policy has been built upon an analysis of the United States’ response to human rights violations in these two cases. Argentina has been particularly central for those studying international norms, while El Salvador has been central for examinations of the realists’ agenda (see above). For those studying international norms, United States-Argentine relations during the dirty war have provided evidence of the power that a moral constituency has had on the nature and scope of U.S. human rights policy. Keck and Sikkink (1998) analyzed the formation of transnational advocacy networks between Argentina and the United States, and found that the mobilization of these networks effectively pressured the U.S. government into sanctioning the Argentine military regime. According to this line of theorization, United States-Argentine policy during the Dirty War resulted from local and transnational constituencies’ use of international norms to shape the course and nature the United States’ response to human rights violations.

In contrast, the realists have used the case of El Salvador to show that national security has determined the nature and scope of U.S. human rights policy (see Arnson, 1993; LeoGrande, 1998). According to this view, the United States supported the Salvadoran rights-violating regime because the rise of another leftist government in Central America was a direct threat to U.S. national security. For realists, the United States’ support for the Salvadoran rights-violating regime is just one example of a larger trend in U.S. policy, in which the United States has supported a rights-violating regime in the name of protecting its own national security or interests (see Donnelly, 2002; Isacson et al., 2013; Thomas, 1997). Examining these two cases allowed me to use a sociological lens to reassess existing appraisals of U.S. human rights policy.

Moreover, empirically, these cases bear a striking resemblance in terms of the event precipitating the conflict, the logic of repression, and the scope and severity of human rights violations. In fact, each government used disappearances, torture, extra-judicial executions, illegal and prolonged detention, and the illegal adoption of children to repress regime opposition (*ibid*). These similarities were likely due to the fact that the Argentine military trained the Salvadoran military in counter-insurgency tactics in the early 1980s (Armony, 2009; Neito, 2003).

A potential shortcoming of my comparison of Argentina and El Salvador is that the cases take place in slightly different time periods and under different U.S. administrations. Previous research has emphasized the role of the presidential administration in determining the tone and nature of U.S. human rights policy. Hence, we could attribute the different U.S. policies of sanctioning the Argentine military regime and supporting the Salvadoran regime to be a product of a particular administration’s policy.¹⁸ Yet, research suggests that the human rights policies of President Carter, who was in power during the Argentine dirty war, and President Reagan, who was in office for much of the Salvadoran civil war, were actually similar (see Apocada and Stohl, 1999; M. Gómez, 2003). In fact, some have argued that President Reagan’s United States-El Salvador policy in 1980s was a continuation and escalation of President Carter’s policy (*ibid*).

¹⁸ This view is, in part, a product of the dominance of political analyses in this field, and in part a relic of the executive branch’s prior dominance in foreign-policy making (*ibid*). That is, prior to the passage of U.S. human rights legislation, the President had the most power over the tone and scope of foreign policy, and the Congress usually simply approved the president’s budget.

Thus, the change of presidential administration in power does not sufficiently explain the United States’ response to human rights violations in these cases.

I have relied upon an analysis of Congressional hearings to uncover the underlying logic of U.S. human rights policy and the social meanings inherent in policy crafting and policy statements. Hence, changes in the administration are meaningful, but not necessarily determinative of how policy advocates engaged with the politics of meaning-making. In sum, these cases provide us with an opportunity to apply the concept of the politics of meaning-making and develop an alternative interpretation of U.S. human rights policy.

CONCLUSION

Existing research has highlighted important aspects of the development, diffusion, and application of human rights policy. However, much of it has assumed that human rights norms are self-evident concepts that actors either endorse or oppose. Work examining the intersection of culture and policy begs us to take a closer look at policy debates, paying attention to the cues and language that policy advocates use to understand issues. This latter research shows that those participating in the discursive struggle to generate a policy and a public understanding of an issue are important actors. Hence, in analyzing U.S. human rights policy we must consider the position of all the actors seeking to influence the policy-making process, people I call policy advocates—including administration officials, academics, human rights organizations, and other policy “experts” who testified in Congressional hearings. Policy advocates take a discursive position on the human rights issue, and while their position represents their own view, it also represents the position of a larger constituency. Taking this approach reframes our knowledge about U.S. human rights policy: the United States’ response to human rights violations can be understood as a process by which policy advocates have attempted to give meaning to what constitutes respect for human rights and, thereby, what constitutes a violation of them. U.S. human rights policy has been a product of this meaning-making process. Thus, the inconsistencies that other researchers have pointed to suggest a system of meaning that we must examine in order to have a holistic understanding of U.S. human rights policy.

Congressional hearings were an important part of crafting policy responses as they were forum in which Congress could gather information, but, also, a setting in which they could present or contest alternative points of view. These hearings were also a major tactic the U.S. government used to broker respect for human rights in offending nations (see Arnson, 1993; Dent, 1999; LeoGrande; 1993; Schoultz, 1981). Moreover, they are records of the discursive struggle that policy advocates engaged in to arrive at a policy outcome. Examining the different information presented to Congress, how the information was interpreted, and how it fed into future debates, provides a framework through which we can understand U.S. human rights policy. This lens looks beyond the outcomes and shows the specific steps taken to arrive at them. In sum, the policies we see cannot be divorced from the social context in which they were generated, because policy crafting entails a process of meaning creation, transformation, and translation prior to arriving at a policy action. At the same time, we must be cognizant of policy advocates’ existing cultural frameworks. That is, we must consider the history of United States-Latin American relations and the development of U.S. human right legislation. Moreover, we must examine the origins and course of the conflicts under study. The following chapter explores these issues.

Chapter 2

United States-Latin America Relations: The North American Superiority Complex

There is a wealth of research examining the economic and political relationships that have shaped United States-Latin America relations (see Cardoso & Faletto, 1979; LaFeber, 1993; Robinson, 2003; Skidmore & Smith, 2005; Ward, 2004). Generally, researchers have focused on how political and economic relations between the two regions have served the United States' interests at the cost of the Latin American region's own "development" (see Cardoso & Faletto, 1979; Grosfoguel, 2000). In this chapter, I pay close attention to the social aspects of this relationship, particularly to the logic of inferiority/superiority that have structured it. That is, United States-Latin America relations have been framed by the perceived inferiority of those in the latter region vis-à-vis those in the former region.¹

Three phenomena have left a profound mark on United States-Latin America relations over the past two-hundred years: the Monroe Doctrine; the Cuban Revolution and the emergence of the National Security Doctrine; and the passage of U.S. human rights legislation. In the nineteenth century, the Monroe Doctrine defined this relationship, ostensibly giving the United States the duty and right to intervene in the affairs of Latin America. This policy was announced without the consultation of Latin American governments and was used to justify U.S. "civilizing" missions throughout the region. After the revolution in Cuba (1959), the Monroe Doctrine was supplemented with the National Security Doctrine, which linked inter-American security to stopping the spread of communist insurgencies. Eventually, the National Security Doctrine gave rise to transnational counter-insurgency networks that would create a "human rights crisis" in Latin America (Wright, 2007).

By the 1970s, global events would change the tone—but not necessarily the logic—of U.S. policy. During this decade, the U.S. Congress created a body of legislation linking U.S. foreign aid to respect for human rights. This legislation conveyed the idea that the United States' position was to protect human rights throughout the world. At the same time, it portrayed non-Western nations as the only nations with the potential and proclivity to engage in human rights abuses. Upon the passage of this legislation, the March 1976 military coup in Argentina, and the ensuing regime brutality, tested the place of human rights in U.S. foreign policy (Forsythe, 1989; Schoultz, 1981). In the 1980s, Congressional attention shifted to the abysmal human rights situation in El Salvador, further testing human rights legislation (*ibid.*).

In this chapter, my aim is to trace the development of relations between these two regions to provide readers with a sense of the meanings that North Americans associated with Latin Americans. These meanings, as I will argue in this dissertation, shaped the United States' response to human rights violations in Argentina and El Salvador. I begin by outlining major themes in United States-Latin America relations from 1823 until 1980. I, then, examine the development of U.S. human rights legislation and its impact on U.S. policy more broadly. Finally, I describe the contours of the Argentine Dirty War and the Salvadoran civil war and the nature of U.S. policy during each of these conflicts.

¹ See Coerver & Hall, 1999; Cornell-Smith, 1974; Dent, 1999; Grosfoguel, 2003; Mignolo 2002, 2005; and Schoultz, 1998.

UNITED STATES-LATIN AMERICA RELATIONS: A BRIEF HISTORY

United States-Latin America relations were shaped by North American's perceptions of Latin Americans as incapable of self-governance, and as socially and culturally inferior. On a symbolic level, cartographers illustrated European and Anglo-American superiority by drawing the United States and Europe at the top of world maps, exaggerating the relative size of the global North (Mignolo, 2005; Winn, 1999). Additionally, during early U.S. history, one view posited that Latin Americans suffered from “two debilitating legacies—three hundred years of Spanish misrule and the daunting task of incorporating the vast mixed-raced peoples of the continent into a republican society...” (Langley, 2010: 39). Further, North Americans generally viewed Latin Americans as undemocratic people seeking military rule (Langley, 2010; Schoultz, 1998). In essence, this view rested upon the notion that North Americans had retained the racial purity of their colonial society,² while racial mixture made Latin America a “naturally” divided society (Langley, 2010). Following this logic, the racial purity of the United States “naturally” generated the foundation for a “superior” form of self-governance, democratic rule (see Dent, 1999; Langley, 2010; Schoultz, 1998).

The Monroe Doctrine, which was declared in 1823, reflected this social construction of Latin Americans and it has had a profound role in shaping United States-Latin America relations. The doctrine announced that any European incursions into Latin America would be viewed as acts of aggression towards the United States (Cornell-Smith, 1974; Dent, 1999; Kryzanek, 2008; Langley, 2010; Livingstone, 2009; Schoultz, 1998). The United States produced and disseminated the Monroe Doctrine without consulting a single Latin American government (Dent, 1999), negating Latin Americans' rights and capacity to generate their own terms of international relations. Moreover, the Monroe Doctrine established a pattern in United States-Latin America relations: the United States justified its use of force in Latin America as a noble action that would remedy the ills supposed to be inherent to those societies (Cornell-Smith, 1974; Dent, 1999).

The next major policy statement regarding Latin America was articulated during Theodore Roosevelt's “imperial presidency.” In 1904, the United States built upon the Monroe Doctrine, using the Roosevelt Corollary that declared the United States' right to control the destiny of Latin America and Latin Americans (Kryzanek, 2008; Schoultz, 1998). The Roosevelt Corollary was rooted in President Roosevelt's view of non-European peoples as “backward races” (Burton, 1998: 115) and in need of civilizing (Burton, 1998; Langley, 2010; Livingstone, 2009; Schoultz, 1998). President Roosevelt justified his corollary on the grounds that, “...Anglo-Americans, after generations of struggle, had reached a level of civilization unequalled in human history because they had acquired the requisite ability for self-rule” (Burton, 1998: 110). For example, President Roosevelt reasoned that Cuban history had left that country's population unprepared for self-governance and democracy (ibid.). Thus, the nation and its people required the protection and civilizing hand of the United States. Also, during this period, the United States sponsored the Panamanian Revolution (as part of an effort to construct and own a trans-Atlantic canal), and declared the United States' role as policeman “...over indebted and disorderly Caribbean states to prevent their harassment by European creditors...” (Langley 2010: 99). United States-Latin America relations were characterized by North Americans' perception that Latin Americans were inferior and incapable of shaping their own destinies.

² In the United States, “racial purity” was the result of the dehumanization of Blacks, and the genocide of Black and indigenous populations.

Also during the nineteenth century, the United States proclaimed its “God-given right” to expand its territories from the Atlantic to the Pacific shores of North America. This attitude and accompanying actions came to be known as “Manifest Destiny.” It led to the genocide of indigenous populations because the goal of Manifest Destiny was to obtain as much land as possible while minimizing the number of the native inhabitants—Native Americans and Mexicans—within the newly acquired territories (L. Gómez, 2007; Langley, 2010). In regard to Latin America “...a belief that the Latin Americans who stood in the path of expansion were only a small step above the savages who had blocked the march of civilization across the original thirteen colonies” (Schoultz, 1998; 375) was implicit in this proclamation. And as to United States-Mexico relations more specifically, Manifest Destiny justified the use of force to annex the latter country’s land, as well as severely limiting Mexican’s rights in what would become U.S. territories (Almaguer, 1994; L. Gómez, 2007). For example, the United States kept New Mexico as a territory for sixty-four years, as part of an effort to gain political control over the region while limiting Mexicans’ and Native Americans’ rights to self-governance (L. Gómez, 2007). Moreover, Manifest Destiny inscribed Anglo-American supremacy in the Southwest. Social relations there were based upon the supposed innate inferiority of Mexicans and Native Americans (Almaguer, 1994; L. Gómez, 2007; Montejano, 1987).³

In terms of the United States’ broader relationship with Latin America, Manifest Destiny was part of a larger belief in the inferiority of those in the southern-half of the American hemisphere (Coerver & Hall, 1999; Cornell-Smith, 1974; Dent, 1999; Langley, 2010; Livingstone, 2009; Schoultz, 1998). According to Langley (2010), Manifest Destiny “...prompted [North] Americans...to dismiss the monarchical and republican projects of the other Americas and their peoples as politically, culturally, and even spiritually inferior” (39). Generally, North Americans perceived Latin Americans as incapable of self-governance, and the United States openly engaged in civilizing missions in the region (see Cornell-Smith, 1974; Dent, 1999; Kryzanek, 2008; Langley, 2010). This view rejected, or ignored, Latin Americans’ proposals for Pan-American unity.

In the twentieth-century, the United States continued “...expanding its power base in the region [Latin America] and [it was] even more anxious to direct the internal political and economic development of” its neighbors to the south (Kryzanek, 2008: 39). The Wilson administration (1913-1921) professed its support for freedom, democracy, and “the rights of man” as central features of foreign policy (Hancock, 2007: 37). However, it continued the pattern of U.S. “civilizing” interventions in Latin America. That is, “[i]n the name of democracy and civilization, Wilson intervened in the internal affairs of sovereign nations...” in the Southern Hemisphere (Kryzanek, 2008: 49). The administration justified U.S. involvement in the region by linking interventions to teaching Latin Americans appropriate forms of self-governance (Hancock, 2007; Schoultz, 1998). U.S. intervention, however, often “did more to solidify dictatorial regimes than to encourage the practice of constitutional governments” (Kryzanek, 2008: 49). The tone of President Wilson’s policy toward Latin America reflected a larger U.S. sentiment: the former was a region of inferior people, unable and unwilling to govern themselves.

The Great Depression and its aftermath profoundly influenced United States-Latin America relations. Because many Latin American nations were dependent upon export earnings gained from trade with the United States and Europe, the economic downturn left the region

³ It is important to note, however, that Mexicans were allowed to become naturalized U.S. citizens, while Asians who came to the United States were denied this right (see Ngai, 2005).

reeling. The effect of economic turmoil reverberated throughout the region’s social and political orders, and, in many instances, these tensions were “resolved” by the installation of military dictatorships (Coerver & Hall, 1999; Langley, 2010; Schoultz, 1998). The United States typically opted to support dictatorships if they quelled nationalist and/or leftist movements (Coerver & Hall, 1999; Langley, 2010; Schoultz, 1998). After World War II, the United States opted to focus upon rebuilding Europe, through the Marshall Plan, relegating Latin American policy to the back burner. However, one of the United States’ most notable interventions in the region occurred during this period: its orchestration of the overthrow of the democratically elected president of Guatemala, Jacobo Árbenz, in 1954.

After the 1959 Cuban Revolution, the United States refocused its attention on Latin America. The “communist dictatorship” in Cuba led the United States to supplement the Monroe Doctrine with the National Security Doctrine, which gave it a license to intervene in all Latin American affairs under the guise of containing and exterminating the communist threat in the Americas. The National Security Doctrine had two major components: one was ideological, and the other was the militarization of social relations—both between the United States and Latin America, and within the region (Menjívar & Rodríguez, 2005; Schoultz, 1998). Additionally, the National Security Doctrine instilled a sense that inter-American security required stopping the spread of communism by any means necessary. This view discounted the internal conditions that had given rise to some communist movements (Kryzaneck, 2008; Schoultz, 1998) and, instead, emphasized the importance of protecting the status quo.

To fight the spread of communism, the United States increased military assistance to most of Latin America, except Cuba, and established inter-American military and intelligence networks (Dent, 1999; Dinges, 2004; Livingstone, 2009; Menjívar & Rodríguez, 2005). The ensuing tidal wave of repression that engulfed many parts of Latin America was, in large part, funded through U.S. military grants (McSherry, 2012; Menjívar & Rodríguez, 2005; Neito, 2003; Livingstone, 2009; Schoultz, 1998). The United States’ School of the Americas (SOA) was central to this mission: the United States provided Latin American military officers with training in military intelligence gathering, psychological warfare, and interrogation tactics (which entailed torture) (see Dignes, 2004; Menjívar & Rodríguez, 2005; Roht-Arriaza, 2006). This approach to inter-American security deprived many Latin Americans of their human rights.

President Kennedy complimented the National Security Doctrine with the Alliance for Progress. The latter program provided Latin America with massive amounts of economic aid, under the belief that development would restructure social relations there and “establish” American style democracies (Neito, 2003; Langley, 2010; Livingstone, 2009; Lowenthal, 1990). As such, the Alliance for Progress sought to promote the economic development of Latin America and to integrate the lower-socioeconomic sectors of society into the capitalist system (*ibid.*). The program’s overarching goal was to promote capitalist development and “stable democracies” in the region. This program was rooted in a modernization perspective (*ibid.*), which posited that development in Latin America was “behind” the United States because of cultural, psychological, or other traits (see Blomström & Hettne, 1984; Kalrén & Bossert, 1986; So, 1990). In essence, the Alliance for Progress followed the traditional pattern of United States–Latin America relations in which Latin Americans were cast as inferior to or behind their U.S. counterparts. Moreover, the program’s goals implied Latin Americans required U.S. intervention to “achieve development,” ignoring the broader social and economic relationships between the two regions. Eventually, the program failed: the elite in Latin America staunchly resisted economic reforms and those who benefited from the program were generally those

already better off (Langley, 2010). Thus, while the program may have stimulated *temporary* economic growth, social and economic relations largely remained intact.

Although the Alliance for Progress failed to accomplish its goals, the National Security Doctrine remained a central feature of United States–Latin America relations even after that time. By the 1970s, increased U.S. military aid to the region and its base in the Panama Canal Zone had laid the foundation for transnational counter-insurgency networks that would form in South America (Menjívar & Rodríguez, 2005; McSherry, 2005; Roht-Arriza, 2006; Livingstone, 2009). Many military leaders in this region had met at the SOA and eventually used the training they received and the networks established there to gather intelligence, and, also, to coordinate repression across borders. Namely, these governments colluded to disappear dissidents, torture those in custody, and to eliminate all political opponents (*ibid.*). This program resulted in massive human rights violations throughout the region, and would eventually be “exported” to Central America (Armony, 2005).

Generally, the United States remained relatively uninvolved in Argentine and Salvadoran affairs until the 1970s. Interestingly, shortly after El Salvador had declared its independence from Spain in 1821, this new nation formally requested annexation with the United States (Dent, 1999; LaFeber, 1993). The U.S. government declined this request (*ibid.*). One year later, in 1822, the United States established diplomatic relations with Argentina; and in 1863 it did the same with El Salvador. The first major event testing United States–Argentine relations occurred in 1831 (Bemis, 1943; Dent, 1999; Langley, 2010). At this time, Argentina laid claim to the Malvinas (Falkland) Islands, and in the process, seized U.S. vessels. In response, the United States sent war ships and invaded the island. President Jackson justified this invasion as the “...necessary policing of an ‘uncivilized’ society by the forces of a ‘civilized’ nation...” (Langley, 2010: 41). Yet, twice during the 19th century (1839 and 1844), when Argentina asked the United States to invoke the Monroe Doctrine to expel European powers from the region, the United States refused (Bemis, 1943; Dent, 1999; Langley, 2010). But, while the United States expressed its disapproval of some Argentine policies and leaders, it remained relatively uninvolved in Argentine affairs.

In contrast, from the beginning of the 20th century, the United States had an ongoing relationship with El Salvador. Between 1906 and 1913, the United States—both the government and U.S. businesses—supported factions of Salvadoran society that were friendly to U.S. interests and a liberal economic environment, ensuring “profitable trade” between the two nations (LaFeber, 1993: 33).⁴ In 1932, the United States sent war ships, the Special Services Squadron, to El Salvador to aid in the squelching of a peasant revolt. This assistance was provided under the guise of aiding “‘native governments’ with the unpleasant task of keeping order” (Dent, 1999: 17). El Salvador refused this “help.” But, during the subsequent 50 years of military rule, the United States generally supported the country’s military leaders because they provided the nation with stability (see above).

The United States’ perception of the threat of communism in Latin America continued to grow over time. In 1970, Chileans elected Salvador Allende, an avowed Marxist, as president. In 1973, the Chilean military staged a coup that ousted President Allende, a move that was supported by the United States. There followed a brutal campaign of repression by the Chilean military. As a result of this, the U.S. Congress became increasingly concerned with the United States’ association with rights-violating regimes (Schoultz, 1981; Sikkink, 2004). The Congress

⁴ Following the logic espoused in the Monroe Doctrine, the United States supported liberal factions in Latin American governments that promoted trade policies favorable to the United States.

eventually crafted legislation linking U.S. aid to the recipient nation’s human rights record. When the Argentine military overthrew that country’s elected government in 1976, this legislation was implemented. And, in 1980, the civil war in El Salvador thrust that nation and its human rights issues onto the U.S. foreign policy agenda (LaFeber, 1993; LeoGrande, 1998). Both of these cases would test the United States’ professed commitment to promoting respect for human rights.

THE HISTORY OF U.S. HUMAN RIGHTS LEGISLATION

In writing U.S. human rights legislation, the U.S. Congress would draw upon human rights frameworks and exploit political opportunities to curtail the executive branch’s monopoly on foreign policy. Three major factors shaped U.S. human rights legislation: the Universal Declaration of Human Rights (UDHR), the U.S. civil rights movement, and anti-colonial wars throughout the developing world. These dynamics framed respect for human rights as a central aspect of both domestic and international social relations. In addition, two phenomena would provide the U.S. Congress with political leverage to change the nature of U.S. foreign policy: the U.S. role in the coup in Chile and the ensuing repression, and the debacle of the Vietnam War. While in the past the president had tremendous control over the scope and tone of foreign policy (Kryzaneck, 2008), these phenomena and movements provided the space for an alternative policy framework to emerge. Moreover, Congressional frustration with U.S. foreign policy worked in tandem with a proliferation of human rights organizations (Dezalay & Garth, 2006; Schoultz, 1981) to change the tone of U.S. foreign policy.

During the 1970s, the U.S. Congress proposed and adopted legislation limiting the power of the executive branch to determine the nature and scope of U.S. foreign policy.⁵ In 1974, the United States Congress outlawed the U.S. training of foreign police forces in the United States (Schoultz, 1981), thereby curtailing a major aspect of the National Security Doctrine. In 1975, it limited the President’s ability to declare war and the use of the CIA abroad (LeoGrande, 1998). More importantly, during that year, it adopted legislation linking U.S. foreign aid to the recipient nation’s human rights record. Specifically, the U.S. Congress was concerned with violations of the security of the person, torture, prolonged or illegal detention, extra-judicial killings, genocide, and cruel or inhumane treatment. Any nation engaging in these acts could be denied aid.

However, U.S. human rights legislation contained two exemptions. The first allowed economic aid to rights-violating regimes, if the aid would benefit the “needy.” The second allowed aid to regimes that were strategic to U.S. national security. While these exemptions were seemingly clear, studies of U.S. human rights policy show that the implementation of this legislation was an extremely contentious process.⁶ Often, there was disagreement within Congress and between Congress and the executive branch over how to best respond to human rights violations.

This legislation had a profound effect on the foreign policy bureaucracy and on international relations. The most significant change in foreign policy was that the U.S. Congress had to be a part of this process, as it now had expanded its authority over the foreign policy budget. The President still could state his foreign policy agenda. But now, Congress could use

⁵ See Apodaca & Stohl, 1999; Cohen, 1979; Forsythe, 1989, 2000; Hancock, 2007; Kryzaneck, 2008; LeoGrande, 1998; Mower, 1987; Schoultz, 1981; Sikkink, 2004.

⁶ See Arnson, 1993; Cohen, 1979; Forsythe, 1989, 2000; Hancock, 2007; Kryzaneck, 2008; LeoGrande, 1998; Mower, 1987; Schoultz, 1981; and Sikkink, 2004.

human rights concerns to determine aid distributions. Another major change Congress implemented was within the foreign policy bureaucracy. It created human rights positions within the Department of State (DOS) (Schoultz, 1981), and mandated that the DOS prepare and disseminate annual reports detailing the human rights situation in nations receiving U.S. aid (Cohen, 1979; Mower, 1987). In essence, the U.S. Congress laid the foundation for a “human rights bureaucracy” (Cohen, 1979). And the Carter administration furthered this by declaring human rights the “soul of foreign policy” (Cohen, 1979; Forsythe, 1989; Mower, 1987). These changes ensured that human rights would become a permanent part of the policy-making process. If the president objected, Congress could use human rights legislation to defund a particular aid package.

At the same time, human rights norms provided the United States with another justification for intervention in Latin America. Mutua (2001) argues that humanitarian laws and activism reinforced the assumption that the West must save non-European people from their own savagery. Given this view, U.S. human rights legislation set forth the United States’ global position as a rights-abiding nation—the legislation did not call for an examination of human rights issues within the United States—and its right and duty to protect non-Western people. At the same time, it symbolized the inferiority and barbarianism of non-European peoples: these groups were victims of savagery at the hands of their barbarian rulers (see Mutua, 2001). Thus, U.S. human rights legislation could be read as a continuation of the United States’ use of interventions to civilize “third-world” peoples. The U.S. approach to human rights did not recognize that the heads of many rights-violating regimes had been trained by the U.S. military and had received material and moral support from the U.S. (e.g., the Somoza Dynasty in Nicaragua, and General Pinochet in Chile). Negating the U.S. role in human rights issues in the region reinforced the superior/inferior binary that had long characterized this relationship.

Over time, this legislation created tension between the United States and Latin America: the counter-insurgency campaigns underway in many nations created a “human rights crisis” (Wright, 2007). Eventually, some Latin American governments refused U.S. aid to avoid a public debate over human rights abuses. In the following section, I will briefly outline the role of U.S. human rights legislation in the respective Carter (1976-1981) and Reagan (1981-1989) presidencies.

U.S. Human Rights Policy and the President

Many have characterized President Carter’s and President Reagan’s foreign policies as dramatically different. President Carter was supposedly a fervent advocate of human rights norms, while President Reagan was a Cold Warrior. Research, however, suggests that these administrations’ policies were similar. It is important to recognize that after President Carter took office in 1976 he expanded the role of respect for human rights in foreign policy (Apocada & Stohl, 1999; Cohen, 1979; Mower, 1987; Schoultz, 1981) and further integrated it into the regular operations of the DOS (see Cohen, 1979; Schoultz, 1981). Moreover, the president created a Congressional committee pertaining to international human rights issues (Cohen, 1979). His approach to foreign policy was rooted in the idea that respect for human rights and American values were intrinsically linked, and should be a central moral force in that policy (Apocada & Stohl, 1999; Cohen, 1979; Dent, 1999; Hancock, 2007; Mower, 1987). In fact, President Carter stated that “[h]uman rights is the soul of our foreign policy...because human

rights is the soul of our sense of nationhood” (*Remarks Commemorating the 30th Anniversary of the UDHR*, December 6, 1978).⁷

Despite this professed stance, researchers have since found that President Carter’s foreign policy was not solely determined by human rights concerns (see Apocada & Stohl, 1999; Hancock, 2007; Mower, 1987; Schoultz, 1981; Sikkink, 2004). On the one hand, his powers were limited by how the DOS prepared human rights reports, which relied on the accuracy of embassy information (Mower, 1987). On the other hand, President Carter targeted specific regimes for their records of human rights abuses, while supporting other rights-violating regimes (see Hancock, 2007; Mower, 1987; Schoultz, 1981; Sikkink, 2004). Despite these inconsistencies, there has been a tendency to view Carter’s presidency as the moment when human rights was a central feature of U.S. foreign policy.

President Carter’s (1976-1981) support for human rights has often been contrasted with that of his successor, Ronald Reagan (1981-1989). President Carter professed his support for human rights, while President Reagan pledged to stop the spread of communism. That is, President Reagan’s Latin America policy emphasized fighting the Cold War and ending Soviet incursions in the region (see Arnson, 1993; Apocada & Stohl, 1999; Kryzanek, 2008; LeoGrande, 1998; Sikkink, 2004). While President Reagan was not known for his public statements on human rights, he did place restrictions on the sale of weaponry to some governments with poor human rights records, and he promoted development and humanitarian aid packages (Forsythe, 1998). Insofar as President Reagan used human rights language, it was in reference to his fight against communism (Mower, 1987). It was only during his second term in office that he adopted language promoting respect for human rights (see Donnelly, 2000, 2002; Sikkink, 2004). Even then, President Reagan argued that civil and political rights would lead to a broader respect for human rights (Dent, 1999; Mower, 1987).

While there were notable differences in the rhetoric of each administration, many have argued their foreign policies were, in fact, quite similar (see Apocada and Stohl, 1999; M. Gómez, 2003): the United States’ promotion of respect for human rights was inconsistent (see Donnelly, 2000, 2002; Forsythe, 1998). That is, researchers have found that both administrations were preoccupied with the Cold War (M. Gómez, 2003). Additionally, Apocada and Stohl (1999) “...find that the differences between Carter and Reagan’s human rights policies were not as great as their critics, or champions, like to claim” (194). They note that foreign aid levels during Carter’s presidency were not significantly impacted by human rights concerns (*ibid.*). In fact, they state that “the most surprising finding is that during the Reagan era human rights considerations played a statistically significant role in the decision of whether or not to grant military aid...” (*ibid.*: 94). At the same time, each administration’s stance on rights-violating regimes was fiercely debated in Congress (see Arnson, 1993; LeoGrande, 1998; Schoultz, 1981; Sikkink, 2004). In the cases of both Argentina and El Salvador, the U.S. Congress sought to shape the nature of U.S. policy towards each rights-violating regime, and it developed aid procedures linking money to an improved human rights situation. In the following sections, I explore the origins of the conflicts in Argentina and El Salvador, respectively. I then move on to discuss how the United States responded to human rights violations in the two cases.

Argentina: The Dirty War (1976-1983)

⁷ This statement ignored the fact that the United States had engaged in massive human rights violations throughout its history (e.g. Slavery, the genocide of indigenous peoples, Jim Crow laws, and Japanese internment).

Until the 1930s, Argentina had experienced marked economic growth, rivaling, and at times, surpassing that of the United States and Europe (Manzetti, 1993; Marchak & Marchak, 1999; Skidmore & Smith, 2005; Wright, 2007). The period between independence and the 1930s was also characterized by relative political stability (Manzetti, 1993; Skidmore & Smith, 2005). Generally, Argentina was ruled by the export elite and its allies (Most, 1991). The Great Depression would change this. Between 1930 and 1932, the military and the economic elite would form a pact that would shape Argentine history until the end of the Dirty War. According to Manzetti (1993), “[t]he economic elites, unable to translate their economic power into votes, lost faith in the democratic institutions and began to look to the military in hope of influencing public policy through authoritarian regimes” (6). Social and political relations in the established after the Great Depression laid the foundation for Argentina’s Dirty War.

After the Great Depression, politics in Argentina became markedly violent, as both military and democratic governments used repression to deal with dissent (Hodges, 1991; Manzetti, 1993; Marchak & Marchak, 1999; Wright, 2007). Moreover, during this period a pattern emerged in Argentine life: any time the economic order—and thereby the social order—was threatened, the military would take control of the government (Hodges, 1991; Marchak & Marchak, 1999). In fact, the Argentine courts established a judicial precedence, allowing coups to be retroactively legitimized so long as the military government presented a justification for its actions and a plan for military rule (*ibid.*). Few governments would complete their full terms in office (Hodges, 1991; Most, 1991; Wright, 2007): “...from 1930 to 1946, seven presidents served an average of two years apiece...[and] from 1956 to 1983, there were eighteen presidents, for an average of only one and a half years each” (Hodges, 1991:8). Between 1955 and 1973, there were five military coups. Generally, after 1955, populist parties and traditional parties competed for power during periods of “democracy,”⁸ which were usually interrupted by military rule.

By the 1960s, a revolutionary movement had gained prominence in Argentina. This was a Marxist inspired movement relying upon a guerilla style campaign (Skidmore & Smith, 2005). In response to the growing revolutionary movement, the Argentine government amped up repression and increasingly narrowed the political sphere (Hodges, 1991; Most, 1991; Skidmore & Smith, 2005; Wright, 2007). At the same time, workers increasingly organized, and in 1969, workers and their allies rebelled and, together, they took over parts of the city of Cordoba (Hodges, 1991; Marchak & Marchak, 1999). In response, the government sent 9,000 troops to quell the resistance (Marchak & Marchak, 1999). By 1973, some right-wing Peronists had organized the Argentine Anti-Communist Alliance (Triple-A), a death squad that targeted leftists (Wright, 2007), both those involved in the guerilla left and the political left. Hence, the Argentine government vacillated between elected governments and military dictatorships and the people experienced ongoing repression.

In 1974, the elected president, Juan D. Perón, died in office and his vice president (and wife), Isabel Perón, took his place as president of the republic. The political and economic situation in Argentina deteriorated thereafter. In response, Isabel Perón declared a state of siege and began a campaign to exterminate the left. By this period, the Argentine government had “...constructed the most powerful and sophisticated apparatuses of repression found anywhere...” (Wright, 2007: xiii). Perón supplemented her internal anti-insurgency campaign with the assistance of the transnational anti-communist network, Operation CONDOR

⁸ At times populist parties were banned from formal political participation. However, despite this, populism remains a powerful force in Argentine politics.

(McSherry, 2005). By some accounts, the subversive threat had been subdued by the end of her time in office (Arditti, 1999).

Nonetheless, on March 24, 1976, the military staged a coup and installed another military government in Argentina, which was headed by General Videla. Upon taking power, the military regime reinforced the state of siege, suspended all political parties, shut down the Congress, and essentially banned all union, student, academic, and press activities (Wright, 2007), continuing a pattern that had long characterized regime change in Argentina. That is, upon taking office, both democratically elected leaders and military leaders often curtailed civil liberties and political activity in the name of preserving power and order (see Chapter 3).

The military then instituted “The Process of National Reorganization,” (*el proceso*), giving itself “...the authority to exercise all judicial, legislative, and executive powers” (Arditti, 1999: 8). A central component of *el proceso* was the systematic repression of anyone believed to be subversive.⁹ The military government stated that its goals were to restore economic stability, law and order, and to preserve Western civilization in Argentina (*ibid.*). Additionally, the regime sought to maintain “oligarchical social structures” (Menjívar & Rodríguez, 2005; 15). The Truth Commission Report, *Nunca Más* (CONADEP[1984]), which was prepared and written by Argentines following the end of the military dictatorship there, chronicled the brutality of the repression during this period. Moreover, it detailed the military government’s reliance on the abduction, illegal detention, and torture of “dissidents” as a counter-insurgency strategy. Initially, the regime targeted the formal opposition. However, as the war progressed, it expanded its dragnet to cover anyone “indifferent” to government policies (CONADEP, 1984).

To eradicate the subversive threat, the military regime combined the lessons from the French colonial struggles in Algeria with the U.S.’ National Security Doctrine, both of which viewed local struggles as part of a global fight against insurgency (Armony, 2005). Moreover, both of these approaches to counter-insurgency justified the use of torture in fighting local conflicts (*ibid.*), as this would sufficiently terrorize citizens and force them to support the regime (Hodges, 1999).

The military government engaged extensively in a practice that would come to be known as “disappearances,” during which: a victim was abducted, taken to a secret detention center (akin to a concentration camp), tortured, and most often killed (CONADEP, 1984). Disappearances required an extreme amount of coordination between the judicial branch, security forces, and the military government (*ibid.*). Some have argued that, by design, disappearances were meant to be a public act, instilling fear in the rest of the population (Taylor 1997). It was only after the victim was taken into custody that any trace of him/her was erased.

The depths of the repression were unimaginable, as the regime engaged in both psychological and physical torture. In the former case, victims were often forced to listen to the torture of a loved one—their spouse or child. And, the physical torture it perpetrated was brutal. For example, testimony cited in *Nunca Más* (1984) stated:

...on the second day of being illegally held...they attached wires to his head and began to torture him with electric current. They applied the electric prod all over his body, with preference for genital and pectoral areas, and on the head, mouth, gums, etc. He was tortured for about two hours, then they took him away to another room in the same building, where a group subjected him to a brutal beating. This continued for several hours until he lost consciousness...This form of torture was carried out everyday for twenty days. (c.f. File No. 5522: 34)

⁹ See Arditti, 1999; Dent, 1999; Hodges, 1999; Manzetti, 1993; Marchak & Marchak, 1999; Menjívar & Rodríguez, 2005; and CONADEP, 1984.

During these sessions, the torturers would ask the victim for information on other subversives, or to confess to a crime. If a victim required medical attention, (s)he was sent to a military hospital to be stabilized, and then returned to the detention center (*CONADEP*, 1984). At times, victims were skinned alive, or had their limbs amputated, or were operated upon without anesthesia (Neito, 2003).

Female detainees were subjected to specific forms of torture. Many were raped and, according to Taylor (1997), some became the “girlfriends” (property) of their captors. Pregnant women faced an unique fate: their captors would insert electric rods into the woman’s vagina and then send electric currents that would shock the woman and her unborn child (Arditti, 1999). If they were able to survive or escape this fate, they were taken to a military hospital to give birth (Arditti, 1999; *CONADEP*, 1984). After this, the mother was most often murdered, and the child was given false birth records and “adopted” by a military family (*ibid.*).

During the Dirty War it is estimated that over 30,000 Argentines disappeared, 70% of whom were men (*CONADEP*, 1984: 285). Most victims were between the ages of 16 and 35: this age group accounted for approximately 81% of the disappeared (*CONADEP*, 1984: 285). Moreover, 32% of the victims were blue-collar workers, 21% were students, 17.9% were white-collar workers, 10.7% were professionals, 5.7% were teachers, 5% were self employed, 3.8% were housewives, and the remaining 5.4% had other professions (*ibid.*: 448).

The Dirty War: United States-Argentina Relations

Once the coup took place, there was little consensus within the Carter administration over what to do (Langley, 2010). Eventually, Carter proposed cutting military aid to Argentina by fifty-percent; Congress pressed for further aid restrictions and successfully eliminated all aid to Argentina in 1977 (see Langley, 2010; Schoultz, 1981). In the same year, the Argentine government, along with several other Latin American nations, publically refused United States military aid because of the newly implemented human rights legislation. Nonetheless, the Argentine government continued to pursue U.S. aid through informal channels (see Schoultz, 1981).

