Forensic Memory, Responsibility, and Judgment

The Chilean Documentary in the Postauthoritarian Era

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Among the political documentaries produced in Chile in the postauthoritarian era there is a significant corpus of films that carry out a meticulous process of forensic memory. Both documentaries that dig through skeletal remains and those that excavate the memories of surviving victims or witnesses of state terror are carrying out similar archaeological forensic work. They examine records that, rather than simply evidencing past violence, exhibit the fractures (subjective and discursive) from which the past may be reconstructed. By focusing on these tasks the films La ciudad de los fotógrafos (Sebastián Moreno, 2007), El juez y el general (Elizabeth Farnsworth and Patricio Lanfranco, 2008), and El diario de Agustín (Ignacio Agüero, 2008) become media for reflection that makes it possible for viewers to confront their own history—in order to make ethical judgments that allow them to assume personal and collective responsibility in the face of a history that they have lived or have assimilated through a process of “post-memory.” To the question posed by Arendt—whether thinking can help to correct and eradicate acts of radical evil—we could respond that postauthoritarian Chilean documentary finds itself dealing precisely with this possibility through accounts that, by means of personal experience and sifting through one’s own biographical ruins, call on spectators to delve into their own fears and complicities.

Dentro de los innumerables documentales políticos producidos en Chile en el período postautoritario, hay un corpus significativo que ha llevado a cabo un cuidadoso trabajo memorial-forense. Tanto aquellos documentales que hurgan en las reliquias óseas como los que escarban en las memorias de víctimas sobrevivientes o testigos del terror de Estado llevan a cabo un trabajo arqueológico forense. Escrutan registros en que, más que dar cuenta de la violencia de los hechos mismos, exhiben la fractura (subjetiva-discursiva) desde donde se reconstruye dicho pasado. Para tal contexto, los filmes La ciudad de los fotógrafos (Sebastián Moreno, 2007), El juez y el general (Elizabeth Farnsworth y Patricio Lanfranco, 2008), y El diario de Agustín (Ignacio Agüero, 2008) se constituyen en espacios de reflexión para hacer posible que el espectador encare su propia historia, elabore un juicio ético que le permita asumir una responsabilidad personal y colectiva frente a una historia que ha vivido biográficamente o que ha asimilado a través de la transmisión postgeneracional, vía un proceso de “post-memoria.” A la interrogante planteada por Arendt—¿puede el ejercicio de pensar ayudar a corregir y erradicar los actos de maldad radical?—podríamos responder que el cine documental chileno postautoritario se encuentra precisamente abordando esta posibilidad a través de relatos que, mediante experiencias personales y atravesando las propias ruinas biográficas, interpelan al espectador para adentrarse en sus propios lastres, miedos y complicidades.

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Among the numerous political documentaries produced in Chile in the post-authoritarian period, there is a significant corpus of films that carry out a meticulous process of forensic memory.¹ I use the term “forensic memory” in its strict legal sense to focus on the search for and archaeological analysis of human remains in order to determine the type of physical violence that caused the individuals to die. The circumstances surrounding the discovery of such bodily fractures constitute texts that must be decoded, and given that they concern victims of political repression, such investigations set out to reveal the techniques used by the repressive apparatus. In addition to this usage of the term, I establish a link to Foucault’s restatement of the historical task emphasizing that all study of the past is permeated by layers of discursive formations. In this sense, what actually occurs in the creation of historical archives is an archaeological exercise. As a result, the first part of my hypothesis is that both documentaries that dig through skeletal remains and those that excavate the memories of surviving victims or witnesses of state terror are carrying out similar archaeological forensic work. Both examine records that, rather than simply evidencing past violence, exhibit the fractures (subjective-discursive) from which the past may be reconstructed. This is what I mean by forensic memory—records established through both traumatized bodies and memories. I am primarily concerned with films that deal with stories of professionals who are in one way or another involved with the act of creating forensic memory and who are therefore seen as “objective witnesses” who must interpret, compose, and communicate intelligible messages about this traumatic past. This group consists primarily of reporters, photojournalists, judicial workers, and forensic professionals. Often included in these specialized records are the testimonies of family members who, despite not having witnessed actual tortures and killings, are nevertheless also victims of state terror and who, when presented with the victimized remains of their loved ones, must testify to the truth of their living existence.² In this way, specialists, survivors, and families share the mark of these atrocities, blurring the seemingly sharp line that once separated these varied forms of suffering and the supposed categories of objectivity and subjectivity that characterize various types of account.

