

Sovereign Emergencies

The concern over rising state violence, above all in Latin America, triggered an unprecedented turn to a global politics of human rights in the 1970s. Patrick William Kelly argues that Latin America played the most pivotal role in these sweeping changes, for it was both the target of human rights advocacy and the site of a series of significant developments for regional and global human rights politics. Drawing on case studies of Brazil, Chile, and Argentina, Kelly examines the crystallization of new understandings of sovereignty and social activism based on individual human rights. Activists and politicians articulated a new practice of human rights that blurred the borders of the nation-state to endow an individual with a set of rights protected by international law. Yet the rights revolution came at a cost: the Marxist critique of US imperialism and global capitalism was slowly supplanted by the minimalist plea not to be tortured.

PATRICK WILLIAM KELLY is a Postdoctoral Fellow at the Buffett Institute for Global Studies at Northwestern University. He is currently writing a global history of AIDS.

Cambridge University Press
978-1-107-16324-9 — Sovereign Emergencies
Patrick William Kelly
Frontmatter
[More Information](#)

Cambridge University Press
978-1-107-16324-9 — Sovereign Emergencies
Patrick William Kelly
Frontmatter
[More Information](#)

Human Rights in History

Edited by

Stefan-Ludwig Hoffmann, *University of California, Berkeley*
Samuel Moyn, *Yale University, Connecticut*

This series showcases new scholarship exploring the backgrounds of human rights today. With an open-ended chronology and international perspective, the series seeks works attentive to the surprises and contingencies in the historical origins and legacies of human rights ideals and interventions. Books in the series will focus not only on the intellectual antecedents and foundations of human rights, but also on the incorporation of the concept by movements, nation-states, international governance, and transnational law.

A full list of titles in the series can be found at:
www.cambridge.org/human-rights-history

Cambridge University Press
978-1-107-16324-9 — Sovereign Emergencies
Patrick William Kelly
Frontmatter
[More Information](#)

Sovereign Emergencies

*Latin America and the Making of Global
Human Rights Politics*

PATRICK WILLIAM KELLY

Northwestern University, Illinois



CAMBRIDGE
UNIVERSITY PRESS

Cambridge University Press
978-1-107-16324-9 — Sovereign Emergencies
Patrick William Kelly
Frontmatter
[More Information](#)

CAMBRIDGE UNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom
One Liberty Plaza, 20th Floor, New York, NY 10006, USA
477 Williamstown Road, Port Melbourne, VIC 3207, Australia
314-321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre, New Delhi – 110025, India
79 Anson Road, #06-04/06, Singapore 079906

Cambridge University Press is part of the University of Cambridge.
It furthers the University's mission by disseminating knowledge in the pursuit of
education, learning, and research at the highest international levels of excellence.

www.cambridge.org
Information on this title: www.cambridge.org/9781107163249
DOI: 10.1017/9781316678749
© Patrick William Kelly 2018

This publication is in copyright. Subject to statutory exception
and to the provisions of relevant collective licensing agreements,
no reproduction of any part may take place without the written
permission of Cambridge University Press.

First published 2018

Printed in the United States of America by Sheridan Books, Inc.

A catalogue record for this publication is available from the British Library.

ISBN 978-1-107-16324-9 Hardback
ISBN 978-1-316-61511-9 Paperback

Cambridge University Press has no responsibility for the persistence or accuracy
of URLs for external or third-party internet websites referred to in this publication
and does not guarantee that any content on such websites is, or will remain,
accurate or appropriate.

*For my father, William, who once gave me a letter;
and for Terry, who once woke me up.*

Analytic social science fundamentally attempts to ‘demystify’ ideology in order to produce a critique that looks toward a more just social order.

Dipesh Chakabarty, *Provincializing Europe:
Postcolonial Thought and Historical Difference*
(Princeton University Press, 2007)

It is not that we automatically have feelings for others because they are human; it is because we have feelings about others that they come to be seen as human.