Throughout the Dirty War, the U.S. Congress used this legislation to target the rights-violating regime in power in Argentina (see Arditti, 1999; Schoultz, 1981). By the end of 1977, the U.S. Congress had specified conditions to be placed on aid to Argentina, and on September 30, 1978, it implemented a ban on U.S. military aid to Argentina. According to Schoultz (1981), this ban on military aid was “the hardest-fought human rights victory of” this Congressional session (259). Also, Congress conditioned renewed aid upon the military government’s ending the practice of disappearances and upon its efforts to account for the disappeared. Eventually, restrictions were also placed on the private sale of military equipment to the Argentine government (see Schoultz, 1981). In addition, Congress pressed for restrictions on any equipment that could be used to commission human rights violations. In one instance, there was a long debate over whether or not to allow the sale of cattle prods to Argentina because these could have easily been used as a torture device. President Carter would later ease these restrictions in response to pressure from the business community (see Langley, 2010; Schoultz, 1981). As a result of growing international attention to the human rights situation in Argentina, the Argentine government hired a public relations firm to clean up its poor international image (see Arditti, 1999; Schoultz, 1981). However, this firm did little to shape Congressional legislation (Schoultz, 1981).

In the late 1970s, human rights abuses in Argentina diminished. Despite this improvement, the U.S. Congress was reluctant to lift aid restrictions. The debate over whether the human rights situation had improved in Argentina continued until 1983, and the consensus reached was that normal relations with Argentina should be restored once a civilian government took power (see Chapter 5).

The Salvadoran Civil War (1980-1992)

By 1922, the economic and political tensions that would erupt during the civil war in El Salvador were well established. By this time, land ownership had become concentrated—and thereby the wealth of this agro-export nation—within the hands of a few elite families, the Salvadoran oligarchy. The vast majority of the population worked as wage laborers and engaged in subsistence farming (LaFeber, 1993; Montgomery, 1995). The Salvadoran economy was dependent upon export agriculture, and its main trading partner was the United States (LaFeber, 1993). The oligarchy profited handsomely from export-earnings, and a small portion of this wealth was shared with the rest of the population, either through payments for labor, or other forms of economic exchange within the country.

In 1927, free and competitive elections were held in El Salvador (Almeida, 2008). The newly elected president, Romero Bosque (1927-1931), inaugurated a period of political liberalization, promoting the growth of “labor, civic, and educational organizations” (ibid.: 38). During Bosque’s presidency, civic associations and organizations emerged and began mounting non-violent protests, demanding basic economic and living standards. The effects of the Great Depression increased pressure upon the Salvadoran state. At the same time, the state, the oligarchy, and wage laborers faced dismal earnings because the price of the nation’s main export, coffee, dropped dramatically in the international economy. In light of the increasing social and economic turmoil, the military staged a coup in December 1931, and the democratically-elected President was replaced by a military dictatorship that would last for 50 years (see Almeida, 2008; Dent, 1999; Montgomery, 1995; LaFeber, 1993).

The military dictatorship established patterns of social relations and repression that presaged the situation that emerged during the civil war. The military dictator, General Hernández-Martínez, appointed in 1931, increasingly used repression to deal with the opposition (Montgomery, 1995; Stanley, 1996). In 1932, peasants organized a mass revolt, which failed. The military government, nonetheless, used this opportunity to set a precedent: all forms of opposition would be met with swift and rapid repression (see Almeida, 2008; Montgomery, 1995). In the wake of this failed insurrection, the military government massacred approximately 30,000 peasants—largely of indigenous decent. Dent (1999: 167) estimates that up to 4% of the population was killed during this wave of repression. This event, which came to be known as *la matanza* (the massacre),

...began and remained as an icon of the state’s power over subordinate groups, especially indigenous peasants and farmers. For elites, middle sectors, and the state, the massacres were a necessary evil to contain the primitive horde of communists ready to challenge the very institutions that brought progress to the nation... (Lauria-Santiago, 2005: 91).

Moreover, it solidified the relationship between the military and oligarchy: the military would maintain the status quo and the oligarchy’s social and economic position.

During the next 50 years military governments there followed a similar pattern, temporarily creating small political openings, only to violently close them if civil society

demanded too much (see Chapter 3). The military would occasionally hold “elections.” But often times, specific political parties were excluded, and the military would ensure its victory through fraud and force.

The United States’ Alliance for Progress greatly benefited El Salvador. Not only was the nation the largest recipient of aid (Almeida, 2008), but also its economy grew during this period. This period was “...marked by rising living standards for most urban groups and the middle and upper classes of the countryside” (Almeida, 2008: 99). At the same time, migration to Honduras alleviated some of the land, economic, and population pressures within El Salvador. In 1969, this release valve was eliminated: during the so-called “*Soccer War*,” between El Salvador and Honduras, the latter country repatriated 130,000 Salvadorans (Stanley, 1996: 85), which further exacerbated existing pressures within El Salvador (see Almeida, 2008; LaFeber, 1993; Montgomery, 1995; Stanley, 1996). That is, the number of landless families expanded from representing twelve percent of the population in 1969 to twenty-nine-percent of the population in 1971 (Almeida, 2008: 99).

During the 1970s, economic pressures within El Salvador grew as a consequence of the global oil crisis. This, coupled with increasing landlessness, led to large waves of migration to urban centers. Moreover, by this period an armed left had formed, relying upon guerilla tactics to challenge the status quo. At the same time, the political opposition to the government unified as a result of increasing repression and the rise of Liberation Theology (McClintock, 1985). The government responded to growing popular unrest and the burgeoning guerilla movement with increasingly repressive measures (see Almeida, 2008; Montgomery, 1995), including large-scale massacres (Paige, 1997). While the regime hoped that these massacres would quell any form of resistance, “...the increasingly frequent massacres led only to an escalation of the confrontation and the successful creation of rebel recruits” (Lauria-Santiago, 2005: 92). The military regime held elections in 1977, only to annul the results and install General Romero as president. He, then, escalated state repression (see Montgomery, 1995; Stanley, 1996). The government increasingly clamped down upon civil society organizations and religious leaders preaching Liberation Theology. Lauria-Santiago (2005) has characterized this period as “...a chronicle from hell” (16). Repression under General Romero reached new heights, and incidents of massacres, extra-judicial killings, disappearances, and torture became central features of the state terror apparatus (see Almeida, 2003; Montgomery, 1995; Lauria-Santiago, 2005). The regime also enacted the Public Order Law in 1977, which “...allowed the government of El Salvador to censor opposition communiqués; to ban public assemblies, political meetings and strikes; and to jail government critics without a jury trial” (M. Gómez, 2003: 104; c.f. National Security Archive 1989: 27). For some, increasing repression signaled that armed opposition was the only path towards social change. Thus, despite the repression, the opposition movement grew, and increasing pressures from revolutionary movements in neighboring countries only fed internal tensions.

On October 15, 1979, a group of reformist military officers staged a coup and installed a civilian-military junta, which formed a centrist government (LeoGrande, 1998). The civilian-military junta legislated a series of reforms aimed at redistributing the economic and social power of the oligarchy through, among other things, land reform (LeoGrande, 1998; Montgomery, 1995; Paige, 1997; Stanley, 1996). While the junta promised to curtail repression, they were unable to control the Salvadoran military, and human rights abuses reached new heights. Out of frustration with the situation, this junta resigned in January of 1980. A second civilian-military junta replaced it, which implemented features of the land reform program

promulgated by the previous regime (see Montgomery, 1995; Stanley, 1996). Additionally, the new junta nationalized the country's banks. However, like the previous junta, it was unable to control military repression. This junta would only remain in power until March of 1980. And, a third junta took power at that point, which would remain there until elections in 1984.

Despite the third junta being headed by José Napoleon Duarte, a civilian leader of the Christian Democratic Party, the military continued its ongoing campaign of repression. As part of a larger wave of repression, on March 24, 1980, Archbishop Oscar A. Romero—an advocate for a peaceful solution to the escalating conflict—was assassinated while giving mass in San Salvador. His death signaled that no form of opposition would be tolerated. It is also often identified as the event triggering the outbreak of the war.

During the war, over 70,000 Salvadorans were killed, and Salvadoran security forces and their paramilitary affiliates were responsible for eighty-five percent of the human rights violations perpetrated during the conflict (Boutros-Ghali et al., 1993: 43). The Salvadoran security forces engaged in egregious acts of violence: they would display the mutilated bodies of their victims in public places to terrorize the surrounding population and they massacred entire communities in the countryside.

In the early years of the war, 1980-1984, and towards the end of the war, 1987-1992, repression fell heavily in urban areas (ibid.). In these areas, security forces would often disappear a victim and dump their body at *la puerta del diablo* (the devil's door), an area of steep cliffs on the outskirts of the capital. Salvadoran security forces often used machine gun fire to disperse crowds—even those gathering for funerals (ibid.). At times, security forces dragged family members out of their homes and executed them in public. In the early period of the war, paramilitary death squads used Salvadoran military helicopters to fly to refugee camps in Honduras. They would then round up their victims, place them in the helicopter, and fly them back to El Salvador to be executed. In 1989, the U.S.-trained Salvadoran military brigade, the Atlacatl Battalion, carried out the massacre of six Jesuit priests, their housekeeper and her daughter. The victims were taken out of their living quarters and executed on the lawn of the Central American University, which is located in the capital, San Salvador.

While violence in the countryside peaked between 1984 and 1987 (Boutros-Ghali et al., 1993), massacres remained an enduring feature of the repression there. On one occasion in 1980, the Salvadoran and Honduran security forces engaged in the massacre of approximately 300 people trying to flee a military bombardment (Boutros-Ghali et al., 1993: 121-126). In 1981, the Atlacatl Battalion massacred over 700 inhabitants of the area surrounding the town of El Mozote in the department of Morazán. They rounded up villagers in this region, and over the course of two days, the battalion tortured and killed the men, raped and killed women as young as ten, and they brutally killed children—hanging them from trees, “catching” them on their bayonets, and executing them (c.f. Danner, 1994; Boutros-Ghali et al., 1993). Some reported children being dropped out of helicopters (*Personal Communication*). These types of massacres were common throughout the war. Moreover, during the civil war, the Air Force dropped phosphorous bombs (akin to Napalm) on civilian occupied areas in the countryside.

The war ended in 1992, when both sides signed the Peace Accords. The two sides in the conflict were brought to the negotiating table by changes within El Salvador and in the international arena. In El Salvador, the war had ravaged the nation, and it was clear that neither side was on the verge of “winning.” The nation's economy was in shambles: infrastructure was destroyed and export earnings were waning. In the international arena, the Soviet Union had collapsed, diminishing the threat posed by communist insurgencies. As a result, the United

States' policy of using aid to stop such insurgencies could no longer be justified. Further, the 1989 massacre of the Jesuits at the Central American University served to galvanize public opinion in the United States, and support for the Salvadoran military dropped. Hence, by 1992, both sides agreed to lay down their arms and to begin rebuilding the nation.

The Civil War: United States-El Salvador Policy

In 1977, the Salvadoran government joined that of Argentina in refusing United States military aid because the military dictatorship in power there did not want its human rights record evaluated by the U.S. government. After the Sandinistas took power in Nicaragua in 1979, President Carter restored U.S. military aid to El Salvador out of fear of a growing insurgency in the Central America region.¹⁰ President Carter pledged material and symbolic support for the Salvadoran government's efforts to combat "communist insurgency" (see LeoGrande, 1998). This policy was grounded in the belief that renewed assistance could prevent another leftist government from forming in Central America (Kryzaneck, 2008). President Carter accompanied this renewed aid with other forms of political pressure to address the underlying social and political forces driving unrest. His administration pressed for: land reform, military reform, and the expansion of a political center (see LeoGrande, 1998; M. Gómez, 2003).

By early 1980, the Carter administration had proposed reprogramming¹¹ aid to El Salvador, leading to Congressional debate. The March 23, 1980 assassination of Archbishop Romero also had a profound effect on United States-El Salvador policy. According to Arnson (1993), "[m]ore than anything...the archbishop's death brought into sharp relief the relationship between U.S. military assistance and violence in El Salvador" (41). For some, like the Carter administration, it was an illustration of the type of violence U.S. aid and involvement could stop (ibid.). For others, Archbishop Romero's murder provided the United States with leverage to punish the regime by withholding military aid. In December 1980, the United States would be brought into the conflict in El Salvador in a new way: the Salvadoran military kidnapped, raped, and murdered four, U.S. Maryknoll Sisters and a lay worker. And, in 1981, two U.S. land technicians working on land reform in El Salvador were gunned down in the capital's Sheraton Hotel. In light of these events, the U.S. Congress' involvement in the conflict changed: it now had the right and duty to seek justice for the murdered *U.S. citizens*.

Arnson (1993) argues that President Carter's policy of restoring lethal military aid and his support of Salvadoran counter-insurgency operations laid the groundwork for President Reagan's policy toward that country. That is, Carter reopened aid flows between the two nations and, subsequently, President Reagan followed this lead by increasing aid levels to El Salvador (M. Gómez, 2003). In fact, not only did Carter renew aid flows to El Salvador, he sent more aid there in the last year of his presidency than the United States had sent prior to the aid cutoff in 1977 (ibid.). President Reagan would end up sending four billion dollars to El Salvador (LeoGrande, 1998: 5), and his successor would send another billion. In addition to supplying lethal military aid during the war, the United States provided El Salvador with "advisors" to

¹⁰ There was an ongoing civil war in Guatemala and the Sandinistas had just overthrown the United States-supported dictator of Nicaragua.

¹¹ A reprogramming request happens when the administration asks Congress to redirect foreign aid from one country to another. Basically, the administration asks that aid originally allotted to country A (or region A) be reallocated to country B (or region B). Throughout the Salvadoran civil war, President Reagan requested that aid be reprogrammed from other regions of the world to El Salvador. President Reagan requested that both military and economic aid be reprogrammed to El Salvador.

carry out military, judicial, political, and land reforms; in addition to providing the Salvadoran armed forces with counter-insurgency training.

When Reagan took office in 1981, he framed the conflict in El Salvador in purely East-West terms. For him, it was part of a global struggle between communism and capitalism (Arnson, 1993; LeoGrande, 1998). Generally, scholars have portrayed Reagan's El Salvador policy as one devoid of concern about human rights violations, and the U.S. Congress as the moral force promoting human rights (see Arnson, 1993; LeoGrande, 1998; Sikkink, 2004). Thus, the executive and the legislative branches fought over the nature of United States-El Salvador policy (*ibid.*). The U.S. public also questioned the president's Central America policy (Arnson, 1993; LeoGrande, 1998). And, while President Reagan tried to shift attention to pressing domestic issues, members of his administration ensured that El Salvador remained a central policy issue (LeoGrande, 1998). As a result, President Reagan's tone toward the Salvadoran conflict gradually changed. He shifted his rhetoric to that of spreading democracy and freedom in Latin America, as this would guarantee a basic respect for human rights in the region (*ibid.*).

The Subcommittee on Inter-American Affairs of the U.S. Congress became a bastion of opposition to Reagan's Central America policy (*ibid.*). The U.S. Congress tried to reign in the administration's emphasis on supporting counter-insurgency efforts by placing conditions upon United States aid to El Salvador (see Arnson, 1993; LeoGrande, 1998). By March of 1981, Reagan had proposed a \$25 million military aid package for El Salvador, and by December of that year, the U.S. Congress had passed a certification procedure linking U.S. aid to specific human rights improvements. Moreover, such certifications were due to Congress every six months. Yet, it was up to the president to determine whether the human rights conditions set forth by Congress had been met; and each time, President Reagan would certify that they had.¹² Eventually, President Reagan vetoed certification procedures, thus deflecting some attention away from the human rights situation in El Salvador. Nonetheless, a pattern emerged: President Reagan would request increased aid for El Salvador and the U.S. Congress would hold hearings questioning the purpose of the aid and call attention to ongoing human rights issues there. Thus, throughout the 12 year civil war, the issue of human rights violations was part of an ongoing political debate.

CONCLUSION

The Monroe Doctrine and the National Security Doctrine set the tone for United States-Latin America relations during the period of study. Relations with Latin America would serve the interests of the United States, and often require the use of force to impose order—first by the United States and then later on by Latin American governments working with the United States—in the region. These Doctrines were predicated upon the supposed inferiority of Latin Americans, and portrayed them as people incapable of determining their own destiny. Instead, their destiny would have to be determined by the United States, or the military officers it had trained.

During the Cold War, the perception of the inferiority of Latin Americans was conveyed in two ways. First, the United States' emphasis on counter-insurgency showed that Latin American lives were expendable in the fight against communism and to protect U.S. national security. Second, as had been the case historically, U.S. policy during this period showed that Latin Americans would not be allowed to determine their own destiny nor alter their own social relations. U.S. human rights legislation was a further manifestation of the perceived inferiority

¹² According to Arnson, this allowed Congresspersons to absolve themselves of the outcome of certification.

of Latin Americans: they were people who needed to be protected from the savagery within their societies. This view negated the United States association with rights-violating regimes. Moreover, this legislation conveyed the United States’ “superior” position, as a nation with a human rights record so strong that it had the right and duty to protect human rights abroad, a view that blatantly negated U.S. history.¹³

Numerous researchers have explored the policy battle between the administration and the U.S. Congress to determine the scope and nature of United States-Argentina (see Schoultz, 1981; Sikkink, 2004) and United States-El Salvador relations (see Arnson, 1993; LeoGrande, 1998), respectively. The resulting literature has largely focused upon the political battles between human rights constituencies and Cold War constituencies, leading us to conclude that human rights and national security were mutually exclusive ideologies and policies. Thus, we view President Carter’s and President Reagan’s human rights policies as dramatically different, although subsequent studies suggests that their policies were quite similar. Despite Congressional legislation, the massive proliferation of human rights advocacy groups in the 1970s and 1980s (see Dezalazy & Garth, 2006; Keck & Sikkink, 1998; Schoultz, 1981), and the centrality of the U.S. public in shaping United States policy toward each of these nations (see Keck & Sikkink, 1998; Perla Jr., 2008b), research has remained focused upon the political rhetoric of this era. That is, we have taken respect for human rights as a self-evident phenomenon that, when debating and crafting policy, is unmediated by the actors deploying this language. Hence, we have yet to consider that these political battles were part of a larger protracted struggle to define what human rights violations are in a foreign society, and to define the appropriate solution for bringing them to an end. Moreover, we have yet to ground the application of U.S. human rights policy within the larger social and cultural context of United States-Latin America relations. In the remainder of the dissertation, I explore how actors engaged in the “politics of meaning-making” concerning human rights, and how the questioning of Latin American’s supposed capacity for self-governance, shaped the United States’ response to human rights violations in the region.

¹³ That is, this legislation did not call for an evaluation of the United States’ human rights record. Moreover, it obfuscated the United States’ history of violating human rights domestically and internationally—U.S. support of dictatorships, dropping the atomic bomb on Japan, the syphilis experiments carried out in Guatemala in the 1950s, the Mai Lai massacre led by U.S. military officers and so on and so forth.

Chapter 3

Constructing a History of (Non)Violence: Perceptions of a Society’s Historical and Cultural Human Rights Practices

Following the U.S. Congress’ seminal passage of human rights legislation, government officials anticipated the need for exemptions based upon an analysis far more complex than U.S. national security interests. A confidential memorandum prepared by the Department of State (DOS), stated that both the Department and the Congress should consider “...the legal and cultural environment, both historical and current” when evaluating whether a pattern of human rights violations existed [“Guidelines on US Foreign Policy for Human Rights (Confidential Memorandum),” November 10, 1976: 3].¹ Thus, in the implementation of U.S. human rights policy, policy advocates were supposed to consider both the violations perpetrated and the larger social context of the society in question. In theory, this called for policy advocates to engage in the “politics of meaning-making” by examining another society’s history and culture, and using this to draw conclusions about its ability to practice respect for human rights. I find that the spirit of this memo prevailed in Congressional hearings pertaining to Argentina (1976-1983) and El Salvador (1980-1992). Existing theoretical approaches to U.S. human rights policy do not provide us with sufficient analytical leverage to understand *how* this directive shaped policy advocates’ understanding of human rights. This raises the question: how did policy advocates ground their analysis? Additionally, how did this analysis shape the ways in which they understood human rights violations perpetrated during each conflict?

The existing literature suggests that policy advocates viewed each the Argentine and Salvadoran conflicts through the lens of the Cold War, thereby negating the internal conditions that gave rise to these wars (see Chapter 1). In contrast, I find that in both cases policy advocates focused upon internal factors as the central underlying cause of the conflict; in regard to Argentina, policy advocates this accounted for 83% of the instances in which a cause was mentioned. In contrast, external intervention accounted for only 14% (see Table 1) of the causes discussed. Similarly, policy advocates identified internal conditions as the cause for the conflict in 80% of the instances when discussing El Salvador; external intervention was identified only 17% of the time. Often, policy advocates would argue that the growing presence of foreign powers (Communists) in Latin America had exacerbated existing tensions. Thus, Communist intervention was not necessarily perceived as the cause the conflict. Rather, the growing presence of the left metaphorically threw gasoline onto a smoldering fire. The table below presents a basic overview of these findings.

Table 1: Policy Advocates’ Identification of the Principal Cause of the Conflict.

Cause of the Conflict	Argentina	El Salvador
Internal Conditions	83%	80%
External Intervention	14%	17%
Other	3%	3%

¹ In the previous chapter, I discuss other “special circumstances” written into the law that effectively allowed the United States to provide aid to rights-violating regimes in spite of a record of human rights violations.

Total	100%	100%
-------	------	------

Source: Author’s analysis of Congressional hearings from 1976-1992. “Internal conditions” refers to instances in which policy advocates viewed the conflict at hand as the product of domestic conditions (e.g., economic inequality, political dissatisfaction, etc.). “External intervention” refers to cases in which policy advocates understood the conflict to be part of a foreign agitation (e.g., communist intervention, Cuban/Soviet incursions).

Policy advocates’ tendency to focus upon internal underlying conditions reflected their analysis of each society’s human rights history. In carrying out this analysis, policy advocates amplified the importance of specific moments in each nation’s history and created a reductionist view of each society’s historical human rights practices. In the case of Argentina, policy advocates focused on the election of Juan D. Perón in 1945, and in the case of El Salvador, they focused on *la matanza* (the massacre of 1932). In what follows, I discuss the cases of Argentina and El Salvador individually. Each discussion begins with a brief introduction of the event that policy advocates used to ground their analysis of the respective societies. I, then, show how policy advocates used this analysis to construct a narrative of each society and its ability to practice respect for human rights. To illustrate the constructed nature of policy advocates’ analyses, in the conclusion, I contrast their reading of this historical event with alternative interpretations of it and its impact on social relations in each society.

Before proceeding, it is important to note that the events, the analysis, and the constructed narrative that policy advocates focused upon and developed, did not emerge from a social void. As discussed in Chapter 1, they drew upon narratives that were rooted in their own social experiences and social knowledge. As such, the events they focused upon were part of a larger shared knowledge about each society’s history. Thus, those familiar with Argentine and Salvadoran history are likely to be familiar with each event and its social, political, and economic significance. What is central to my argument, however, is how policy advocates used each event to construct a narrative about the society’s supposed historical respect for human rights. In subsequent chapters, I explore how this view shaped their interpretation of each conflict and the solution proposed in relation to it.

In this chapter, I draw upon both Congressional hearings and the National Security Digital Archive (NSDA) to show that this process took place both in public hearings and confidential government communications. I do this to illustrate two things. First, the discussions that took place in public hearings paralleled the information communicated in confidential government documents. This shows that public hearings are a rich archive, and that much of what took place in public simultaneously was played out behind the scenes. Second, I use these resources to support my contention that the Cold War was not the sole determinant of U.S. policy. That is, the Cold War may have focused U.S. attention on Latin America. However, policy advocates’ understandings of the human rights situation in each nation was not solely predicated on a Cold War logic of stopping communism at all costs. Instead, they relied upon their own conclusions about each society’s capacity for self-governance. By supplementing the information gleaned from hearings with that from the NSDA, I show that even Cold Warriors participated in a particular construction of each nations’ history and its capacity to respect human rights.

ARGENTINA

The Election of Juan D. Perón (1945)

Juan D. Perón's rise to power, his presidency, and his exile are perfect examples of the contradictions of democracy and dictatorship in Argentina. Perón's meteoric rise in the military included presiding over the massacre of more than one hundred workers engaged in a protest during the 1919 event known as the tragic week (*la semana trágica*) (Hodges, 1991; Marchak & Marchak, 1999). Coming from a middle-class background, Perón was promoted from military officer to Secretary of Labor, to Minister of War, and later, to Vice President (Skidmore & Smith, 2005). Elected to the presidency in 1945—in restricted elections—Perón was officially in that office from 1946-1955 and again between 1973-1974. Amazingly, by the time of his first presidency, Perón had transformed himself into a champion for workers' rights and social justice (Skidmore & Smith, 2005; Turner & Miguens, 1983).

The 1945 election of Perón as president of Argentina had a profound and contradictory impact on the course of Argentine politics. Perón opened the political sphere to labor and the working class, while also engaging in the systematic repression of those unaligned with *his* movement. Perón's administration actively supported workers' rights by adjudicating labor disputes in favor of workers and unions (Skidmore & Smith, 2005), and during his rule, unionization reached nearly 45% of the labor force (Marchak & Marchak, 1999). Furthermore, he sought to expand worker's rights and the social rights of the poor (see Skidmore & Smith, 2005; Turner & Miguens, 1983). At the same time, Perón demonstrated blatant disregard for political rights. He abolished the Labor Party, which had been instrumental in his election, and created in its place the Peronist Party (Navarro, 1983). While in power, Perón removed all judges unaligned with his party; made the defamation of authorities an offense for which members of Congress could be removed; used the secret security force in Argentina to silence the opposition; curtailed civil liberties; and forced opposition leaders into exile (Manzetti, 1993; Marchak & Marchak, 1999). Perón disregarded the constitution, declaring what amounted to a "state of siege" in 1951, even though the Argentine constitution did not give him power to do so (Marchak & Marchak, 1999). More importantly, Perón oversaw the rewriting of the constitution, allowing himself a second term in office, during which he amplified repression (Manzetti, 1993; Marchak & Marchak, 1999).

By 1955, Perón's policies had brought the Argentine nation to the brink of economic disaster, and had created extreme political divisions between the Peronists and the political opposition, a pattern that would be repeated throughout contemporary Argentine history. In 1955, the military staged a coup against his administration. In response, Perón chose to go into exile rather than lead the country into a civil war (Marchak & Marchak, 1999; Skidmore & Smith, 2005). The military government installed by the coup regime followed the patterns established during Perón's first presidency, repressing the political opposition's political, civil, and legal rights; and engaging in the use of violence against opponents (Hodges, 1991; Manzetti, 1993; Marchak & Marchak, 1999; Skidmore & Smith, 2005).² Meanwhile, in exile, Perón continued to act in contradictory ways. He promoted a return to civilian rule, at the same time as he advocated the *violent* overthrow of the military regime (Manzetti, 1993; Marchak & Marchak, 1999). By 1962, the military allowed the Peronists to participate in elections again, only to annul the results once the victory of the Peronist party became apparent. In 1966, General Juan Carlos Onganía became president through another coup. He promptly outlawed specific political parties and replaced the members of the Supreme Court (Skidmore & Smith, 2005). During his tenure

² Manzetti (1993) argues that President Arturo Illia, elected in 1963, was the only president who refused to use repression to silence his opposition (42).

as president, which lasted until 1970, General Onganía effectively closed off all political space for the opposition, relying on torture and political violence to subdue it (ibid.).

From Perón's ousting in 1955 to his "return to the presidency in 1973, Argentina alternated between civilian and military governments that averaged less than twenty-two months in duration" (Wright, 2007: 96). In 1973, when the country was facing another economic and political crisis, Perón brokered the removal of the democratically elected President, a member of his own party, and was elected to the presidency once again. Between 1955 and 1976, there were six military-led coups in Argentina, and both military and democratically elected governments—including Perón's reelected administration (1973-1974)—increasingly relied on repression as a means to control the political opposition. Respect for human rights remained a tenuous practice, subject to the whims of both democratically elected leaders and military regimes.

Hence, Perón's legacy was contradictory. On the one hand, he opened up the political sphere to the urban working-class, incorporating a new sector into the political arena. On the other hand, his populist movement created deep divisions within the society that both elected and military governments controlled by using force and repression (Wright, 2007). Thus, the key features of Argentine politics were (1) ongoing opposition to the government in power, and (2) the use of human rights violations by both democratically elected and military regimes when dealing with dissent or political opposition. The political power of the military was another constant in Argentine history. Marchak and Marchak (1999) summarize the legacy of the military in Argentina and its relationship to Perón, writing:

...although Perón was elected twice to the presidency and there were restricted elections that provided two other constitutional presidents, the underlying reality included military control or a strong military presence in the state from 1930 to 1973. Military historian Alain Rouquié observes: Through periodic intervention that produced political discontinuities, the Argentine army successively removed ...the labour unions and populist parties (1955), the industrial sectors (1962), the traditional political parties (1963), and again the unions and populism in 1976 [from the political sphere]. (65)

Therefore, it is important to recognize the inconsistencies of democracy in Argentina. That is, while we could hail Perón as one of the first democratically elected leaders in contemporary Argentina, we also need to be attentive to the ways in which the military remained a formidable political force throughout the period leading up to the Dirty War. Given these contradictory narratives of Perón's influence on the course of Argentine history, how did policy advocates understand Perón and his role in shaping Argentine society?

Argentina: The Event

Policy advocates' analysis of Argentine society centered on their examination of the political and legal spheres of that society. They concluded that prior to the Dirty War, the Argentine government had guaranteed the political rights (namely democracy) and civil rights (namely a legitimate judicial system) to its citizens. This analysis of Argentine society hinged on the way that policy advocates constructed a narrative of military coups as extraordinary and as "saving" that society from disaster. Moreover, this characterization led many to conclude that Argentina was an exceptional society, in which human rights violations were abnormal.

The view of Argentine history expressed by policy advocates representing the U.S. government was grounded in the year Perón was elected to the presidency. I present a rather long quote from N. Shaw Smith, the DOS's Director of Southern Cone Affairs, because he succulently articulated a widely discussed view of Argentina. During the hearing *US Policy Toward Argentina* (1983), he focused on Argentina's democratic history while glossing over its

periods of military rule. In response to this framing of Argentine history, Congressman Reid (D-CT) questioned Mr. Smith's use of the term "redemocratization" to describe the political situation there. Mr. Smith submitted a response for the record, supporting his contention that Argentina had long been a democratic nation, writing, "[s]ince 1945, Argentina has held six national elections. During this period, there have been several exchanges of executive power between elected and de facto governments. Few question the fairness or representative nature of elections..." (*US Policy Toward Argentina*, March 16, 1983: 22). Mr. Smith also submitted a list of each election and subsequent coup in Argentina between 1946, the year Perón took office, and 1976, the year the Dirty War began. He only used the term "coup" three times in his written statement, referring to the coups of 1955a,³ 1966, and 1976. In the other years that coups took place, (1955b, 1962, 1971),⁴ Mr. Smith used the term "deposed" with regard to the removal of the government, literally erasing three coups from Argentine history. Furthermore, this constructed narrative failed to acknowledge the military's role in determining the outcomes of elections in Argentina (see the above section), as well as the fact that the military had flouted democracy by staging the coups. In the last line of his written statement, Mr. Smith wrote, "The military junta [of the 1976-1983 period] announced national elections on November 30, 1983 and the *return* to elected government on January 30, 1984" (*ibid.*: 22; emphasis added). He was careful to reiterate that despite the three coups he had mentioned, a return to democracy was imminent. Moreover, Mr. Smith's assessment was held by policy advocates of various constituencies.

Further, Mr. Smith did not think that the past exclusion of political parties in Argentine elections would affect future elections there, stating, "[t]he issues that arise in Central America with regard to participation in the electoral process, so far as I know, do not arise in Argentina..." And, he believed the upcoming Argentine elections would be "open, honest, *normal* elections..." (*ibid.*: p. 23; emphasis added). Mr. Smith erased Argentina's history of political exclusion and electoral fraud. Instead, he opted to portray democracy as a social and political force in Argentina (see also Chapter 5). This perspective obfuscated the fact that the suppression of political parties was a violation of political rights and freedom of expression, and that without the inclusion of all the preferences of citizens, democracy was a tenuous practice. In addition, this narrative glossed over the violence that had been often used to suppress political parties, both in the early 1900s and after Perón's election in 1945 (see Marchak & Marchak, 1999; Skidmore & Smith, 2005).

This version of Argentine history did not go entirely unchallenged. For instance, Congressman Reid (D-NV) wondered aloud if characterizing Argentina as a democracy was fair given that,

[o]ver the past couple of decades, Argentina has had six or seven different types of government. They had a civilian government for a while, and then military...I guess my question is...really [made] *progress* toward having a type of democracy that would be *comparable* to some of their European counterparts which I understand *the country looks like a European country anyway*" (*US Policy Toward Argentina*, March 16, 1983: 23; emphasis added).

³ In the first coup of this year, Eduardo Lonardi was installed as president; in the second coup, General Pedro Aramburu took power (Skidmore and Smith, 2005).

⁴ During this year, there were two coups: the first installed General Roberto Levingston as president; the second placed General Alejandro Lanusse in power (Skidmore & Smith, 2005).

This quote is particularly important because, on the one hand, Congressman Reid questioned the society's capacity to practice democracy (and self-governance) bearing in mind the frequent changes in leadership. At the same time, he conveyed an underlying assumption: since Argentina looked like a European society, it should be able to progress on its own. Moreover, this statement portrayed Argentina as a largely white nation of European origin, unlike the mestizo imagery that North Americans have traditionally used to characterize Latin Americans (see Chapter 2).

In essence, it was assumed that the nation's history and heritage had provided it with the foundation for building democracy. Thus, although the narrative of Argentina as a democratic nation was questioned, this was the central narrative that policy advocates engaged with. In essence, policy advocates debated the society's historical political practices to contextualize the current human rights situation.

How did policy advocates reconcile the contradiction between their narrative of Argentina as a democratic nation, and the evidence to the contrary? Some, like Mr. Smith, opted for erasing some of the coups that had taken place since 1945. Others opted to justify the military coups by constructing a narrative that the Argentine military only took power when civilian rule had placed the society in jeopardy. Such an instance occurred in Congressional hearings during the testimony of Joseph E. Karth, a former Democratic Congressman from Minnesota and then president of a legislative consulting firm. Mr. Karth was called to testify on behalf of North American businesses that wanted sanctions against Argentina lifted. According to Mr. Karth, policy advocates needed to place:

Argentina's human rights program and problem into historical perspective... the longest elected President, Mr. Peron, who was President for 9 years, himself, was a military man and a member of the junta that had ousted a civilian President just 3 years earlier...[nonetheless] *The military has been regarded generally as a moderator when civilian rule has failed to meet national needs.* At the time that the military finally assumed power in 1976, and I cannot possibly imagine this kind of inflation, but at that time, inflation was running at 920 percent in Argentina. (*Review of United States Policy on Military Assistance to Argentina*, April 1, 1981: 16; emphasis added)

Mr. Karth grounded his narrative of Argentina in the moment of Perón's election and argued that this moment placed the nation on a trajectory that ultimately led to the Dirty War. This reinforced the notion that civilian rule was possible, and had operated in Argentina. Unlike many other witnesses, however, Mr. Karth noted that Perón had been a "military man" and had been involved in an earlier coup. Yet, he argued that there was a difference between military men being in power and "the military" being in power. Mr. Karth ultimately argued that military rule had provided the nation with stability, re-creating the conditions that would make civilian rule possible. Further, Mr. Karth framed military rule as a benevolent force that had protected the nation from disaster. He thereby negated the human rights violations perpetrated under previous military and democratic governments alike. In essence, Mr. Karth magnified a particular aspect of Argentine history and drew sweeping conclusions about the nature of governance there.

As early as February of 1976—one month before the coup leading to the military regime in question—this narrative was first espoused in confidential U.S. government documents. A report titled "Whither Argentina: New Political System or More of the Same?", was published

under the auspices of the Central Intelligence Agency (CIA).⁵ It predicted that Argentina's period of democratic rule would soon lead to a dictatorship. The report opened by stating, "Argentina seems on the verge of repeating a familiar political cycle: an elected civilian government is falling into lower and lower repute as it is progressively overwhelmed by problems of its own making... In the wings a divided and reluctant armed forces is being propelled to take over the government again" (*Whither Argentina: New Political System or More of the Same*, February, c1976: 1). The authors of this report argued that the Argentine military would soon be compelled to take power, saving the nation from the brink of yet another economic and political disaster. Particularly interesting is that the study portrayed Argentina's coup as inevitable, while at the same time arguing that lasting political change was on the horizon. The last lines of the report stated, "...the conditions seem ripe for permanent changes in the Argentine political system. New political forces have emerged and are having a heavy impact on the traditional political forces..." (ibid.: 29). This report was indicative of a general sentiment in these debates: that Argentina was a society that had experienced dictatorships, however, it was also capable of initiating lasting social change.

The view expressed in this confidential memo was openly discussed in public hearings. Congressman Gilman (R-NY) noted the cycles of democracy and dictatorship "characteristic" of Latin America, especially in Argentina, stating that:

...while we recognize that many of the nations turn to the military junta to help resolve their economic problems and to get rid of some of the corruption in their governments, there is also a reluctance by the military government to return to civilian rule after those problems have been dissipated. How do we encourage those countries to *end repression and return* to democratic principles...(*Arms Trade in the Western Hemisphere*, July 20, 1978: 95; emphasis added),⁶

What is key about this quote is that Congressman Gilman used the view of the military saving the nation from economic disaster to ground his statement, illustrating the power of this narrative. Further, he constructed an image contrasting the repression under military rule with an implicit respect for human rights when the military was not officially in power.

In response to Congressman Gilman's concern about unnecessarily prolonged military rule, General Sumner, a retired member of the United States Army and former chairman of the Inter-American Defense Board, argued that the Argentine military had taken power only to protect the nation, and that military leaders were searching for a way to return to democracy. General Sumner stated:

...if you take the case of Argentina, which you brought up...The junta in Argentina, headed by General Videla, have all served here in Washington; they know what the model should be... they don't want to hold that Government forever. But they also know that if they—the last time they took the Government over, I think it was 3 years—it just didn't work.

This time they are going to try to develop a plan and a program, and I don't know of any one of those governments where the junta does not have a plan to go back to a Western-style democracy. They have the same value system we have. We are not dealing with another culture...Now General Videla is trying to turn the industry and the economic system of his country back to capitalism. (*Arms Trade in the Western Hemisphere*, 1978: 96)

⁵ The report was prepared by the Office of Political Research and other agencies and it states that the study did not necessarily represent the views of the CIA.

⁶ For hearings that took place on multiple days, I cite the day that the testimony referenced in the text took place.