In many ways, the postauthoritarian Chilean documentary contains the questions already put forward by Alain Resnais in the 1955 film Nuit et brouillard (Night and Fog), in which, after conceding the impossibility of communicating the horror of the Holocaust, he concludes that he intends nothing more than to “reflect, ask questions, examine records and interrogate our own responses.”³ Nevertheless, although Resnais focuses on one of the main ethical-aesthetic dilemmas of “presenting” historical atrocity, the act of asking about the possible responses to such actions when viewers themselves may have experienced a state of terror adds another problematic on top of the one he explores. To some degree, it obliges the audience to confront its own life story, and the question of assuming an impartial stance—through either the act of “documenting” or the gaze of the viewer—adds a level of complexity to the Chilean documentaries I analyze here.⁴ Along this line of thought, Dori Laub (1995: 69) categorically asserts the impossibility of impartial observers in societies overwhelmed by repressive systems when writing on the Holocaust: “No observer could remain
untainted, that is, maintain integrity—a wholeness and a separateness—that could keep itself uncompromised, unharmed, by his or her very witnessing.” This allows for an extension of the status of “witness” to encapsulate the entirety of a society ruled by terror. Within the concept of forensic memory that I am proposing, it is understood that it is the community that provides the varied modes of discourse (factual-emotional) and basic guarantees of integrity that must go into the historical account being created.

To deal precisely with the reactions that such documented accounts can elicit in the viewer, I turn to the theoretical framework provided by Hannah Arendt with regard to critical judgment as an act that aids comprehension and the subsequent individual and collective responsibility of confronting the past that one wishes to overcome. The second part of my hypothesis proposes that by focusing on the remains of the disappeared as well as on the accounts offered by their families and professional witness/mediators, the films La ciudad de los fotógrafos (Sebastián Moreno, 2007), El juez y el general (Elizabeth Farnsworth and Patricio Lanfranco, 2008), and El diario de Agustín (Ignacio Agüero, 2008) become media for reflection that make it possible for Chilean viewers to confront their own history—in order to make ethical judgments that allow them to assume personal and collective responsibility in the face of a history that they have lived or have assimilated through what Hirsch (1997) and LaCapra (2001) describe as a “post-memory” that makes them the “committed” witnesses of whom Laub writes. Thus, this symbolic aporia identified by Resnais (the unrepresentability of the historical atrocities) is responded to by these documentaries with a call to articulate a critical judgment. They compel viewers to delve into their own biographical-social ruins through the use of a testimonial voice—not an easy task in the Chilean context, where, for the most part, distancing and negation of atrocity have operated at various levels. On the one hand, there are the military and civilian agents involved in the repressive measures of the state, whose response has been an almost absolute refusal to accept any political or individual responsibility. On the other hand, there is also a significant percentage of the population that still justifies and supports the actions of the dictatorship, a demographic clearly represented during the funeral of Pinochet in December 2006. Observing reactions such as these, we may see that postauthoritarian Chile has responded in practically the opposite manner with regard to the assumption of responsibility from Germany, where according to Arendt (2003: 28) what took place was a sense of “collective guilt,” a social response that greatly contributed to the ultimate protection of the “real” perpetrators. In the end, “where all are guilty, no one is.” If in Germany the ruinous past is buried in the paralysis of a generalized guilt, in Chile it has been postponed because of the absence of actors who assume such responsibility, a blindness that has led to the imposition of institutionalized reconciliation as a tactic for coexistence. This has only perpetuated repression, though it now exists in the realm of emotions and memories—a stagnation largely supported by fear of reviving political-emotional polarization.