Lynn Festa, “Humanity without Feathers,”
Humanity. vol. 1, no. 1 (2010), 7

Contents

<i>List of Figures</i>	<i>page</i> xi
<i>Acknowledgments</i>	xv
Introduction	i
1 Torture in Brazil	21
2 The Emergency in Chile	61
3 Transnational Solidarity	94
4 Redefining Sovereignty	134
5 The Origins of American Human Rights Activism	167
6 The Global Specter of Argentina’s Disappeared	208
7 Argentina and the Inter-American System	245
Epilogue. The Promise and Limits of the Human Rights Cascade	272
<i>Index</i>	305

Cambridge University Press
978-1-107-16324-9 — Sovereign Emergencies
Patrick William Kelly
Frontmatter
[More Information](#)

Figures

1	Amnesty’s Tracy Ulltveit-Moe and Brazilian labor activist and Amnesty’s first target of an Urgent Action petition, Luíz Basílio Rossi, at an Amnesty International meeting in São Paulo in 1995, courtesy of Amnesty International.	page 24
2	Brazilian labor activist and torture survivor Marcos Arruda in 1972, courtesy of Marcos Arruda.	48
3	Smoke rising from <i>La Moneda</i> presidential palace after the military bombed it on September 11, 1973 – the other infamous 9/11, courtesy of AP photos.	62
4	General Augusto Pinochet, left, and President Salvador Allende, right, on August 23, 1973, a few weeks before the coup, courtesy of AP photos.	63
5	US historian and then graduate student, Steve Volk, underneath a mural from the Brigada Ramona Parra, “The Land for those who work it,” in 1972, courtesy of Steve Volk.	64
6	The military’s destruction of <i>La Moneda</i> on the day of Allende’s overthrow, courtesy of AP photos.	65
7	A week before the coup, right-wing women wave white handkerchiefs in support of the overthrow of Allende, September 5, 1973, courtesy of AP photos.	66
8	International human rights lawyer and advocate, and Amnesty International investigator, Frank Newman, as associate Justice of the California Supreme Court, 1977–82.	80

- 9 Hortensia Bussi de Allende and Jacob Söderman (speaking) at the International Commission of Enquiry into the Crimes of the Military Junta, held in Helsinki, 1983, courtesy of the UN archives. 118
- 10 Hortensia Bussi de Allende at the UN Commission of Human Rights, New York, NY, 1974, courtesy of Steven Jensen and the UN archives. 153
- 11 Theo van Boven, Dutch representative before the UN Commission on Human Rights in 1974 and pictured here as the Director of the Human Rights Division at the UN in 1979, courtesy of the UN archives. 157
- 12 Chairman Allana (right) from the Ad Hoc Working Group on Chile, 1975, courtesy of Steven Jensen and the UN archives. 161
- 13 Herbert Clemens, his son Ben (age 4), and Enrique Kirberg at a cocktail reception at the *Universidad Técnica del Estado*, 1972, courtesy of Herbert Clemens. 168
- 14 Kirberg's letter from jail to Clemens, 1974, courtesy of Herbert Clemens. 169
- 15 Madison, Wisconsin solidarity organization, Community Action on Latin America solidarity poster "Who Invited Us?" protesting foreign investment in Latin America, 1972. 174
- 16 Argentine human rights activist Augusto Comte and the first director of the Washington Office on Latin America, Joe Eldridge, c.1978 184
- 17 Folk singer and Amnesty International board member and activist Joan Baez on the "Today Show" to discuss the plight of human rights victims in 1973. 193
- 18 Amnesty International's international human rights publication, *Matchbox* (Spring/Summer 1974). 201
- 19 Hebe de Bonafini, head of the *Madres de Plaza de Mayo*, in December 1979, courtesy of AP photos. 209
- 20 Cartoon of Jorge Videla, Leaflet from the *Comité de Acción Solidaridad con las Luchas de América Latina*, courtesy of the Archivo Gregorio y Marta Selser. 235
- 21 Argentina as "The Terrorist Government," *Links*, No. 6 (1978), courtesy of the Senate House Library archives. 236

	<i>Figures</i>	
		xiii
22	Commission on Human Rights, “What are they looking for?” cover of Argentine magazine, <i>Somos</i> , courtesy of Senate House Library.	263
23	Rally for Soviet Jewry on the arrival of President Jimmy Carter to Newcastle, England, in May 1977, courtesy of AP photos.	269