General Sumner commented directly on Argentina's cycles between democracy and dictatorship, affirming the narrative that the military intended to re-create the conditions for civilian rule. General Sumner's statement hinged on the notion that the military was the institution capable of establishing the conditions necessary for lasting civilian rule in Argentina because it represented the "Western value" of democracy, a value implicitly shared by the rest of the society. Moreover, he expressed a sense that the transition to democracy would be unhampered, suggesting that Argentines shared the military's democratic values. One could argue that General Sumner was merely expressing Cold War rhetoric at least in part because the Argentine military had adopted the U.S. national security doctrine (see Chapter 2). Yet, in this case, the general emphasized *returning* to a Western-style democracy, suggesting that Argentine culture had long held "the same value system" the United States had. General Sumner echoed the sentiments expressed in previous statements: Argentina was a society with episodes of military rule, but was generally democratic. According to this view, the role of the military in Argentina centered on saving the nation, rather than engaging in repression. This view stands in contrast to alternative interpretations of Argentine history. The question remains, however: how did this view influence policy advocates' perceptions of the historical role of human rights in Argentina?

Argentina: Constructing a Narrative of Respect for Human Rights

The historical narrative that policy advocates constructed implied that Argentina, as a nation and society, had generally respected human rights. One way policy advocates supported this narrative was through statements remarking on the military regime's policies of violating the basic human rights that Argentine citizens had previously enjoyed. For example, during his testimony, Lucío Garzon-Maceda, a labor lawyer in Argentina then residing in the United States, argued that in the decades leading up to the Dirty War, workers' organizations had "...carried out a very important role in the protection of people's rights" (*Human Rights in Argentina*, September 29, 1976: p. 31). During his testimony, Mr. Garzon-Maceda contrasted military repression with the political freedoms that workers had previously enjoyed. Mr. Garzon-Maceda stated: "[t]he only answer that was given [by the military government] to the workers' demands was the decreeing of Law No. 21400 [of 1976], which carries with it a punishment of 1 to 10 years' imprisonment for those workers who participate in any kind of protest movement ..." (*ibid.*: 35). Thus, in response to worker's demands, the military regime had used the law to formally repress the formerly vibrant workers' movement. According to this view, the military government had decided to suspend the rights that workers had *previously* enjoyed.

Policy advocates also looked to Argentina's legal sphere to support the view that human rights had been practiced in Argentina. In fact, Marvin E. Frankel, representing the Lawyers Committee for Human Rights, contrasted the rights Argentines were entitled to and had previously enjoyed, with the rights the military government had curtailed. He stated, "[i]t is an instructive matter of background to know that the Argentine Constitution, as written, announces a sweeping range of individual rights, more extensive in some respects than those in the American Constitution" (*Human Rights and the Phenomenon of Disappearances*, September 25, 1979: 208). Mr. Frankel argued that human rights had previously existed in Argentina, as the nation had a system of law and order *capable* of defending civil rights. According to this view, and others like it, Argentina had a history and culture of practicing respect for human rights. In speaking to the then contemporary human rights crisis, Patricia Feeny, representing Amnesty International, stated, "Amnesty International is concerned that, although the number of reported abductions has decreased over the past year, incidents continue to be reported which suggest that

these legal methods of oppression, which violate the Argentine Constitution and international standards, remain in force” (*Review of United States Policy on Military Assistance to Argentina*, April 1, 1981: 78). Ms. Feeny’s statement used the provisions set forth in the Argentine constitution to indicate that respect for human rights went back as far as its writing, it was part of the society’s fabric. Once again, this constructed narrative of Argentine society negated evidence to the contrary. Interestingly, policy advocates’ analysis of the then contemporary legal sphere assumed that judges either followed the regime’s policy, or they were removed from office. Thus, according to this view, judges themselves did not regulate the legal sphere, rather the regime in power did.

The contrast between the supposed respect for civil rights during democratic rule and the violation of civil rights under military rule came to the fore in discussions of “disappearances.”⁷ Disappearances represented the complete suppression of victims’ legal rights. Jerome J. Shestack, representing the International League for Human Rights, summarized some key features of disappearances; he stated that “...many of those abducted are subjected to imprisonment, then torture and death, often in flagrant violation of their country’s laws and clearly in violation of international standards of human rights” (*Human Rights and the Phenomenon of Disappearances*, September 20, 1979: 3). Mr. Shestack went on to say “[o]nce an individual is taken and the authorities deny responsibility for his existence the *normal legal channels* are no longer a viable means for release” (*ibid.*; emphasis added). Often a disappeared person’s family would file a writ of habeas corpus. The lawyers filing such writs on behalf of a family would often become the next victims of regime repression. Clearly, disappearances represented the complete denial of civil rights in Argentina: individuals were taken into custody and imprisoned without documented cause; without the ability to seek legal aid; tortured; and, most often, killed without due process.⁸

For many policy advocates, especially those representing NGOs, disappearances signaled a major break with past practices of respecting civil rights. Mr. Shestack submitted a report for the record on human rights throughout the Southern Cone. In the section on Argentina, he discussed the breakdown of the judicial system there, stating:

Since the institution of the Process of National Reorganization [initiated by the military government], judges have systematically refused to exercise the habeas corpus power, thereby eliminating a major deterrent to the disappearances. The government’s denial of any knowledge as to the disappeared persons has provided courts with their rationale for disclaiming jurisdiction. On at least two occasions (May 1977 and December 1978), the Supreme Court of Argentina has refused to exercise the habeas corpus power or refused to order the lower courts to exercise it, despite the fact that thousands of cases, including many with substantial documentation, have now been presented. (*Human Rights and the Phenomenon of Disappearances*, September 20, 1979: 46)

The implication of this quote is that disappearances were a break with past practices in Argentina. Mr. Shestack thereby suggested that the court system in Argentina would have exercised its power had there been a different regime in power. Thus, the military regime had disrupted the normal functioning of the court system in Argentina by mandating the Process of National Reorganization. The court became complicit in disappearances by developing a legal

⁷ The term “disappear” is used as both a verb and a noun (the disappeared) in Spanish. During the 1970s and 1980s, many governments would disappear people in an effort to suppress opposition and to terrorize citizens.

⁸ It is important to note that this view assumes that it is legitimate to kill a person so long a due process has been followed. Thus, this perception legitimizes the death penalty in specific situations, although not in the Argentine case.

“rationale for disclaiming jurisdiction.” The very fact that there were “thousands of cases” pending substantiated the view that previously habeas corpus had been respected and the legal system had functioned to protect these basic human rights. If these rights had been denied in the past, then, it is likely that there would have only been a small number of writs filed.

In reality, both military and democratic governments had used the judicial system to provide impunity for perpetrators of human rights violations and to cover up their crimes (Marchak & Marchak, 1999). Yet, in spite of this, policy advocates portrayed human rights violations carried out during the Dirty War as an aberration in Argentine history—a breakdown of a system of law and order that had protected citizens prior to the war. This could have been because the scope and severity of human rights violations reached a peak during the Dirty War. Human rights violations, however, did not represent a complete break with the past: they were a continuation and escalation of previous regimes’ policies.

The statement by Mr. Smith (the Director of Southern Cone Affairs cited previously) during the hearing entitled *U.S. Policy Toward Argentina* (1983) reinforced the view that human rights violations were a temporary condition there. He posited that “...Clearly this whole question of disappeared people is one of the most tragic and troubling questions we have to confront in deciding what we are going to do about Argentina. They went through a *period* in the 1970s, which was a very grim *period*” (*U.S. Policy Toward Argentina*, March 16, 1983: 19; emphasis added). It is important to note his use of the term “period” in the statement, which makes a powerful point: human rights violations were episodic in Argentina. Mr. Smith follows a trend of other speakers quoted thus far, in suggesting that the situation in Argentina was “temporary,” an “aberration,” or episodic.

Policy advocates made statements critiquing the military government’s denial of a citizen’s right of option, which was supposed to enable citizens to choose exile rather than an indefinite jail sentence. In a declassified memorandum prepared by the DOS, one of the suggestions for dealing with the human rights situation in Argentina was to *restore* constitutional rights, implying that existing constitutional frameworks and the social will to realize them already existed in Argentina. The memorandum stated:

The constitutional “right of option” which allows Argentine citizens to leave the country rather than being held without charges by the executive power should be reinstated. This would be an important step. In short, the legal protections afforded by the Argentine Constitution should be guaranteed by the Argentine Armed forces. (*Argentine Human Rights Situation: Talking Points*, April 19, 1977: 3)

In a speech at Georgetown University given by Congressman Robert K. Drinan (D-MA), he noted that the “Junta has gone far beyond what [the] Constitution permits” (*Congressman Drinan on Argentina*, December 1, 1976: 2). He, thereby, suggested that Argentines had, in the past, both the documents and the will to protect citizens from undue and prolonged detention.⁹ Moreover, he implied that the military government’s curtailment of these rights was temporary.

Similar statements were echoed throughout the public hearings, and by NGO policy advocates as well as U.S. government officials. In discussing the human rights situation in

⁹ It is important to note that considering exile a “right” is seemingly strange, as being exiled from your homeland is a painful and often devastating loss. In this instance, being exiled was often a “better fate” when compared to the alternative of being imprisoned, tortured, and brutally killed. Moreover, in many Latin American countries, governments exiled regime opposition as a “humane” method of dealing with internal dissent. It is not possible, given the confines of my data, to pinpoint where the idea of restoring the right of exile came from. However, given that it was frequently discussed in both the hearings and the NSDA, this view appears to come from an assessment of the Argentine legal system.

Argentina, Scott Greathead of the Lawyers Committee on International Human Rights, stated that “[m]any of them [prisoners of the dictatorship] had been held for as long as 4 years, subjected to brutal and inhumane treatment, and denied their right under the Argentine constitution to leave the country in lieu of incarceration” (*Human Rights and U.S. Policy in the Multilateral Development Banks*, July 23, 1981: 374-5). This statement implied that the Argentine constitution had functioned in the past to protect prisoners from being held in indefinite detention, allowing them the right of option. Additionally, Mr. Greathead suggested that the “right of option” had been temporarily curtailed since the military government took power in 1976. In sum, policy advocates’ constructed narrative of Argentine history shaped their understanding of the society as generally respecting human rights. To support this view, policy advocates assessed the society’s supposed ability to practice political and legal forms of governance. According to this approach and analysis, the Dirty War was an “episode,” a temporary disruption of the society’s normal practice of respecting human rights. Policy advocates could have interpreted these events in different ways, arguing that Argentina had been ruled by repressive regimes, or that the society had continuously used violence as a part of its routine politics. This interpretation would have shaped a view of Argentina as an undemocratic nation in which violence was endemic.

EL SALVADOR

La Matanza (The Massacre of 1932)

Policy advocates rooted their analysis of the human rights situation in El Salvador in the 1932 event known as *la matanza*. This event would shape the society’s subsequent social, economic, and political development by reinforcing many of the patterns first established during colonial rule. The 1927 elections in El Salvador set the stage for *la matanza*. During this year, the Salvadoran military held free and competitive elections, and then allowed the civilian candidate to take office. In 1931, the Salvadoran government held another round of elections, and another civilian candidate was elected (Stanley, 1996). The newly-elected president, Arturo Araujo, stated his desire to enact social reforms, but the nation’s growing debt and its drastically reduced export earnings made this a difficult task. Later that year, the president refused a military request to equalize their pay across the departments; the President’s refusal was the final straw that led to his ouster on December 2, 1931 (Stanley; 1996). After the coup, General Maximiliano Hernández-Martínez was appointed president of the republic.

The newly installed military government was faced with competing pressures: (1) the Salvadoran economy was dependent on agro-exports and the Great Depression had left the nation’s economy reeling; (2) the period of political liberalization preceding the coup increased peasant demands for social services in light of increasingly bleak economic circumstances; and (3) the oligarchy placed demands on the state to provide a liberal economic atmosphere and a plentiful supply of cheap labor to amp up production and increase its meager export-earnings. In 1932, these tensions came to a head. Peasants planned a rebellion, which ultimately never came to fruition. However, General Hernández-Martínez responded to the intended rebellion by sanctioning the massacre of peasants, launching a 50-year military dictatorship.

We might conclude that *la matanza* led to the complete suppression of basic political, civil, social, and cultural¹⁰ rights, or human rights. This period began a half-century of military

¹⁰ Some have argued that *la matanza* served to suppress all expression of indigenous identity in El Salvador, as most of those targeted by the regime during the massacre were indigenous.

rule in El Salvador, during which the military and the oligarchy formed an alliance protecting the status quo in El Salvador through repression. That is, both state-led and privately-led security forces—colluding with the state—systematically violated citizen’s political and civil rights, as well as their right to life. Some have argued that the impact of *la matanza* and the brutality of the next 50 years of military rule effectively terrorized Salvadoran citizens out of any sort of political or civic engagement, until the outbreak of the civil war in 1980 (Wickham-Crowley, 2001).¹¹ This view would lead us to conclude that neither the government nor its citizens pressed for respect for human rights, and therefore, El Salvador was a society without respect for human rights.

A deeper examination of Salvadoran history reveals that in spite of the military-oligarchic rule and the accompanying repression, Salvadorans found peaceful ways of seeking changes in the status quo. For instance, after General Hernández-Martínez assumed power in 1932, civil groups mobilized for political change (Almeida, 2008). During the Hernández-Martínez’s rule (1932-1950) he responded to these groups with minor reforms aimed at improving the living conditions of the poor, implicitly acknowledged that dissent was the product of legitimate political and social concerns (Ching, 2004). This trend continued in the years leading up to the civil war; governments moderated repression with reforms aimed at addressing citizen’s needs (see Almeida, 2008; Montgomery, 1995). Nevertheless, the military party always ensured that it “won” elections, through fraud and force, and continued to combine repression with reforms (ibid). Between the 1940s and the early 1970s, the military governments there passed reforms aimed at protecting the labor rights of women and children (Griffith & Leslie, 2004) and, by 1950, some collective bargaining was permitted by the government (Montgomery, 1995). These small reforms suggest that both the government and workers valued—to differing degrees—economic and workers’ rights. Thus, peaceful reform was sought and some was possible despite military rule.

Many researchers have pointed to the 1960s as a period of liberalization of the Salvadoran political sphere (Almeida, 2008; Ladutke, 2004; Montgomery, 1995), during which institutional reforms led to proportional representation (i.e. the size of a districts’ population was linked to its number of legislative seats) (Almeida, 2008), and the formation of multiple opposition political parties (Almeida, 2008; Montgomery, 1995). By 1972, the military had agreed to hold elections once again and allowed the opposition parties’ candidates the opportunity to run. When it appeared that the opposition coalition would win the election, the military declared its own party the winner, using force, torture, and then exile to keep the leaders of the opposition from taking office. Nonetheless, these elections expressed the citizens’ desire to practice democracy and to press for civil and political rights.

Despite the harsh legacy of *la matanza*, Salvadorans were not completely subdued, nor were they passive victims of military rule. At times, the country’s citizens made demands on the state in non-violent ways; and at times, the state sought to use its power to address some of their needs. In fact, research has found that El Salvador’s long history of constitutional rights provided activists with a unique political opportunity to form a human rights movement (Ball, 2000). Thus, a sizable number of non-governmental human rights organizations formed in El Salvador during the 1980s (ibid.).¹ Ball (2000) has attributed the relatively large number of human rights organizations that have formed around the world (?) to the nations with a strong tradition of constitutional guarantees for individual rights that are similar to international norms.

¹¹ This study found that the regions of El Salvador most affected by *la matanza* were the least likely to participate in government opposition.

This provides actors in these nations with a political opportunity to make “uniquely powerful” arguments against human rights abuses, “because rather than calling for a radical restructuring of society along new lines they are based in the claims to legitimacy the state has already made” (56). Thus, according to this line of analysis, both the existence of a constitution guaranteeing basic human rights and the indiscriminate nature of human rights abuses in the 1980s, led to the growth of human rights organizations in El Salvador (*ibid.*). Moreover, in the decades leading up to the war the Salvadoran Church, which was heavily influenced by liberation theology, began fighting for the rights of the poor (see Almeida, 2008; Ladutke, 2004; Montgomery, 1995). In the early years of the conflict, the church collected information on human rights violations, and often tried to offer sanctuary to those being pursued by the government. The Church became such a prominent advocate for human rights that Archbishop Romero was assassinated in March of 1980. Moreover, in the decades prior to the war, unions and workers’ organizations increased their peaceful demands for political and economic reforms (Almeida, 2008; Ladutke, 2004; Montgomery, 1995; see also Chapter 2). These organizations called national strikes to make demands upon the state. Although a military government ruled El Salvador for half of a century, and used human rights violations to maintain control, both the government and its citizens—in differing degrees—recognized the importance of respecting—or demanding respect for—certain categories of human rights.

El Salvador: The Event

Previous research on El Salvador has portrayed United States-El Salvador policy as a battle between the ideologies of the Cold War and the human rights movement (Arnson, 1993; LeoGrande, 1998). However, I find that policy advocates on all sides of the issue discussed *la matanza* as a symbol of the domestic causes of the war, and they used this event to ground their understandings of Salvadoran society. Once again, policy advocates worked to place human rights violations in a “historical context.” According to this narrative, the consequence of *la matanza* was to make human rights violations the norm in El Salvador. Thus, from this perspective, respect for human rights had never been practiced by the *society*. For example, Robert S. Leiken, an academic and the director of Georgetown University’s Soviet-Latin American Project of the Center for Strategic and International Studies, stated:

The violence in El Salvador is historical. It dates back a long way. We can begin, though, to date it from 1932 when tens of thousands of peasants were killed as a result of an insurrection against what they regarded as a tyrannical government. (*U.S. Policy in El Salvador*, February 28, 1983: 176).

Mr. Leiken argued that violence¹² had been endemic in Salvadoran society since time immemorial, and *la matanza* served as an event contextualizing contemporary human rights violations. Mr. Leiken implied that the violence of the civil war was a continuation of the violence that took place during *la matanza*. Congressman Bereuter (R-NE) echoed these sentiments, stating,

[I]et me just preface my remarks and questions to you by stating the obvious, stating for the record that El Salvador is a land with extreme class structures, extreme division of land. It has had the highest murder rate in the hemisphere long before this [the civil war] happened. (*U.S. Policy in El Salvador*, February 28, 1983: 179)

¹² As I will discuss in the following chapter, policy advocates often used general terms to refer to human rights violations in El Salvador, among the terms they used were: violence, repression, bloodshed, and atrocities.

This quote is particularly illustrative of policy advocates' view: Congressmen Bereuter identified land tenure patterns and class inequality as key features of Salvadoran society, while at the same time, arguing that violence was also an indelible part of Salvadoran history. Max Singer, a scholar at the Russell Sage Foundation, discussed the creation of the military-oligarchy alliance in the wake of *la matanza*. This event had established "...a repressive partnership of oligarchs and army, with suffering and mistreatment, and oppression of the peasants and people of El Salvador" as an enduring feature of social relations there (*U.S. Policy in El Salvador*, March 7, 1983: 281).

La matanza also organized behind the scenes analysis of the conflict in El Salvador. A confidential report prepared by the DOS on January 16, 1984, discussed the centrality of this event for understanding the Salvadoran civil war. The purpose of the report was to analyze the situation in El Salvador and to identify ways to "bring the democratic alternative to fruition" (*Report on the Situation in El Salvador*, January 16, 1984: iii). The section analyzing the political background of El Salvador, began:

On January 22, 1932, a violent uprising inflamed by Augustín Farabundo Martí and his embryonic Communist Party led to a chain reaction of massacres and brutalities in which some ten thousand people died. (Some reports cite as many as thirty thousand deaths.) The savagery of 1932 was interpreted by Salvadoran authorities to mean that only repressive governments could maintain order. (*Report in the Situation in El Salvador*, January 16, 1984: 4)

Policy advocates consistently began their analysis of the human rights situation in El Salvador with *la matanza* and discussed the event as if it had recently occurred. We could potentially interpret the document's mention of the "Communist Party" through a Cold War lens. However, it is important to note that the Communist Party was discussed as a domestic issue, with the ensuing massacre also being an internal affair. Thus, El Salvador was not simply read as a battleground of the East/West conflict. But, understanding human rights abuses perpetrated during the civil war *was* predicated upon a particular interpretation of Salvadoran history. By focusing on this event, policy advocates began their recounting of Salvadoran history in a moment of extreme violence; while, at the same time, they erased the peaceful ways in which Salvadorans resisted oppression. How did this narrative influence policy advocates' view of the historical role of human rights in El Salvador?

El Salvador: Constructing a Narrative of Human Rights Violations

Policy advocates used *la matanza* to construct a narrative of El Salvador as a *society with no history of respect for human rights*. According to this narrative, the human rights violations perpetrated during the civil war were not solely a matter of state policy, but, rather, the result of the lack of social customs promoting respect for human rights. This constructed narrative became particularly stark when Assistant Secretary of State for Inter-American Affairs Elliot Abrams stated:

El Salvador has traditionally been a place without much of a strong legal order, strong institution that would give it justice and human rights. What began in 1979 and continued to take [place] in the election this year is to change that whole political culture into one where disputes are settled without violence. Traditionally they were settled with violence. (*Presidential Certification on El Salvador Volume II*, July 29, 1982: 100)

Assistant Secretary Abrams portrayed El Salvador as a nation without respect for human rights, in part because of the lack of a legal order and in part because of a political culture predicated on

violence. This quote sums up the general sentiment policy advocates held about Salvadoran society. From their point of view, it lacked both the institutions and social practices that valued respect for human rights.

This view was echoed in private forums as well. For instance, the DOS document referenced above, examined the human rights situation in El Salvador, stating in the section titled, “Human Rights”:

Many factors, some *cultural and historical*, others directly related to current political conflicts, have made violence *endemic* in El Salvador. Even before the beginning of the recent period of civil strife and terrorism, El Salvador was known for having one of the highest per capita rates of homicide in the world. (*Report on the Situation in El Salvador*, January 16, 1984: 14; emphasis added)

La matanza served as the foundation for the DOS’s analysis of the Salvadoran political sphere, framing human rights violations perpetrated during the civil war as a continuation of the political and social patterns established in 1932. Moreover, this report directly linked El Salvador’s cultural and political history to the human rights situation of that era, implying that homicide—whether perpetrated by the government or by individuals—was part of a larger cultural and social repertoire. It is possible that the homicide rate in El Salvador was higher than that of Argentina, especially since El Salvador had been ruled by a repressive military regime—aligned with the oligarchy—for the 50 years prior to the civil war. Nevertheless, violent repression was an ongoing feature of each society. Policy advocates took what may have been an objective reality in El Salvador, using it to construct the possibility and limits of human rights there.

This view was applied to policy advocates’ analysis of the political sphere of El Salvador. According to Morris Blachman, of the Institute for International Studies at the University of South Carolina, when examining the conflict in El Salvador it was important to consider the “... legacy of violence, in which violence has often been used both as a means of expressing opposition, as well as a means of repressing it...” (*Presidential Certification on El Salvador Vol. I*, February 25, 1982: 274). This view assumed that violence was the means of political expression in El Salvador used by all sectors of society. As such, some questioned whether Salvadorans were inclined to accept repression. For example, Senator Pell (D-RI) asked the former U.S. ambassador to El Salvador, “...with all of your experience in Latin America, do you believe that democracy will work there in the long haul, or, as we used to learn in college, is it a society that seeks a benevolent despotism for its well-being?” (*The Situation in El Salvador*, April 9, 1981: 173). Former Ambassador White lambasted this line of thinking, calling it racist. However, former Ambassador White was the only person called to testify that linked this line of thinking to race. Throughout the hearings policy advocates questioned whether or not Salvadorans were capable and willing to engage in self-governance.

When examining the Salvadoran legal sphere, policy advocates concluded that violence was, once again, its foundation. For instance, Congressman Pell (D-RI) asked Assistant Secretary of State for Inter-American Affairs, Thomas Enders, to explain what U.S. policy was doing to lower the level of “violence and death” (*Central America*, December 14, 1981: 27) in El Salvador. Assistant Secretary Enders touted the decline in the number of deaths in El Salvador since U.S. involvement, and tried to excuse the “excesses” of the Salvadoran security forces by placing human rights violations in a historical context, stating:

...[n]ow, I think a word of background on this is important. As is the case of some other Central American countries, El Salvador has a tradition of lawlessness, a relatively high level of violence, so they have to overcome a tremendous historical drawback. (*Central America*, December 14, 1981: 28)

Secretary Enders portrayed Salvadorans as “traditionally” violent and lacking in civil rights because El Salvador lacked a legal order.

The absence of civil rights in El Salvador was attributed to a lack of social and political will necessary to make the existent legal system function. During a discussion of the Salvadoran legal system, Congressman Bob Shamansky (D-OH) stated, “I am not talking about really a legal system. They have a legal system, the Spanish legal system. I am talking about the lack of political will and ability to carry it out, to make it operate” (*Presidential Certification on El Salvador (Volume II)*, July 29, 1982: 84). What it is important to note is that the Congressman suggested that there is a difference between a will to protect civil rights, and the institutional constraints of a particular legal system. For instance, William Doherty, representing the American Institute for Free Labor and Development (AIFLD), tried to point out the structural limits of the legal system in El Salvador, stating:

I would like to, if I may, with regard to the comment on the system of justice, because I agree with much that has been said, give the committee the benefit of a vignette that took place last year in a meeting between President Kirkland and myself, President Duarte, and his entourage when they were here. We were complaining very vigorously that there had not been enough attention paid to the solution of the murder of our people [AIFLD workers]. President Duarte himself turned to President Kirkland of the AFL-CIO and said, “You must remember that the judicial system of our country as a matter of tradition has been established to catch chicken thieves, not murderers,” and frankly, he did not say that in a jocular fashion. He meant that the whole system of justice was created to protect the property rights of a narrow oligarchy that had imposed a very unjust system on the people. (*Presidential Certifications on Conditions in El Salvador*, August 3, 1982: 151)

Mr. Doherty—who was often called to hearings to give Congress updates as to the progress in the investigation of the murders of the two American AIFLD workers in El Salvador—was one of the only witnesses to offer a structural critique of the Salvadoran legal system. He noted that the system was in place to protect the interests of the oligarchy and its rights to property, which historical research shows was the right to both land and labor.

In order to understand the Salvadoran legal system, one would have also had to consider the issue of impunity: Salvadoran security forces and landowners perpetrated massive human rights violations against the peasantry, and were never held accountable. As such, the purpose of the legal system in El Salvador was to protect the livelihoods and lives of the Salvadoran elite and their military allies. The problem rested with those in power, not within the society itself.

The view dominating the hearings was expressed by Stephen Kass of the Association of the Bar of the City of New York, who stated:

[t]he civil war in which the nation has been engulfed since 1980 has *exacerbated* and revealed the inadequacy of El Salvador's legal system. But even if the war were to end tomorrow, *major changes would be required in Salvadoran society to create a modern criminal justice system* and to permit that system to function fairly and effectively. (*Presidential Certification on Progress in El Salvador*, February 2, 1983: 480; emphasis added)

According to this view, El Salvador had long been missing a functioning legal system. Moreover, Mr. Kass placed the blame for this on Salvadoran society, arguing that only a social transformation could create law and order in El Salvador.

This analysis led policy advocates to conclude that not only was respect for human rights lacking in the political and legal spheres of El Salvador, human rights violations were the norm there. For example, in a letter penned by the former United States' Ambassador to El Salvador,

Frank Devine wrote that, "...*the way of life*, was in reality based upon what we today recognize as *violations of human rights*" (*Certification Concerning Military Aid to El Salvador*, March 11, 1982:185; emphasis added). A further illustration of this view was given by John Stanbury, representing the Massachusetts Institute of Technology's Committee on Human Rights in El Salvador. After sending a delegation to El Salvador to investigate the disappearances of health workers, the delegation reported "...human rights infractions run so deeply in that society that life itself is debased..." (*Presidential Certification on Progress in El Salvador*, February 2, 1983: 283). The delegation concluded, as did policy advocates more broadly, that Salvadoran *society* had no respect for human life, nor a respect for human rights. This view was part and parcel of a longer historical account that had challenged Central Americans' capacity for self-governance. Moreover, it was predicated on a reductionist narrative of Salvadoran society that did not do justice to the generations of Salvadorans who had sought to promote respect for human rights. This view ignored human rights activism in El Salvador prior to the war. It overlooked the Church's role in promoting human rights and advocating for the poor; the role of the University of Central America (UCA) in El Salvador in establishing a human rights office; and peaceful demands for social change by unions and workers' organizations. If policy advocates had focused upon these groups, then, human rights violations would not have been perceived as endemic within Salvadoran society. Rather, they would have been perceived as a tool of repression used by the military and its allies in the oligarchy.

CONCLUSION

As policy advocates sought to implement human rights legislation, they assessed each society's supposed capacity for self-governance. This led them to craft a particular version of Argentine and Salvadoran social and political history. In the case of Argentina, policy advocates used the election of Juan D. Perón to construct Argentina as a society generally ruled by democratic procedures and respect for human rights. According to this view, the society's respect for human rights had, on occasion, been temporarily, and justifiably, derailed by military governments, which took power to save the nation from disaster. In essence, Argentines were generally non-violent people. In the case of El Salvador, policy advocates used *la matanza* as the foundation for their view that Salvadoran society could be characterized by a history of dictatorship and violence. Violence was not solely a means of political repression, but was viewed as the dominant ontology and epistemology there. Hence, policy advocates magnified particular aspects of each society and then drew sweeping conclusions about it.

The narratives they constructed did not emerge from a social void. Rather, as the data shows, various groups—academics, human rights organizations, federal government officials, etc.—created a image of each society that made sense to them, given their knowledge of the society in question. The imagery and narratives that policy advocates constructed acknowledged the unique contours of each society's history, focusing on events that they believed laid the foundation for the conflict in question. Yet, their construction of each society led them to a particular understanding about the historical role of respect for human rights in each society.

Policy advocates could have just as easily constructed a narrative of Argentina as a society primarily ruled by the military, although military rule was sometimes indirect. This would have meant recognizing that human rights violations had happened *before* the Dirty War, and that the human rights violations perpetrated during the war were a continuation of the actions of previous governments. As other researchers have pointed out, the military had to establish and coordinate the state terror apparatus unleashed after the 1976 coup, long before it actually

became hegemonic (Marchak & Marchak, 1999). In fact, this apparatus had been refined in the decades leading up to the Dirty War. This suggests that even under democratic rule, the terror apparatus was already operational. If interpreted this way, the military coup of 1976 was not an episode, but was, instead, part of the military's larger strategy for ruling Argentina through repression.

Policy advocates' perceptions of Argentines obscured these facts. Consequently, they developed an understanding that only during "grim periods" of military rule were human rights violations perpetrated there. The view that policy advocates developed conflated elections with the practice of respect for human rights, which, as Donnelly (2002) has discussed, is a false assumption. Moreover, they could have viewed the coup in which Perón participated prior to his "election" as president as the beginning of the military's use of coups and repression to maintain the status quo. Nonetheless, policy advocates interpreted the society's vacillation between democratically elected leaders and military dictatorships, which were both notably repressive, to mean that human rights were generally respected in periods of civilian rule.

In the case of El Salvador, policy advocates could have just as easily interpreted *la matanza* in a different light: the event signaled the beginning of the military's use of human rights violations as a means of maintaining the status quo. When the Salvadoran people tried to claim their civil and political rights (see Lauria-Santiago & Binford, 2004), the military-oligarchy alliance used human rights violations to maintain power. This would have recognized that the will to respect human rights existed amongst Salvadoran civilians, but not within the power structure of that society.

In reality, policy advocates constructed a narrative of Salvadoran society in which violence was the only means for expression—both political and social. The crux of their view placed the blame for human rights violations on Salvadoran society writ large: all sectors of society were equally guilty of perpetrating human rights violations. If this understanding has been correct, we should not have seen the proliferation of human rights organizations in El Salvador during the 1980s (see Ball, 2000), because human life was, according to policy advocates, meaningless within that society. Moreover, we should not have seen the Church, unions, and peasant organizations mobilize peacefully prior to the war to press for social change (see Chapter 2).

These cases highlight the importance of looking beyond the rationale of prioritizing national security when analyzing the United States' response to human rights violations abroad. In fact, policy advocates followed the spirit of the directive quoted in the epigraph of this chapter, constructing a narrative of how the offending society's history contributed to human rights violations: either the society had a history of civilian rule and non-violence, or a history of generalized violence. This chapter highlighted the need to take a deeper look into the discursive tools that policy advocates used when trying to understand human rights and their violation. Policy advocates created a reductionist view of each society, one that did not do justice to the complexities and nuances revealed through social scientific interpretation; or, more importantly, to each society's history. These discourses, I argue, animated the differentiated application of US human rights policy to these two countries. As we examine human rights and their violation, we need to be attentive and critical of the analyses we use to understand, and to generate solutions for, the issue at hand.

Chapter 4 (Re)Drawing the Boundaries of Repression: Framing Human Rights Violations

Section 116 of the Foreign Assistance Act (FAA) expressed the U.S. Congress' sentiments regarding the role of human rights in U.S. foreign policy. The act linked U.S. foreign aid to the recipient nation's human rights record and stipulated that governments engaged in "torture or cruel, inhuman, or degrading treatment or punishment, prolonged detention without charges... or other flagrant denials of the right to life, liberty, and the security of person..." would be denied aid (Foreign Assistance Act of 1961 [P.L. 87-195]). After the FAA was passed, the human rights situations in Argentina and El Salvador tested the linkage of foreign aid to human rights principals.

The issue of human rights violations was recognized in both cases. For instance, a 1979 *Washington Post* article written by Congressman Don Bonker (D-WA), described the scope and severity of human rights violations happening in Argentina. The article stated, "[i]n Argentina, one does not need to be a terrorist to be arrested, tortured or murdered... People are simply picked up, some to return as corpses, minus their heads and hands to prevent identification" ("The Missing 30,000." *Washington Post* October 18, 1979).¹ During the Salvadoran civil war, that government also known to have engaged in gross violations of internationally recognized human rights. For instance, Congressman Toriccelli (D-NJ) referenced an incident in 1980 in which "... 700 men, women and children were massacred, babies were thrown in the air and caught on the ends of bayonets, children were machine-gunned as they slept, whole families destroyed" (*El Salvador Peace Process*, March 16, 1993: 26). Thus, according to the FAA, the United States should have levied aid sanctions against both of these rights-violating regimes.

Based upon my analysis of the Congressional hearings pertaining to these cases, I found that policy advocates focused upon human rights violations that should have triggered a cut-off in U.S. aid: each government engaged in what Sikkink (2004) has termed "repression." This entails violations of the "basic rights of security of the person, including freedom from genocide, summary execution, torture and cruel and inhuman treatment, disappearance, and prolonged detention without charges" (Sikkink, 2004: 80).² In each case, human rights violations falling under the category of repression described a majority of the human rights abuses discussed by policy advocates as having been perpetrated during the conflict.

Table 1: Categories of Human Rights Violations Discussed in the Hearings

HUMAN RIGHTS VIOLATION	ARGENTINA	EL SALVADOR
Political Rights	8.8%	5.8%
Social, Cultural, or Economic Rights	6%	6.7%
Repression	85.2%	87.5%
Total	100%	100%

Source: Author's analysis of Congressional hearings from 1976-1992. The term "Political Rights" refers to rights pertaining to political expression or participation (e.g., peaceful protests); "Social, Cultural, or Economic Rights" refers to what one needs to be a full member and participant in a society. This includes the right to education, health

¹ This excerpt appears in the 1979 hearing, *Human Rights and the Phenomenon of Disappearances*, on pages vi-v.

² Sikkink (2004) used U.S. human rights legislation as the foundation for her definition of repression.

care, a minimum standard of living, and the right to practices one's culture; "Repression," which is defined above, largely refers to negative rights, or instances in which a citizens needs protection from her state. During the coding process I had a detailed subcoding scheme that accounted for the specific human right referenced (e.g., free speech, culture, education, minimum wage, political killings, prolonged detention, etc.). For analysis, I grouped these subcodes under the larger categories of human rights generally discussed in the literature (see the methodological appendix for a more detailed discussion).

In both cases, repression accounted for just over 85% of the human rights violations mentioned in the hearings. Policy advocates' focus on repression is not surprising. In fact, Donnelly (2002) has argued that social, cultural, and economic rights are minor parts of U.S. human rights policy; a conclusion supported by this research (see also Keck & Sikkink, 1998; Soohoo, Albisa & Davis, 2008).

Yet, despite the fact that each government engaged in human rights violations that should have affected the aid policy of the U.S., the two conflicts received a noticeably different response. The U.S. government publically sanctioned the Argentine rights-violating regime, cutting off most forms of bilateral assistance. However, human rights violations in El Salvador did not trigger aid sanctions. In fact, over the course of El Salvador's 12-year war, the U.S. government sent over five billion dollars in aid to a nation that is about the size of Massachusetts.³

We could attribute these responses to presidential policy or Cold War politics. According to one view, President Carter's desire to make human rights the "soul of foreign policy," can explain the cut-off of U.S. aid to Argentina; and President Reagan's Cold War tunnel vision led the U.S. to support the rights-violating Salvadoran regime. Thus, discussions of human rights issues during this latter period were only possible in cases in which the threat of a communist victory was not apparent. Alternatively, some researchers have argued that human rights issues were brought up by liberal congresspersons and activists, and only had a sporadic impact on U.S. foreign policy (see Keck and Sikkink, 1998; Schoultz, 1981). In this view, the moral currency of promoting respect for human rights was enough to mobilize a human rights constituency to sanction a rights-violating regime (see Finnemore & Sikkink, 1998; Keck & Sikkink, 1998; Sikkink, 2004). Both of these views use policy *outcomes* to support their claims.

While this research has provided us with valuable insights, we must consider that these outcomes were part of a process: as these conflicts were taking place, policy advocates had to discern what human rights violations were taking place, postulate a cause for them, and identify who the victims of abuses were. Moreover, the FAA charged Congress with developing foreign policies aimed at promoting respect for human rights. Hence, in this chapter, I argue that in order to understand these distinct policy outcomes, we must examine how policy advocates actively framed human rights violations. A frame identifies a grievance, its cause, and the potential solutions (see Benford & Snow, 2000). So, while other researchers have proposed that U.S. policy towards each regime was the result of political constraints, I find that U.S. policy also reflected policy advocates' distinct frames of the situation. For policy advocates, the phenomenon of disappearances embodied human rights violations in Argentina, while the phenomenon of generalized violence captured the various human rights abuses perpetrated in El Salvador.

In this chapter I explore how policy advocates constructed the various components of each frame. Additionally, I add a unique analysis to studies of framing. Because these conflicts took place outside of the U.S. domestic political arena, policy advocates also had to identify and

³ This aid included military and economic aid. The ratio of military to economic aid was 1:3.

construct an image of the aggrieved population. By expanding studies of framing to foreign policy, we can examine how framing operates in another important area of politics, one in which the target population is outside of the domestic policy-making arena.

I find that even though policy advocates discussed human rights violations as falling into the category of “repression” with a similar frequency, there was an important *qualitative difference* in how they framed them in each case.