In Arendt’s thought, responsibility and judgment are related to rational faculties and not to preestablished moral contracts. She maintains this by arguing that German totalitarianism inaugurated a new form of social destruction by
inhibiting the ability to judge. This was the result of a technology of repression founded on what she describes as “radical evil,” a value and behavioral system that ended up damaging the very roots of social stability and whose “efficiency” was built on a normalization produced by the “banality” of thought—the eradication of basic critical reflection, reducing atrocity to just another aspect of quotidian life. This plea to recover the power of elementary judgment in the documentaries I examine represents another angle in the understanding of this campaign for the establishment of forensic memory. These films attempt to clear away the viewers’ heavy ideological layers, complicities, and, above all, fears internalized and institutionalized through cosmetic reconciliation—a well-intentioned policy that nevertheless has postponed the critical capacity needed to confront “radical evil.” Judgment should then serve to restore social coexistence, which, far from being unviable or “disappeared,” travels in the dispersion of memories even if they are still repressed or fractured—a communal impulse lying at the bottom of the historical rubble being unearthed by the documentaries here analyzed.

In applying the above-mentioned questions about the impartiality of the various categories of “witnesses” that they reveal and bring together to these documentaries, I have discovered complex levels and structures of witness subjectivities—among them the perspective of the documentarian, who listens to the experiences of victims of traumatic events. This role is repeated when centering on the designated professionals documented, who relate to the repression through the community they portray but also in the manner in which they take on the professional and ethical challenges caused by institutional violence. This is fundamental, as it is through their reports and records (film, forensic, photographic, journalistic, legal) that the broader society can later visualize and evaluate the various forms of social suffering that coexist in the community. In such a scenario, neither the photojournalist, the judge, nor the newspaper’s managing editor can be considered a neutral mediator—much less unaccountable—as a witness to these atrocities. Likewise, this status is shared by the documentarians themselves, who must perform an act of mimesis with regard to this role as intermediaries upon retransmission.

**MIMESIS VERSUS REPRESENTATION: HOW TO RE-PRESENT ATROCITY**

The task of “presenting” traumatic experiences and forensic remains gives rise to various dilemmas, especially if we are asking viewers to confront and commit themselves ethically and thoughtfully to the history documented. Some of these difficulties are of an epistemological nature, for example, deciding what language to use to represent the psychosocial horror of which the victims are repositories without violating the authenticity of their suffering—which by its very nature is beyond any form of coherent and logical exposition. Similarly, and considering the audiovisual nature of the documentary form, another relevant point highlighted by Barbie Zelizer is “how to avoid the trappings of the culture industry while operating within it” (2001: 39). Since we are dealing with the search for disappeared bodies, it is essential to consider the way in which these extremely private remains should be presented using a medium that publicizes and in many ways appeals to the frivolous pleasure of
gazing. In this case, the central concern is how to document the complete nakedness of these human remains without normalizing the violence and insensitivity to pain that has been incited, propagated, and naturalized by audiovisual entertainment media such as television and commercial cinema.  

In order to safeguard the legitimacy and authenticity of individual as well as social pain, Chilean political documentaries of the postdictatorship have opted for a mimetic rather than a representative approach. In the words of Zelizer (2001: 32–37),

>a mimetic relationship cannot be thought of simply as a rational and fully articulated working through. There are dimensions to mimesis that lie outside linguistic communication and that are locked in silences, repressions, gestures, and habits—all produced by a past that weighs all the more heavily as it is not (yet) articulated. Mimesis in its physiological, somatic dimension is Angleichung, a becoming or making similar, a movement toward, never reaching of a goal. It is not identity, nor can it be reduced to compassion or empathy. It rather requires us to think of identity and non-identity together as nonidentical similitude and in unresolvable tension with each other. . . . Mimetic approximation as a self-conscious project thus always couples closeness and distance, similitude and difference.