Cambridge University Press
978-1-107-16324-9 — Sovereign Emergencies
Patrick William Kelly
Frontmatter
[More Information](#)

Acknowledgments

My father once gave me a letter. In it, he encouraged me to follow my heart. He told me to chart a path that continually inspired me – one that would rouse me out of bed every morning. Mary Schmidt, my high-school teacher for the course “Rise of Western Civilization,” provided the road-map for that pilgrimage. My sophomore year of high school, she lit my intellectual curiosity on fire. I still remember the Vermeer painting, “Girl with the Red Hat,” which adorned the front cover of our textbook. The narratives Mary wove from such disparate and varied threads; the passion in her eyes when she lectured with a wise and learned smile; the epic evening slideshows accompanied with *baklava*. If this was not the prudent path of economic stabilization, if this was not the path toward a life of mental and emotional stability, it was also not the narrowly tailored path that inexorably marks our age of greed. I never liked to think small; I am rarely satisfied with close-ended answers. I felt my knowledge of the world was incomplete. Naturally, I became a writer and a historian.

The University of Chicago is where that journey began. I now find it embarrassing and especially naive that I fell in love with history because I once thought one could accumulate a vast encyclopedia of history’s concrete facts. I soon realized that, rather than a search for objective facts, the study of history was a lens through which we see and try to make sense of the chaos of the world around us. The University of Chicago is not a place for the faint of heart. And for all of its faults, which are numerous, it is a place that will train you to be an intellectual.

I survived because of and in part in spite of a number of “master” thinkers. Academia resembles the world of *Star Wars* more than is frequently acknowledged. Michael Geyer would be Yoda, although that

metaphor is especially strained given how tall and physically intimidating he is. He is a profoundly inspirational scholar to study under. Consider the following: after I told him I felt like I had birthed a baby (speaking of strained metaphors) with my book, he demurred. “Patrick, it should be considered a piece of art, which is now in a museum. Everyone, including you, will look at it differently.” Mauricio Tenorio somehow believed in my potential as a scholar long before I believed in myself. He writes books with the ease that most can only muster in pedantic messages in Hallmark cards. But if he had not taken an interest in me early on in my career, I am not sure these pages would exist.

The writing of history must be one of the loneliest of professions. Diana Schwartz was the sun around which my happiness and intellectual curiosity orbited during the dark days of graduate school. Madonna will never be the same in my eyes. And then there were so many brilliant minds, kind hearts, and inspiring ideas: Tessa Murphy, Patrick Iber, C. J. Alvarez, Aiala Levy, Keith Hernández, Jackie Sumner, Kristy Ironside, Casey Lurtz, Maura Capps, Jonathan Keane, Emma Mackinnon, Kami Jones, Sarah Miller-Davenport, Shaul Mitelpunkt, Nicole Mottier, Korey Garibaldi, and the inimitable fiery red of my conference-planner partner-in-crime, Katy Schumaker. Ana Lima taught me Portuguese with verve and style and grace; I would like to think she will never forget me for *papai de açúcar*.

Far away from Hyde Park, this project benefited from the support and laughter and jokes and smiles of so many. I somehow was unusually lucky to find my first Chicago friends in Roderick Branch and Brant Taylor. They are mentors of the social world to me; they are at once humble and kind in all their extraordinary success; I still struggle to find the right words to express my gratitude. Brian Roberts became my brother, and life and my knowledge of baseboards will never be the same. Molly Beucher and Patrick Marsden were wonderfully kind and hilariously fun souls that undergirded my last years of graduate school. Brian Corteville magically accepted my proposal to let me live with him for three months in Rio de Janeiro. I have never had more parties, inside jokes, and intellectually witty banter. Do you know what *jicama* is? If you’re Brian Corteville, you do! While in Rio, I fell in love with Walter Brandimarte, and learned “the art of losing isn’t hard to master.” And Samuel Nitz has been the Tuvok to my Captain Janeway since high school. Thanks, too, goes to Shaun Halper, David McWilliams, Logan Anderson, Katie Knue, Jon Winnerman, Scott Schieffer, Maya Ibars, Jarrod Koenig, Ruben Navarro, Brian Klinksiek and Byron Harrison, Ray Nealon, Tyler