Table 2: Main Findings

FRAME	ARGENTINA	EL SALVADOR
GRIEVANCE	The Phenomenon of Disappearances	The Phenomenon of Generalized Violence
AGGRIEVED POPULATION	A Distinguished Sector of Society: Lawyers	Indistinguishable from a Statistic: Salvadorans
CAUSE OF GRIEVANCE	The Argentine Military Government	The Institutionalized Culture of Violence
SOLUTION	Restore Respect for Human Rights	Establish Respect for Human Rights

I argue that these frames were shaped by policy advocates’ views of each society’s supposed capacity for self-governance. As discussed in Chapter 3, policy advocates discussed Argentina as a nation with an existing capacity for self-governance. This capacity, however, was not fully developed and occasionally the military *had* to stage a coup to save the nation from disaster. Policy advocates generally viewed Argentines as a nation that was modernizing—a process the country had been able to initiate and sustain on its own. The modernizing process had been temporarily disrupted by the current military government. As such, policy advocates identified the *organized process* of disappearances as their principal human rights grievance, despite the fact that the very act of disappearances made it nearly impossible to prove that a crime had been committed. Policy advocates understood disappearances as a *process organized* by the Argentine government and that they reflected the military government’s ability to coordinate and control its armed forces. The victims of human rights violations were discussed as reputable and distinguished members of Argentine society. The articulated goal of policy advocates was to restore respect for human rights, and to account for all of the *Argentines* who had been victims of regime repression. In fact, the U.S. Congress linked U.S. aid to the Argentine government’s efforts to account for the disappeared, suggesting that the government was capable of such an action.

In contrast, as demonstrated in the previous chapter, policy advocates discussed El Salvador and its citizens as incapable of self-governance and of respecting human rights. As such, policy advocates’ frame for the conflict reflected their view of El Salvador as a society suffering from endemic violence, resulting from that society’s “violent heritage.” Following from this view, policy advocates identified the phenomenon of generalized violence as the key human rights violation happening there. It was a society that was in a prolonged state of utter chaos, in which violence was the dominant ontology and epistemology. The victims of abuse were indistinguishable from statistics of human rights violations, and when identified, represented the feudal nature of Salvadoran society that U.S. policy advocates eventually sought

to eradicate. The cause of human rights violations was the society itself: violence was the way that all people there dealt with problems.

Given this evaluation of El Salvador, policy advocates sought to leverage U.S. influence to modernize that society and to establish respect for human rights. U.S. trainers and advisors were sent there to model and monitor progress in this modernization project. Moreover, the certification procedures did little to address the *specific* human rights violations affecting *Salvadorans*, instead they were focused on attaining justice for U.S. citizens killed there. In this sense, the loss of Salvadoran life was perceived of as inevitable. Symbolically, the lives of 70,000 Salvadorans were not worth as much as the 7 United States citizens killed in there in the early 1980s.

Thus, Argentina and El Salvador are not solely examples of the “inconsistencies” in U.S. human rights policy. Rather a close examination of these cases reveals that policy advocates had dramatically different frames for each conflict, and developed particular responses to human rights violations: either restoring or establishing respect for human rights.

ARGENTINA

The Grievance: The Phenomenon of Disappearances

Policy advocates used the phenomenon of disappearances to understand the organized process surrounding the abduction, detention, torture, and extra-judicial killing of victims in Argentina. The phenomenon of disappearances was first raised in the September 1976 hearing entitled, *Human Rights in Argentina*. During the hearing, many witnesses recounted their own disappearance (and subsequent reappearance), reporting that after being abducted, they were brought to state-run detention centers where they were tortured, beaten, held without cause, and their families were denied the right to habeas corpus. Some witnesses reported the discovery of mass graves holding the remains of the disappeared. Reverend J. Bryan Hehir, representing the United States Catholic Conference, detailed the phenomenon of disappearances. During his testimony he discussed his “recent contact with Argentinian priests, friends and parents of disappeared persons, each one of them knows of different people in this category [disappeared]” (*Human Rights in Argentina*, September 29, 1976: 26). Throughout the hearing, policy advocates discussed the disappearance of civilians in Argentina. And, by 1979, the U.S. Congress held a hearing called *Human Rights and the Phenomenon of Disappearances*, which focused largely on this issue in Argentina. In light of the focus upon Argentina, Representatives Edward Derwinski (R-IL) and Dan Quayle (R-IN) wrote a letter protesting the unfortunate “...impression created [by the hearings], we think, that disappearances take place...principally in Argentina...” (*Human Rights and the Phenomenon of Disappearances*, November 7, 1979:⁴ 493).

The phenomenon of disappearances described the organized process that denied many their right to life, liberty, and personal security. Eric Stover’s 1983 testimony on behalf of Amnesty International, illustrates the broader sentiments expressed during the hearings. This testimony succinctly conveys how policy advocates identified the principal human rights grievance with regard to Argentina as disappearances:

...there is, first, the unresolved question of the *disappearance* of thousands of prisoners....As you well know, the question of the *disappeared* is a longstanding one. Estimates now range between 6,000 to 7,000

⁴ The date reflects the day the letter was written.

Argentinian citizens...have *disappeared* since 1976...Amnesty has over the past few years received over 100 testimonies from formerly *disappeared* prisoners who then reappeared and alleged that they had been tortured...The recent discovery of hundreds of unmarked graves in 12 separate cemeteries in Argentina demonstrates that many of those individuals who initially *disappeared* in the worst years of repression were the victims of extrajudicial execution at the hands of the armed forces or security forces. (*Human Rights in Argentina, Chile, Paraguay, and Uruguay*, October 4, 1983: 48-49; emphasis added)

Mr. Stover's testimony points to the larger narrative policy advocates constructed during the seven years of hearings: disappearances were a longstanding concern and the phenomenon entailed an organized process of repression.

The Aggrieved Population: A Distinguished Sector of Society

Policy advocates discussed victims of repression as members of a distinguished sector of society. They were middle-class, well educated, and included lawyers. Liliana de Antokolez testified as a victim of disappearance.⁵ She was disappeared along with her husband, whose status at that time was still unknown. According to her testimony, they were disappeared because her husband was a lawyer and a professor, working on issues of repression and human rights in Argentina. As she talked about her disappearance and torture, and recounted hearing her husband's torture, Congressman Bonker (D-WA) interrupted her testimony to gain clarity as to who the victims of regime repression were:

Mr. Bonker. May I interrupt at this point? Could you please walk through this experience, so that our subcommittee can have on record an idea of how this works. One of the appalling concerns is that Argentina is a fairly sophisticated society... Liliana looks like she comes from a fairly middle to upper economic class. Her husband was a professional person. They were probably above average citizens in a fairly sophisticated society. Is that basically true? (*Human Rights and the Phenomenon of Disappearances*, September 25, 1979: 243)

Ms. Antokolez argued that the military regime's use of disappearances was "...a clear political decision," to which Congressman Bonker responded: "[m]y point is that they are well educated, and in the upper economic class. On a particular day, their abductors came in unexpectedly, apprehended them, and took them away from their home" (ibid.). Hence, Congressman Bonker identified victims of regime repression as belonging to a particular social and economic class of people. They were citizens representing the "sophisticated" nature of Argentine society. It is important to note that Congressman Bonker promoted human rights as a central tenant of U.S. foreign policy, and fought to block aid to some nations engaged in human rights violations. Congressman Bonker's statement reflected the broader tone of the hearings: policy advocates discussed Argentine victims as distinguished members of society and personified them beyond a statistic. Policy advocates frequently focused upon the "fact" that many victims of regime repression were lawyers, a point I develop shortly.

Some policy advocates recognized that any Argentine could become a victim of regime repression. For instance, Jerome Shestack, President of the International League for Human Rights, tried to highlight the underlying logic of regime repression, stating, "[t]he disappeared come from all ranks... Many are simply critics of the regime... Some disappear out of personal caprice. Some are mistakes. The dragnet is large. There is no coherent rationale" (ibid.: 202). By the end of Mr. Shestack's statement, though, his focus had shifted:

⁵ Her testimony was also included in the truth commission report *Nunca Más*.

We found that lawyers and some judges are in disproportionate numbers among the *detenidos*, the detained ones, and the *desaparecidos*, the disappeared ones. It is clear that it has for years been desperately dangerous in Argentina for a lawyer to be identified as a spokesman or advocate for victims of human rights violations. (ibid.; emphasis added)

While acknowledging that disappearances affected a wide array of the population in Argentina, his primary focus was on the “disproportionate” targeting of lawyers. The focus on lawyers as the aggrieved population may have been due to the fact that many of the organizations called to testify on human rights violations in Argentina were legal associations, or because many of the Congressmen themselves were trained as lawyers. However, lawyers actually represented only a small number of the disappeared, as Scott Greathead, of the Lawyers Committee for International Human Rights, indicated:

...our mission found that at least 10,000 people have disappeared in Argentina since the military junta took power in March 1976, including 92 lawyers...In addition, we found that approximately 2,500 people, including some 99 lawyers, were being detained by the Government without charges, trials, or hearings of any sort...(*Human Rights and U.S. Policy in Multilateral and Development Banks*, July 23, 1981: 373)

According to the information he presented during his testimony, lawyers accounted for .0092% of the disappeared and for .0396% of those being held in indefinite detention under National Executive Order (PEN).⁶ Despite lawyers making up such a small proportion of the disappeared, policy advocates identified lawyers as the most significant of the aggrieved populations. It is important to note that the Argentine Truth Commission estimated that 10.7% of the disappeared were members of the “professional” class (CONADEP, 1984: 448); again suggesting that lawyers were a small portion of the disappeared population. While research would suggest that the characterization of victims as innocent, or as vulnerable, could have taken center stage in these debates (see Keck & Sikkink, 1998), it was the victims’ class and social position—as a distinguished sector of Argentine society—that took prominence. More importantly, identifying victims as lawyers gave them an identity beyond the statistics and an affinity with many of the Congresspersons who were, themselves, lawyers. This emphasis also reinforced the perception that law and order had previously existed in Argentina and that sectors of the population had fought to support the rule of law.

The Cause: The Argentine Military Government

Most policy advocates identified the Argentine government⁷ as the architect and perpetrator of the phenomenon of disappearances. In fact, policy advocates identified the Argentine government as responsible in 74% of the instances in which a perpetrator was mentioned. Yet, linking the Argentine government to these disappearances was not an easy task. The nature of the disappearances meant that there was little proof of a crime, and the regime went to great lengths to cover up evidence of the disappeared.⁸ In spite of the obstacles posed by

⁶ As mentioned in Chapter 3, “the right of option” should have allowed Argentines to choose exile over indefinite detention (PEN).

⁷ As taken from the hearings, this category includes the air force; army; paramilitary death squads associated with the government; the lack of executive control over the military; government policy; the military; navy; police; and general references to “the state.”

⁸ As chronicled in *CONADEP*, the national Truth Commission report on the Dirty War, some tactics included: staging “shoot-outs” in which the disappeared were killed after having been “released” from state custody; burying victims in mass unmarked graves by judicial order; tossing bodies out to sea; and burning bodies in mass graves. In

the nature of disappearances, NGO policy advocates linked the Argentine government to disappearances using two types of evidence: (1) the testimony of either those who reappeared, or those working with victims of human rights violations; or (2) the Argentine government's refusal to investigate or intervene in disappearances.

In the first case, victims or their advocates would argue that because perpetrators used military rank identifications such as "Captain," to communicate with one another, they were part of the Armed Forces, and, thus, being directed by the Argentine military government. For instance, Father Weeks, a victim of regime repression and an advocate for the disappeared, stated, "... all the kidnapers were identified by their captives as police or military men. They were specifically addressed as 'Chief,' 'Captain,' 'Colonel,' 'Lieutenant,' ..." and in some cases "they identified themselves as *police or military*..." (*Human Rights in Argentina*, September 28, 1976: 6; emphasis added). He added that "all the kidnap victims were taken to pre detention centers, *police stations or military headquarters*" (*ibid.*; emphasis added), which suggested the military government's involvement in the phenomenon. Furthermore, the involvement of the Argentine government was confirmed by victim testimony, saying that captors identified themselves as members of the security forces, sometimes taking the victim away in a police vehicle.

Testimony also identified the government as the perpetrator of human rights violations because it refused to officially respond to and condemn the disappearances. For example, Father Weeks read the testimony of a woman who had disappeared with her husband. The woman recalled that on the night of their disappearance "...the police were called and came but they left after the kidnapers had identified themselves..." (*ibid.*: 6). Testimony like this was used to link the military government to disappearances, as it implied that the authorities directed security forces to ignore the kidnappings preceding disappearances.⁹

Others, like Patricia Fagen, representing Amnesty International, identified the government as a perpetrator of human rights violations because it refused to launch any investigations into the disappearances. According to Ms. Fagen, "... this has been especially true in Argentina, when the government systematically refuses to investigate or prosecute in the face of well founded and massive reports, the inaction of the government must finally be interpreted as acquiescence" (*Human Rights in the Phenomenon of Disappearances*, September 20, 1979: 79). At the same time the military government refused to acknowledge disappearances, it simultaneously supplied an implicit rationale for any government counter-insurgency activity. The testimony of Tom Farer, former participant in the Inter-American Commission on Human Rights, noted the contradictions between the government's denial of the phenomenon and its attempts to justify it.

But in almost the same breath used to shape these denials, government officials and partisans of the Government would add: We have been living through a terrible civil war and it was a dirty war. This term, "la Guerra sucia," with its awful implications, echoed through the 17 long days of our observation. It was a kind of haunting after-tone to the reiterated denials of armed forces' responsibility... (*Political Killings by Governments of Their Citizens*, November 17, 1984: 189)

hearings, some reported the discovery of mass graves in which the bodies had been dynamited to prevent identification of the victim.

⁹ The Argentine Truth Commission found evidence that the military government would create "green-light areas" that allowed the military to enter into a neighborhood to abduct targets without any interference from the local police.

Policy advocates took umbrage to the Argentine government’s contradictory behavior of denying disappearances while making public statements justifying them. The combination of the government’s refusal to investigate disappearances and its rationale for the large disappeared population was assumed to link the military regime to human rights violations.

Other human rights advocacy groups and sympathetic politicians relied on a similar logic, the government’s refusal to intervene was indicative of either its direct involvement in disappearances, or of its tacit approval of the individual actions of its officers. In sum, many policy advocates linked the military government to the phenomenon of disappearances either through its direct actions or by its explicit inaction.

The Policy Solution: Restoring Respect for Human Rights

Policy advocates promoted a policy of restoring respect for human rights in Argentina. This policy was aimed at revitalizing the society’s previously existing capacities. As the chart below details, there were specific institutions that needed to be reinstated and specific actions that needed to be taken.

Table 3: The Aims of United States-Argentina Policy

INSTITUTION TO BE RESTORED	ACTIONS TO BE TAKEN
POLITICAL	Restoring a civilian government/democracy
JUDICIAL	Resurrecting an independent judiciary; releasing PEN prisoners; reinstating habeas corpus (accounting for the disappeared)
MILITARY	The military government was to make an effort to account for the disappeared; and remove itself from political life

Hence, during the hearings policy advocates articulated a plan to restore respect for human rights. For example, Reverend Bryan Hehier, representing La Sallette Mission Society, stated:

...there are still voices of moderation struggling to *restore* the democratic process and *achieve justice for the masses*. It is our impression that these voices are as yet numerous within the present Argentine Government ... That they have been manifestly unsuccessful in making their voices prevail is, I take it, the occasion for these hearings. (*Human Rights in Argentina*, September 28, 1976: 27; emphasis added)

Reverend Hehier portrayed the military government as containing a moderate element, which sought to reestablish political order as a means of achieving justice, or respect for human rights. According to this view, and the many others like it, U.S. attention to this issue was the result of the military’s inability to bring a democratic revival to fruition.

Mr. Theberge, a former U.S. Ambassador in Latin America, who had recently returned from one of his regular trips to Argentina, echoed the importance of restoring respect for human rights there. Mr. Theberge stated “President [General] Roberto Viola declared his commitment to the *continued* improvement of human rights performance in Argentina and to a *return* to representative democratic government” (*Review of United States Policy on Military Assistance to Argentina*, April 1, 1981: 47; emphasis added). He went on to argue that there was already an effort underway to revitalize “the institutional foundation for a viable, stable democracy, and to break the disruptive cycle of military intervention. There are signs of movement toward this objective, which deserve the support and encouragement of the United States” (ibid.). Mr.

Theberge emphasized the importance of leveraging United States policy to support an already-begun, internal process of restoring the existing political institutions in Argentina so that “a democratic government with full respect for civil liberties and human rights” (ibid.) could return to that society.

This view hinged upon the idea of restoring the nation to its previous condition and reinforcing existing human rights protections that the *military regime* and its subsequent policies had disrupted. Hence, sanctioning the regime would force it to abdicate power and to return the society to civilian rule and respect for human rights. Felice Gaer, representing the International League for Human Rights, summarized the importance of reinstating the structures that had previously protected human rights, stating, “...the League recommends that members of Congress should explore new positive initiatives which would *strengthen* the promotion and protection of human rights ... Processes now underway in the Southern Cone to *restore* civilian governments are encouraging ...” (*Human Rights in Argentina, Chile, Paraguay, and Uruguay*, October 4, 1983: 6; emphasis added). Ms. Gaer went on to say that the United States should “...seek to encourage efforts to *strengthen* such institutions abroad as the independent judiciary, a free press, civil liberties groups, et cetera” (ibid.:7; emphasis added). Her statement was representative of the sentiments expressed in the hearings: the U.S. Congress should find ways to promote the revitalization of institutions in Argentina. This would support the process of restoring the society’s existing capacities that had been disrupted by the coup and ensuing Dirty War. This view rested upon the perception that under “normal” circumstances the society and government promoted respect for human rights. Policy advocates, thus, suggested that prior to the war, the Argentine government and people had abided by constitutional standards that protected individual rights (see Chapter 3). Furthermore, policy advocates’ focus upon lawyers as the primary victims of regime repression suggested that members of civil society were pressing for a return towards respecting human rights, and that the military government was the primary obstacle in this mission. Hence, since the military government was the cause of human rights violations, sanctioning them was the logical policy solution.

EL SALVADOR

The Grievance: The Phenomenon of Generalized Violence

Policy advocates used the phenomenon of generalized violence to understand the “chaotic” atmosphere of El Salvador that had given rise to a human rights crisis. The concept of generalized violence described the various forms of human rights violations occurring in El Salvador, among which were: torture, murder, disappearances, extra-judicial killings, illegal detention, and violation of political rights.¹⁰ Moreover, policy advocates viewed violence as generalized in Salvadoran society.

Dick Clark (D-IA), a former U.S. Senator and member of the Commission on United States-Central American Relations, illustrated the tendency to use the term violence to describe the human rights situation in El Salvador. In 1982, he stated:

I find it difficult to describe the *chaotic violence* that exists in that society to someone who hasn’t actually seen it for themselves... People are carried off, *tortured, maimed, and murdered*. It seems that no one is ever brought to trial. For a judge to sit in judgment of such crimes would result in his own assassination. *It*

¹⁰ At times, policy advocates referred to this phenomenon using various other descriptors, such as, “repression,” “bloodshed,” or “atrocities.” I have grouped these references under the term “generalized violence” because each descriptor referenced the supposedly endemic nature of violence in Salvadoran society

is a society gone berserk. (*Presidential Certification on El Salvador (Volume II)*, August 10, 1982: 223-4; emphasis added)

The term “chaotic violence” served to characterize the various human rights violations perpetrated during the conflict, including violations of one’s legal rights and one’s right to life, liberty, and personal security. According to former Senator Clark, and many other policy advocates, El Salvador was a lawless society, in which criminals were not punished for their crimes. The perceived lack of a functioning judicial system further supported policy advocates’ view of Salvadoran society as one predicated on a culture of violence.

Additional evidence of the phenomenon of generalized violence came out of “fact-finding trips” that U.S. federal government officials took to El Salvador throughout the war. During these trips, many Congresspersons and DOS representatives would report seeing the dead bodies of disappeared persons lining the roadside. By 1983, Assistant Secretary of State for Inter-American Affairs Thomas O. Enders, characterized “bodies lying on the streets” as evidence of the “casual violence” endemic to El Salvador (*Presidential Certification on Progress in El Salvador*, February 2, 1983: 102).

In 1989, Michael Posner, representing the Lawyers Committee for Human Rights, discussed the dire human rights situation in El Salvador. He described human rights violations in terms of “the *continuation of violence...*” (*From Duarte to Cristiani: Where is El Salvador Headed?*, July 13, 1989: 24; emphasis added). When examining the human rights situation in El Salvador, Congressman Ted Weiss (D-NY) stated, “...in recent months there has been an increase in *violence...*” (*Prospects for Peace in El Salvador*, March 7, 1989: 50; emphasis added). Congressman Weiss, as did other policy advocates, used the concept of generalized violence to assess the human rights situation in El Salvador.

It is important to distinguish between viewing the civil war as an organizing principle of human rights violations and the phenomenon of generalized violence. Policy advocates rarely identified the civil war as their principal grievance. The use of the “war” as a frame was limited and was largely deployed as an argument for granting Salvadorans and other Central American migrants in the United States, Extended Voluntary Departure (EVD).¹¹ For example, during a series of hearings held on the issue, Arie Neier of Americas Watch, used the civil war to describe the human rights situation there. Mr. Neier stated that Salvadorans’ human rights were being violated because of the battle between the warring parties and “their struggle to control civilians, those who are perceived as the supporters of the other side, or as sympathetic to the other side, are the enemies of the various combatants...” (*Central American Studies and Temporary Relief Act of 1987*, May 13, 1987: 59). Mr. Neier made an argument for granting Salvadorans EVD because repatriating them would have meant subjecting them to conditions ripe for human rights violations: a struggle for control over the civilian population. Had it been employed regularly, this frame would have portrayed human rights violations as directed by the military government as part of its counter-insurgency campaign.¹² Furthermore, it would have identified a process that had led to human rights violations—military engagements.

¹¹ Extended Voluntary Departure (EVD) would allow certain groups of undocumented Central American migrants to remain in the United States without granting them a pathway to citizenship. Undocumented migrants would register with the federal government, and they would be granted a temporary status allowing them to find gainful employment. The program was designed so that once the conflicts in Central America were over, those with EVD status would return to their country of origin.

¹² In theory, this frame would have also called for policy advocates to focus upon human rights violations perpetrated by the left. In reality, this is a highly unlikely outcome. We generally conceive of human rights as a

This frame, however, was not the one that dominated the hearings. Instead, policy advocates focused upon the phenomenon of generalized violence as their principal grievance. Congressman Mel Levine's (D-CA) testimony, which he submitted for the record, exemplified this tendency. He wrote that the conditions in El Salvador were "characterized by extreme brutality and *random violence*" (*Temporary Suspension of Deportation for Nationals of Certain Countries*, November 7, 1985: 75; emphasis added). This quote was indicative of a trend in the hearings. Policy advocates' principal grievance was the phenomenon of generalized violence, as this described the various forms of human rights abuses that Salvadorans were subjected to. Moreover, this portrayed human rights violations as a societal problem that, as I will discuss shortly, would require a societal transformation.

The Aggrieved Population: Indistinguishable From a Statistic

Policy advocates discussed the victims of human rights violations in two ways. The first was to identify them as part of a statistic, and the second was to identify them as unexceptional members of Salvadoran society. In the first case, victims were characterized as indistinguishable from quantified statistics estimating the number of human rights violations. For example, Senator Kerry (D-MA) stated, "... in the last 5 years, the best estimates are that perhaps some 30,000 Salvadorans have been executed..." (*Administration Proposal for Counter-Terrorism Assistance for Central America*, November 19, 1985: 60; emphasis added). This statement, and others like it, failed to distinguish victims of human rights violations beyond a homicide rate. Amnesty International submitted a report for the record, "Political Killings by Governments," in which the weight of their analysis was on the "11,723 *non-combatants*...killed in El Salvador during 1981..., [the] 6,000 *civilians* ...killed in the first six months of the year" (*Political Killings by Governments of Their Citizens*, November 16, 1983: 30; emphasis added) and the estimated 22,000 people who had been killed in the previous 18 months. While this report tried to demonstrate the wide dragnet of repression, the weight of its analysis was on the numbers of those killed.

This is a strong contrast with the discussions of Argentina in which victims were often personified beyond a statistic. Statistics convey the scope of human rights violations—how many individuals have been abused. However, statistics carry the most impact when they are understood within a social context that portrays the impact of "civilian deaths" on a society, and when those deaths are understood as part of a systematic web of human rights violations. Given that policy advocates perceived human rights violations as endemic in El Salvador, statistics of "non-combatant deaths" could be dismissed as part of the phenomenon of generalized violence there.

In some instances, NGO policy advocates discussed victims of human rights violations as "peasant farmers." For example, the Amnesty International report cited above discussed the "thousands of unarmed *peasant* farmers" who had been killed (*ibid.*: 30; emphasis added). While the description of those affected by the violations Salvadorans as "peasants" served to highlight the class and social position of some victims, identifying them in this way called attention to the ontological and epistemological distance between El Salvador and the United States. The term "peasant" represented the "traditional" nature of Salvadoran society, and the

relationship between a government and its citizens and the U.S. government was fighting against the left. Since the left was not a "government," and because the United States was not funding the left, it is unlikely that this frame would have called for more attention to human rights violations perpetrated by the left.

feudal structures that U.S. policy sought to eradicate by supporting and monitoring the Salvadoran land reform program.¹³

The Cause: Violence as an Institution in El Salvador

Policy advocates discussed violence as part of the institutional and social fabric of Salvadoran society, and only identified the Salvadoran government as the principal violator of human rights in 49% of the instances it described. This estimate stands in contrast to the Truth Commission's finding that the Salvadoran government was responsible for 85% of human rights abuses (Boutros-Ghali, et al., 1993: 43). The Truth Commission's work was undertaken in the contentious political environment following the war. The United Nations conducted the Commission and developed a strict threshold for assigning responsibility, the claim had to be supported by multiple sources of evidence. The discrepancy between the hearings and the Truth Commission's estimates of human rights violations could be due to the fact that the hearings took place during the Cold War, thus, there was a tendency to assign the blame to non-governmental actors. Yet, it is important to place the hearing estimates in the context policy advocates saw, which was one of El Salvador as a chaotic (see Chapter 3) and violent society. Hence, in a disorganized and violent society, the cause of human rights violations was the institutionalized nature of violence there. According to their analysis, human rights violations were endemic to El Salvador.

Some policy advocates concluded that human rights violations were part of the institutional fabric of the military, rather than the result of an explicit government policy. For instance, Michael Posner, representing the Lawyers Committee for International Human Rights, stated, "Some may suggest, and I think Aryeh Neier [another witness], in his statement suggests this [killing of civilians by the military] may be even part of a deliberate government policy to terrorize the civilian population. I don't know if I would go that far" (*Human Rights in El Salvador*, July 26, 1983: 54). He concluded that "[t]he killing of civilian noncombatants has become, institutionally, part of the military, part of the security apparatus..." (ibid.: 54-55). According to this line of argumentation, human rights violations were not a matter of a direct policy, but, rather, were the product of the institutionalization of violence.

Policy advocates also pointed to the lack of an effective judicial system. For instance, Mr. Posner suggested that "endemic" violence in El Salvador was reinforced by the culture of impunity that existed there. He stated, "[f]or the military, for the security forces who are out in a distant part of the country, there is absolutely no thought ever in their minds that they may be held accountable" (ibid.: 54-55). This culture of impunity was, according to a report by the DOS, the product of "*historical and institutional* [factors]: a traditional lack of faith in legal institutions and chronic lack of attention to the resource[s] and other needs of the legal system" (*Central American Policy*, August 4, 1983:¹⁴ 63; emphasis added). This was a common assessment of the Salvadoran legal system. That is, according to many policy advocates, the

¹³ Policy advocates discussed at length the murder of American citizens in El Salvador, and even withheld a proportion of military aid pending a verdict in the trials of those accused of these murders. The murder of American citizens during the war, however, was a rare occurrence. Policy advocates' focus upon these cases did little to achieve justice for the tens-of-thousands of Salvadorans killed. Moreover, the certification procedure did not monitor efforts to attain justice for the Salvadorans killed during the war.

¹⁴ This excerpt appeared in the *Report on the Situation in El Salvador with Respect to the Subjects Covered in Sections 728(d) and (e) of the International Security and Development Act of 1981 as Amended P.L. 97-113* (July 20, 1983: 11). This report was submitted for the Congressional record.

problems of the Salvadoran judicial system resulted from it being underfunded and also undervalued.

In addition, policy advocates pointed to the institutionalized nature of violence within the Salvadoran “Right,” identifying death squads as the principal human rights violator in 18% of the instances they spoke of. While death squad members were often associated with the political right, as embodied in the Nationalist Republican Alliance (ARENA), references to human rights violations carried out by the “Right” referred to those carried out by death squads.¹⁵ Policy advocates understood death squads in El Salvador as a longstanding institution. Even the DOS, an organization that consistently downplayed the actions of death squads in El Salvador, noted the historical roots of this group. In testimony from *Noe Castillo-Nunez et al., v. Hal Boldin, et al.*, which was submitted for the record, Todd Greentree (DOS), stated, “[a]ctually, ‘death squads’ ... I would call them a tradition in El Salvador. They have existed for a long time, and in association with the social class structure and with the official military structure” (*Fiscal Year 1985 Budget Authorization of Immigration and Naturalization Service*,¹⁶ March 13, 1984: 58-59). Mr. Greentree’s statement was indicative of the general evaluation of death squads in El Salvador: death squads were a prominent feature of Salvadoran society long before the civil war.¹⁷

Policy advocates’ analysis of the perpetrators of human rights violations was grounded in a larger assessment of the nature of Salvadoran society. For example, Leonard Sussman, executive director of Freedom House, argued that:

... the death and destruction that we see is a rather *traditional* thing in El Salvador. It is not as though it happened simply because the United States has suddenly become interested in the country, or because the insurgency began 4 or 5 years ago” (*U.S. Policy in El Salvador*, March 17, 1983: 577; emphasis added).

This view often was framed in terms of El Salvador’s historically high homicide rate, a point that was repeatedly made during the hearings. For instance, Congressman Thomas Hartnett (R-SC) stated:

...we are trying to hold the government of a people, whose homicide rate is probably higher than any other nation in the world... people who themselves, *for over 700 years, have never had any respect for human rights, have only known violations of human rights...*the human rights situation—the *lack of human rights—exists not only with the Government, but with the people themselves.* (*Human Rights in El Salvador*, July 26, 1983: 7; emphasis added)

¹⁵ During the hearings, policy advocates used the term “the right” to refer to death squads and they used ARENA to discuss the *political right*. While the political right was linked to the death squads, the latter were not necessarily part of the political apparatus of ARENA. Rather, ARENA members happened to be associated with, and participate in, death squad killings. For example, the man believed to be the leader of one of the death squads was also the founder and leader of the ARENA political party. However, Cold Warriors deliberately disassociated the death squads from ARENA’s political campaigns. This was especially true since ARENA was a growing political force in El Salvador, winning seats in the “elections” held during the war and eventually winning the presidential elections in 1989. Thus, separating the political party, ARENA, from its links to death squads was important for continued U.S. aid. The separation between the political right and the death squads was buttressed by the fact that in 1979, the first reformist junta “disbanded” death squads and the Salvadoran intelligence agency running them (Montgomery, 1995: 76). Additionally, the intelligence information gathered by this government agency was removed from the President’s Residence (*casa presidencial*), thereby limiting access to this information (*ibid.*).

¹⁶ In 2003, the Immigration and Naturalization Service became Immigration and Customs Enforcement (ICE).

¹⁷ Policy advocates of various persuasions—from conservative Cold Warriors to human rights organizations—acknowledged that the left had perpetrated some human rights violations. However, this accounted for only seven percent of the human rights violators mentioned.

Congressmen Hartnett's statement reinforced a sense of the society's culpability for human rights violations. According to his view, Salvadorans had, for centuries, violated each other's rights to life and personal security.

In the 1981 testimony of Reverend Robert W. Tiller of the American Baptist Church, he discussed the subversive hotline the Salvadoran government had established. Salvadorans could call this hotline "and report that a certain person is carrying out subversive activity and that person will soon be executed. The process is not complicated by anything like ... investigating the person reported or holding a trial" (*U.S. Policy Toward El Salvador*, March 5, 1981: 292). He feared that citizens would use this hotline for their own ends, arguing that people who would call this hotline "...may be subversive...may be mentally ill... may have a grudge against someone..." and regardless of the callers' intentions, the "...call will be taken seriously and acted upon" (*ibid.*). Reverend Tiller's fears hinged upon the fact that those calling the hotline and those answering the call would easily disregard one's right to life and personal security. In another example, Ernesto Rivas-Gallont, the former Salvadoran ambassador to the United States, stated:

What President Duarte has called the culture of violence can't be graphed, it can't be photographed or displayed on television. The culture of violence...It was a simpler, quicker, easier, and a less frustrating way to solve problems. (*The Air War and Political Developments in El Salvador*, May 14, 1986: 100)

Ambassador Rivas-Gallont posited that Salvadoran culture was the cause of human rights violations. According to policy advocates, the phenomenon of generalized violence penetrated institutions in El Salvador, and even the fabric of the society, itself.

The Policy Solution: Establishing Respect for Human Rights

In response to the human rights situation in El Salvador, the policy solution that policy advocates' articulated was to leverage U.S. involvement to modernize Salvadoran institutions and establish respect for human rights. According to the frame of policy advocates, Salvadorans lacked both the social values and infrastructure that were linked to respect for human rights. Thus, curbing human rights abuses required an institutional and social transformation of El Salvador. This transformation was to be led by the United States. This was the case because both Cold Warriors and moral constituencies viewed U.S. involvement in El Salvador as being key to "saving" that nation. For Cold Warriors, the mission of the United States was to transform social relations in order to erode any support for the left. This required political, economic, and social change. For moral constituencies, removing the United States' influence in El Salvador would have opened the way to a "bloodbath," because it would leave the society to work out its conflict through the only means it knew: violence. Moreover, the only way to curb human rights abuses was to leverage U.S. involvement to achieve political, economic, and social change. Thus, these two sides converged upon a policy solution: establishing respect for human rights.

This proposed policy hinged upon a view of Salvadorans as incapable of self-governance—at least in their present state—and that U.S. involvement would modernize Salvadoran political, judicial, and military institutions, thereby creating the social and political will to respect human rights. Political reforms were to be monitored by the United States. These included the rewriting of the constitution, the holding of "free" elections, and a major effort to stabilize a moderate political center in El Salvador. A land reform program was designed by Roy

Posterman, a North American academic, and monitored by the American Institute for Free Labor and Development (AIFLD). This program was designed to ensure the basic social and economic rights of Salvadorans and to act as a bulwark against the Communist left. Moreover, U.S. pressure ensured that this program continued even as the Salvadoran right tried to repeal the legislation mandating it. Additionally, U.S. land technicians were sent to El Salvador to assist in the program’s implementation. The United States also initiated a judicial reform program and sent United States Agency for International Development (USAID) technicians to El Salvador to work on it. They were supposed to modernize the Salvadoran legal system and establish a judicial system in El Salvador that would end the culture of impunity. Military advisors and trainers worked with the Salvadoran military to instruct them in how to abide by human rights standards as a basis of action.

Table 4: The Aims of United States-El Salvador Policy

INSTITUTION TO BE MODERNIZED	ACTIONS TO BE TAKEN
POLITICAL	The U.S. sought to modernize Salvadoran political culture to “establish” democracy. It oversaw and monitored all Salvadoran elections, the candidates elected, the rewriting of the constitution, and the continuation of the land reform program.
JUDICIAL	USAID was to modernize the Salvadoran judicial system in El Salvador. This included changes to investigative methods, laboratory procedures, the physical location of investigative units, and court proceedings.
MILITARY	U.S. advisors provided the Salvadoran armed forces with instruction in human rights; and civilianized the military command structure.

Assistant Secretary of State for Human Rights and Humanitarian Affairs Elliot Abrams began his 1982 remarks on the situation in El Salvador by citing the historical nature of violence in El Salvador, saying that “...violence has been endemic in El Salvador’s history” (*Presidential Certifications on Conditions in El Salvador*, August 3, 1982: 14). He continued on to discuss some of the changes that had taken place between 1980 and 1982. He concluded by saying, “[t]he question for us is whether we will help Salvadorans in their extraordinary effort to transform their society” (ibid.: 15). He argued that without a U.S. presence, Salvadorans would be left to regress into their previous practices.

The modernization of El Salvador was also discussed in terms of the institutional and structural changes necessary to stop generalized violence. Congressman Solarz (D-NY) insisted upon the importance of seeing major changes in El Salvador. He quoted from a cable sent by the DOS to the U.S. embassy in El Salvador that stated “[o]ur objective is to eliminate the indiscriminate violence against the civilian population. Specific structural changes which provide incentives for improvement should be undertaken to help achieve this” (*Presidential Certification on El Salvador (Volume II)*, July 29, 1982: 89). This cable, then, listed the specific changes that the United States hoped to see in El Salvador. It linked ending the phenomenon of generalized violence to U.S. efforts to modernize El Salvador and establish respect for human rights.

NGO policy advocates also discussed the importance of modernizing Salvadoran society. Penn Kemble, representing Freedom House, a think-tank, stated, “We have to talk about how we can help the *Salvadorans themselves develop the democratic institutions, the political understanding, the community of values that will enable them themselves to take control*” of their society (*El Salvador at the Crossroads: Peace or Another Decade of War*, January 31, 1990: 87; emphasis added). He argued that the problem was one of “*creating institutions for governing their society under a rule of law*” (ibid.) that would ultimately produce “the community of values and civic infrastructure” (ibid.: 89) that would allow Salvadorans to administer their own government. Mr. Kembel framed the policy solution to human rights violations as a matter of modernizing Salvadoran institutions in order to foster respect for human rights. He argued that the United States should be responsible for fomenting the change that *Salvadorans* were supposed to adopt.

NGO policy advocates also emphasized the importance of modernizing El Salvador in an effort to establish respect for human rights there. For example, Michael Posner, representing the Lawyers Committee for International Human Rights—who frequently testified during hearings—stated that one should evaluate the human rights situation in El Salvador based upon “whether or not there has been an adequate *evolution* in the *institutional* protections for human rights, and in particular, in those areas dealing with both judicial reform and law enforcement” (*Human Rights and Political Developments in El Salvador*, September 23, 1987: 69; emphasis added). In addition, Mr. Posner argued that all policy advocates should “consider...*the development of institutions to protect human rights...[and] how...the U.S. Government [can] best exert its influence in promoting both short-term and long-term human rights objectives*” (ibid.; emphasis added). His emphasis on evolution implied that while Salvadoran society could change, at that moment in time, change required creating institutions that would create protections for human rights. The centrality of forming institutional safeguards to protect human rights was a prominent theme in the hearings. Regardless of one’s evaluation of the human rights situation in El Salvador, policy advocates pointed to what Mr. Posner described as the “fundamental changes need[ed] to be made to develop strong institutional protections for human rights” (*Foreign Operations, Export Financing, and Related Programs Appropriations for 1989 (Part 4)*, April 22, 1988: 926). The goal of policy advocates was to leverage the United States’ involvement in the conflict to establish institutional structures that would, in the long run, modernize Salvadoran society and establish respect for human rights.