Seen in this way, the filmmaker employs mimetic exposition by assuming the voice of the empathetic “witness.” This corresponds to the testimonial modes of address these films employ, displaying an evident and unavoidable commitment to the social suffering depicted and therefore acting as coparticipants in the purging of personal-social injury. In addition, the mimetic view is careful not to violate the unique place occupied by the victim who has been directly sacrificed, a subject chosen to carry out a collective form of politico-social sanction: the elimination of the “Marxist cancer,” in the words of the Chilean dictatorship. For precisely this reason, these accounts take on the agonistic nature of communicating atrocity, prioritizing the direct interview and the display of original documents as a way of providing historical evidence—archival documents (statistical, photographic, televised) that serve as “objective” guarantees of specific episodes. On the level of photographic composition, there is a wealth of mid-shots, direct address to the camera, profile shots, and over-the-shoulder perspective shots denoting a prudent camera distance but one whose variety of perspectives also expresses a certain level of intimacy with the victims and witnesses who act “responsibly” or, inversely, a planned distancing from agents whose behavior is identified by the documentary as being dictated by banality of thought. On the occasions in which close-ups allow us to see eyes and facial expressions in detail, the camera pulls away during the most emotionally moving moments, allowing the viewer to witness the subjects’ pain while still avoiding the portrayal of that as an exploitative spectacle of suffering.

From the viewers’ perspective, the ethical challenge involved in observing the most basic and essential nudity of a human being demands that they confront their own disastrous past to rediscover empathy for the fractured subjectivities that enact memory, calling upon a critical sensitivity that allows itself to be moved by the sheer poverty of those bones, the only thing left by the victims to testify to their horror. This is how injured memories and, above all, the naked bones of the disappeared constitute an undeniable body of evidence—the silent cry of the wounded victims, those who did not manage to survive to
testify for themselves. As Judge Guzmán declares in *El juez y el general*, “To touch those bones is like working in the most sacred thing a person can leave in this Earth after departing.”

**AFFECTIVE NARRATIVE, PERSONAL JUDGMENT, AND PROFESSIONAL RESPONSIBILITY: 
LA CIUDAD DE LOS FOTÓGRAFOS**

The cohesive thread in *La ciudad de los fotógrafos* is the autobiographical testimony of its director, Sebastián Moreno, who focuses on the photographic work done by his father and his colleagues at the Asociación de Fotógrafos Independientes (Independent Photographers’ Association) at the height of dictatorial repression. Though there is an identification and a guarantee of legitimacy of the direct voice that addresses the viewer, this positioning allows the documentary to de-center the memories of its director, who for his part seems to place himself behind the shoulder with a lens that hints at the path but at the same time lets itself be led by the various direct narrative voices of his father’s comrades.

The film begins with a photograph of Sebastián as a child, seen from above and looking up at his father with an expression that serves to situate his perspective of admiration and respect for the story and generational role held by this document with regard to the subject it is presenting. The photograph foretells the presentation of an account constructed by diverse layers and sources of memory—the account of a committed witness who intercepts, weaves, mixes, and purges this disastrous past in conjunction with many co-subjectivities. Added to this is a sort of fetishism of the photographic medium itself that is made evident in the visual composition of the credits and the film’s own editing and composition, framing its images by imitating rolls of film, and the accompanying transitions with non-diegetic camera shutter sound effects. Such technical details are interspersed throughout the documentary, making the viewers themselves witnesses to certain aspects of the physical task of photography while also making evident the documentary’s artistic debt to the photographic medium.

At first glance, the film seems to have the sole purpose of providing a tribute to these social chroniclers—some of whom were tortured for political reasons—by recounting their professional and human experiences as well as those of relatives of the disappeared. We soon come to understand, however, that in addition to such affective motivation there is also a need—as well as a personal and social responsibility—to understand the past and to situate oneself critically before it. To this end, the documentary presents itself as a continuation of the task carried out by the photographers themselves three decades earlier: “He [my father] never told me what he did out there, but I knew what was going on in the city through his photos and those of his friends,” says the director, who in a voice-over proceeds to intercut recordings of sirens and police helicopters to illustrate the evocation of such childhood memories. Thus, although the child did not see the events documented by the father, such sounds did penetrate the domestic space, making it impossible to remove
oneself from the terror (of the “committed” witness, in Laub’s words). These non-diegetic sound inserts also announce a narrative composition in which the vague personal marks of childhood coexist with those of the adult eyewitnesses. Thus La ciudad de los fotógrafos presents itself as a shared journey in which the child’s abstract memory is collated and complemented by experience and logic, thus obliterating the worn-out notion of “having been too little to remember” as an excuse for apathy toward the past. This is the journey that viewers are invited to join, compelling them to commit themselves to this affective circle made up of children, parents, friends, portraitists, and those they portray in their collective role in the cinematic (and oral) account of these years.