Acknowledgments

xvii

Jorstad, and the hilariously witty and kind Lucas Swenink. Outside of the University of Chicago, at conferences and in workshops, I have been fortunate to meet graduate students whose work has strengthened my own. Of special note, I want to single out Rebecca Herman Weber, whose humility belies the many ways her work will transform the field. My thanks must also go to Rebecca Adelman, Drew Konove, Howard Chiang, Julio Capó Jr., Joe Fischel, Debbie Sharnak, Ryan Centner, Paul Adler, Daniel Bessner, Vanessa Freije, Lynsay Skiba, Simon Stevens, Nathan Kurz, Natasha Grace Wheatley, Kristen Loveland, and Stephen Wertheim.

James N. Green, with his sweeping knowledge of the period and questions at the heart of this book, engaged me in an initial set of conversations from which the core of this project flowered. He connected me to Margaret Power, who also has enthusiastically supported this work, as has Tanya Harmer, whose international approach to study of Latin American history has inflected my own. Above all else, this much I know is true: this book would not exist without the intellectual star power of Samuel Moyn. His scholarship on human rights drastically advanced the field, and I count myself lucky to trail in the wake of his comet. As of late he has become a generous mentor and an unusually rapid responder to email. This book should be read alongside his *The Last Utopia: Human Rights in History* (Harvard, 2010) and *Not Enough: Human Rights in an Unequal World* (Harvard, 2018). A similar sentiment could be expressed about Barbara (Ara) Keys, whose trailblazing *Reclaiming American Virtue: The Human Rights Revolution of the 1970s* (Harvard, 2014) belongs in the same small stack of essential reading. It takes a sophisticated writer to distill an idea into a coherent sentence; it takes an elegant one to make that sentence ring; and Ara is nothing if not elegant. I am so fortunate for her support. Thanks must also go to Carl Bon Tempo, Jan Eckel, Eric Hershberg, Timothy Hildebrandt, Daniel Immerwahr, Victoria Langland, Vanessa Ogle, Brad Simpson, Sarah Snyder, Steve Stern, Vanessa Walker, Charlotte Walker-Said, Alexander Wilde, and Marilyn Young. They are exemplars of scholars both generous and wise.

My research and writing was made possible in part through dissertation research grants from the Social Sciences Research Council–ACLS International Dissertation Research Fellowship, the Fulbright-Hays DDRA, the William Rainey Harper Dissertation Completion Fellowship, the William T. Hutchinson Fellowship, the Nicolson Graduate Student Fellowship, the Kundstadter History Travel Grant Award, the Orrin Williams Division of the Social Sciences Research Travel Grant, the

Foreign Language and Area Studies Summer Fellowship, and the University of Chicago's Center for Latin American Studies. The Pozen Family Center for Human Rights provided generous funding on multiple occasions, and it granted me the chance to teach my own course for the first time – an enlightening, if humbling, experience. I must also single out its Executive Director, Susan Gzesh, for her unwavering support and frenetic energy; and the program's administrators, first Sarah Patton Moberg and then Tara Peters, who do the difficult work that too often is left unsung. And to my friends at the University of Wisconsin, where I finished the book on a Mellon postdoctoral fellowship, especially Megan Massino, Emily Clark, and the star power of the incomparable Mary Louise Roberts.

To my mother, Linda Briggs, for her fierce feminism and spectacular success; she was always a paragon of spirit and drive. To Melissa, Amanda, and Melanie Steinmann: our many nights at Old Fashioned sprinkled throughout these seven years are times I will never forget. To Flo Pierce, the best Auntie one could ask for; to my brothers, Cory and Josh Besch, for never ceasing to ask me – mostly in jest – when I was going to find a “real” job; to their lovely and giving wives, Stefanie and Shelly Besch – and to all of their beautiful children, the bright lights of our family's future. Thanks, too, must go to Janet Rudig, my “other” mother, who has taught and supported me in myriad ways over so many years. Toward the end of this project, I met someone whose life profoundly shaped me. I would not be the person I am today without Kevin Hauswirth, nor would this book exist as it does without him. His family welcomed me with open arms, especially his parents Sue and Dave, and for that I feel very fortunate.