CONCLUSION

Policy advocates developed distinct frames for the human rights violations being perpetrated in the two cases under study. Their ultimate frames and policy choices betrayed a distinct assessment of each society: Argentina was a society with the capacity for self-governance, while Salvadorans were incapable and unfit for self-governance. These one dimensional evaluations undergirded the policy frame for each conflict. In the case of Argentina, policy advocates used the phenomenon of disappearances as the organizing principle to describe human rights violations. They identified the state as the primary violator, lawyers and other professionals as the victims, and they articulated a plan to restore respect for human rights there. I argue that the sanctions policy targeted the “cause” of human rights violations, the military regime. Moreover, this policy rested upon the belief that the military had temporarily taken power and had the desire to restore the society to democratic rule and respect for human rights (see Chapter 3). According to this view, the military had merely overstayed and overstepped the

bounds of its traditional role. Sanctions were a way to curtail its ability to carry out human rights abuses, limiting its ability to fund disappearances. Moreover, it placed political pressure on the regime to hasten its removal from power. Finally, this view rested upon the belief that the society had the will and ability to promote respect for human rights once the military had removed itself from political life.

In the case of El Salvador, policy advocates used the phenomenon of generalized violence to describe their understanding of human rights violations; they identified the society as responsible for abuses, and they discussed a plan to modernize Salvadoran society and establish respect for human rights there. According to their frame, El Salvador was a chaotic (see Chapter 3) and violent society in which neither individuals nor institutions promoted respect for human rights. In order to change this, policy advocates developed a policy to transform institutions and social relations in El Salvador. Regardless of their ideological orientation—as a Cold Warrior or member of a moral constituency—they converged upon a plan that would establish respect for human rights. This could only be done with U.S. involvement, although there were debates about how to “best” use U.S. aid to promote respect for human rights there. In essence, policy advocates believed that ending the nation’s “longstanding” practice of engaging in human rights abuses required a major overhaul of Salvadoran institutions.

In each of these cases, policy advocates could have easily arrived at a different frame. As discussed in the previous chapter, in the case of Argentina policy advocates could have pointed to the long history of repression that was used by elected and military governments, and their respective supporters there (see Chapters 2 & 3). This frame would have highlighted both the elected and the military governments’ use of repressive tactics in dealing with the opposition (see Chapter 3), and the fact that the phenomenon of disappearances was part and parcel of both elected and military governments. Additionally, they could have pointed to the 9 military coups that took place in Argentina between 1930 and 1976, and the 21 civilian administrations that governed as evidence of political instability there. In fact, as others have pointed out, in order for the military regime to unleash such an effective program of disappearances, it had to organize this process long before it took power (Marchak & Marchak, 1999). If framed in this way, Argentina would be seen as a society with a history of political instability and violence, a history that needed to be remedied through international monitoring and the modernization of social relations.

In the case of El Salvador, policy advocates could have pointed to the nation’s long-standing homicide rate as evidence of a military-oligarchy alliance that used murder to control the Salvadoran population. This would have highlighted the role of exiles in financing death squads and their continued support for violence in El Salvador. Moreover, this would have called for direct sanctions against the military and its allies in the oligarchy—such as freezing the assets of exiles linked to the death squads, and restricting their entry into the United States. Policy advocates could have also identified processes that had led to extra-judicial killings, such as military operations in the countryside and indiscriminate bombing by the Air Force of these areas. If they had done this, then they could have identified ways to disrupt these acts, which were organized by military leaders. Further, policy advocates could have identified civil society organizations that had long been agitating for respect for human rights and democratic institutions, and leveraged U.S. involvement to expand the political role of these sectors of society. Instead, policy advocates focused on the ways in which violence permeated all aspects of Salvadoran society. According to this frame, what Salvadoran society needed was to modernize its institutions and social relations.

In sum, policy advocates associated distinct meanings with each conflict. That is, despite discussing repression as the central human rights violation in each case, they developed dramatically different frames for each conflict. These frames contained particular policy prescriptions: restoring or establishing respect for human rights. Moreover, U.S. human rights policy in these cases was not as simple as sanctioning or supporting a rights-violating regime. Rather, these actions reflected a particular analysis of *each society*, and this was the foundation from which policy advocates framed each conflict. As such, U.S. human rights policy has been consistent with an assessment of a society's supposed capacity for self-governance. Hence, by using the politics of meaning-making as my framework, I reveal an alternative way to understand U.S. human rights policy and its supposed inconsistencies. More broadly, understanding the discursive foundation of these policies sheds important light on the processes that lead to particular foreign policy decisions.

Chapter 5

(Un)Fit for Self-Governance: The Defining Principle of an Improved Human Rights Situation

Existing research examining U.S. human rights legislation has focused upon: (1) why the United States intervenes; (2) whether the United States sanctions a particular rights-violating regime; (3) the tactics used to change the regime's practices; and, (4) the "*efficacy*" of sanctions in curbing human rights abuses.¹ These lines of inquiry have also provided us with invaluable insights as to how rights-violating regimes have responded to both symbolic and material sanctions. These studies have been largely based upon an analysis conducted after human rights violations have officially ended. Hence, although they have provided both theoretically and empirically important insights, there is a glaring gap in this line of analysis in terms of how policy advocates have defined and measured progress towards an improved human rights situation as a conflict is taking place. That is, often times, human rights issues last for years or, in some cases, decades (e.g., Guatemala's 30 year civil war). The extended nature of conflicts has often led to protracted policy debates and to the formation of policies aimed at monitoring progress towards an improved human rights situation in the offending nation (see Arnson, 1993; LeoGrande, 1998; Schoultz 1981). Hence, in practice, when the international community has sanctioned a rights-violating regime, it must also have a way to measure and define progress towards curbing human rights abuses *while a particular conflict is taking place*.

To answer this question I examine the implementation of U.S. human rights legislation that linked U.S. foreign aid to the recipient nation's human rights practices. After the passage of this legislation, massive human rights violations perpetrated during the Dirty War in Argentina (1976-1983) and the civil war in El Salvador (1980-1992) garnered the attention of the U.S. Congress and the public. The United States had many policy tools at its disposal to pressure each rights-violating regime to change its practices, such as: placing pressure on the offending government; making public statements condemning the regime's human rights record; holding Congressional hearings to examine the human rights situation; limiting cultural exchanges; denying U.S. visas to those associated with the rights-violating government; and refusing to approve foreign aid to it (see Donnelly & Laing-Fenton, 2004). In the cases of Argentina and El Salvador, the U.S. government used a combination of practices, the two most visible of which involved: (1) publicly shaming each rights-violating regime by holding public hearings about their records; (2) threatening aid cuts, and the subsequent development of certification legislation that stipulated the human rights issues of concern in each nation and the steps that each regime had to take to rectify the situation. The legislation required that the President (or administration officials acting on his behalf) submit a report to the U.S. Congress at specified intervals, outlining whether the offending nation had made progress in the areas of concern.

The certification legislation stipulated clearly the steps that each government had to take to improve the human rights situation, yet defining what constituted progress was hotly contested. In the hearings, policy advocates represented a particular ideological constituency—either what I call an "improvement constituency" or a "not-enough improvement constituency." It is important to note that these constituencies consisted of representatives of both governmental agencies and NGOs. Members of each constituency engaged in the politics of meaning-making

¹ See Donnelly, 2000; Donnelly & Laing-Fenton, 2004; Finnemore & Sikkink, 1998; Keck & Sikkink, 1998; and Schoultz, 1981.

by presenting, expounding, and defending their view as to whether progress had been made. As policy advocates did this, they engaged in a collective effort to define and measure what constituted progress towards achieving an improved human rights situation. The debates over certification highlight an important question: once the U.S. had stated its human rights concerns—either through certification reports or through other public policy statements—how did policy advocates measure progress towards an improved human rights situation in practice? What evidence did actors marshal to support their position as to whether progress had been made?

Policy advocates articulated specific steps that, in their view, would indicate an improving human rights situation (see Chapter 4). For example, they sought to restore political, judicial, and the military institutions to their pre-coup state in Argentina. Yet, when measuring progress towards an improved human rights situation there, policy advocates focused the majority of their attention on changes within political and judicial institutions. In the case of Argentina, policy advocates viewed judicial, political, and military changes as coming from within the society, and working in tandem to restore institutional protections for human rights. That is, they believed that the military only came to power to protect the nation and it (usually) abdicated power once the “threat” had abated (see Chapter 3). Given this, policy advocates’ assessment of an improved human rights situation and the military were folded into debates over whether political and judicial systems had been revitalized to their fullest capacity. In discussing the military, policy advocates examined that government’s effort to account for the individuals it had disappeared. The issue of holding the military itself accountable for its actions would be decided by Argentines, as they and their institutions had the capacity to do this. Following this logic, the role of the United States was to leverage U.S. policy to further this indigenous shift.

In the case of El Salvador, policy advocates concluded that Salvadorans were incapable of self-governance (see Chapter 3). According to this view, U.S. supervision, instruction, and the admonishment of human rights violators was required to *establish* the institutions and the social will for respect for human rights within Salvadoran society to emerge (see Chapter 4). Since policy advocates’ proposed solution to human rights violations was the transformation of Salvadoran institutions, when measuring progress, they focused upon the efficacy of their efforts to modernize political, judicial, and military institutions there. This required that they examine changes within the military apparatus, since the transformation of this institution was required to establish respect for human rights there.

Generally, instead of strictly evaluating a particular regime’s human rights record, as stipulated by human rights legislation, policy advocates evaluated whether each society was “fit for self-governance.” In the remainder of this chapter, I examine how policy advocates discussed and measured progress towards an improved human rights situation. I begin by reviewing the case of Argentina, and show that policy advocates measured progress based upon an assessment of whether the society’s capacity to respect human rights had been restored. This evaluation examined both judicial and political institutions in Argentina. As I point out in these sections, changes in these institutions were linked to an improvement in the military government’s efforts to promote respect for human rights. Their examination of the military focused upon its efforts to account for the disappeared. I then move on to discuss the case of El Salvador and reveal that policy advocates measured progress based upon an evaluation of whether the society had adopted “U.S. values” concerning respect for human rights, and whether they had proven themselves capable of practicing them. Since policy advocates’ articulated solution to human rights violations there required institutional transformation, they paid much

more attention to changes within the Salvadoran military institution. I conclude by synthesizing my findings and by considering alternative interpretations.

ARGENTINA

In 1977, over the objections of President Carter (see Schoultz, 1981), the U.S. Congress mandated that U.S. aid to Argentina be linked to human rights considerations through what was known as “certification legislation.” The creation and implementation of the certification legislation coincided with the bloodiest period of Argentina’s Dirty War. By the time President Carter’s administration took office, human rights violations in Argentina were reaching their peak. The mothers and the grandmothers of the disappeared were calling attention to the brutality of the military government’s counterinsurgency war, and to its unrelenting campaign of disappearances that terrorized the Argentine people. These social movements forced a spotlight on the military government’s human rights abuses, and the international community took note (see Arditti, 1999; Keck & Sikkink, 1998). During the first years of the war, measuring progress toward curbing human rights abuses was a moot point, as the international community bore witness to the worst period of violations.

By the time that President Reagan had taken office, the human rights situation in Argentina had dramatically changed. Human rights violations had fallen significantly and, in 1981, General Viola had replaced the head of the military junta, General Videla, who had unleashed the counter-insurgency terror campaign. The change in the junta’s leadership offered hope that the “voices of moderation” within the Argentine military government would further rein in human rights abuses. By this time, reports of disappearances had dropped considerably, and there had been a sharp decline in the numbers of prisoners held in indefinite detention under the National Executive Order (PEN). So, although President Reagan may have been known to oppose considering human rights as a major feature of international relations, his presidency coincided with major shifts within Argentina.

During the Reagan administration, the struggle to define what would constitute progress towards an improved human rights situation in Argentina was amplified. There was a sense in Congressional hearings, as David Carliner of the International Human Rights Law Group stated, “that there has to be an improvement which is qualitatively and quantitatively so great that there is no longer a consistent pattern” of human rights violations (*Human Rights and U.S. Policy in the Multilateral Development Banks*, July 23, 1981: 175). Generally, policy advocates used two benchmarks to define and measure progress towards an improved human rights situation there: (1) the restoration of democracy, defined as a “return” to civilian rule, and (2) the restoration of the functioning of the judicial order (institutions of law and order). Policy advocates folded analyses of changes within the military into their discussions of political and judicial change.

There were two constituencies on this issue: those advocating that improvement had already happened, and those advocating that *not-enough* improvement had taken place. Both constituencies acknowledged that progress had been made; their central difference was whether these changes would lead to the cessation of human rights abuses. Regardless, those in both constituencies used linguistic cues that portrayed Argentines as capable of engendering changes within their society. Thus, measuring progress was a debate over whether the society’s capacity for self-governance, including ensuring respect for human rights, had been *fully* restored.

In general, policy advocates’ analysis of Argentine society framed it as one with various capacities. For example, Congressman Eldon Rudd (R-AZ), stated, “Argentina—and I have lived there—is a richly endowed nation” and it has a “wherewithal for the future” (*Latin America and*

the United States After the Falklands/Malvinas Crisis, August 5, 1982: 89). Congressman Rudd went on to say that Argentina, throughout most of modern history, has been “...the richest nation in Latin America, the most advanced culturally and economically, and it had the respect of all Latin American countries because of that. It is not a country of extremists” (ibid.). Hence, Congressman Rudd viewed Argentines as having capacities—both material and social. Other speakers referred to Argentine’s European heritage as evidence of its capacity to practice self-governance (see Chapter 3), while other policy advocates used a language that portrayed human rights violations as easily stopped once the government chose to do so (see Chapter 4). Policy advocates defined progress by evaluating whether or not the society was, in its present state, living up to its capacities.

Democracy and the Military

Policy advocates examined the political system in Argentina. These exchanges focused upon the process of returning power to a civilian government and restoring political freedoms. On the one hand, the improvement constituency pointed to changes in the military government—namely, a growing desire to “restore” democracy and political freedoms. On the other hand, the not-enough improvement constituency argued that political freedoms had not met a basic threshold for acceptable human rights practices. This was a debate over whether the society had lived up to its capacities and whether the military had clearly begun the process of removing itself from political life.

The improvement constituency pointed to the military government’s efforts to change the political climate (that they had created). Senior Deputy Secretary Bosworth (DOS) discussed this and other internal political changes, stating that the military government had:

...initiated a dialog with civilian political leaders, aimed at legislation which would permit resumed political party activity. Freedom of speech and of the press continues to expand, with extensive comments made on sensitive topics such as human rights and the political reorganization process. Labor activities have increased... (*Human Rights and U.S. Policy in the Multilateral Development Banks*, July 21, 1981: 75)

These shifts in government policy were given as evidence of the changes in political institutions that were now ostensibly promoting respect for political rights and free speech. More importantly, the dialogue with “civilian political leaders” suggested that the military government had begun the process of (slowly) restoring civilian rule.

Moreover, the improvement constituency contended that these shifts in government policy were the result of a process that had taken place within Argentina. James Theberge, a former U.S. ambassador to Latin America and a Cold Warrior, had recently traveled to Argentina and noted that in Argentina “the *domestic* trend toward *restoration* of a stable, democratic government...” was well underway (*Review of United States Policy on Military Assistance to Argentina*. April 1, 1981: 45; emphasis added). Mr. Theberge argued that this change had been “the result of a *natural*, internal process” and, consequently, “...the human rights situation [had] improved in Argentina” (ibid.: 46; emphasis added). These statements pointed to the general sentiment in the improvement constituency. Its members perceived Argentines as having the will and capacity to *restore* democracy and political freedoms. And, the military would play an important role in facilitating the reestablishment of civilian rule and its accompanying respect for human rights.

The not-enough improvement constituency argued that while there might have been a trend toward political liberalization, the society had yet to fully revitalize its capacity for self-governance. Namely, the society had yet to take the steps to restore democracy—holding an election and transferring power—that would indicate the restoration of civilian rule. For example, in 1981, Congressman Barnes (D-MD) was critical of the military government because “[t]hey have no date for a *return* to democracy” (*Joint Conference 1982 Foreign Assistance Authorization Act*, December 19, 1981: 118; emphasis added), adding that the even the Sandinistas in Nicaragua had declared their plan for elections. Congressman Barnes implied, however, that once the military government set a date for elections, the return to democracy would be imminent. His statement assumed that a civilian leader would be elected, as he did not express concern over the military interfering with elections. Later on, this constituency would argue that United States-Argentina relations should be normalized only once a civilian government had officially taken office. Thus, they emphasized that restoring political order was tied to restoring civilian rule, and assumed that the military could initiate and facilitate this process.

In 1982 this constituency got a boost when the Argentine government launched a military campaign aimed at taking possession of the disputed Falklands/Malvinas islands. The Argentine military lost its war against the British, who were aided by the U.S. government. As a result, the Argentine military lost any shred of credibility it had left on both the domestic and international fronts. Congressman Barnes (D-MD) argued that, in light of this failed invasion, the military government had “proven itself to be incapable of dealing with the problems affecting the country... in 1976, many Argentines supported the [military] takeover... Seven years later, many of the same people believed that the cure was worse than the disease” (*U.S. Policy Toward Argentina*, March 16, 1983: 1). Moreover, Congressman Barnes pointed to the fact that the military government had increased Argentina's external debt from \$8 billion to \$37 billion in a matter of seven years. Felice Gaer, representing the International League for Human Rights, stated that, as result of the invasion, the military regime had “totally lost prestige” (*Human Rights in Argentina, Chile, Paraguay, and Uruguay*, October 4, 1983: 4). After this incident, the vast majority of policy advocates shared these views of the Argentine military regime. Hence, restoring political institutions in Argentina translated into ensuring that the military quickly abdicate power and reestablish civilian rule. Policy advocates framed these changes as coming from within Argentine society and as associated with a restoration of political freedoms.

The sentiment expressed in the hearings after the 1982 incident was that a civilian government was on the horizon and that this transition would officiate an improved human rights situation. Following from this view, the United States should wait until civilians retook power to declare an improved human rights situation. For example, Marie Griesgraber of the Washington Office on Latin America stated that, “...we [policy advocates] must await that outcome [elections] as we cheer on the courts and upcoming civilian congress and the president, whichever party wins. We are hopeful that civilian society, civilian institutions will be able to take power as well” (*Human Rights in Argentina, Chile, Paraguay, and Uruguay*, October 4, 1983: 138). Gary W. Wynia, an academic expert, stated that the United States should be “spectators, lending their verbal support to the *restoration of constitutional rule*, while *watching the Argentine people achieve their own goals in their own ways*” (*U.S. Policy Toward Argentina*, March 16, 1983: 26; emphasis added). Hence, policy advocates defined progress towards an improved human rights situation based upon whether a civilian government and its institutions

had been restored. Their analysis also examined the military's role in this process. Their primary concern was whether Argentina was living up to its capacities.

The Judiciary and the Military

In order to evaluate progress towards an improved human rights situation, policy advocates specifically examined the Argentine judicial system. Generally, they searched for indicators of the resurrection of an independent judiciary that would prevent the military from continuing to violate prisoners' rights. Both constituencies were concerned with the status of the disappeared and those being held under PEN in indefinite detention without charges or access to legal recourse. Both measured progress using a language that evaluated whether the society was living up to its capacity to execute law and order and prevent the military from denying Argentine citizens of their legal rights.

The "improvement constituency" pointed to the numerical decline in disappearances and PEN prisoners as evidence that respect for human rights was reemerging in Argentina. This would indicate both the resurrection of the independent judiciary and the reining in of the military. For example, Ernest Johnston, Senior Deputy Assistant Secretary of State of the Bureau of Economic and Business Affairs, DOS, stated that:

The level of violence in Argentina... peaked in the years 1976-7...there have been no confirmed disappearances in many months. The number of prisoners held under executive powers has dropped from 8,000 to about 900, and releases continue. (*Human Rights and U.S. Policy in the Multilateral Development Banks*, July 21, 1981; 47)

The improvement constituency believed that these shifts indicated changes within the military regime's policies because disappearances—the main tactic for violating human rights that policy advocates had identified (see Chapter 4)—had ceased. This constituency viewed the release of over 7,000 PEN prisoners as further evidence that the military government was reversing its policy of violating the civil, political, and legal rights of its citizens. This suggested that the military government was making an effort to account for those who had disappeared—through the release of those who had been in detention facilities but had not been killed. More importantly, the judiciary would no longer acquiesce to the military regimes' policy of prolonged detention, suggesting the renewal of judicial oversight.

This constituency posited that the role of the United States ought to be supporting the revival of the judiciary and the retreat of the military. Evidence of judicial changes was given by Stephen Bosworth, Senior Deputy Assistant Secretary of State of the Bureau of Inter-American Affairs (DOS), who stated, "[t]he supreme court has ordered lower courts to investigate disappearances more fully" (*Human Rights and U.S. Policy in the Multilateral Development Banks*, July 21, 1981: 75). This statement stood in stark contrast to the previous discussions of the role of the judiciary in covering up and granting impunity to those engaged in disappearances. This also implied the possibility that these investigations would force the military to account for its actions during the Dirty War. Congressman Lagomarsino (R-CA) stated that the United States should recognize that "progress is being made and should strengthen efforts of Argentine moderates toward greater liberalization and release of PEN prisoners" (*Joint Conference 1982 Foreign Assistance Authorization Act*, December 19, 1981: 119). Thus, the role of the United States was to support the already begun return of an independent judiciary and the release of prisoners held under PEN.

The “not-enough improvement constituency’s” central concern was that the Argentine government was not living up to its full capacity in terms of abiding by constitutional law. This constituency was critical of using numbers as the main indicator of an improved human rights situation. For instance, Patricia Feeny of Amnesty International, argued that numerical changes might signal that the human rights situation had gone from “worse to simply bad” (*Review of United States Policy on Military Assistance to Argentina*, April 1, 1981: 126). She argued that despite numerical changes in estimates of human rights violations, the “...*legal methods* of oppression, which violate the *Argentine Constitution* and international standards, remain in force” (ibid.: 78; emphasis added). Ms. Feeny conceded that illegal methods of repression had lessened (i.e. disappearances). Following from this logic, the chief problem was that the military regime continued to violate aspects of the Argentine constitution. That is it was not making an effort to account for its actions and the disappeared. Thus, the society’s capacity for self-governance had yet to be fully restored. Moreover, Ms. Feeny linked the Argentine constitution to international standards, and emphasized restoring the constitution and its accompanying social relations as a marker of an improved human rights situation. The return to constitutional law would require that the military remove itself from political life and that it end the practice of disappearances.

The not-enough improvement constituency pointed to specific steps the judiciary and the military government needed to take to demonstrate an improved human rights situation. Statements to this effect implied that the military regime could simply choose to restore judicial institutions. For example, Ms. Feeny suggested that the government should return to “...conducting arrests with an official warrant, guaranteeing the detainee access to a lawyer...investigating much more vigorously allegations of torture, and bringing those government officials responsible to justice” (*Review of U.S. Policy on Military Assistance to Argentina*, April 1, 1981: 126). Ms. Feeny’s statement portrayed the Argentine judiciary and military as capable of taking such actions, and suggested that these branches of government were merely acquiesced to the military government’s policies. Ms. Feeny did not argue that the government needed instruction in how to accomplish these goals—in fact few policy advocates in both constituencies believed that the Argentines needed training. Rather, it was merely an issue of when these practices would be restored.

It is important to remember that policy advocates acknowledged that *lawyers* investigating human rights abuses were targets of regime repression (see Chapter 4). However, judges who remained on the bench were discussed as *refusing* to respond to writs of habeas corpus. Hence, at least some judges had aligned themselves with the military regime’s “temporary” disruption of law and order. Following from this line of thinking, the judges had the capacity to enforce law and order in Argentina by responding to writs and using the power of judicial oversight to curtail the military regime. At the same time, the military regime could facilitate this process by charging or releasing PEN prisoners, and reinstating the constitution.

For some, the restoration of an independent judiciary was linked to restoring accountability. For example, Hurst Hannum of the International Law Institute, stated, “it is essential that the...government of Argentina...bring appropriate charges against those responsible for the thousands of disappearances” (*Political Killings by Governments of Their Citizens*, November 18, 1983: 232). He argued that “this cannot be done without an independent judiciary and legal profession” (ibid.), and listed “Uganda, Bolivia, and Equatorial Guinea” (ibid.) as nations in need of technical assistance in this effort. Thus, judicial training was not

required in Argentina. Rather, the central issue was whether the system was living up to its potential.

Further, Mr. Hannum recommended that the military government conduct “...a review of the practices of military tribunals”; force the “...cessation of the illegal activities by the security forces”; (*Human Rights and U.S. Policy in Multilateral Development Banks*, July 23, 1981: 212) and initiate the release of PEN prisoners. Statements such as these illustrated a sense in the hearings that—while there was still need for improvement—the situation would be evaluated based upon what policy advocates believed the society was capable of doing. In the case of Argentina, both constituencies believed that the Argentine government and people had the capacity to abide by international human rights standards. Thus, policy advocates’ central concern was whether the society was living up to its capacity. For the improvement constituency the Argentine judiciary and military government had already demonstrated this—as PEN prisoners had been released and disappearances had diminished. For the not-enough improvement constituency the Argentine society had the capacity to do this. It had simply yet to choose to do so. Regardless of the constituency, policy advocates believed that the normal functioning of the judiciary had been disrupted by military rule (see also Chapter 3). As such, they debated whether there was sufficient evidence that it was acting as an independent body. This assumed that under “normal” circumstances the judiciary would aid in locating the disappeared and its “independent nature” would sufficiently deter human rights abuses under civilian governments. Thus, the Argentine people had the capacity and right to decide whether military leaders should be tried for war crimes.

The Military: Accounting for the Disappeared

As illustrated in the previous sections, policy advocates considered changes within the political and judicial spheres to indicate an improved human rights situation, tying these to changes within the role of the military in Argentina. Since the certification procedure developed by the U.S. Congress stipulated that the Argentine government account for the disappeared, most of the debate regarding improvements in human rights and the military centered upon whether the military had made an effort to account for the disappeared. In this case, the improvement constituency often cited a DOS report that stated the Argentine military government had made an effort to notify some families about their disappeared relatives. That is, the military government told the DOS that they had notified 1,426 people of the official fate of their disappeared relatives (*U.S. Policy Toward Argentina*, March 16, 1983: 20). The not-enough improvement constituency took issue with this assertion on two grounds. First, the DOS’ report was based upon information provided by the Argentine government. And, a joint study, conducted by Amnesty International and the Argentine Center for Legal and Social Studies, yielded a very different result. In a survey these organizations sent to 1,100 representative cases,² only 18 families “had obtained some information about the disappearances. In *no* case did any of the 18 families receive formal official notification from the government” as to the status of their missing loved one (*Human Rights in Argentina, Chile, Paraguay, and Uruguay*, October 4, 1983: 32; emphasis added). In fact, according to the report, families were informed through newspaper articles, the reappeared, or through informal channels. Thus, the military government had made little effort to *account for the disappeared*.

While the certification legislation stipulated that a formal accounting of the fate of all of

² According to Aryeh Neier of Amnesty International, who testified on this matter, the survey had a response rate of 55%.

those who had disappeared was to be the marker of improvement, in practice this was not the case. Rather, policy advocates stressed the importance of an accounting to the families of the disappeared and for national reconciliation. This emphasis did not fall along clear constituency lines. According to Senator Pressler (R-SD), an accounting of the disappeared would serve the purpose of letting "...the unfortunate parents...know that their child had been tortured and killed..." so that they would not have to "...just rest upon the assumption that they had been. And...they have the right to know this" (*Mark-Up S.976*, May 11, 1981: 183). Others argued that an accounting for the disappeared was crucial to both an improved human rights situation and to post-war reconciliation. According to Ms. Gaer, "an accounting is necessary for national reconciliation and to help promote social and political stability in Argentina in the future" (*Human Rights in Argentina, Chile, Paraguay, and Uruguay*, October 4, 1983: 4).

Interestingly, policy advocates generally viewed Argentines as having the right and capacity to take on the issue of military accountability themselves. For instance, the director of the Office of Southern Cone Affairs (DOS), N. Shaw Smith, stated, "Argentine society and [its] body politic will have to deal with—the question of accountability for the people who died over the last few years..." (*U.S. Policy Toward Argentina*, March 16, 1983: 20). From his perspective, the Argentines were capable of using political and judicial institutions to figure out the issue of accountability. Congressman Lagomarsino (R-CA) had a similar view: "[t]he issue of accounting for the disappeareds (*sic*) can only be resolved by Argentines" (*Joint Conference 1982 Foreign Assistance Authorization Act*, December 19, 1981; 119). Mr. Neier, Amnesty International, stated "[i]t seems to me that the civilian government has to conduct a thoroughgoing-investigation into what happened and has to put on the record everything that can be known about what took place" (*Human Rights in Argentina, Chile, Paraguay, and Uruguay*, October 4, 1983: 138). These actions would facilitate national reconciliation. And, by 1991, the civilian government's dealing with human rights violations became a model for other Latin American countries. For instance, Michael Posner of the Lawyers Committee for Human Rights stated, "I think Argentina did the best job of any government in terms of both acknowledging the past and making it a big public issue...It became a national issue" (*Human Rights in Latin America*, February 21, 1991: 106).

. These views were grounded in the notion that Argentines had the capacity to exercise a degree of self-determination as to how *they* wished to deal with the issue of human rights violations. Given the evidence presented in previous chapters, I believe that Posner's view stems from policy advocates' interpretations of Argentine history. In sum, policy advocates agreed that the Argentine people were capable of and responsible for engendering the transition back towards a respect for human rights. It was just a matter of waiting for the military to abdicate power and facilitate a return to civilian rule, as this would allow for the full restoration of social order.

EL SALVADOR

In 1981, the U.S. Congress wrote and passed legislation conditioning aid to El Salvador upon an improvement in the human rights situation. The legislation required that, in order to continue the flow of U.S. aid to El Salvador, the U.S. president had to certify—via a report he submitted every 6 months to Congress—that progress had been made there in the area of human rights. As was frequently stated in the hearings, the Salvadoran certification legislation was inspired by and modeled after that of Argentina. During the period in which the Salvadoran certification legislation in place, the military there unleashed its counterinsurgency campaign. Moreover, the Salvadoran military received training from Argentine military officials at the

behest of the United States (Armony 2009; Montgomery, 1995; Neito, 2003), who at the time were experts in this form of warfare. Additionally, the creation and implementation of the certification legislation coincided with the bloodiest period of the civil war, as was also the case in Argentina. Despite the military's campaign of repression, human rights organizations both within El Salvador and abroad drew international attention to human rights abuses and the culture of impunity there (see Nepstead 2001; Perla Jr. 2008). While President Reagan vetoed further certification legislation in 1983, the U.S. Congress continued to hold hearings examining the human rights situation in El Salvador.

By the mid-1980s, all of the organizations monitoring the human rights situation within El Salvador estimated that the number of abuses had dramatically declined. However, some policy advocates were careful to note that these estimates were not very accurate. For example, Congressman Barnes (D-MD) pointed out that many reports relied on secondary information "...for the simple reason that if you send observers down there they are going to be killed" (*Presidential Certification on El Salvador Volume II*, June 22, 1982: 13). Even as late as 1989, policy advocates were skeptical of what the estimates actually represented. For example, Senator Leahy (D-VT) argued that, while "I realize the number of killings has decreased...[y]ou can only kill the same person once," suggesting that the Salvadoran government may have run out of people to kill (*Foreign Operations, Export Financing, and Related Programs Appropriations for Fiscal Year 1990[Part I]*, March 15, 1989; 23). Therefore, policy advocates insisted upon the need to look at both quantitative and qualitative changes in the human rights situation.

In general, policy advocates viewed Salvadorans as incapable of self-governance. As such, in order to identify and measure progress, policy advocates examined whether Salvadorans had developed the capacity to administer political, judicial, and the military institutions there. Reverend Stephen H. Swanson of Resurrection Lutheran Church described the United States' policy toward El Salvador by drawing upon an analogy to drunk driving:

Coming over here this morning, I saw a bumper sticker on the back of a car that said, 'Friends don't let friends drive drunk.' ... we keep calling those in El Salvador our friends. And yet we let them drive drunk to destruction...pretty soon we are going to have a desert to have to repopulate. Maybe we need to look at these people as our friends and the Salvadoran government as our friends and *take away the car* until things are straightened out. (*Foreign Assistance and Related Programs for 1988*, April 21, 1987; 734; emphasis added)

Reverend Swanson portrayed Salvadorans as incapable of running their own society. We could read his quote as advocating for taking away arms from the Salvadoran government. This would be a narrow reading of the quote considering that Reverend Swanson stated that policy advocates ought to consider both the Salvadoran people and members of the government as "our friends." He then called for policy advocates "to take away the car," which given his emphasis on "these people and the Salvadoran government" suggests that the United States needed to take control of the society itself. Generally, policy advocates' focus upon the "out of control" *aspects* of Salvadoran society led them to conclude that it was in desperate need of external intervention to prevent a disaster, or, as Reverend Swanson implied, the complete obliteration of the Salvadoran people. Regardless of the constituency, policy advocates portrayed Salvadorans as unable to engender these changes themselves—as the metaphor of the drunk-driver suggests—and that the United States should take-away the (metaphorical) "car" until Salvadorans sufficiently demonstrated their capacity for self-governance.

Learning Democracy

Policy advocates looked for changes in the Salvadoran political system for evidence of an improved human rights situation, the logic being that changes in the political climate in El Salvador were a sign of increasing political freedom and the existence of the rule of law. The improvement constituency often touted elections as a sign of political progress in El Salvador. For them, elections were part of a prolonged and difficult process of political transformation there. Assistant Secretary of State Enders stated, “[w]e are just at the *first step in the democratic transformation* of the country. It is quite clear that the whole process will be very long and arduous and that there will be setbacks” (*Certification Concerning Military Aid to El Salvador*, February 8, 1982: 11; emphasis added). Henry Kissinger saw the political problems in El Salvador as the result of “...inexperience and ineptitude [rather] than ... fraud or corruption” (*Foreign Assistance Legislation for Fiscal Year 1985 (Part 6)*, February 8, 1984: 17). According to this logic, political problems in El Salvador were the product of Salvadoran’s incapacity, not a deliberate attempt to force a specific political outcome.

The not-enough improvement constituency would often question the significance of elections and other political reforms carried out in the midst of a civil war. These policy advocates would point to the case of Zimbabwe as an example of how misleading electoral results could be during an internal conflict.³ That is, if the left was unable to participate in elections, then the results did not indicate increasing political freedoms or the establishment of a democratic process. Others in this constituency were critical of electoral results because the very conditions of war meant that political reforms—for example, the election of a representative government—could not take place. For instance, Barbara Archambault, of the Third World Solidarity Committee, argued that while, “As North Americans, we are committed to and believe in a free and democratic electoral process” (*Certification Concerning Military Aid to El Salvador*, March 11, 1982:188). However, in her view, this was not possible in El Salvador. This was because “229,000 Salvadorans [were] out of the country and 300,000 [were] displaced internally. Driven from their homes by fear and violence, these people certainly [have] not [been] able to participate in the elections” (*ibid.*). Thus, despite the holding of elections, the results did not reflect any sort of political change, but rather, reflected the chaos of war.

As Congressman Barnes (D-MY) pointed out, even after the election of a civilian president in El Salvador in 1984 “[t]here are a number of individuals in El Salvador’s political life and in active duty positions in the military who are in simple English murderers” (*The Air War and Political Developments in El Salvador*, May 14, 1986: 4). From this perspective, despite the two elections that had been held since 1980 and the rewriting of the constitution, there was little evidence of Salvadoran’s willingness to change and of their having developed a greater capacity for self-governance.

Regardless of the constituency, policy advocates argued that it was up to the United States to engender further improvement in the political system there. U.S. General Nutting argued that, if one examined the changes in El Salvador, he could see that the political system had been transformed by the U.S. presence. He claimed that the political leaders in the nation—including the military—had demonstrated their capacity for political change by “...standing

³ Wartime elections held in Zimbabwe—which excluded the left from the process—resulted in the conservative candidate winning the vote. When elections were held after the war, and included the participation of the left, the leftist party won. Policy advocates used this to imply that elections held during El Salvador’s civil war were not a reflection of the people’s will, but rather, were the result of extremely limited political participation and political freedoms.

aside and supporting a process that conforms to *our values and our goals...*” (*Presidential Certification on Conditions in El Salvador*, August 3, 1982: 71; emphasis added). He went on to argue that “the goals that we have achieved or searched for over the period of years are visible” (*ibid.*). These political changes were to be accomplished through U.S. intervention and were measured by Salvadoran’s adoption and practicing of “our values.” Senator J. Bennett Johnston (D-LA) argued that, if it “takes putting the heavy hand of America in to the...political system of El Salvador, so be it” (*Foreign Assistance Appropriations Fiscal Year 1985 Part 1*, March 1, 1984: 42). He said that “we had just better tell those people and tell them very plainly that being against Communists is not enough” (*ibid.*). And, Congressman Robert J. Mrazek (D-NY) stated that when there was a transition from a military dictatorship to a civilian government, as there had been in El Salvador, “I think we still have an obligation to let these governments know when we are not satisfied with the status quo regarding human rights, and to demand improvements” (*Foreign Operations, Export Financing, and Related Programs Appropriations for 1990 [Part 3]*, February 8, 1989: 263). From this point of view, as Congressman Geo Crockett (D-MI) stated, it was up to the administration to tell the Salvadoran government “what [was] acceptable and what [was] not acceptable...” political behavior (*The Status of Democratic Transitions in Central America*, June 28, 1988: 180). While some policy advocates may have been critical of changes in the political sphere, the consensus was that the United States was obligated to engender and support these changes.

The Judicial System

Policy advocates also examined the Salvadoran judicial system and they identified the culture of impunity as a key factor in the historical and the, then, present nature of human rights abuses (see also Chapter 3 & 4). It was widely believed that the defunct nature of the Salvadoran legal system contributed to human rights violations (*ibid.*). In order to evaluate changes in the human rights situation, the improvement constituency argued that there had been a major shift in Salvadoran systems of accountability. The improvement constituency argued that the judicial system had begun to function and hold human rights abusers accountable for their actions. Assistant Secretary of State Enders, pointed to changes in the system since U.S. involvement in El Salvador had begun in 1980. Namely, “[a]rrests have been made more quickly and surely than before in political crimes or crimes alleged to involve powerful or well-situated persons” (*Presidential Certification on El Salvador (Volume II)*, July 29, 1982: 16). According to his analysis, judicial accountability had begun as early as 1982. However, it is important to note that these changes were supposed to be carried out under the tutelage of the United States. According to Acting Assistant Secretary of State for the Bureau of Inter-American Affairs, Michael Kozak, the judicial reform programs that the United States had begun there were designed to provide the Salvadoran government “the *capability* to start tracking these things down [prosecuting human rights abuses]” (*Foreign Assistance Legislation for Fiscal Years 1990-91 [Part 7]*, March 2, 1989: 10; emphasis added). Mr. Kozak went on to argue that, in addition providing the Salvadorans with the capacity to carry out judicial proceedings, the United States had to let the Salvadoran government “know in every way we can that it is not acceptable to have any backsliding in the human rights area” (*ibid.*). Thus, while improvement in the human rights situation had happened, it was the on-going U.S. involvement in the nation that would ensure that these changes continued.