Through the use of visual records such as the photograph, the city/community photographed does not need linguistic translations. The photograph that captures “objectively” is an instant testimony to the legitimacy and urgency of these events. Notwithstanding, the documentary that recovers and recalls on the basis of such records is still carrying out an act of reflection through them. This constitutes a critical exercise made evident in the chorus of voices included in the documentary that substantiate and confirm the isolated static and instantaneous testimonies embodied in these photographs. Through this creation of rhetorical cohesion, the film builds an affective narrative of direct protagonists that gives meaning to the vagueness, dispersion, and subjectivity of this historical fracture of memory while also filling the vacuum of childhood memory that structures the documentary—one that has been constructed “outside of the event,” predominantly on the basis of the sounds, emotions, and random references that filtered into the filmmaker’s consciousness as a child.

Through this remembrance, we also access the professional and emotional commitment that the photographers depicted acquire to their subjects and the historical instant they are capturing. From their apparent condition of “detached” witnesses, they see their own capacity to judge compromised in the process of ethically exercising their personal and professional responsibility. An episode that illustrates this dilemma is one in which, during a protest, an adolescent is brutally beaten and loses an eye. The scene consists of the juxtaposition of a photograph of the victim and the audiovisual recording that captures it with the surrounding witnesses/viewers (potential victims) who struggle to help him, among whom are the photographers themselves. Through this narrative strategy of subjective juxtaposition, Moreno is careful not to hierarchize one narrative medium over the other. They coexist, sometimes complementing each other, and work together to broaden and deepen the perspective of their collective experience. In this sense, it is interesting to see the “invisible” work done by those who were filming the photographers themselves with video equipment, an act that we can see as a protective measure, making it clear that they were being documented in part as a strategy to protect them from the repressive apparatus. Working in conjunction, photographers were always accompanied by multiple camera-witnesses in addition to their own colleagues’ cameras. It is worth noting that while film cameras were often confiscated, the videographers who documented such confiscations somehow managed to keep their own footage of this censorship intact. There is also an underlying visionary gesture to leave documents both of these events and of the processes of gathering them. In this way, scenes of these incidents are constructed by both
archived photos and audiovisual recordings situating the photographers in the actual moment of the occurrence. By using both sources, the documentary does all it can to recreate a critical experience of having been a witness/victim of such events. As the photographers state:

[Kena Lorenzini:] I can clearly remember a kid lying on the ground at the Plaza de Armas with an eye hanging out of his head . . . and all those photographers shooting . . . And as I got near I felt I was becoming a vulture. . . . Democracy was near, and what was to become of me if I turned into a bloodthirsty vulture? I resigned the following week.

[Claudio Pérez:] We were used to reacting to blows, gas, screams, funerals, shots. . . . We reacted by shooting with our cameras. It was sort of having that violence inside you. . . . So, I was becoming some kind of bloody creep with no values. Was I picturing pain for my own glory?

[Óscar Navarro:] One day we realized we were losing it. We were becoming machines of some kind. Started feeling that violence defined us as ourselves. At first we didn’t realize that. But when you do realize it . . . it slaps you in the face. What the hell is becoming of me? . . . But adrenaline happens to be a very eerie drug, very weird.