My world radically changed in December 2016 when I tried to kill myself. Imagine this: I had a brain infection and did not know as it metastasized for a decade. But I did not succeed – in large part because of a fantastic legion of doctors and nurses and an unparalleled man named Terry Hogan. My Ter-Bear, my partner at the time, was faced with the epitome of unenviable tasks: finding me and rushing me to the hospital via EMTs. Terry believed in me, made me feel special and loved, saw me as an intellectual when I only saw shame, and he never gave up on me. And the fact he looks like Chris Hemsworth does not hurt.

Acknowledgments

xix

In the vortex of confusion, shame, and uncertainty, this book was my recovery. I took my first steps on the road to recovering a sense of myself that I could see reflected in the mirror each morning with Emily Clark. Emily was my first friend. When you almost die, it is not trite or hyperbolic to compare your life after that to a rebirth. Emily was my first friend in this disturbingly raw and new phase of my life. She called me out and was not a pushover – the ideal first friend, indeed.

The road to recovering a sense of myself that wanted to be loved and was capable of offering it to another sovereign soul could be the subject of a book. Diego would be the protagonist; he is the great Rubik's cube of my life. I also picked up the *latina* version of myself at a Kinky concert, Diana Román, *quien también me ayuda con español y me acepta como una persona bien complicada; ojalá facetimeamos cuando tengas la boca llena de uvas*. Childhood friends reached out in the most caring ways: Bridget Finnegan, who wrote me the most moving friend recommendation that got me into Dartmouth (where I did *not* go); Sarah Peterson, who catapulted from my erstwhile best friend and fellow Gap employee to a thoughtful reader of Zizek and a discoverer of the irreplaceable Father John Misty; Libby Counts, the most gracious and lyrical of ballet dancers with whom I have ever had the chance to dance; and Tommy Berklund, my first love, whose smile still sends shivers down my spine – because you never forget your first love. Some of my favorite teachers from high school reconnected and reminded me of better days, before life's pain had taken away a kind of free spirit that I'm only just rediscovering (thank you Pam Anderson, Connie Finnegan, and Trisha Koch). Rekindling with you all means more than you can know – and is a perfect example of how a small gesture can ripple through space-time and immeasurably improve someone's life. And to my therapist, Dr. Howard Alt, thank you for helping me accept the flaws in me and for never judging me for my many slights. I look forward to our continued work.

My father William, the great man who once gave me a letter, always has and always will believe in me. He endures my penchant to abuse, and knows the good and the ugly that is me more than anyone. We spent a decade traversing the Mid-West as he coached me in baseball and basketball. We both know those as the glory years, when we shared a slice of life that we would never share again. But as our intimacy of shared interests waned, his love and devotion to the complexity that is me never did. He made a commitment to treat me as a son in an antithetical way to how he was treated. No one has given me more of themselves than he has. He has

shared his life with one of my mother figures, Melissa. She is a beautifully caring mother who knows that love for children is unconditional.

Finally, I feel very fortunate to teach at two extraordinary places that offered me prestigious and generous postdoctoral fellowships: the University of Wisconsin (my undergraduate alma mater) and, now, Northwestern University. In a world as unpredictably harsh as our current job market, this is the equivalent to winning the lottery. What I did not expect is that the students at both places made me want to be a teacher. Of particular standout quality are Marisa Korte, Sophie Mann, David Guirgis, Nia Adurogbola, Milan Polk, and Erin O'Loughlin. It often sounds banal and trite when professors say they learn more from their students than they teach, but it is in fact a truism.

Life moves so fast and we so rarely stop to reflect. The joy of writing this is that I have had a chance to consider some of the glaring mistakes and surprising successes of a decade of my life. I wish I could sum it up as an aphorism. Instead, all I can offer is this: life is an array of confounding experiences that make little sense; in the wake of the catastrophe that marks my last few years, the first thirty years of my life seem like a utopian cakewalk. But I am all the better for it. And the completion of this book, I think, means I am now an adult.