The not-enough improvement constituency argued that fundamental changes in the Salvadoran judicial system were a necessary indicator of an improved human rights situation.

For example, a report submitted for the record by Americas Watch and the American Civil Liberties Union, concluded that “[u]nless and until military leaders who order or countenance political murders [were] removed and criminal punishment [was] the *predictable* consequence for political murder...” there were not sufficient institutional deterrents to human rights violations (*Central American Policy*, August 4, 1983: 7; emphasis added).⁴ In another hearing that year, the DOS acknowledged that “efforts to protect human rights and *instill* respect for the law [were] gravely hampered if the courts [were] unable to bring cases to a timely and impartial conclusion” (*El Salvador Military and Economic Reprogramming*, March 22, 1983: 27-8; emphasis added). Consequently, engendering this transformation was a key goal for these policy advocates.

The not-enough improvement constituency argued that judicial reforms had been cosmetic at best. According to this constituency, to use Senator Kerry’s (D-MA) words, the legal system remained static as it lacked “judicial investigative integrity” (*Administration Proposal for Counter-Terrorism Assistance for Central America*, November 19, 1985: 62). Moreover, Senator Kerry was critical of the Human Rights Commission in El Salvador, which was reported to be “spending most of their time investigating car thefts and illegal adoption rings...they have not even begun” (ibid.) investigating the human rights violations they were charged with examining.⁵ Dr. Segundo Montes of the Central American University’s Human Rights Institute, supported claims that there had been little institutional change in El Salvador, arguing that “[t]he people that have violated human rights have not been judged or gone to court” (*Central American Studies and Temporary Relief Act of 1987*, May 13, 1987: 95). This was a reflection of the society’s longer history in which the judicial system had never functioned effectively (see Chapter 3 & 4). Even as late as 1989, the lack of any sort of functioning system of justice continued to be a major issue for this constituency. For example, Congressman Yantron (D-PA) pointed out “...the overwhelming majority of those responsible for approximately 70,000 deaths have not been brought to justice and no military officer to date [in the ten years since the conflict began] has been convicted of a human rights violation” (*El Salvador at the Crossroads: Peace or Another Decade of War*, January 24, 1990: 1). Comments like this one were frequent and suggested that the judicial system *continued* to lack the capacity and will to deal with human rights violations. In sum, this was a debate over whether Salvadorans had developed the capacity to administer a judicial system. The logic being, if there was a trained and functioning judicial system in El Salvador, then there would be a legal consequence—and deterrent—to *all* acts of violence. A legal response to violence would signal that human rights violations would no longer be tolerated by the government and the society. To measure progress, these policy advocates monitored whether human rights abusers were being brought to trial and if these trials were fair in order to gauge whether the society had developed a judicial institution capable of deterring human rights abuses.

The Military

Since policy advocates argued that the transformation of the Salvadoran military was a necessary part of establishing respect for human rights, they paid particular attention to the military’s human rights record. Policy advocates generally agreed that the United States had to take some sort of action in order to improve the military’s human rights performance. To

⁴ The report was titled *Report on Human Rights in El Salvador*, and this quote appeared on page 8 of the document.

⁵ The Human Rights Commission was supposed to examine high profile cases of human rights abuses, like the assassination of Archbishop Romero and the massacre at El Mozote.

engender military reforms, the United States sent U.S. military “trainers” to professionalize the Salvadoran security forces and to provide them with human rights instruction. The “trainers” were supposed to impart the value of having a civilianized command structure in which the military followed the orders of the executive branch.⁶ In addition, military officers were sent to U.S. training facilities to receive instruction in human rights.⁷ In material submitted for the record, the Department of Defense described the program as an “extensive indoctrination on human rights...to instill respect for human rights” within both the Salvadoran military and the police forces (*Security and Development Assistance*, March 24, 1984: 569).

The improvement constituency often pointed to changes within the Salvadoran military as evidence of an improving human right situation. Assistant Secretary of State for Inter-American Affairs Enders succinctly summarized the position of this group. He discussed shifts within the military command structure—including increased “civilian” oversight—that had resulted in an emphasis on “[t]he need to protect human rights.” Additionally, the new command structure had “... promulgated a military code of conduct that highlight[ed] the need to protect human rights” and the leadership had “...transferred, retired, cashiered, or punished 1,000 officers and men for various abuses of authority” (*Presidential Certification on El Salvador (Volume 1)*, February 2, 1982: 26). As the conflict progressed, this constituency pointed to increasing numbers of military officers that had been punished for inappropriate conduct. At times, they emphasized that the military had begun taking prisoners of war, rather than merely executing their opponents. Throughout the conflict, this constituency pointed to the military’s increased emphasis on human rights, both as a part of its training procedures and its public statements, and its willingness to discipline its officers. Members of this constituency also pointed to declining estimates of human rights violations as evidence of the military’s improved record. This evaluation implied—although this was not necessarily directly stated—that the military was responsible for the vast majority of human rights abuses.

However, because U.S. policy sought to achieve the transformation of the military, improvements were “measured in inches not miles” (*Presidential Certifications on Conditions in El Salvador*, August 3, 1982:17). As such, members of this constituency, like the DOS, acknowledged that progress within the military was not absolute as “Salvadoran military and security forces do—in violation of orders and policy—engage in human rights abuses on *isolated* occasions” (*Administration Proposal for Counter-Terrorism Assistance For Central America*, March, c1985: 241; emphasis added). However, the DOS argued that one “can say with confidence that the level of human rights abuse has diminished dramatically such that abuse no longer occurs with even the tacit approval of the leadership of the public security forces or the military” (*ibid.*). The DOS concluded that “[t]he path to success in the Salvadoran military and public security forces is no longer one of abuse, but one of professionalism” (*ibid.*). By the end of the war, the Department of Defense argued that “[o]ur continued interaction with the Salvadoran Armed Forces over the eleven years of the conflict has resulted in considerably fewer human rights violations...” and that the U.S. would continue its efforts “to press the military to better respect human rights” (*Fiscal Year 1992 Foreign Assistance Request for the Western Hemisphere*, April 18, 1991: 36). Hence, improvements in the human rights situation were also linked to the developing professionalism of the military that the United States had engendered.

The not-enough improvement constituency argued that on-going military-led massacres and that the continued lack of accountability evidenced that little progress had been made.

⁶ From 1931-1979 El Salvador was ruled by a series of military dictators.

⁷ This training also included instruction in counter-insurgency warfare.

Throughout the civil war, the military continued to engage in both large scale and small scale massacres, in spite of United States assistance. For example, in 1989, a U.S. trained battalion executed 6 Jesuit priests, their housekeeper and her daughter, thereby supporting this constituency's claims that U.S. involvement had had little impact on the Salvadoran military. This constituency used examples like this one, to show that "professionalism" had not developed, and that human rights abuses were still the normal outcome of military engagement.

Members of this constituency cast aspersions on the notion that human rights violators had been charged with their crimes. As Amnesty International pointed out in a report submitted for the record, in "...the vast majority of reported violations of human rights, their perpetrators have remained immune to genuine investigations of prosecution. Despite...pledges, widespread and persistent human rights abuses have continued..." (*Central American Counterterrorism Act of 1985*, November 19, 1985: 86). Others questioned the significance of reassigning military officers accused of human rights violations, as reassignment indicated a tacit approval of their actions. Generally, the not-enough improvement constituency argued that little progress had been made within the Salvadoran military because of ample evidence of the security forces' abuses of civilian populations and their continued immunity from prosecution.

Regardless of how a constituency measured progress, the general conclusion was that, in order to improve the human rights record of the Salvadoran military, some sort of U.S. intervention was required. The improvement constituency, as discussed above, cited evidence of the military's adoption of human rights principals. For instance, Assistant Secretary of State for Human Rights and Humanitarian Affairs Abrams argued that "[r]espect for human rights and proper conduct toward the civilian population has been a principal part of *our* training of Salvadoran military personnel. Salvadoran leaders have been receptive to *our* concerns and agree with *our* basic objectives" (*Presidential Certifications on Conditions in El Salvador*, August 3, 1982: 16; emphasis added). This constituency argued that an improved human rights situation within the military resulted from U.S. actions.

The not-enough improvement constituency also argued that United States' actions were crucial to improving the Salvadoran military's human rights record. Aryeh Neier of Americas Watch, contended that the United States should send a signal to the Salvadoran armed forces "to change their ways" (*Central American Policy*, August 4, 1983: 115), and he believed that the Salvadoran armed forces would respond to U.S. pressure. Congressman Dan Mica (D-FL) proposed that the goal of the United States, in his mind, "...was an affirmative action program" (*U.S. Policy Options in El Salvador*, September 26, 1981: 24). Congressman Mica's reasoning was that the United States used this initiative domestically to ensure that its citizens complied with "government regulations" (*ibid.*). He argued that the United States should force the Salvadoran government to "...comply in some way with the goals and aims of America..." and that this could be accomplished through "a little stronger affirmative action" (*ibid.*). The idea being that if an entity within the United States refused to comply with government regulations regarding equal opportunity and employment, the U.S. government could legally intervene and force an employer to do so. Assistant Secretary Enders responded to this proposal agreeably, stating, "I like that. We will take affirmative action" (*ibid.*). According to this interchange, sometimes the government had to use more force to attain compliance. The "affirmative action program" in El Salvador would leverage U.S. involvement to ensure that Salvadorans had complied with the United States' human rights goals. Generally, then, U.S. policy was supposed to engender changes within Salvadoran institutions. These changes would create institutional mechanisms that would deter human rights abuses and thereby improve the human rights

situation.

CONCLUSION

In this chapter I have explored how policy advocates evaluated progress towards an improved human rights situation. I found that a decline in the number of human rights violations was not the sole criteria for measuring progress. Rather, policy advocates assessed each society's supposed capacity for self-governance by examining their respective political and judicial institutions and the extent of changes within their respective militaries. Policy advocates then amplified their estimation of each society's (in)capacities in these areas. Many scholars have examined whether the Cold War constituency or the human rights constituency "won" the policy debates (see Arnson, 1993, LeoGrande, 1998), arguing that these constituencies had dramatically different ideas of how to evaluate an improved human rights situation (see Arnson, 1993, LeoGrande, 1998; Schoultz, 1981). I found, however, that both focused upon institutional changes that would indicate a (re)emerging capacity for self-governance. This analysis was based upon an assessment of the political, legal, and military institutions in each nation.

In the case of Argentina, policy advocates' assessment as to whether the human rights situation had improved there was based upon their view of Argentina as a nation endowed with the capacity for self-governance. In order to determine whether improvements had taken place, they evaluated whether the society's capacity for self-governance had been restored. In contrast, policy advocates' analysis of progress towards an improved human rights situation in El Salvador took a dramatically different tone. They argued that Salvadorans lacked the capacity to develop "institutionalized protections for human rights" on their own. Therefore, they believed that U.S. policy should be leveraged to engender a change in Salvadoran institutions.

Policy advocates could have easily developed alternative understandings of the issue at hand. That is, policy advocates discussed similar human rights violations in the two cases (see Chapter 4). Yet, they understood those violations and what would constitute progress towards an improved human rights situation in fundamentally different ways. Policy advocates could have just as easily viewed human rights violations in Argentina as part and parcel of a problem of governance there, as both military and democratic governments had used them to maintain power and suppress internal dissent, and these governments operated with complete impunity (see Chapter 3 & 4). Following from this logic, policy advocates could have argued that Argentines were incapable of creating or maintaining institutions that would promote respect for human rights and that the society required outside intervention to do this.

In the case of El Salvador, policy advocates could have focused upon the military and oligarchy's use of violence to perpetrate human rights abuses and to protect themselves with impunity (see Chapters 3 & 4; Montgomery, 1995). Following from this logic, it was not that Salvadoran society lacked the capacity for self-governance. Rather, it was a question of who controlled the political and legal institutions there. Thus, policy advocates could have focused upon supporting the sectors of Salvadoran society agitating for accountability—there were numerous human rights organizations within El Salvador doing this—and penalized specific sectors of Salvadoran society engaging in the suppression of human rights—the military, oligarchy, and the associated death squads. Instead, those suppressing human rights were admonished, but never held accountable for their actions. Moreover, over the course of the 12 year war, the United States gave a vast amount of aid to the El Salvadoran government to transform that society in an effort to establish respect for human rights.

By using the politics of meaning-making to guide this discussion we can understand policy advocates' perceptions of each society as part and parcel of a longer history of United States-Latin America relations. That is, North Americans have long questioned Latin American's capacity for self-governance. This legacy has continued to shape our ways of being and knowing well after explicit language about it fell out of fashion. In assessing whether the human rights situation had improved, policy advocates examined specific aspects of each society, while failing to fully grapple with the complex and interconnected nature of human relationships.

As significantly, in analyzing policy advocates' approach to assessing these nations continued performance in the sphere of human rights, I have set forth lessons as to how progress towards an improved human rights situation has been measured *in the moment*. If human rights policy is going to work to effectively to curb human rights abuses, we must remain cognizant of the fact that evaluating progress toward an improved human rights situation has been an act of meaning-making. That is, it has been a process in which we have relied upon narrow visions of other societies, and our perceptions were a matter of life and death.

Conclusion

The Politics of Meaning-Making: The Tortured Logic of U.S. Human Rights Policy

Generally, the research that has dominated our insights into the content and tone of human rights policies has taken this phenomenon to be self-evident. Consequently, analyses have focused upon two potential determinates of U.S. human rights policy: international norms and national security. Yet, there is a wealth of research on the intersections between culture and domestic policy suggesting that we must look beyond the political constraints shaping policy. Following this latter line of study, I argue that we must consider that policy-making is also a process of meaning-making: actors draw upon shared meanings to identify a policy issue, its cause, and to develop a policy solution. My findings show that we must understand the crafting and implementation of U.S. human rights policy as embodying a process of socially constructing meaning, in which policy advocates engaged in the “politics of meaning-making.” And, in that process, policy advocates’ perceptions of a society’s supposed capacity for self-governance shaped the nature of U.S. human rights policy.

Rather than approaching the definition of respect for human rights as self-evident, I argue that it is socially constructed through debates and actions. By focusing on the politics of meaning-making, the protracted discursive struggle to define, expound upon, and defend an issue, my dissertation reveals that policy advocates relied upon long-standing cultural tropes to craft the United States’ response to human rights violations. That is, they questioned Latin Americans’ supposed capacity for self-governance. Their assessment of this shaped how policy advocates constructed a narrative of each society’s historical human rights practices, their framing of the contemporary human rights situation, and how they defined progress toward an improved human rights situation. Hence, rather than arguing that U.S. human rights policy has been inconsistent, as others have (e.g., Donnelly, 2002; Forsythe, 1989, 2000; Schoultz, 1981; Sikkink, 2004), I highlight the underlying assumptions that have shaped U.S. human rights policy. They have aligned with policy advocates’ assessment of each society’s supposed capacity for self-governance. Thus, the United States’ sanctioning of the Argentine military regime and its support for the Salvadoran rights-violating regime reflected a deeper system of meanings.

The assumptions concerning Latin American’s supposed capacity for self-governance are part and parcel of the history of United States-Latin America relations. Since 1823—when the United States proclaimed the Monroe Doctrine—North Americans have portrayed Latin Americans as incapable of determining their own destinies and as “naturally” inferior people. This view has endured to influence the United States’ response to human rights violations in that region. Thus, as policy advocates engaged in the politics of meaning-making, they relied upon and rearticulated existing cultural tropes in this regard.

These perceptions led policy advocates to magnify particular histories and aspects of each society that aligned with their assessment of the society’s ability to practice self-governance. At the same time, in doing so allowed them to obfuscate contradictory information. Thus, as policy advocates assessed each society’s historical practice of respecting human rights, they questioned each society’s supposed capacity for self-governance. In the process, they developed particular narratives of each society’s history. In the case of Argentina, policy advocates viewed it as a society with strong democratic roots and with a record of respecting human rights. This view ignored the society’s history of military coups and the human rights violations perpetrated under

both elected and military governments. In contrast, policy advocates viewed Salvadoran society as devoid of respect for human rights. This ignored the fact that many groups there had pressed for democracy and respect for human rights despite military repression. Other scholars argue (?) that a nation's position in the Third World will effectively cast it as barbarian (see, for example, Mutua, 2001). In contrast, my dissertation demonstrates the nuanced layers of policy advocates' assessments of foreign societies. That is, these cases demonstrate that not all "Third World" nations were construed in the same way: not all non-Western nations are perceived as barbaric, as some are viewed as closer to the West and "civilized" society. Hence, policy advocates associated particular meanings with each society.

Furthermore, policy advocates' assessment of a society's capacity for self-governance shaped how they framed each conflict. Despite the fact that policy advocates used the concept of repression to describe the vast majority of the human rights violations perpetrated in each of the two cases, they articulated qualitatively different frames for the human rights violations taking place. These frames characterized human rights violations in dramatically different ways. In regard to Argentina, policy advocates discussed disappearances as their principal grievance, and in regard to El Salvador they discussed the phenomenon of "generalized violence." In the case of Argentina, policy advocates identified the military regime as the cause of abuses, lawyers as the victims of repression, and described a plan to restore respect for human rights there. Moreover, this frame reflected a clear boundary between the victims of human rights violations and the military perpetrators. In contrast, policy advocates' frame for El Salvador built upon their narrative of Salvadoran history, and portrayed human rights violations perpetrated during the civil war as an enduring feature of that society. As such, the discourse of generalized violence blurred the lines between victims and perpetrators because all Salvadorans were likely to use violence to deal with social conflict. As Congressman Hartnett (R-SC) stated, "*for over 700 years, [Salvadorans] have never had any respect for human rights, have only known violations of human rights...the human rights situation—the lack of human rights—exists not only with the Government, but with the people themselves. (Human Rights in El Salvador, July 26, 1983: 7; emphasis added).*" This discourse implied that Salvadorans could have easily been victims or perpetrators of human rights violations. Following this assessment, policy advocates sought to modernize Salvadoran institutions and establish respect for human rights. Hence, U.S. human rights policy toward Latin America reflected particular perceptions of each society, particularly concerning that society's supposed capacity for self-governance.

As these conflicts raged, policy advocates closely monitored the human rights situation and were preoccupied with assessing whether there had been an improvement. Other researchers have assumed that "improved human rights situations" are typically defined in numeric terms—by a significant reduction in the estimates of violations—or through regime change.¹ However, I find that policy advocates took a much different approach. Following their articulated goal of

¹ In my reading of the literature, there are the two general tendencies. On the one hand, researchers and human rights organizations have relied upon statistics to illustrate the scope and severity of human rights violations. Often times a decline in the number of abuses—as measured by a downward trend on a graph—is supposedly illustrative of an improving human rights situation. To a degree, this is an obvious truth. If the number of abuses decline then the human rights situation has improved as there are fewer victims of regime repression. On the other hand, we are left to assume that regime change is another indicator of an improved human rights situation. That is, researchers have demonstrated the emphasis that policy-makers have placed on elections as a sign of an improved human rights situation (see Donnelly, 2000, 2002). Moreover, given that many repressive regimes come to power through coups and the suppression of democracy, elections or regime change has been considered an indicator of an improving situation and the violator's abdication of power (see Keck and Sikkink, 1998).

restoring respect for human rights in Argentina, they measured progress based upon whether the Argentine government and society had been restored to its previous condition. This required the restoration of democracy (civilian rule), the resurrection of an independent judiciary, and these changes further remove the military from power and restore their accountability to civilian rule. In regard to El Salvador, policy advocates measured progress towards an improved human rights situation by evaluating whether U.S. efforts to modernize Salvadoran institutions had been successful. In sum, I offer an interpretive account of U.S. human rights policy, one that is meant to supplement existing accounts of the “political calculus” that has shaped this arena of policy-making. Moreover, while others have argued that U.S. human rights policy has been shaped by a Western/non-Western binary, I show that policy advocates’ understanding of societies in Latin America was far more nuanced. I point to the specific mechanism driving this analysis: policy advocates’ *layered* assessment of a society’s supposed capacity for self-governance. All of this is to say that, U.S. human rights policy has aligned with policy advocates’ view of the society’s supposedly existing capacities.

IMPLICATIONS FOR THE LITERATURE

My dissertation illustrates the insights that can be gained from examining the social processes that underlie policy-making and of the development of the concept of human rights. I have revisited the archive of Congressional hearings, and reexamined two cases that tested the United States’ commitment to promoting respect for human rights abroad. These two cases have served as the foundation for much of the literature on U.S. human rights policy. By taking a meaning-making approach, I have proposed a framework that expands our understanding of policy in this era as a product of something much larger than the Cold War. I highlight the social, cultural, and political processes contributing to the underlying logics of U.S. human rights policy. Moreover, I build upon existing literature in sociology (Cole, 2005; Drori & Krucken, 2009; Meyer et al., 1997; Strang & Meyer, 1993) to illustrate how social actors translated international norms into policy debates and incorporated them into policy statements.

Traditionally, research has assessed the macro-level process of international norm implementation by looking at the conditions of norm diffusion (see Finnemore, 1996; Keck & Sikkink, 1998; Khagram, Riker, & Sikkink, 2002; Sikkink, 1993) or the similarity between “state scripts” (see Cole, 2005, 2009, 2012; Drori & Krucken, 2009; Meyer et al., 1997; Strang & Meyer, 1993). In contrast, my aim has been to analyze the micro-level processes of meaning-making. Specifically, I focus upon actors’ interpretations of human rights norms and how this influenced their understanding of abuses and the “best” way to stop them. I use actor’s *individual* interpretations of human rights to highlight the shared meanings that shaped U.S. human rights policy. Thus, my goal has been shift our attention to the discursive processes through which actors integrate international norms into prescriptions for policy action.

In addition, this dissertation suggests that the “realists” assessment of human rights policy as having been determined by national security, has not done justice to the complexities of policy-making. That is, U.S. human rights policy was also a product of how policy advocates understood the nature and scope of human rights violations in a foreign society. More broadly, my dissertation demonstrates the importance of looking beyond a purely moral conception of human rights and towards an understanding of it as a social construct. Hence, to understand U.S. human rights policy we must apply a “sociological imagination” (Mills, 1959), because actors and institutions are a product of, and embedded within, a larger social context and historical

trajectory. To have a full account to the United States' response to human rights violations we must be attentive to the politics of meaning-making.

United States' Human Rights Policy: (Re)Developmentalist Logics

Generally, research on United States-Central America policy in the 1980s has posited that the Cold War determined the nature and scope of it (see Arnson, 1993; LeoGrande, 1998). According to this analysis, the Reagan administration emphasized fighting the Cold War at the cost of promoting respect for human rights in the region (Arnson, 1993; Donnelly, 2002; LeoGrande, 1998; Sikkink, 2004). In fact, it has been assumed that fighting the Cold War and promoting respect for human rights were mutually exclusive political positions. Insofar as administration officials promoted respect for human rights, it was only during Reagan's second term, as the public's criticism of United States-Central America policy had grown (ibid.). While the Cold War was an important social and political context, it was not the sole determinant of U.S. policy. Further, even Cold Warriors addressed the human rights situation, as U.S. legislation and public pressure required that they engage in debates over what constituted respect for human rights and their violation. Policy advocates generally agreed that internal conditions were the driving force of each conflict, not foreign or communist intervention. It is important to note that, at times, the views they articulated in the hearings reinforced Cold War rhetoric. However, their analyses of the two societies converged upon a particular constructed imagery: Argentines were endowed with the capacity for self-governance, and Salvadorans were not.

More broadly, the U.S.'s response to human rights violations paralleled U.S. Cold War development policy. That is, approaches to policy in both of these arenas embodied the tenants of modernization theory: all societies had to follow a single path to modernization (and respecting human rights) and some were farther along that path than others (see Blomström & Hettne, 1984; Klarén & Bossert, 1986; Rostow, 1960; So, 1990). According to modernization theorists, some societies had achieved a higher stage of development, while others lacked the social, cultural, or economic factors required to foment "progress" (ibid.). Rostow (1960) used the metaphor of an airplane taking off to describe economic modernization, and argued that distinct societies were in different stages of flight. Yet, the logic of modernization theory was embodied in U.S. human rights policy as well. Namely, the policy of restoring respect for human rights in Argentina sought to continue the progress that society had already made. In other words, the United States' goal was to keep the plane in the air. While in the case of El Salvador, the United States sought to establish the foundation for modernization; it sought to get the metaphorical plane on the runway.

Following the logic of modernization theory, the United States sought to promote further progress in already modernizing societies, like post-WWII Western Europe in which the U.S. launched the European Economic Recovery Program, also known as the Marshall Plan (Dulles, 1993; Killick, 1997; Kindleberger, 1987; Maier & Bischof, 1991; Pronay & Wilson, 1985; T. Wilson, 1997).² That is, in an effort to prevent the spread of communism in post-war Europe, the United States sought to promote the redevelopment of this region (ibid.). In essence, postwar

² The European Economic Recovery Program included the rebuilding of Germany. This was because many Western European nations relied on wheat and coal imported from Germany. We could characterize this program as solely a post-war reconstruction plan. Yet, as the original name of the program would suggest, this program was designed to promote economic redevelopment of the region under the assumption that rebuilding these economies would make them stronger and promote further economic, social, and political development in the region. This redevelopment strategy would act as a bulwark against communism in the region. Moreover, this plan served as precursor for the Alliance for Progress in Latin America.

Western Europe had societies in which the plane had “taken-off,” but they needed help staying in the air. At the same time, the United States sought to prevent the spread of communism by setting other societies on the path towards modernization. For example, the U.S.’s post-WWII plan to modernize Japanese society (Bailey, 1996; Moore & Robinson, 2002). In these cases, societies needed economic and cultural help in order to reach the “takeoff” stage. The logic of modernization theory was embodied in U.S. human rights policy as well. This suggests that the “developmentalist” logics (Grosfoguel, 2009) that characterized broader U.S. foreign policy were also reflected in policy advocates’ approaches to the United States’ response to human rights violations.

Culture and (Domestic) Policy

Taking the lead from those studying the intersection of culture and policy, I have argued that we must approach the formation of U.S. human rights policy as a process of meaning-making. Much of the literature examining the relationship between culture and policy has focused upon the development of domestic policy. I build upon this framework to consider how culture shapes foreign policy. That is, the frames that policy advocates developed were rooted in a larger set of social relations and cultural meanings that had constructed most Latin Americans as incapable of self-governance and as an inferior people. As such, policy advocates relied on this trope to imbue human rights with meaning, and to construct U.S. human rights policy.

In addition, my dissertation helps us to understand a moment of rapid social change during which actors generated a new policy. Studies of the rapid expansion of civil rights norms to non-black minority groups, “the minority rights revolution,” show the importance of using moments of large-scale social change to study meaning-making (Skrentny, 2002). That is, examining the resources and evidence actors marshaled to develop new civil rights policy has revealed the underlying social meanings associated with “minority rights” (ibid.). Human rights policy, too, emerged in a moment of profound social change: it was an era of civil rights and anti-colonial struggles, the rise of anti-communist dictatorships in Latin America, and the proliferation of human rights organizations, and anti-capitalist movements. Many researchers have also acknowledged that U.S. human rights legislation represented a break in the traditional foreign policy-making apparatus by giving the U.S. Congress new control over international relations. Furthermore, U.S. human rights legislation was immediately tested by coups in Latin America, forcing policy advocates to engage in a debate over how this legislation should and could be implemented in U.S. foreign policy. Hence, my study builds upon prior research to examine how a moment of profound domestic and global social change was reflected in policy-making. By adopting the approach of scholars examining the intersections of culture and policy (see Dobbin, 1994, 2011; Mora, 2014; Skrentny, 2002; Steensland, 2006; Wilson, 2011), I situate U.S. human rights policy in a larger process of the social (re)construction of meaning.

Moreover, this study contributes to the growing body of literature on the sociology of human rights. It further illuminates the socially constructed nature of human rights as a concept and practice, bringing to the fore the discursive foundations of this process. Human rights scholars have discussed the concept of human rights as a reflection of the Western-non-Western binary (Grosfoguel, 2009; Kinsella, 2005; Mutua 2001; Suárez-Krabb, 2013; Williams, 2010). I find, however, that North Americans’ perceptions of victims of human rights violations have been far more nuanced, and I explore the specific discursive practices that policy advocates used to portray similar instances of human rights violations in disparate ways.

IMPLICATIONS FOR HUMAN RIGHTS CONSTITUENCIES

For human rights constituencies, this research offers cautionary lessons. First and foremost, we must be attentive to the lens we use to understand human rights violations. That is, I show that human rights constituencies and “realists” are not diametrically opposed groups. Both used discourses questioning a society’s supposed capacity for self-governance to examine the human rights situation in Argentina and El Salvador, respectively. We need to be cognizant of how longer histories of social relations shape our understanding of respect for human rights and their violation so that we can engage in policy debates that assess the human rights situation in a society, rather than its supposed capacity for self-governance. Secondly, this dissertation highlights the importance of critically engaging with actors participating in the crafting of U.S. human rights policy. Even realists had an opinion of what constituted respect for human rights and what constituted a violation *in a particular society*. Thus, while it is tempting to dismiss realists as being exclusively preoccupied with national security, they, too, engaged in the politics of meaning-making around human rights.

We must also consider the implications of this approach beyond the time period of study. That is, we must be attentive to the larger trajectory associated with the policy of restoring respect for human rights in Argentina and the policy of establishing respect for human rights in El Salvador. Each of these approaches to dealing with human rights abuses was associated with a particular post-war trajectory. Policy advocates’ belief that Argentines had the capacity for self-governance was linked to their belief that after the Dirty War, Argentines had the ability and right to determine how to deal with human rights abuses and abusers. After the war, Argentines conducted their own Truth Commission and prepared their own report on the nature and scope of human rights abuses. This report carefully detailed the goals, methods, and depths of repression in Argentina, relying heavily on graphic victim testimony to do so. In essence, Argentines wrote their own history of the Dirty War, and decided how to deal with wartime abusers. The “Full Stop” (*Ley de Punto Final*) was implemented in 1986, preventing the further prosecution of military leaders for disappearances. However, Argentines were still able to prosecute some military men who were accused of participating in the illegal adoption of children during the Dirty War, as the “Full Stop” law did not apply to these cases of human rights violations (Arditti, 1999). Moreover, the effects of human rights violations during the Dirty War changed Argentine law. For example, in light of illegal adoptions there, the Argentine government effectively barred international adoption and created a state-run genetic data bank to match disappeared children with their surviving family members (*ibid.*). In essence, the human rights violations perpetrated during the Dirty War have become part of a larger social memory and have been openly discussed by human rights organizations and the Argentine government itself.

In regard to El Salvador, policy advocates’ view of Salvadorans as incapable of self-governance was associated with a different post-war trajectory. The United Nations prepared the Salvadoran Truth Commission report. Unlike Argentina’s, it reads like a police report: it describes sequences of events in a technical fashion. While it chronicles wartime atrocities, the data was collected and analyzed by the United Nations, not Salvadorans. This was so despite the fact that a Salvadoran agency, the Socorro Jurídico, had collected thousands of testimonies throughout the war. Moreover, since the end of the war, no high ranking military officials have been tried for their crimes against Salvadorans within El Salvador.³ And, until 2011, the history

³ Some military officials have been tried for wartime crimes during the civil war. However, these trials largely pertained to crimes perpetrated against U.S. citizens residing in El Salvador, and not violations against Salvadorans. For example, during the war military men were tried for their roles in the murder of the Maryknoll workers. Spain

of the civil war was not publically commemorated. This changed when President Mauricio Funes (FMLN) declared March 29, the day of the disappeared children (*el día de los niños y las niñas desaparecidos durante la guerra civil*), a day dedicated to remembering the children stolen and illegally adopted during the civil war. This day of remembrance was accompanied by public school instruction telling the history of disappeared children. These lessons, however, do not include a detailed history of the civil war itself. While these differences between Argentina and El Salvador are not necessarily caused by U.S. policy, they suggest the need to closely examine how U.S. (un)involvement in a conflict can shape a society beyond the conflict, itself.

BROADER APPLICATION OF THIS APPROACH

The framework proposed in this study can begin to help us grapple with the nature of U.S. human rights policies abroad and at home. My dissertation has illustrated the socially constructed nature of human rights both as a concept and as a practice. Societies have readily accessible human rights scripts available to them, namely, the UDHR and national legislation passed to reflect international human rights declarations. Other researchers have been preoccupied with exploring the human rights scripts that states adopt (see Cole, 2005, 2009, 2012; Meyer et al., 1996; Strang & Meyer, 1993). However, by treating human rights norms as self-evident concepts, or sets of practices that nation-states adopt, we have neglected to focus upon the process through which actors imbue this concept and practice with meaning. By examining how actors have translated human rights norms into policy practices, this dissertation demonstrates how international human rights scripts are filtered into national policy.⁴ Hence, rather than examining the similarity between human rights scripts, we should pay closer attention to how these scripts are put into action.

We should also consider U.S. human rights legislation as a re-articulation of the declaration of Manifest Destiny—the United States has had the “God-given” right to promote human rights throughout the world. Assumption of this right relied on a lens that, at the very least, relegated human rights violations to “early” national history and, at worst, obfuscated the position of the U.S. government as a rights-violating regime both domestically and internationally currently. That is, this legislation relegated human rights violations to U.S. history (e.g., the genocide of Indigenous populations, slavery, Jim Crow, the internment of Japanese during WWII), positing that the United States was not also a rights-violating regime in the contemporary era. As such, we should be attentive to the meanings and symbolism of U.S. human rights legislation in and of itself.

The politics of meaning-making highlights the socially constructed nature of all policy, and can be used to understand other issues. For instance, it could help us to examine civil society and state responses to police killings of unarmed men of color. That is, distinct groups are presently engaged in the politics of meaning-making, fighting for particular definitions of

has begun a campaign to use international jurisdiction to try high-ranking Salvadoran military official for human rights violations perpetrated during the war (<http://www.miamiherald.com/news/nation-world/world/article17882303.html>; retrieved on April 1, 2015). The United States has deported a former Salvadoran military leader, General Vides Cassanova, who had legally settled in the United States, for his role in human rights abuses during the civil war (http://www.nytimes.com/2015/04/09/us/us-deports-salvadoran-general-accused-in-80s-killings.html?_r=0; retrieved on April 18, 2015). It is important to note, however, that Salvadoran law prevents his prosecution for his wartime crimes.

⁴ Gregg (2011) uses political theory to illustrate the socially constructed nature of the concept of human rights. While this is an important contribution, it fails to grapple with the empirical ways that actors imbue human rights—as both a concept and practice—with meaning.

respect for human rights: legal rights and the right to life. The response to the numerous instances of deaths of men of color while being detained by the police has been seemingly inconsistent. Some officers have been charged with homicide or manslaughter, while others have cleared of any wrongdoing.⁵ Hence, we could use the politics of meaning-making to examine civil society and state responses to these cases and to understand the state's seemingly inconsistent response to these acts. Doing so would help to highlight how cultural toposes regarding the supposed criminality of men of color shape officer's actions and the subsequent policy responses to incidents of death while in police custody.

Additionally, we could use the politics of meaning-making to understand contemporary immigration issues. That is, presently the U.S. has experienced a rise in unaccompanied child migrants from Central America seeking asylum in the United States (Filligim, 2015). Under U.S. law, child migrants from Central America have special protections that allow them to access the asylum system, while Mexican child migrants seeking asylum can be automatically returned to Mexico (*ibid.*). We could use the politics of meaning-making to examine why these distinct policies emerged and to further contextualize the United States' response to Latin American immigration. In sum, the politics of meaning-making allows us: (1) to uncover the meanings associated with policy statements and actions; (2) to contextualize policy within the social, cultural, and political milieu and the histories that shape it; and, (3) to understand policy justifications beyond a political calculus.

FUTURE RESEARCH

This study has focused upon U.S. policy toward Argentina (1976-1983) and El Salvador (1980-1992). In order to more fully address the role of presidential politics, I plan to undertake an additional case study that spans this entire period, the civil war in Guatemala (1975-1996). Moreover, adding this case would allow me to engage with other researchers who have argued that analyzing a group's capacity for self-governance is an inherently racial analysis.⁶ Some scholars have also argued that human rights norms are intrinsically linked to racialized understandings of non-Western people (Grosfoguel, 2009; Kinsella, 2005; Mutua 2001; Suárez-Krabb, 2013; Williams, 2010). In future work I plan to leverage study of these three cases to more fully explore the relationship between a society's perceived capacity for self-governance and race. These cases will allow me to triangulate the role of race through the comparison of a "European" nation, Argentina, with a "mestizo" society, El Salvador, and an "indigenous" society, Guatemala. During the civil war in Guatemala, the regime there engaged in genocide toward the country's indigenous population (see Manz, 2005; Menchu, 1984; Salazar, 2012).

We could also analyze the connections between conceptions of capacity for self-governance and race by applying this framework to other geopolitical regions, like Africa. This

⁵ For instance, two officers—one in Ferguson, Missouri and one on Staten Island, New York—have been cleared of any wrong doing in the deaths of citizens (see <http://www.thenation.com/article/190937/why-its-impossible-indict-cop#>; retrieved on April 15, 2015). However, there have been some cases in which a law enforcement official has been charged in the death of an unarmed suspect: recently a South Carolina police officer was charged with murder (see <http://www.cnn.com/2015/04/13/us/south-carolina-police-shooting/>; retrieved on April 15, 2015); an Oklahoma reserve deputy was charged with manslaughter (<http://www.cnn.com/2015/04/13/us/south-carolina-police-shooting/>; retrieved on April 15, 2015); and a California transit police officer was convicted of killing an unarmed transit passenger (<http://ww2.kqed.org/news/2014/06/11/bart-cop-johannes-mehserle-to-testify-in-oscar-grant-lawsuit/>; retrieved on April 15, 2015).

⁶ See Bonilla-Silva, 2003; Burton 1998; Dent, 1999; Dower, 1998; L. Gómez, 2007; Grosfoguel, 2003; Langley, 2010; Lewis, 1975; Mignolo, 2002; and Quijano & Wallerstein, 1992.

might well uncover the underlying logic of the United States' delayed response to genocide in Rwanda. Another fruitful line of inquiry would be examining contemporary cases, like the U.S. response to human rights violations in Syria and Colombia, or how U.S. human rights policy develops as U.S. relations with Cuba normalize.

In each of these instances, we could explore the politics of meaning-making and search for the underlying policy logics. As I have suggested herein, this framework allows us to understand the reductionist views of populations, and reductionist explanations of phenomena, such as human rights violations, policing, or immigration, that reinforce the “inferiority” and “deviance” of non-white people. In sum, I have proposed a framework and language through which we can examine the discursive battles that shape policies, and the process through which policies are imbued with meaning through social construction.