In these testimonies the process of forensic memory allows the photographers to think critically about the reigning evil through an act of self-distancing in which the photographer-witnesses dredge through the archaeology of their own assaulted subjectivity, one in which the daily repression steadily penetrated the empathetic, affective, and reflexive relationship with their environment and with themselves. The image of the gauged-out eyeball thus operates as forensic remains deposited in memory. Lying in the middle of the sidewalk, the nearly severed eye portrays a society that itself is half-blinded by brutality, forced into senselessness and partial vision, an icon of what is achieved by radical evil with regard to the capacities for reflective thinking and understanding. This performance of forensic memory makes it possible to purge such violence, concurrently restoring a capacity for deliberation—for the encounter of subjectivities. Such assessments by the photographers evoke the case of Kevin Carter and his photograph of a little girl in the Sudanese refugee camps with a vulture waiting to devour her in her state of malnutrition. The photographer captures the moment and the horror of the situation, but the girl is abandoned to her fate. The reflexive blindness produced by the normalization of violence, in this case expressed in the constant famines that have been made commonplace by the images of abject malnutrition experienced in some African countries, setting a pragmatic logic in operation that prevents us from acting on the basic instinct that would have demanded saving the girl even in the face of such an extreme scenario. This is an aspect upon which the Chilean photographers reflect, turning precisely to the figure of the vulture, because, though the bird of prey does not cause the suffering and death of the victim, it does benefit from the victimized body.7

La ciudad de los fotógrafos carries out an act of forensic memory in that, in order to excavate and put together a past, these professional witnesses must deal with their own ruins, an act that requires confronting their own condition as affected participants, sharing an obligation with the viewer (a second-degree witness) to reestablish responsibility and judgment.
PERSONAL JUDGMENT AND RESPONSIBILITY AMID

SOCIOPOLITICAL POLARIZATION: EL JUEZ Y EL GENERAL

_El juez y el general_ is also organized around an autobiographical account, that of Judge Juan Guzmán and his experience in jurisprudence. The documentary has a clear didactic purpose aimed at a local audience as well as an English-speaking one, an aspect made evident by the composition of its production team and its Chilean (Patricio Lanfranco) and U.S. (Elizabeth Farnsworth) codirectors. Its narration begins with an informational intertitle that provides historical context for the film, introducing a prologue in _racconto_, displaying a still photograph of the dead face of Pinochet during his funeral, and moving on to film his supporters shouting slogans, most of them expressing hatred and a desire to restore the Pinochet legacy. From these images there is a cut to the past, through the effect of black-and-white images returning to color, showing a crowd shouting its indignation over the Popular Unity government in the early 1970s. These cuts from one era to another are almost invisible, strategically utilizing diegetic transitions (for example, by going from one room to another) and visual alterations of real shots of the present modified to conform with an old aesthetic in order to blend with TV footage taken in the 1970s. The film’s introductory sequence has been composed almost entirely from the vantage point of a camera located behind Judge Guzmán’s shoulder as he watches Pinochet’s funeral on television, indicating that, although he is observing these events somewhat remotely, he is an individual and a professional witness fundamentally entangled in them. Likewise, this perspective affirms that the narrative arrangement is based on Judge Guzmán’s experience and subjectivity without attempting to assume his voice, thus composing a mimetic representation of his experience. It is through this juxtaposition of images and approaches that the prologue introduces the argument that outlines the documentary: the existence of an unresolved politico-social conflict, evident in the persistence of ideological polarity, at whose epicenter Judge Guzmán’s paradigmatic experience is located. This chaotic historical atmosphere is constructed in the film through an abundance of scenes that fully exhibit hatred or illustrate episodes that incited reactions of opposing groups. One example is the scene of Fidel Castro’s visit to Chile, which the opposition to Popular Unity read as a confirmation of the Chilean alliance with the Soviet bloc. These are scenes whose lack of politico-historical context recreates the absence of a logical explanation for the events of that period, a haze that still persists to this day in broad sectors of the community. Although _El juez y el general_ does not intend to contribute to this historical elucidation, it does seek to expose the persistence of this ideological division and the way it affects critical capacity and the assumption of personal and collective responsibility. The example of Judge Guzmán’s own revelation—his personal trajectory from being an open supporter of the military to his judgment of Pinochet for all of the human rights violations during his rule—is chosen for this purpose. The failure of the legal institution to perform effectively shows the extent to which the arbitrary nature of authoritarianism penetrated the normal exercise of both institutions and human relations. Given that Judge Guzmán’s institution has been envisioned precisely with the purpose of mediating between communal and individual impulses and interests,
its deplorable mismanagement finds itself in need of correction. Judge Guzmán is charged with this task once democracy is restored, dealing with legal petitions presented by families of the victims. Thus, he declares:

More than 10,000 petitions were rejected, leading to the death of many people. I wrote some of those rejections. I saw my own writing when I was investigating all these human right cases, and now, more than 30 years later, my witnesses include some of those people who filed those petitions. . . . I had no authority to reverse those decisions [then], and so I would write those rejections. If I had not done it, somebody would have. But that was the first knocking of my consciousness.

On the one hand, Judge Guzmán acknowledges that his actions should be understood within the framework of a system of which he was a subordinate, but this does not relieve him of the feeling of being somehow responsible for the death of many people. Faced with the fact that his guild had not performed its assigned social role (an aspect that he was not in a position to overturn, he asserts, because of his status as subordinate) 30 years later, when he ascends in the judicial system and meets relatives of the victims in person, Judge Guzmán is in a position to exercise personal judgment, allowing him to make some amends for his own previous lack of responsibility. This becomes possible only when the experiences of the witnesses who were directly affected exhibit not only their own suffering but also the appalling wreckage of a social system that the judge has been unable or unwilling to confront. For him, the above takes place in light of the overwhelming evidence confronting him with evil, a point that he reiterates on several occasions in the course of his account: “I knew a lot about human nature through literature, but I have never been face to face with so much evil.” Rather than the idea that his knowledge is based on fiction, his saying that he knows human nature through literature reflects a model of human behavior and psychology described, disseminated, and promoted by the great works of modern Western thought stemming from Greco-Roman tradition. In this framework, although Greek tragedy manages to present some of the extremes of human conflict, they are explained by a destiny impossible for man to control. What Judge Guzmán describes here is a far cry from such a catastrophe, and therefore he is correct in describing it as evil; the tragic outcomes have been manufactured by human hands. For this reason, his encounters with such acts of evil manifest themselves as a revelation, since cultural, historical, and philosophical accounts have not taken charge of them, at least not until the advent of European totalitarianism. In this way, though there are instances in which the encounter with radical evil can be postponed, as in Judge Guzmán’s case, others, according to Arendt, are naturally prepared to occupy the social roles terror needs to sustain itself, a process that necessarily demands the loss of the capacity for critical judgment. To the cries of General Pinochet’s supporters during his funeral, “You never got him! You never convicted him!” Guzmán responds:

It’s incredible; they don’t say he is innocent. They say “y no lo condenaron,” “you never convicted him, you never got him!” They don’t care what he did. I believe the evidence gathered in the cases against Pinochet, which is now a matter of public record, establishes his guilt. I also believe—although I am not a believer any longer—that Pinochet will be tormented through eternity by the souls of the disappeared.
The statement that he is no longer a believer takes him closer to post-Greco-Roman or post-Auschwitz thought (in Adorno’s term), an epiphany that connects him with the agonistic nature of human existence—in the tradition of Nietzsche and Arendt through an exercise in forensic memory on recent personal and national history. Thus, the human tragedy previously attributed to destiny or divine will can no longer cover that which is humanly generated. This encounter with personal and historical ruins restores Judge Guzmán’s ability to reflect, to look into the past of his own subjectivity in order to reformulate his relationship to that history and to the current tasks at hand.

What is notable in the case of those who shout slogans of support for Pinochet is that they obviously did not commit the crimes of the dictatorship, nor can they be described as mentally ill. We are dealing with “normal” individuals who nevertheless fail to use the basic reasoning that would allow them to weigh the ethical banality of their jubilation. Returning to Arendt’s perspective on the effect of state terror technologies on the social realm, it is clear that over and above individual human quality, this collectivity represents what totalitarian terror does to the human condition, an aspect that the film confirms by freezing on the enraged image of one of the supporters. In light of this process, despite their freedom from the responsibility for the horror inflicted, it is evident that these groups are guilty of not making a personal judgment with regard to the atrocities devised and orchestrated by the leader they now celebrate—one who likewise did not make such a judgment, much less admit any responsibility for his acts.