Abbreviations

AIFLD- American Institute for Free Labor and Development

ARENA- National Republican Alliance (*Alianza Republicana Nacionalista*)

DOS- Department of State

EVD- Extended Voluntary Departure

FMLN- Farabundo Martí National Liberation Front (*Frente Farabundo Martí para la Liberación Nacional*)

FAA- Foreign Assistance Act

NSDA- Nation Security Digital Archive

PEN- National Executive Power (*Poder Ejecutivo Nacional*)

USAID- United States Agency for International Development

Bibliography

- Almaguer, Tomás. 1994. *Racial Fault Lines: The Historical Origins of White Supremacy in California*. Berkeley: University of California Press.
- Almeida, Paul D. 2008. *Waves of Protest: Popular Struggle in El Salvador, 1925-2005*. Minneapolis: University of Minnesota Press.
- Apodaca, Clair, and Michael Stohl. 1999. "United States Human Rights Policy and Foreign Assistance." *International Studies Quarterly* 43(1):185-98.
- Arditti, Rita. 1999. *Searching for Life: The Grandmothers of the Plaza de Mayo and the Disappeared Children of Argentina*. Berkeley: University of California Press.
- Armony, Ariel C. 2005. "Producing and Exporting State Terror: The Case of Argentina." in *When States Kill: Latin America, the U.S., and Technologies of Terror*, edited by Cecelia Menjiva and Néstor Rodríguez. Austin: University of Texas Press.
- Arnson, Cynthia. 1993. *Crossroads: Congress, the President, and Central America, 1976-1993*. University Park, Pennsylvania: Pennsylvania State University Press.
- Arnson, Cynthia J. 2000. "Window on the Past: A Declassified History of Death Squads in El Salvador." Pp. 85-124 in *Death Squads in A Global Perspective: Murder with Deniability*, edited by Bruce B. Campbell and Arthur D. Brenner. New York: St. Martin's Press.
- Bailey, Paul J. 1996. *Postwar Japan 1945 to the Present*. Cambridge: Blackwell Publishers INC.
- Ball, Patrick. 2000. "State Terror, Constitutional Traditions, and National Human Rights Movements: A Cross-National Quantitative Comparison." Pp. 54-75 in *Globalizations and Social Movements: Culture, Power, and the Transnational Public Sphere*, edited by John Guidry, Michael D. Kennedy, and Mayer N. Zald. Ann Arbor: University of Michigan Press.
- Baumgartner, Frank R., and Bryan D. Jones. 2009. *Agendas and Instability in American Politics*. Chicago: University of Chicago Press.
- Beland, Daniel. 2010. "Reconsidering Policy Feedback: How Policies Affect Politics." *Administration and Society* 42(5):568-90.
- Bemis, Samuel F. 1943. *The Latin American Policy of the United States*. New York: Harcourt, Brace and Company.
- Benford, Robert D., and David A. Snow. 2000. "Framing Processes and Social Movements: An Overview and Assessment." *Annual Review of Sociology* 26:611-39.
- Blau, Judith, and Mark Frezzo (Eds.). 2012. *Sociology and Human Rights: a Bill of Rights for the Twenty-First Century*. Thousand Oaks, CA: Pine Forest Press.
- Blau, Judith, and Alberto Moncada. 2005. *Human Rights: Beyond the Liberal Vision*. Lanham: Rowman & Littlefield Publishers, Inc.
- . 2009. *Human Rights: A Primer*. Boulder: Paradigm Publishers.
- Blomström, Magnus, and Björn Hettne. 1984. *Development Theory in Transition The Dependency Debate & Beyond: Third World Responses*. London: Zed Books Ltd.
- Bonilla-Silva, Eduardo. 2003 *Racism without Racists: Color-Blind Racism and the Persistence of Racial Inequality in the United States*. Lanham: Rowman and Littlefield.
- . 2004. "From Bi-racial to Tri-racial: Towards a New System of Racial Stratification in the USA." *Ethnic and Racial Studies* 27(6):931-50.
- Boutros-Ghali, Boutrosn, Reinaldo Figueredo Planchart, and Thomas Buergenthal. 1993. *From Madness To Hope: The 12-Year War in El Salvador*. New York: United Nations.

- Burgerman, Susan. 2004. "First Do No Harm: U.S. Foreign Policy and Respect for Human Rights in El Salvador and Guatemala, 1980-96." Pp. 267-98 in *Implementing U.S. Human Rights Policy*, edited by Debra Liang-Fenton. Washington D.C.: United States Institute of Peace Press.
- Burton, David H. 1998. "Theodore Roosevelt's Social Darwinism and Views on Imperialism." Pp. 1-17 in *Race and U.S. Foreign Policy from the Colonial Period to the Present: A Collection of Essays*, edited by Michael L. Krenn. New York: Garland Publishing, Inc.
- Cardoso, Fernando Henrique, and Enzo Faletto. 1979. *Dependency and Development in Latin America*. Berkeley: University of California
- Carter, Jimmy. 1978. "Remarks Commemorating the 30th Anniversary of the UDHR."
- Ching, Erik. 2004. "Patronage and Politics Under General Maximiliano Hernández Martínez, 1931-1939." Pp. 50-70 in *Landscapes of Struggle: Politics, Society, and Community in El Salvador*, edited by Aldo Lauria-Santiago and Leigh Binford. Pittsburgh: University of Pittsburgh Press.
- Cobas, José A., Jorge Duany, and Joe R. Feagin. 2009. "Racializing Latinos: Historical Backgrounds and Current Forms." in *How the United States Racializes Latinos: White Hegemony and Its Consequences*, edited by José A. Cobas, Jorge Duany, and Joe R. Feagin. Boulder: Paradigm Publishers.
- Coerver, Don M., and Linda B. Hall. 1999. *Tangled Destinies: Latin America and the United States*. Albuquerque: University of New Mexico Press.
- Cohen, Roberta. 1979. "Human Rights Decision-Making in the Executive Branch: Some Proposals for A Coordinated Strategy." Pp. 216-46 in *Human Rights and American Foreign Policy*, edited by Donald P. Kommers and Gilbert D. Loescher. Notre Dame: University of Notre Dame Press.
- Cole, Wade M. 2005. "Sovereignty Relinquished? Explaining Commitment to the International Human Rights Covenants, 1966-1999." *American Sociological Review* 70(3):472-95.
- . 2009. "Hard and Soft Commitments to Human Rights Treaties, 1966–20001." *Sociological Forum* 24(3):563-88.
- . 2012. "Human Rights as Myth and Ceremony? Reevaluating the Effectiveness of Human Rights Treaties, 1981-2007." *American Journal of Sociology* 117(4):1131-71.
- Comisión Nacional sobre la Desaparición de Personas (CONADEP). 1984. *Nunca Más: Informe de la Comisión Nacional Sobre Desaparición de Personas*. Buenos Aires: Eudeba.
- Connell-Smith, Gordon. 1974. *The United States and Latin America: An Historical Analysis of Inter-American Relations*. New York: John Wiley & Sons.
- DeConde, Alexander. 1992. *Ethnicity, Race, And American Foreign Policy: A History*. Lebanon, NH: Northeastern University Press.
- Dent, David W. 1999. *The Legacy of the Monroe Doctrine: A reference Guide to U.S. Involvement in Latin America and the Caribbean*. Westport, CT: Greenwood Press.
- Dezalay, Yves, and Bryant Garth. 2006. "From the Cold War to Kosovo: The rise and renewal of the field of International Human Rights." *Annual Review Law and Social Science* 2:231-55.
- Dinges, John. 2004. *The Condor Years: How Pinochet and His Allies Brought Terrorism to Three Continents*. New York: The New Press.
- Dobbin, Frank. 1994. *Forging Industrial Policy: The United States, Britain, and France in the Railway Age*. New York: Cambridge University Press.
- . 2011. *Inventing Equal Opportunity*. Princeton: Princeton University Press.

- Donnelly, Jack. 1986. "International Human Rights: A Regime Analysis." *International Organization* 40(3):599-642.
- . 2000. "Democracy and U.S. Foreign Policy: Concepts and Complexities." Pp. 199-226 in *The United States and Human Rights: Looking Inward and Outward*, edited by David P. Forsythe. Lincoln: University of Nebraska Press.
- . 2002. *Universal Human Rights in Theory and Practice*. Ithaca: Cornell University Press.
- Donnelly, Jack, and Liang-Fenton. 2004. "Introduction." Pp. 3-27 in *Implementing U.S. Human Rights Policy*, edited by Debra Liang-Fenton. Washington D.C.: United States Institute of Peace Press.
- Drori, Gili S, and Georg Krucken. 2009. "World Society: A Theory and a Research Program in Context." Pp. 3-35 in *World Society: The Writings of John W. Meyer*, edited by Georg Krucken and Gili S Drori. Oxford: Oxford University Press.
- Dulles, Allen W. 1993. *The Marshall Plan*. Providence: Berg Publishers Inc.
- Durkheim, Emile. 1997. *The Division of Labor in Society*. New York: Macmillan Publishers Ltd.
- Edelman, Lauren B. 1992. "Legal Ambiguity and Symbolic Structures: Organizational Mediation of Civil Rights Law." *American Journal of Sociology* 97(6):1531-76.
- Ferguson, Ann Arnett. 2001. *Bad Boys: Public Schools in the Making of Black Masculinity (Law, Meaning, and Violence)*. Ann Arbor: University of Michigan Press.
- Ferree, Myra. 2012. *Varieties of Feminism: German Gender Politics in Global Perspective*. Stanford University Press.
- Fillingim, Angela. 2013. "Mobilization after Repression: Reconsidering The Role of Testimonies and Exiles in Post-War El Salvador." *Societies Without Borders* 8(1):1-28.
- Finnemore, Martha. 1996. "Norms, Culture, and World Politics: Insights from Sociology's Institutionalism." *International Organization* 50(2):325-47.
- Finnemore, Martha, and Kathryn Sikkink. 1998. "International Norm Dynamics and Political Change." *International Organization* 52:887-917.
- Fiss, Peer C., and Paul M. Hirsch. 2005. "The Discourse of Globalization: Framing and Sense-making of an Emerging Concept." *American Sociological Review* 70(1):29-52.
- Foreign Assistance and Arms Export Acts, (1975), Public Law 87-197. Section 502(b)(2): 255.
- Forsythe, David P. 1989. *Human Rights and World Politics*. Lincoln: University of Nebraska Press.
- . 2000. *Human Rights in International Relations*. Cambridge: Cambridge University Press.
- Fox, Cybelle. 2012. *Three Worlds of Relief: Race, Immigration, and the American Welfare State from the Progressive Era to the New Deal*. Princeton: Princeton University Press.
- Fraser, Donald M. (Ed.). 1979. *Congress's Role in the Making of International Human Rights Policy*. Notre Dame: University of Notre Dame Press.
- Gamson, William A., and Andre Modigliani. 1989. "Media Discourse and Public Opinion on Nuclear Power: A Constructionist Approach." *American Journal of Sociology* 95(1):1-37.
- Gilens, Martins 1995. "Racial Attitudes and Opposition to Welfare." *The Journal of Politics* 57(4):994-1014.
- Gómez, Laura E. 2007. *Manifest Destinies: The Making of the Mexican American Race*. New York: New York University.
- Gómez, Mayra. 2003. *Human Rights in Cuba, El Salvador and Nicaragua*. New York: Routledge.
- Gregg, Benjamin. 2011. *Human Rights as Social Construction*. Cambridge: Cambridge University Press.

- Griffith, Kati, and Gates Leslie. 2004. "Colonels and Industrial Workers in El Salvador, 1944-1972: Seeking Societal Support Through Gendered Labor Reforms." Pp. 71-84 in *Landscapes of Struggle: Politics, Society, and Community in El Salvador*, edited by Aldo Lauria-Santiago and Leigh Binford. Pittsburgh: University of Pittsburgh Press.
- Grosfoguel, Ramón. 2000. "Developmentalism, Modernity, and Dependency Theory in Latin America." *Nepantla: Views from South* 1(2):347-74.
- . 2003. *Colonial Subjects: Puerto Ricans in a Global Perspective*. Berkeley: University of California Press.
- . 2009. "Human Rights and Anti-Semitism after GAZA." *Human Architecture: Journal of the Sociology of Self-Knowledge* 7(2).
- Hall, Peter A. 1993. "Policy Paradigms, Social Learning, and the State: The Case of Economic Policymaking in Britain." *Comparative Politics* 25(3):275-96.
- Hancock, Jan. 2007. *Human Rights and US Foreign Policy*. New York: Routledge.
- Hilgartner, S., and C. Bosk. 1988. "Rise and Fall of Social Problems: A Public Arenas Model." *American Sociological Review* 70(1):29-52.
- Hodges, Donald C. 1991. *Argentina's "Dirty War": An Intellectual Biography*. Austin: University of Texas Press.
- Isacson, Adam, Lisa Haugaard, Abigail Poe, Sarah Kinosian, and George Withers. 2013. "Time to Listen: Trends in U.S. Security Assistance to Latin America and the Caribbean." Washington D.C.: Washington Office on Latin America.
- Ishay, Micheline. 2004. *The History of Human Rights: From Ancient Times to the Globalization Era*. Berkeley: University of California Press.
- Katznelson, Ira. 2005. *When Affirmative Action Was White: An Untold History of Racial Inequality in the Twentieth Century America*. New York W.W. Norton and Co.
- Keck, Margaret, and Kathryn Sikkink. 1998. *Activists Beyond Borders*. Ithaca: Cornell University Press.
- . 2008. "Conclusions: Advocacy Networks and International Society " Pp. 501-13 in *The Transnational Studies Reader: Intersections and Innovations*, edited by Sanjeev Khagram and Peggy Levitt. New York: Routledge
- Khagram, Sanjeev, James V. Riker, and Kathryn Sikkink. 2002. *Restructuring World Politics: Transnational Social Movements, Networks, and Norms*. Minneapolis: University of Minnesota Press.
- Killick, John. 1997. *The United States and European Reconstruction 1945-1960*. George Square, Edinburgh: Keele University Press.
- Kindleberger, Charles P. 1987. *The Marshall Plan Days*. Winchester, MA: Allen & Unwin, Inc.
- Kinsella, Hellen. 2005. "Discourses of Difference: Civilians, Combatants, and Compliance with the Laws of War." *Review of International Studies* 31:163-85.
- Klarén, Peter F., and Thomas J. Bossert (Eds.). 1986. *Promise of Development: Theories of Change in Latin America*. Boulder: Westview Press.
- Krenn, Michael L. (Ed.). 1998. *Race and U.S. Foreign Policy from 1900 through World War II*. New York: Garland Publishing Inc.
- Kryzanek, Michael J. 2008. *U.S.-Latin American Relations*. Westport: Praeger Publishers.
- Kuperman, Alan J. 2015. "Obama's Libya Debacle: How a Well-Meaning Intervention Ended in Failure." *Foreign Affairs* (March/April):66-77.
- Ladutke, Lawrence M. 2004. *Freedom of Expression in El Salvador: The Struggle for Human Rights and Democracy*. Jefferson, NC: McFarland & Company Inc.

- LaFeber, Walter. 1993. *Inevitable Revolutions: The United States in Central America*. New York: W.W. Norton & Company.
- Lakoff, George. 2010. *Moral Politics: How Liberals and Conservatives Think*. Chicago: University of Chicago Press.
- Lamont, Michele. 2002. *The Dignity of Working Men Morality and the Boundaries of Race, Class, and Immigration*. New York: Harvard University Press.
- Langley, Lester D. 2000. *America and the Americas: The United States in the Western Hemisphere*. Athens: University of Georgia Press.
- Lauria-Santiago, Aldo. 2005. "The Culture and Politics of State Terror and Repression in El Salvador." Pp. 85-114 in *When States Kill: Latin America, the U.S., and Technologies of Terror*, edited by Cecelia Menjiva and Néstor Rodríguez. Austin: University of Texas Press.
- Lauria-Santiago, Aldo, and Leigh Binford (Eds.). 2004. *Landscapes of Struggle: Politics, Society, and Community in El Salvador*. Pittsburgh: University of Pittsburgh Press.
- LeoGrande, William M. 1998. *Our Own Backyard: The United States in Central America, 1977-1992*. Chapel Hill: University of North Carolina Press.
- Lewis, Oscar. 1975. *Five Families: Mexican Case Studies in the Culture of Poverty*. New York: Basic Books.
- Livingstone, Grace. 2009. *America's Backyard: The United States and Latin America from the Monroe Doctrine to the War on Terror*. New York: Zed Books.
- Lowenthal, Abraham F. 1990. *Partners in Conflict: The United States and Latin America in the 1990s*. Baltimore: The Johns Hopkins University Press.
- Maier, Charles S., and Günter Bischof (Eds.). 1991. *The Marshall Plan and Germany: West German Development Within the Framework of the European Recovery Program*. New York: St. Martin's Press.
- Manz, Beatriz. 2005. *Paradise in Ashes: A Guatemalan Journey of Courage, Terror, and Hope*. Berkeley: University of California Press.
- Manzetti, Luigi. 1993. *Institutions, Parties, and Coalitions in Argentine Politics*. Pittsburgh and London: University of Pittsburgh Press.
- Marchak, Patricia, and William Marchak. 1999. *God's Assassins: State Terrorism in Argentina in the 1970s*. Montreal & Kingston: McGill-Queen's University Press.
- McAdam, Doug. 1996a. "Conceptual Origins, Current Problems, Future Directions." in *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*, edited by Doug McAdam, John D. McCarthy, and Mayer N. Zald. New York: Cambridge University Press.
- . 1996b. "The Framing Function of Movement Tactics: Strategic Dramaturgy in the American Civil Rights Movement." in *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*, edited by Doug McAdam, John D. McCarthy, and Mayer N. Zald. New York: Cambridge University Press.
- McAdam, Doug, John D. McCarthy, and Mayer N. Zald (Eds.). 1996. *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*. New York: Cambridge University Press.
- McCarthy, John D. 1996. "Constraints and Opportunities in Adopting, Adapting, and Inventing." in *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*, edited by Doug McAdam, John D. McCarthy, and Mayer N. Zald. New York: Cambridge University Press.

- McCarthy, John D., Jackie Smith, and Mayer N. Zald. 1996. "Accessing Public, Media, Electoral, and Governmental Agendas." in *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*, edited by Doug McAdam, John D. McCarthy, and Mayer N. Zald. New York: Cambridge University Press.
- McClintock, Michael. 1985. *The American Connection Volume 1: State Terror and Popular Resistance in El Salvador*. London: Zed Book.
- McSherry, J. Patrice. 2012. *Predatory States: Operation Condor and Covert War in Latin America*. Lanham: Rowman & Littlefield Publishers.
- Menchu, Rigoberta. 1984. *I, Rigoberta Menchu: An Indian Woman in Guatemala*. New York: Verso.
- Menjíva, Cecelia, and Néstor Rodríguez. 2005. "State Terror in the U.S.-Latin America Interstate Regime." in *When States Kill: Latin America, the U.S., and Technologies of Terror*, edited by Cecelia Menjíva and Carla E. Rodriguez. Austin: University of Texas Press.
- Mertus, Julie A. 2004. *Bait and Switch: Human Rights and U.S. Foreign Policy*. New York: Routledge.
- Meyer, John W., John Boli, George M. Thomas, and Francisco O. Ramirez. 1997. "World Society and the Nation-State." *American Journal of Sociology* 103(1):144-81.
- Mignolo, Walter D. 2002. "The Geopolitics of Knowledge and the Colonial Difference." *South Atlantic Quarterly* 101(1):57-96.
- . 2005. *The Idea of Latin America*. Malden, MA: Blackwell Publishing
- Mills, Charles W. 1959. *The Sociological Imagination*. New York: Oxford University Press.
- Molineu, Harold. 1990. *U.S. Policy Toward Latin America: From Regionalism to Globalism*. Boulder: Westview Press.
- Montejano, David. 1987. *Anglos and Mexicans in the making of Texas, 1836-1986*. Austin: University of Texas Press.
- Montgomery, Tommie Sue. 1995. *Revolution in El Salvador: From Civil Strife to Civil Peace*. Boulder: Westview Press.
- Moore, Ray A., and Donald L. Robinson. 2002. *Partners for Democracy: Crafting the New Japanese State Under MacArthur*. New York: Oxford University Press.
- Mora, G. Cristina. 2014. "Cross-Field Effects and Ethnic Classification The Institutionalization of Hispanic Panethnicity, 1965 to 1990." *American Sociological Review* 79(2):183-210.
- Mower, A. Glenn. 1987. *Human Rights and American Foreign Policy: The Carter and Reagan Experiences*. New York: Greenwood Press.
- Mutua, Makau. 2001. "Savages, Victims, and Saviors: The Metaphor of Human Rights." *Harvard International Law Journal* 42(1):202-45.
- Navarro, Marysa. 1983. "Evita and Peronism." Pp. 15-32 in *Juan Perón and the Reshaping of Argentina*, edited by Fredrick C. Turner and José E. Miguens. Pittsburgh: Pittsburgh Press.
- Nepstad, Sharon Erickson. 2001. "Creating Transnational Solidarity: The Use of Narrative in the U.S.-Central America Peace Movement." *Mobilization* 6(1):21-36.
- Ngai, Mae M. 2005. *Impossible Subjects: Illegal Aliens and the Making of Modern America*. Princeton: Princeton University Press.
- Nieto, Clara. 2003. *Masters of War: Latin America and United States Aggressions from the Cuban Revolution Through the Clinton Years*. New York: Seven Stories Press.

- Paige, Jeffrey M. 1997. *Coffee and Power: Revolution and the Rise of Democracy in Central America*. Cambridge: Harvard University Press.
- Perla Jr., Hector. 2008a. "Grassroots Mobilization against US Military Intervention in El Salvador." *Socialism and Democracy* 22(3):143-59.
- . 2008b. "Si Nicaragua Venció, El Salvador Vencerá: Central American Agency in the Creation of the U.S.-Central American Peace and Solidarity Movement." *Latin American Research Review* 43(2):136-58.
- Pike, Fredrick B. 1992. *The United States and Latin America*. Austin: University of Texas Press.
- Portes, Alejandro, and Rubén G. Rumbaut. 2001. *Legacies The story of the Immigrant Second Generation*. Berkeley: University of California Press.
- Portes, Alejandro, and Min Zhou. 1993. "The New Second Generation: Segmented Assimilation and Its Variants." *Annals of the American Academy of Political and Social Science* 530:74-96.
- Pronay, Nicholas, and Keith Wilson (Eds.). 1985. *The Political Re-education of Germany and her Allies after World War II*. London: Croom Helm.
- Quandango, Jill. 1994. *The Color of Welfare: How Racism Undermined the War on Poverty*. New York: Oxford University Press.
- Quijano, Aníbal. 2007. "Questioning "Race"." *Socialism and Democracy* 21(1):45 - 53.
- Quijano, Aníbal, and Immanuel Wallerstein. 1992. "Americanity as a Concept, the Americas in the Modern World-System." *International Social Sciences Journal* 11.
- Robinson, William I. 2003. *Transnational Conflicts: Central America, Social Change, and Globalization*. New York: Verso Press.
- Roht-Arriaza, Naomi. 2006. *The Pinochet Effect: Transnational Justice in the Age of Human Rights*. Philadelphia: University of Pennsylvania Press.
- Rostow, Walt Whitman. 1960. *The Stages of Economic Growth: A Non-Communist Manifesto*. Cambridge: Cambridge University Press.
- Salazar, Eglá M. 2012. *Global Coloniality of Power in Guatemala: Racism, Genocide, Citizenship*. Lanham: Lexington Books.
- Schoultz, Lars. 1981. *Human Rights and United States Policy toward Latin America*. Princeton: Princeton University Press.
- . 1998. *Beneath the United States: A History of U.S. Policy Toward Latin America*. Cambridge: Harvard University Press.
- Sikkink, Kathryn. 1993. "Human Rights, Principled Issue-Networks, and Sovereignty in Latin America." *International Organization* 47(3):411-41.
- . 2004. *Mixed Signals: U.S. Human Rights Policy and Latin America*. Ithaca: Cornell University Press.
- Skidmore, Thomas, and Peter H. Smith. 2005. *Modern Latin America*. New York: Oxford University Press.
- Skrentny, John 2002. *The Minority Rights Revolution*. Cambridge: Belknap Press of Harvard University Press.
- So, Alvin Y. 1990. *Social Change and Development: Modernization, Dependency and World-System Theories*. Newbury Park, CA: Sage Publications.
- Soohee, Cynthia, Catherine Ablisa, and Martha F. Davis (Eds.). 2009. *Bringing Human Rights Home: A History of Human Rights in the United States*. Philadelphia: University of Pennsylvania Press.

- Stanley, William. 1996. *The Protection Racket State: Elite Politics, Military Extortion, and Civil War in El Salvador*. Philadelphia: Temple University Press.
- Steensland, Brian. 2006. "Cultural Categories and the American Welfare State: The Case of Guaranteed Income Policy." *American Journal of Sociology* 111(5):1273-326.
- Strang, David, and John W. Meyer. 1993. "Institutional Conditions for Diffusion." *Theory and Society* 22:487-511.
- Suárez-Krabb, Julia. 2013. "Race, Social Struggles, and 'Human' Rights: Contributions from the Global South." *Journal of Critical Globalization Studies* 6:78-102.
- Thomas, A.M. 1997. *The American Predicament: Apartheid and United States Foreign Policy*. Brookfield: Ashgate Publishing Limited.
- Thomas, George M., and John W. Meyer. 1984. "The Expansion of the State." *Annual Review of Sociology* 10:461-82.
- Turner, Fredrick C., and José Miguens (Eds.). 1983. *Juan Perón and the Reshaping of Argentina*. Pittsburgh: University of Pittsburgh Press.
- U.S. Department of State. 1973. "Guidelines on US Foreign Policy for Human Rights (Confidential Memorandum)," November 10.
- . 1977. "Argentine Human Rights Situation: Talking Points." April 19.
- . 1976. "Congressman Drinan on Argentina." December 1.
- . 1984. "Report on the Situation in El Salvador." January 16.
- U.S. Central Intelligence Agency. c1975. "Whither Argentina: New Political System or More of the Same?" February.
- U.S. Congress. House of Representatives. 1976. *Human Rights in Argentina*. September 28 and 29. 94th Congress, 2nd Session.
- . 1978. *Arms Trade in the Western Hemisphere*. June 27, 28; July 19, 20; August 2 and 9. 95th Congress, 2nd Session.
- . 1979. *Human Rights and the Phenomenon of Disappearances*. September 20, 25; and October 18. 96th Congress, 1st Session.
- . 1981. *U.S. Policy Toward El Salvador*. February 25, March 5th and 11th. 97th Congress, 1st Session.
- . 1981. *Review of United States Policy on Military Assistance to Argentina*. April 1. 97th Congress, 1st Session.
- . 1981. *U.S. Policy Options in El Salvador*. September 24; November 5, and 19. 97th Congress, 1st Session.
- . 1981. *Human Rights and U.S. Policy in the Multilateral Development Banks*. July 21, and 23. 97th Congress, 1st Session.
- . 1982. *Presidential Certification on El Salvador (Volume I)*. February 2, 23, 25 and March 2. 97th Congress, 2nd Session.
- . 1982. *Latin America and the United States After the Falklands/Malvinas Crisis*. July 20 and 5. 97th Congress, 2nd Session.
- . 1982. *Presidential Certification on El Salvador (Volume II)*. June 2, 22; July 29; August 3, 10, and 17. 97th Congress, 2nd Session.
- . 1983. *U.S. Policy in El Salvador*. February 4, 28; March 7, and 17. 98th Congress, 1st Session.
- . 1983. *Political Killings by Governments of Their Citizens*. November 16 and 17. 98th Congress, 1st Session.
- . 1983. *Central American Policy*. August 4. 98th Congress, 1st Session.
- . 1983. *U.S. Policy Toward Argentina*. March 16. 98th Congress, 1st Session.

- . 1983 *Human Rights in El Salvador*. July 26. 98th Congress, 1st Session.
- . 1983. *Human Rights in Argentina, Chile, Paraguay and Uruguay*, October 4 and 21. 98th Congress, 1st Session.
- . 1984. *Foreign Assistance Legislation for Fiscal Year 1985 (Part 6)*. February 8, 21, 22, 23 and March 1. 98th Congress, 2nd Session.
- . 1985. *Central American Studies and Temporary Relief Act of 1987*. May 13. 99th Congress, 1st Session.
- . 1985. *The Central American Counterterrorism Act of 1985*. October 24 and November 19. 99th Congress, 1st Session.
- . 1985 *Temporary Suspension of Deportation for Nationals of Certain Countries*. November 7. 99th Congress, 1st Session.
- . 1986. *The Air War and Political Developments in El Salvador*. May 14. 99th Congress, 2nd Session.
- . 1987. *Central American Studies and Temporary Relief Act of 1987*. May 13; June 3 and 17. 100th Congress, 1st Session.
- . 1987. *Foreign Assistance and Related Programs Appropriations for 1988*. April 1, 2, 7, 21, and 28. 100th Congress, 1st Session.
- . 1988. *Foreign Operations, Export Financing, and Related Programs Appropriations for 1989 Part 4*. March 23, 24, 30 April 13, 14, 20, 21, and 22. 100th Congress, 2nd Session.
- . 1989. *Foreign Assistance Legislation for Fiscal Years 1990-91 (Part 7)*. March 2, 8, 9, and April 13. 101st Congress, 1st Session.
- . 1989. *Foreign Operations, Export Financing, and Related Programs Appropriations for 1990 (Part 3)*. February 7 and 8. 101st Congress, 1st Session.
- . 1989. *From Duarte to Cristiani: Where is El Salvador Headed?* July 13. 101st Congress, 1st Session.
- . 1989. *Human Rights and Political Developments in El Salvador*, September 23 and 29. 101st Congress, 1st Session.
- . 1989. *Prospects for Peace in El Salvador*. March 7. 101st Congress, 1st Session.
- . 1989. *Review of the State Department's Country Reports on Human Rights*. February 8 and July 20. 101st Congress, 1st Session.
- . 1989. *The Status of Democratic Transitions in Central America*. June 23 and 28. 101st Congress, 2nd Session.
- . 1990. *El Salvador at the Crossroads: Peace or Another Decade of War*. January 24, 31; February 6. 101st Congress, 2nd Session.
- . 1991. *Human Rights in Latin America*. February 21, 1991. 102nd Congress, 1 Session.
- . 1993. *El Salvador Peace Process*. March 16 and 23. 103rd Congress, 1st Session.
- U.S. Congress. House of Representatives & Senate. 1981. *Joint Conference 1982 Foreign Assistance Authorization Act*. December 19. 97th Congress, 1st Session.
- U.S. Congress. Senate. 1981 *The Situation in El Salvador*. March 18th and April 9. 97th Congress, 1st Session.
- . *Mark-Up S.976*. May 11. 97th Congress, 1st Session.
- . 1981 and 1982. *Central America*. December 14, 15 (1981) and February 1 (1982). 97th Congress, 1st Session.
- . 1982. *Certification Concerning Military Aid to El Salvador*. February 8 and March 11. 97th Congress, 2nd Session.
- . 1982. *Presidential Certifications on Conditions in El Salvador*. August 3. 97th Congress, 2nd

- Session.
- . 1983. *Presidential Certification on Progress in El Salvador*. February 2. 98th Congress, 1st Session.
 - . 1983. *El Salvador Military and Economic Reprogramming*. March 22. 98th Congress, 1st Session.
 - . 1982. *Presidential Certifications on Conditions in El Salvador*. August 3. 97th Congress, 2nd Session. February 22, 29 March 7,8,20, 21,22, and 27. 98th Congress, 2nd Session.
 - . 1984. *Foreign Assistance and Related Programs Appropriations for Fiscal Year 1985 (Part I)*. March 1, 2, 6, 7, 8, 14, 15, 20 and May 23. 98th Congress, 2nd Session.
 - . 1985. *Administration Proposal for Counter-Terrorism Assistance for Central America*. November 5 and 19. 99th Congress, 1st Session.
 - . 1985. *Foreign Assistance and Related Programs Appropriations for Fiscal Year 1986*. March 7, 13, 14, 19, 20, 25, 1985. 99th Congress, 1st Session.
 - . 1989. *Foreign Operations, Export Financing, and Related Programs Appropriations for Fiscal Year 1990 (Part I)*. March 15 and 16; April 4, 6, 17; May 2,4, 16; June 1 and 6. 101st Congress, 1st Session.
 - . 1989. *Central American Migration to the U.S.* June 21. 101st Congress, 1st Session.
 - . 1991. *Fiscal Year 1992 Foreign Assistance Request for the Western Hemisphere*. April 18 and 25. 102nd Congress, 1st Session.
- Ward, John. 2004. *Latin America: Development and Conflict Since 1945 (Making of the Contemporary World)*. London, New York: Routledge.
- Wickham-Crowley, Timothy P. 2001. "Winners, Losers, and Also-Rans: Toward a Comparative Sociology of Latin American Guerrilla Movements." Pp. 132-82 in *Power and Popular Protest: Latin American Social Movements*, edited by Susan Eckstein. Berkeley: University of California Press.
- Williams, Randall. 2010. *The Divided World: Human Rights and its Violence*. Minneapolis: University of Minnesota Press.
- Wilson, Nicolas H. 2011. "From Reflection to Refraction: State Administration in British India, circa 1770-1885." *American Journal of Sociology* 115(5):1437-77.
- Winn, Peter. 2006. *Americas: The Changing Faces of Latin America and the Caribbean*. Berkeley: University of California Press.
- Wright, Thomas C. 2007. *State Terrorism in Latin America: Chile, Argentina, and International Human Rights*. Lanham: Rowman & Littlefield Publishers, Inc.
- Zald, Mayer N. 1996. "Culture, Ideology, and Strategic Framing." in *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*, edited by Doug McAdam, John D. McCarthy, and Mayer N. Zald. New York: Cambridge University Press.

Methodological Appendix

My goal in this dissertation was to uncover the underlying logic of U.S. human rights policy and the social meanings inherent in it. Once U.S. human rights legislation was passed in 1974, the U.S. Congress and public pressed for an evaluation of U.S. human rights policy. As a result, Congressional hearings became an important arena to debate and craft the United States' response to human rights violations. While Congressional legislation laid out what constituted a human rights violation, the United States' "inconsistent" response to rights-violating regimes suggests that what constituted a "gross violation of internationally recognized human rights" (P.L. 87-195 Sec. 502[b][2]: 256), was a topic that policy advocates fought to define.

Congressional hearings were the arena in which issues of human rights as a matter of U.S. policy first emerged, and where the battles over the United States' response to human rights violations were subsequently fought (see Arnson, 1993; LeoGrande, 1998; Schoultz, 1981; Sikkink, 2004). Revisiting the archive of Congressional hearings allowed me to reassess existing theories while also developing a new policy-making framework studying the politics of meaning-making.

Additionally, Congressional hearings were one of the few archives that would allow me to examine policy advocates' larger world-views—through their prepared statements, and their 'in the moment' thought processes—through an analysis of their questions and answers. Moreover, as researchers have shown, being cognizant of the context of a statement – that is, its speaker and the content of his/her speech - are important to uncovering systems of meaning (Ferree, 2002; Skrentny, 2002). Congressional hearings were one of the few resources that would enable me to account for these three factors. Each hearing contained an opening statement framing the tone of the hearing—both the majority and minority party were allowed to give an opening statement—that presented its larger socio-political context. Furthermore, these hearings recorded the testimony of a wide array of actors: administration officials, academics, Congressmen, human rights organizations, policy organizations, and victims of human rights violations, among other groups. Hence, the hearings documented the position of various constituencies and advocacy groups. More importantly, Congressional hearings offered a rich source of data to examine how policy advocates engaged in the politics of meaning-making, as they contain verbatim transcripts of the debate that policy advocates participated in.

Also, the hearings include a meticulous record of the evidence policy advocates marshaled to defend their position. That is, policy advocates submitted additional material for the record to support their group's position on the issue. These materials ranged from reports prepared by policy organizations, newspaper articles, speeches given by U.S. government officials and foreign government officials, transcripts of radio programs, cartoons, testimonies of victims of human rights violations, academic research on the issue, and government reports, among other materials. Because these hearings contained a rich account of the media coverage of these conflicts I am able to account for both the elite and the broader discourses surrounding these issues. In addition to supporting a particular point of view, these materials are also illustrative of the larger social context of the time.

In order to identify the relevant hearings for my study, I used ProQuest Congressional, which is a digital archive of hearings held between 1824 and the present.¹ I limited my study to the years in which each conflict took place, allowing me to understand how policy advocates

¹ New hearings are added to the database as they are made available. For a full list of the materials covered see <http://congressional.proquest.com/congressional/saleable/contentcoverage?accountid=14496&groupid=96140> (accessed on April 6, 2015).

responded to human rights violations during a particular period of abuses. I searched ProQuest for the term “Argentina” between the years of 1976-1983 and the term “El Salvador” between 1980 and 1992. Since the University of California-Berkeley is a repository for federal documents, I cross-referenced the results generated by the ProQuest Congressional search with a similar search of the university’s library catalog. ProQuest Congressional yielded more thorough results and included hearings in which the search term only appeared once in the document.² My analysis took into account 179 hearings, 41 pertaining to Argentina and 138 pertaining to El Salvador. I included both published and unpublished hearings, the latter of which were transcripts of meeting sessions not officially printed by Congress. The hearings ranged in length from a single page to thousands of pages. They took place under different committees and jurisdictions (e.g., committees in charge of human rights, immigration, the budget, policy in the Western Hemisphere, etc.).

After downloading digital copies of the hearings, I imported them into the qualitative coding software, Atlas-TI. I read the full content of country specific hearings, or those pertaining explicitly to human rights issues. For hearings that were more general—usually budget hearings, immigration hearings, or those pertaining to policy in “the Western Hemisphere”—I searched each document for a particular key word. If the hearing pertained to Argentina, I searched the document for all mentions of “Argent”: this would highlight the sections containing either “Argentina” or “Argentine.” I read the page preceding and following the mention of the phrase to see if it contained relevant information (i.e. a mention of the origins of the conflict or human rights issues). I followed a similar procedure for hearings pertaining to El Salvador, only in this case I searched for “Salvador,” as this allowed me to capture mention of “El Salvador” or “Salvadoran,” “Salvadorian,” or “Salvadorean.” I, then, developed a codebook that allowed me to account for existing explanations of U.S. human rights policy and for the politics of meaning-making.

CODING

Coding Categories

In order to generate a codebook, I used both a deductive and an inductive process. On the one hand, I based my codebook upon previous interpretations of U.S. human rights policy largely originating from political science. On the other hand, I developed a coding scheme that included alternative explanations of how policy advocates made sense of each conflict. I developed six broad content codes (key coding categories) that accounted for the general types of information policy advocates may have weighed: (1) the cause of the conflict (e.g., communist interference, military dictatorship, longstanding inequality, etc.); (2) the specific violation mentioned (e.g., disappearance, torture, illegal detention, etc.); (3) the perpetrator(s) of the violation (e.g., the military, the police, the left, etc.); (4) policy concerns (e.g., communist intervention, human rights, national security, etc.); (5) solutions to human rights violations (e.g., reforming the offending government’s military, U.S. intervention, conditioning aid, etc.).³ Additionally, I included codes that identified the speaker of the statement (e.g., Democratic

² The library search returned results for which the name of the country was in the title or keywords list and were limited to published hearings.

³ I view solutions to human rights violations and solutions to a conflict as conceptually distinct categories. The former refers to specific plans to address human rights abuses, while the latter refers to solutions designed to address larger social turmoil.

Congressman, Human Rights Organization, Policy Organization, Academic, etc.), and the source of information (e.g., a newspaper, human rights organization report, federal documents, etc.), when it was cited.

Each of these major categories was comprised of more detailed subcategories. In generating these subcategories, I erred on the side of preserving detail in the coding process (during analysis, I grouped subcategories that described similar phenomenon). The speaker category consisted of 71 distinct subcategories that identified the organization or constituency the speaker represented (e.g., Amnesty International, Congressional Republican, academic, etc.). If the speaker had multiple affiliations (e.g., former Democratic Congressman, and head of a legislative consulting firm), the speaker's affiliation was determined based upon the first credential or affiliation listed. The cause of the conflict category was composed of 21 subcategories, and identified the factor(s) the speaker asserted had led to the conflict (e.g., Communist intervention, inequality, political turmoil, underdevelopment, etc.). The perpetrator of human rights violations category contained 34 subcategories, identifying the group that the speaker argued had caused human rights violations (e.g., the army, the navy, the police, the left, individual actions, etc.). The human rights violation(s) mentioned included 35 subcategories that identified the specific human rights violation(s) discussed by the speaker (e.g., torture, prolonged detention, denial of freedom of expression, and habeas corpus, etc.). I included human rights violations specifically mentioned in U.S. legislation, as well as human rights violations outlined in the Universal Declaration of Human Rights. I also coded for the solution to human rights violations, which had 62 subcategories (e.g., accountability, diplomacy, decreased U.S. aid, increased U.S. aid, diplomatic pressure, political reform, judicial reform, U.S. intervention, etc.). The solution to human rights violations category was based upon my reading of the broader literature examining the United States' response to human rights violations, as well as upon the United States' actual responses to human rights violations in the cases under study.

Another major coding category was the primary concern expressed by the speaker, which had 44 subcategories. Broadly, this category of coding was based upon what previous research had predicted as being major political constraints (e.g., national security, national interests, constituent pressure, international norms, aid levels,⁴ types of aid, etc.), as well as other issues within the offending nation (e.g., the executive branch's control over its forces, immigration, the judicial system, political system, economic system, the left, etc.). Additionally, I had 58 distinct codes to identify the speaker's source of information (e.g., newspaper, human rights organization, government report, foreign government official),⁵ if the speaker mentioned it. I coded both the statements that a speaker made and materials submitted for the record.

I also allowed codes to emerge throughout the research process. In order to highlight the differences between the cases during the data collection phase, I read the hearings in chronological order. To do this, I created separate excel sheets listing all of the hearings ProQuest had identified as pertaining to Argentina and El Salvador, respectively, and organized them by the first day the hearing took place.⁶ I first read the hearings pertaining to Argentina in sequential order, and then followed the same procedure for the hearings pertaining to El Salvador. If a hearing overlapped, I coded it for Argentina and then later revisited it at the appropriate point during my coding of the hearings on El Salvador. Taking this approach

⁴ Policy advocates discussed aid increases and reductions. As such, I disaggregated this in the subcategory scheme.

⁵ I coded for the specific organization or branch of government that the information came from.

⁶ Often, hearings took place over multiple days, and in some cases they spanned two years. I used the first date of testimony to determine the chronology of the hearings.

allowed me to develop a sense of how meanings were constructed and evolved within and between the two cases. If a new theme emerged, I would add a subcategory under the appropriate key coding category and then recode previously examined documents. For example, after I began reading the hearings on El Salvador, I noted that policy advocates shifted from talking about specific forms of human rights violations (e.g., torture, disappearances) to using descriptors such as “violence,” “bloodshed,” or “atrocities” to refer to human rights violations. Therefore, I added a subcategory to the key coding category, “human rights violation(s) mentioned”, named . . . , and later recoded the quotes on human rights violations I had labeled in the hearings on Argentina. Another key difference between the two case studies that emerged during the research process was the importance of conceptually parsing out the idea of “solutions to human rights violations,” versus solutions to the conflict. The distinction between these categories emerged after I finished coding the hearings on Argentina and began coding the hearings on El Salvador. That is, in the case of Argentina, policy advocates directly referred to solutions to human rights violations, while in the case of El Salvador, policy advocates discussed general solutions to the conflict and specific solutions to human rights violations. Hence, I made sure that I focused my attention on the instances in which policy advocates mentioned a solution to human rights violations. Thus, my coding scheme was derived from my analysis of the existing literature and emerged from the content of the hearings themselves.

Assigning Codes

In order to analyze the 35,468 pages of hearings under review, I used qualitative coding software. It took nearly two years to code the entire set of hearings. I coded a speaker’s entire statement, permitting me to account for the larger context and for other information provided in the statement. I coded a statement only if the speaker referenced the country of study and one of my six key coding categories. I assigned all appropriate subcategory codes to each statement. That is, if a speaker mentioned multiple types of human rights violations in a single statement, I assigned all of the appropriate subcategory codes. Thus, one statement could be assigned multiple codes from a single key-coding category, permitting me to account for the various issues mentioned. At the same time, coding the larger statement—which could sometimes be a multiple page opening statement—allowed me to account for the variety of topics mentioned, without over-representing a particular topic’s frequency. For instance, often times a speaker would reference multiple instances of torture in a single statement. I focused on the relative number of times an idea was brought up *between* statements to generate a qualitative understanding of the issue. This allowed me to explore how policy advocates developed systems of meaning in and through these debates.

ANALYSIS

As I coded each hearing, I also wrote memos describing key events and statements made, as well as my thoughts on emerging themes. Every month I would write a more general memo, outlining my impression of the hearings I had read. As I completed more coding, I would use these memos to think through my larger analysis. The findings I present emerged from the memos I prepared during the coding process and reviewing them afterwards. I used my memos to generate a sketch of the argument that I could make. For instance, I explored how policy advocates discussed human rights violations in Argentina, and in separate memos, I did the same for El Salvador. As I neared the end of the coding process, I was able to use these memos to develop a comparison of the differences between how policy advocates discussed human rights

violations during the Argentine Dirty War and during the Salvadoran civil war. Also, I wrote a series of memos developing a comparison of policy advocates' discourses of restoring respect for human rights in Argentina and establishing respect for human rights in El Salvador. These memos helped me outline the narrative policy advocates created during the hearings, and to outline the dissertation.

Other researchers have shown that in order to interpret data and generate theory, we must pay careful attention to the context and language used in statements to understand the phenomenon of study (e.g., Bonilla-Silva, 2003; Ferree, 2002; Lakoff, 2004; Skrentny, 2002). I employed this approach in my analysis, and show the broad themes that emerged in these hearings, paying close attention to the language that actors relied upon to engage in the politics of meaning-making. Coding the hearings in chronological order allowed me to develop a sense of the positions of policy advocates involved in these debates. My approach and analysis is qualitative. As such, I used descriptive statistics only to provide a quantitative grounding for my assertions. My aim has been to recreate the narratives that emerged in my reading of the hearings.

A major theme that emerged in both the hearings and my memos was that policy advocates analyzed each society's supposed capacity for self-governance. Policy advocates used this to assess the nature of human rights violations during the conflict and to generate a policy solution. Since the literature suggests that when generating meaning actors rely upon existing categories of meaning (see Dobbin, 1994, 2011; Edelman, 1992; Ferree, 2012; Gamson & Modigliani, 1998; Lamont, 2000; Skrentny, 2002; Steensland, 2006), I turned to the literature on United States-Latin America relations. This literature showed that North Americans had long cast Latin Americans as (socially) non-White⁷ and unfit for self-governance, thus positioning North America as the "savior" of non-Western people (Grosfoguel, 2003, 2009; Nakano-Glenn, 2015; Mignolo 2002, 2005; Quijano, 2007; Quijano & Wallerstein, 1992; Suárez-Krabb, 2013). Policy advocates' statements reflected a longer history of social relations and cultural tropes that cast Latin Americans as inferior people. Thus, I use each chapter of the dissertation to illustrate the nuances of policy advocates' assessment of a society's supposed capacity for self-governance and show how this shaped U.S. human rights policy.

In writing the dissertation, I have selected quotes that were indicative of the general tone and scope of the hearings and quotes that show the similarities across groups of policy advocates. When writing up my findings, I used ATLAS-TI to pull the quotes that were relevant to a particular country and a particular key coding family. Then, I reread the quotes pertaining to a particular category. I used this opportunity to ensure that my memos aligned with the data. As I reviewed the data, I identified quotes that were particularly illustrative of a specific point of view, cutting and pasting these quotes in a separate document while keeping the quote's identifying information. In some instances, I would begin with over 90 pages of quotes and select about 30 pages of illustrative quotes. Once I narrowed the scope of my data, I carefully went through the smaller document to identify statements from various constituencies to use for my analysis. In selecting in-text evidence, I kept an eye on choosing quotes that illustrated the various positionalities of the speakers—Cold Warriors, representatives from human rights organizations, "liberal Congressmen," "Reaganites," and so on. Throughout the dissertation, I

⁷ Historically, after the United States took possession of former Mexican territory, Mexican citizens were allowed to naturalize. Because only "Whites" were allowed to become citizens during this period of time, one could argue that Mexicans were perceived as White. However, research suggests that socially, Mexicans were treated as non-White (see Almaguer, 1994; Gómez, 2007; Montejano, 1987).

juxtapose the views of policy advocates who we might categorize as Cold Warriors with those from the moral (human rights) constituency to illustrate the profound overlap in how these groups engaged in the politics of meaning-making.

In essence, I selected quotes that reflect my experience reading the hearings and the profound need to reinterpret our understandings of U.S. human rights policy using a sociological lens. I reveal the deeper, tortured, logic underlying the application of U.S. human rights policy: a society's presumed capacity for self-governance. In so doing, I argue that this policy was consistent with policy advocates' assessment of each society's capacity for self-governance. More broadly, I emphasize the importance of exploring the underlying structures of meaning that we use to generate foreign policy.

Hearings Included in the Analysis

1976

Senate. *Multinational Corporations and United States Foreign Policy*. June 18, 23, and 24. Subcommittee on Multinational Corporations of the Committee on Foreign Relations.

House of Representatives. *To Approve the Sale of Certain Naval Vessels, and for Other Purposes*. September 16. Subcommittee on Seapower and Strategic and Critical Materials of the Committee on Armed Services.

House of Representatives. *Human Rights in Argentina*. September 28, and 29. Subcommittee on International Organizations of the Committee on International Relations.

1977

Senate. *Human Rights*. March 4, and 7. Subcommittee on Foreign Assistance of the Committee on Foreign Relations.

House of Representatives. *Foreign Assistance and Related Agencies Appropriations for 1978 (Part 3)*. March 30, 32; April 4, 5, and 21. Subcommittee on Foreign Operations and Related Agencies of the Committee on Appropriations.

Senate. *Security Assistance Authorization*. April 21, 22, 25, 28; and May 2. Subcommittee on Foreign Assistance; Subcommittee on Africa; and Subcommittee on Arms Control, Oceans, and International Environment of the Committee on Foreign Relations.

Senate. *Nomination of Raul H. Castro, of Arizona to be Ambassador to Argentina*. September 13. Committee on Foreign Relations.

1978

House of Representatives. *Arms Trade in the Western Hemisphere*. June 27, 28; July 19, 20; August 2, and 9. Subcommittee on Inter-American Affairs of the Committee on International Relations.

House of Representatives. *Antitrust Enforcement (Part 1)*. July 20. Subcommittee on Antitrust, Consumers and Employment of the Committee on Small Business.

1979

Senate. *To Continue Markup of S. 584 to Amend the Foreign Assistance Act of 1961 and the Arms Export Control Act, and For Other Purposes*. May 8. Committee on Foreign Relations.

Senate. *The International Wheat Agreement*. May 8. Committee on Foreign Relations.

House of Representatives. *Human Rights and the Phenomenon of Disappearances*. September 20, 25; and October 18. Subcommittee on International Organizations of the Committee on Foreign Affairs.

1980

Senate. *Nomination of Robert E. White, of Massachusetts, to be Ambassador to El Salvador*. February 21. Committee on Foreign Relations.

House of Representatives. *Foreign Assistance and Related Programs Appropriations for 1981 (Part 1)*. February 21, 26; March 11, 18, 25; and April 1. Subcommittee on Foreign Operations and Related Programs of the Committee on Appropriations.

- Senate. *Public Law 480 Aid for Refugees*. March 4. Subcommittee on Foreign Agricultural Policy of the Committee on Agriculture Nutrition, and Forestry.
- Senate. *FY 1981 Foreign Assistance Legislation*. March 12, 13, 14, 19, 20, 21, 28; and April 16. Committee on Foreign Relations.
- House of Representatives. *Assessment of Conditions in Central America*. April 29, and May 20. Subcommittee on Inter-American Affairs of the Committee on Foreign Affairs.
- Senate and House of Representatives. *H.R. 6942, Authorizing Appropriations for the Fiscal Year 1981 for International Security and Development Assistance, the Peace Corps, and Refugee Assistance, and for Other Purposes*. November 18. Senate Committee on Foreign Relations and House Committee on Foreign Affairs.
- Senate. *Nominations of Harry W. Shlaudeman, of California to be Ambassador to Argentina*. September 26. Committee on Foreign Relations.
- Senate. *Briefing on Recent Events in El Salvador*. December 12. Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Relations.

1981

- House of Representatives. *Foreign Assistance and Related Programs Appropriations for 1982 (Part 1)*. February 25; March 24; and April 29. Subcommittee on Foreign Operations and Related Agencies of the Committee on Appropriations.
- House of Representatives. *U.S. National Interest in Latin America*. March 4. Subcommittee on Inter-American Affairs of the Committee on Foreign Affairs.
- House of Representatives. *U.S. Policy Toward El Salvador*. March 5, and 11. Subcommittee on Inter-American Affairs of the Committee on Foreign Affairs.
- Senate. *The Situation in El Salvador*. March 18; and April 9. Committee on Foreign Relations.
- Senate. *Foreign Assistance Authorization for Fiscal Year 1982*. March 19, 24, 26; April 3, 10, 22; and May 4. Committee on Foreign Relations.
- House of Representatives. *Foreign Assistance Legislation for Fiscal Year 1982 (Part 7)*. March 23, 26, 30; and April 8. Subcommittee on Inter-American Affairs of the Committee on Foreign Affairs.
- House of Representatives. *Foreign Assistance and Related Programs Appropriations for 1982 (Part 2)*. March 25; April 8, 28; and May 6. Subcommittee on Foreign Operations and Related Agencies of the Committee on Appropriations.
- House of Representatives. *Review of United States Policy on Military Assistance to Argentina*. April 1. Subcommittees on Human Rights and International Organizations and on Inter-American Affairs.
- House of Representatives. *Foreign Assistance and Related Programs Appropriations for 1982 (Part 3)*. April 2; May 13, 15, and 19. Subcommittee on Foreign Operations and Related Agencies of the Committee on Appropriations.
- Senate. *Nomination of the Honorable Deane R. Hinton to Be Ambassador to El Salvador*. May 4. Committee on Foreign Relations.
- Senate. *Mark-up S. 976, S. 869/728, S. 848, S. 993, S. 785*. May 11. Committee on Foreign Relations.
- Senate. *S. 869/ S. 728 El Salvador Assistance Act 1981*. May 11. Committee on Foreign Relations.
- Senate. *Mark-Up S.869 El Salvador Assistance Act of 1981*. May 14. Committee on Foreign Relations.

- Senate and House of Representatives. *The Ottawa Summit and U.S. International Economic Policy*. July 14. Joint Economic Committee.
- House of Representatives. *The Caribbean Basin Policy*. July 14, 21, and 28. Subcommittee on Inter-American Affairs of the Committee on Foreign Affairs.
- Senate. *Competitive Export Financing Act of 1981*. July 20. Subcommittee on International Development Institutions and Finance of the Committee on Banking, Finance, and Urban Affairs.
- Senate. *Tax Treaties*. September 24. Committee on Foreign Relations.
- House of Representatives. *Foreign Assistance and Related Programs Appropriations for 1983*. September 22, 1981; February 1; March 4, 11, and 18. Subcommittee on Foreign Operations and Related Agencies of the Committee on Appropriations.
- House of Representatives. *U.S. Policy Options in El Salvador*. September 24; November 5, and 19. Hearing and Markup before the Committee on Foreign Affairs and its Subcommittee on Inter-American Affairs.
- House of Representatives. *Implementation of Congressionally Mandated Human Rights Provisions*. November 5, 17, and December 10, 1981; February 23, March 9, and 17, 1982. Subcommittee on Europe and the Middle East, Asian and Pacific Affairs, Human Rights and International Organizations, and Africa, Committee on Foreign Affairs.
- Senate. *Joint Conferees 1982 Foreign Assistance Authorization Act*. December 11. Committee on Foreign Relations and the House Committee on Foreign Affairs.
- Senate. *Central America*. December 14, 15, 1981; and February 1, 1982. Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Relations.
- Senate and House of Representatives. *1982 Foreign Assistance Authorization Act*. December 14. Joint Conference Senate Committee on Foreign Relations and House Committee on Foreign Affairs.
- House of Representatives. *Salvadoran Refugees in Honduras*. December 17. Subcommittee on Inter-American Affairs of the Committee on Foreign Affairs.

1982

- House of Representatives. *Presidential Certification on El Salvador (Volume 1)*. February 2, 23, 25; and March 2. Subcommittee on Inter-American Affairs of the Committee on Foreign Affairs.
- Senate. *Certification Concerning Military Aid to El Salvador*. February 8, and March 11. Committee on Foreign Relations.
- Senate. *Foreign Assistance and Related Programs Appropriations for Fiscal Year 1983 (Part 1)*. February 25; March 10, 11, 17; April 22, 27, 29; May 11, 13, 20, 27; June 8, 10, 15; and July 15. Subcommittee on Appropriations of the Committee on Appropriations.
- House of Representatives. *East-West Relations- U.S. Security Assistance*. March 2. Committee on Foreign Affairs.
- House of Representatives. *The Role of International Security Assistance in U.S. Defense Policy*. March 10. Committee on Foreign Affairs.
- Senate. *U.S. Policy in the Western Hemisphere*. April 1, 20, 28; May 4, and 26. Committee on Foreign Relations.
- House of Representatives. *Foreign Assistance Legislation for Fiscal Year 1993 (Part 6)*. April 12. Subcommittee on Inter-American Affairs of the Committee on Foreign Affairs.

- House of Representatives. *Review of State Department Country Reports on Human Rights Practices for 1981*. April 28. Subcommittee on Human Rights and International Organizations of the Committee on Foreign Affairs.
- Senate. *Markup of H.R. 3467; S. 2398; S. 2290; S. J. Res. 144; S. J. Res. 158; S. 2179; S. 2243; S. 2370*. May 6. Committee on Foreign Relations.
- House of Representatives. *Supplemental Appropriations for 1982 (Part 2)*. May 13, 18, 19, and 20. Subcommittee on Foreign Operations and Related Agencies of the Committee on Appropriations.
- Senate. *U.S. Policy on Export of Helium-3 and Other Nuclear Materials and Technology*. May 13. Subcommittee on Energy, Nuclear Proliferation, and Government Processes of the Committee on Governmental Affairs.
- House of Representatives. *Supplemental Appropriations for 1982 (Part 2)*. May 13, 18, 19, and 20. Subcommittee on Foreign Operations and Related Agencies of the Committee on Appropriations.
- Senate. *Resumption of Foreign Aid Markup*. May 26. Committee on Foreign Relations.
- House of Representatives. *Presidential Certification on El Salvador Volume 2 H.J. Resolution 494*. June 2, 22; August 3, 10, and 17. Subcommittee on Inter-American Affairs of the Committee on Foreign Affairs.
- Senate. *To be Briefed on Problems in the Salvadoran Land Reform and Other Political Developments Since the March 28 Elections*. June 10. Committee on Foreign Relations.
- Senate. *Nomination of George P. Schultz*. July 13, and 14. Committee on Foreign Relations.
- House of Representatives. *United States-Brazilian Relations*. July 14. Subcommittee on Inter-American Affairs of the Committee on Foreign Affairs.
- House of Representatives. *Latin America and the United States After the Falklands/Malvinas Crisis*. July 20, and August 5. Subcommittee on Inter-American Affairs of the Committee on Foreign Affairs.
- House of Representatives. *Agricultural Development in the Caribbean and Central America*. July 20, and 22. Joint Hearing Before the Subcommittee on Inter-American Affairs of the Committee of Foreign Relations and the Subcommittee on Department Operations, Research and Foreign Agriculture of the Committee on Agriculture.
- Senate. *Presidential Certification on Conditions in El Salvador*. August 3. Committee on Foreign Relations.
- Senate. *Economic and Social Reforms in El Salvador*. August 4. Subcommittee on Western Hemisphere of the Committee on Foreign Relations.
- House of Representatives. *Oversight Hearing on the International Monetary Fund Loan to El Salvador*. August 12. Subcommittee on International Trade Investment and Monetary Policy of the Committee on Banking, Finance, and Urban Affairs.
- Senate. *Export-Import Bank Programs and Policies*. September 14, and 16. Subcommittee on International Finance and Monetary Policy of the Committee on Banking, Housing, and Urban Affairs. Committee on Foreign Relation.
- Senate. *Third World Debt*. September 23. Subcommittee on International Economic Policy of the Committee on Foreign Relations.

1983

- House of Representatives. *International Financial Markets and Related Programs*. February 2, 8, and 9. Committee on Banking, Finance and Urban Affairs.

- Senate. *Presidential Certification on Progress in El Salvador*. February 2. Committee on Foreign Relations.
- House of Representatives. *Defense Department Authorization and Oversight*. February 3, 24; March 1, 2, 17, 23; April 5, 7, 18, 19, and 28. Committee on Armed Forces.
- House of Representatives. *U.S. Policy In El Salvador*. February 4, 28; March 7, and 17. Subcommittees on Human Rights and International Organizations and on Western Hemisphere Affairs of the Committee on Foreign Affairs.
- House of Representatives. *Foreign Assistance Legislation for Fiscal Years 1984-85 (Part 1)*. February 8, 15, 16, 22, 23, 24; and March 24. Committee on Foreign Affairs.
- Senate. *Security and Development Assistance*. February 17, 25; March 2, 8, 9, 11, and 14. Committee on Foreign Relations.
- House of Representatives. *Foreign Assistance Legislation for Fiscal Years 1984-85 (Part 7)*. March 1, 16; April 12, and 18. Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs.
- House of Representatives. *Defense Department Authorization and Oversight*. March 1, 2, 9, 15, 17, 23, 24; April 12, 18, 19, 20, 22, 25, 26, 27, and 28. Committee on Armed Forces.
- House of Representatives. *Foreign Assistance and Related Programs Appropriations for 1984 (Part 2)*. March 10, 16, 17, and 22. Subcommittee on Foreign Operations and Related Agencies of the Committee on Appropriations.
- Senate. *Department of Defense Authorization for Appropriations for Fiscal Year 1984*. March 14, 22, 23, 24; April 6, and 7. Committee on Foreign Relations.
- House of Representatives. *U.S. Policy Toward Argentina*. March 16. Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs.
- Senate. *El Salvador Military and Economic Reprogramming*. March 22. Subcommittee of the Committee on Appropriations.
- Senate. *El Salvador: Reprogramming*. March 22, 23, and 24. Committee on Foreign Relations.
- Senate. *U.S. Policy Toward Nicaragua and Central America*. April 12. Committee on Foreign Relations.
- House of Representatives. *Certain Tariff and Trade Bills*. April 27; May 5, and 10. Subcommittee on Trade of the Committee on Ways and Means.
- Senate. *Markup of Foreign Aid Program and Other Pending Matters*. May 10. Committee on Foreign Relations.
- Senate. *Markup of Pending Legislation*. May 12. Committee on Foreign Relations.
- House of Representatives. *The Americas at the Crossroads: Report of the Inter-American Dialog*. June 7. Subcommittee on Western Hemisphere Affairs.
- Senate. *The Americas at the Crossroads: Report of the Inter-American Dialogue*. June 7. Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs.
- House of Representatives. *Human Rights in El Salvador*. July 26. Subcommittee on Human Rights and International Organizations and on Western Hemisphere Affairs of the Committee on Foreign Affairs.
- House of Representatives. *Foreign Assistance and Related Programs Appropriations for 1985 (Part 3)*. August 3, 1983; March 6, 8, 27, 28, April 12, and 26, 1984. Subcommittee on Foreign Operations and Related Agencies of the Committee on Appropriations.
- House of Representatives. *U.S. Policy in Central America*. August 3. Subcommittee on Human Rights and International Organizations and on the Western Hemisphere Affairs of the Committee on Foreign Affairs.

- Senate. *Nomination of: The Honorable Thomas A. Pickering, of New Jersey, To be Ambassador to El Salvador*. August 3. Committee on Foreign Relations.
- Senate. *Central American Policy*. August 4. Committee on Foreign Relations.
- House of Representatives. *Proposed Amendments to the Nuclear Non-Proliferation Act, 1983*. September 20; October 20, 26; and November 1. Subcommittees on International Security and Scientific Affairs and on International Economic Policy and Trade.
- Senate. *Markup of FY 1984 and Related Programs Act*. September 22. Subcommittee of Foreign Operations of the Committee on Appropriations.
- Senate. *Nuclear Non-Proliferation Act*. September 30. Joint Hearing Before the Committee on Foreign Relations and the Committee on Governmental Affairs.
- House of Representatives. *Human Rights in Argentina, Chile, Paraguay, and Uruguay*. October 4, and 21. Subcommittees on Human Rights and International Organizations and on Inter-American Affairs and on Western Hemisphere Affairs.
- House of Representatives. *1984: Civil Liberties and the National Security State*. November 2, and 3 1983; January 25, April 5, and September 26, 1984. Subcommittee on Courts, Civil Liberties and the Administration of Justice of the Committee on the Judiciary.
- Senate. *Nomination of Frank V. Ortiz, of New Mexico, to be Ambassador to Argentina*. November 7. Committee on Foreign Relations.
- Senate. *Business Meeting*. November 8. Committee on Foreign Relations.
- House of Representatives. *Political Killings by Governments of Their Citizens*. November 16, and 17. Subcommittee on Human Rights and International Organizations of the Committee on Foreign Affairs.

1984

- House of Representatives. *The Situation in El Salvador*. January 26, and February 6. Subcommittee on Human Rights and International Organizations and on Western Hemisphere Affairs of the Committee on Foreign Affairs.
- House of Representatives. *Foreign Assistance Legislation for Fiscal Year 1985 (Part 6)*. February 8, 21, 22, 2; and March 1. Committee on Foreign Affairs and its Subcommittee on Western Hemisphere Affairs.
- Senate. *Security and Development Assistance*. February 22, 29; March 7, 8, 20, 21, 22, and 27. Committee on Foreign Relations.
- Senate. *Foreign Assistance and Related Programs Appropriations for Fiscal Year 1985 (Part 1)*. March 1, 2, 6, 7, 8, 14, 15, 20; and May 23. Subcommittee on Foreign and Related Programs of the Committee on Appropriations.
- Senate. *Fiscal Year Budget 1985 Budget Authorization of Immigration and Naturalization Service*. March 13. Subcommittee on Immigration and Refugee Policy of the Committee on the Judiciary.
- Senate. *Markup Session*. March 14. Committee on Appropriations.
- Senate. *To Consider Emergency Aid to El Salvador*. March 20. Committee on Foreign Relations.
- House of Representatives. *The Multilateral Development Banks and Health*. March 21. Subcommittee on International Development Institutions and Finance of the Committee on Banking, Finance, and Urban Affairs.
- House of Representatives. *Legislation Concerning Latin America: Colombia, The Contradora Process, and El Salvador*. April 5. Markup before the Committee on Foreign Affairs.

- House of Representatives. *Temporary Suspension of Deportation of Certain Aliens*. April 12. Subcommittee on Immigration, Refugees, and International Law of the Committee on the Judiciary.
- House of Representatives. *Central America: The Ends and Means of U.S. Policy*. May 2. Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs.
- House of Representatives. *98th Congress Hearings: Subcommittee on Rules of the House, Part 2 H.R. 4447: Extended Voluntary Departure for Salvadorans*. June 20. Subcommittee on Rules of the House of the Committee on Rules.
- House of Representatives. *The role of the U.S. Southern Command in Central America*. August 1. Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs.

1985

- House of Representatives. *Developments in El Salvador*. January 31. Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs.
- House of Representatives. *Foreign Assistance Legislation for Fiscal Years 1986-7*. March 5, and 19. Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs.
- Senate. *Foreign Assistance and Related Programs and Appropriations for Fiscal Year 1986*. March 7, 13, 14, 19, 20, and 25. Subcommittee of the Committee on Appropriations.
- Senate. *Security and Development Assistance*. March 15, 20, 21, 22, and 26. Committee on Foreign Relations.
- House of Representatives. *Foreign Assistance and Related Programs Appropriations for 1986 (Part 6)*. March 27; May 16, 17; and June 19. Subcommittee on Foreign Operations and Related Agencies of the Committee on Appropriations.
- House of Representatives. *Foreign Assistance and Related Programs Appropriations for 1986*. March 28; April 3, 18, 19, 25, and 30. Subcommittee on Foreign Operations and Related Agencies of the Committee on Appropriations.
- Senate. *Role of Nicaragua in Drug Trafficking*. April 19. Subcommittee on Children, Family, Drugs and Alcoholism of the Committee on Labor and Human Resources.
- Senate. *The Situation in Central America*. April 19. Committee on Foreign Relations.
- Senate. *Extended Voluntary Departure Issues*. April 22. Subcommittee on Immigration and Refugee Policy of the Committee of the Judiciary.
- House of Representatives. *Central American Refugees*. June 27. Subcommittee on Census and Population of the Committee on Post Office and Civil Service.
- House of Representatives. *Status of Democracy in South America*. September 11, and 19. Hearing and Markup before the Committee on Foreign Affairs and its Subcommittee on Western Hemisphere Affairs.
- House of Representatives. *The Central American Counterterrorism Act of 1985*. October 24, and November 19. Committee on Foreign Affairs.
- Senate. *Administration Proposal for Counter-Terrorism Assistance for Central America*. November 5, and 19. Committee on Foreign Relations.
- House of Representatives. *Temporary Suspension of Deportation for Nationals of Certain Countries*. November 7. Subcommittee Immigration, Refugees, and International Law of the Committee on the Judiciary.

1986

- Senate. *Foreign Assistance and Related Programs Appropriations for Fiscal Year 1987 (Part 1)*. March 12, 13, 18, 19; April 10, 15, 17, 22; and May 15. Subcommittee on Foreign Assistance and Related Programs of the Committee on Appropriations.
- House of Representatives. *The Air War and Political Developments in El Salvador*. May 14. Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs.
- House of Representatives. *Temporary Suspension of Deportation of Certain Salvadorans and Nicaraguans*. July 23. Subcommittee on the Rules of The House of the Committee on Rules.
- House of Representatives. *The Downing of United States Plane in Nicaragua and United States Involvement in the Contra War*. October 15. Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs.

1987

- House of Representatives. *Break-ins at Sanctuary Churches and Organizations Opposed to Administration Policy in Central America*. February 19, and 20. Subcommittee on Civil and Constitutional Rights of the Committee on the Judiciary.
- House of Representatives. *Foreign Assistance and Legislation for Fiscal Years 1988-89 (Part 7)*. February 25; March 4, and 18. Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs.
- House of Representatives. *Micro- Enterprise Development Legislation*. March 3. Subcommittee on International and Economic Policy and Trade of the Committee on Foreign Affairs.
- House of Representatives. *Race Relations with Adolescents: Coping with New Realities*. March 27. Select Committee on Children, Youth and Families.
- House of Representatives. *Foreign Assistance and Related Programs Appropriations for 1988*. April 1, 2, 7, 21, and 28. Subcommittee on Foreign Operations and Related Agencies of the Committee on Appropriations.
- House of Representatives. *Central American Studies and Temporary Relief Act of 1987 (H.R. 618 and H.R. 1409: To Temporarily Suspend the Deportations of Certain Salvadorans and Nicaraguans)*. May 13; June 3, and 7. Subcommittee on Rules of the House of the Committee on Rules.
- House of Representatives. *Stay of Deportation for Undocumented Salvadorans and Nicaraguans*. May 20. Subcommittee on Immigration, Refugees, and International Law of the Committee on the Judiciary.
- Senate. *Temporary Save Haven for Salvadorans*. June 18. Subcommittee on Immigration and Refugee Affairs of the Committee on the Judiciary.
- House of Representatives. *Human Rights and Political Developments in El Salvador*. September 23, and 29. Subcommittee on Human Rights and International Organizations and the Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs.
- House of Representatives. *The Central American Peace Process*. October 20, and 21. Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs.

1988

- House of Representatives. *Recent Developments in U.S. Human Rights Policy*. February 10, and 17. Subcommittee on Human Rights and International Organizations of the Committee on Foreign Affairs.

- House of Representatives. *Consideration of Miscellaneous Bills and Resolutions: Volume II*. February 23; March 8; April 27; and May 18. Committee on Foreign Affairs.
- Senate. *Senate Select Committee on Intelligence Inquiry into the FBI Investigation of the Committee in Solidarity with the People of El Salvador (CISPES)*. February 23; April 13; and September 14. Select Committee on Intelligence.
- Senate. *Foreign Assistance and Related Programs Appropriations for Fiscal Year 1989 (Part 2)*. April 26, 28; May 12, 17, and 26. Subcommittee on Foreign Operations of the Committee on Appropriations.
- House of Representatives. *Foreign Operations, Export Financing, and Related Programs Appropriations for 1989 (Part 4)*. March, 26, 24, 30; April 13, 14, 20, 21, and 22. Subcommittee on Foreign Operations, Export Financing, and Related Programs of the Committee on Appropriations.
- House of Representatives. *Foreign Operations, Export Financing, and Related Programs Appropriations for 1989 (Part 5)*. April 27. Subcommittee on Appropriations of the Committee on Appropriations.
- House of Representatives. *CISPES and FBI Counter-Terrorism Investigations*. June 13, and September 16. Subcommittee on Civil and Constitutional Rights of the Committee on the Judiciary.
- Senate. *Economic Development in Central America*. June 10. Subcommittee on International Trade of the Committee on Finance.
- House of Representatives. *The Status of Democratic Transitions in Central America*. June 23, and 28. Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs.
- Senate. *Drugs, Law Enforcement and Foreign Policy: The Cartel, Haiti and Central America*. July 11, 12, and 14. Subcommittee on Terrorism, Narcotics and Intentional Operations of the Committee on Foreign Relations.
- House of Representatives. *Development Policy in the Caribbean*. July 28; August 4, 9, and 10. Subcommittees on Human Rights and International Organizations, International Economic Policy and Trade, and on Western Hemisphere Affairs of the Committee on Foreign Relations.
- House of Representatives. *The FBI Investigation of CISPES*. September 29. Permanent Select Committee on Intelligence.

1989

- House of Representatives. *Foreign Operations, Export Financing, and Related Programs Appropriations for 1990, (Part 3)*. February 7, and 8. Subcommittee on Foreign Operations, Export Financing, and Related Programs Appropriations, Committee on Appropriations.
- House of Representatives. *Review of the State Department's Country Reports on Human Rights, 1988*. February 8, and July 20. Subcommittee on Human Rights and International Organizations, Committee on Foreign Affairs.
- House of Representatives. *Latin America and the U.S. in the 1990's*. March 1. Subcommittee on Western Hemisphere Affairs, Committee on Foreign Affairs.
- House of Representatives. *Foreign Assistance Legislation for Fiscal Years 1990-1991 (Part 7)*. March 2, 8, 9; and April 13. Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs.

- House of Representatives. *Prospects for Peace in El Salvador*. March 7. Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs.
- House of Representatives. *Foreign Operations, Export Financing, and Related Programs Appropriations for 1990, (Part 7)*. March 8, 9, 16, 22; April 11, 14, 19, and 25. Subcommittee on Foreign Operations, Export Financing, and Related Programs Appropriations, Committee on Appropriations.
- House of Representatives. *Central American Asylum-Seekers*. March 9. Subcommittee on Immigration, Refugees and International Law of the Committee on the Judiciary.
- Senate. *Foreign Operations, Export Financing, and Related Programs Appropriations for Fiscal Year 1990 (Part 1)*. March 15, 16; April 4, 6, 17; May 2, 4, 16; June 1, and 6. Subcommittee on Appropriations.
- Senate. *GAO Report on El Salvador*. June 8. Subcommittee on Foreign Operations, Export Financing, and Related Programs of the Committee on Appropriations.
- Senate. *Central American Migration to the United States*. June 21. Subcommittee on Immigration and Refugee Affairs of the Committee on the Judiciary.
- House of Representatives. *From Duarte to Cristiani: Where is El Salvador Headed?* July 13. Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs.

1990

- House of Representatives. *El Salvador at the Crossroads: Peace or Another Decade of War*. January 24, 31; and February 6. Subcommittee on Human Rights and International Organizations, and on the Western Hemisphere Affairs of the Committee on Foreign Affairs.
- House of Representatives. *Foreign Operations, Export Financing, and Related Programs Appropriations for 1991 (Part 4)*. March 19, 21, 22, 27, 29; and April 3. Subcommittee on Foreign Operations, Export Financing, and Related Programs of the Committee on Appropriations.

1991

- House of Representatives. *Human Rights in Latin America*. February 21. Subcommittees on Human Rights and International Organizations and Western Hemisphere Affairs of the Committee on Foreign Affairs.
- House of Representatives. *The Situation in El Salvador and Options for United States Policy*. April 11. Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs.
- Senate. *Fiscal Year 1992 Foreign Assistance Request for the Western Hemisphere*. April 18, and 25. Subcommittee on Western Hemisphere and Peace Corps Affairs of the Committee on Foreign Relations.
- House of Representatives. *Implementation of the Immigration Act of 1990*. May 15. Subcommittee on International Law, Immigration, and Refugees of the Committee on the Judiciary.
- House of Representatives. *Toward Peace in El Salvador: The Final Steps*. October 30, and November 6. Subcommittee on the Western Hemisphere Affairs of the Committee on Foreign Affairs.

1992

House of Representatives. *Consideration of Authorizations for Fiscal Years 1992-1993 For the Former Soviet Republics; Peacekeeping Activity: Implementation of the Salvadoran Peace Accords and the Nonproliferation and Disarmament Fund*. February 25; March 11; and June 10. Markup- Committee on Foreign Affairs and its Subcommittee on International Operations.

House of Representatives. *Enterprise for the Americas Initiative Act of 1991*. June 17. Committee on Agriculture.

House of Representatives. *Peace and Reconstruction in El Salvador*. June 17, and July 9. Subcommittee on Western Hemisphere Affairs of Committee on Foreign Affairs.

1993

House of Representatives. *The Peace Process in El Salvador*. March 16, and 23. The Subcommittee on Western Hemisphere Affairs of the Committee on Foreign Affairs.