The lack of personal judgment of those who shout these slogans in the streets cannot be confused with the ignorance or lack of clarity that is noted by the then-attorney of the Vicaría de la Solidaridad, Carmen Hertz, with regard to acts of cruelty. As she states in an interview: “The great majority of Chileans, especially the middle class, doesn’t want to know, doesn’t want to see. . . . As long as you don’t know, you don’t have to take a position.” This desire not to take sides, while possibly indicating a tacit support of the repressive system, also indicates that in some sense there is a shared determination that there is something reprehensible happening that cannot be openly supported, a scenario that leaves many with the sole alternative of taking no position at all toward it. This state of affairs is compounded by the fear of others that the addition of their own voices to either side will only serve to further polarize the situation. Within both reactions, this behavior bears a judgment, which, while not contributing to resolving the problem, harbors a desire for social harmony as an impetus, inciting moral abstinence. Within the same dynamic, and for the purpose of collectively framing his own initial support for the military government, Judge Guzmán reflects on yet another type of social response:

People are sure that they are not confronted with evil. They believe that what is happening is good for the country, good for their family, and good for themselves. . . . Afterwards, when they know that there is evil, then things change. They just can’t do anything about it because they will then be pursued, tortured, and perhaps killed themselves.

Initial ideological support for the coup d’état in 1973 actually existed in a large segment of the population, especially in the middle and upper classes. Once the discovery of mass graves such as the Longuén kilns made the dictatorship’s crimes uncontrollable, however, personal judgment succumbed to the
fear of becoming a target of the brutal repression that disappeared and assassinated close to 3,000 Chileans and subjected another 27,000 to torture and political imprisonment, as has been documented in the Rettig and Valech Reports.\(^9\) The thesis of ideological polarization put forth in the film’s prologue is developed in the course of the documentary through a narrative that presents the coexistence of varied scenarios of behavior: the lack of legal professional responsibility in dealing with the case of the victims, the absence of personal judgment with regard to one’s own ideological views, apathy as a way of avoiding social conflict, and civic behavior paralyzed by fear. This is the environment in which these murderers, victims, their families and, of course, Judge Guzmán exist. It therefore becomes possible to appreciate the peculiarity and loneliness of his personal and professional journey, a path that the documentary demarcates as unfinished. If, on a diegetic level, we hear Guzmán refer to the penance that the souls of the victims rain on Pinochet, the documentary ends by closing in a cyclic gesture over the same funeral scene depicted in the prologue and inserting the superimposed, ghostlike image of Pinochet over footage of the halls of the Supreme Court. Both scenes indicate that judgment, institutional legal responsibility, and personal reflection have not yet taken place and that without them the historical narrative will very likely continue to be cyclic as well.

Thus the appellative character of this film aims to scrutinize less the condition of the committed witnesses than the viewer’s own vantage point.

**JOURNALISTIC DISTANCING AND RESPONSIBILITY:**

*El diario de Agustín*

*El diario de Agustín* delves into the political responsibility enacted over the past 40 years by the newspaper *El Mercurio*, owned by the Edwards family since 1849 and directed by Agustín Edwards since the 1970s. In this case, the title of the documentary plays on the possible meanings that the noun *diario* has in the literary context (meaning both “daily newspaper” and “diary” in Spanish), referring to an intimate testimony whose human and aesthetic value is derived from the presentation of aspects that make it personally and historically relevant for a collectivity, as in *The Diary of Anne Frank*. Nevertheless, in this case the possessive phrase indicates not the authorship of the account of individual memories but the financial ownership of the newspaper. Despite this, in analyzing the journalistic work of *El Mercurio* during the dictatorship we gain access to an intimate portrait of the ways in which the Edwards dynasty not only manipulated information on the central facts of Chilean history—manufacturing a falsified reservoir of the memories of an entire community—but, more important, managed to instigate political processes as traumatic as the coup d’état. Seen in this way, *El diario de Agustín* manages to provide a subjective account not so much of the private family life of Agustín Edwards as of his ethical behavior, his personal responsibility in “determining” (and I use the term in its strict positivist sense) the political history of Chilean society—an aspect that the Chilean sociologist Manuel Antonio Garretón aptly summarizes in the documentary itself:

Let’s start from the fact . . . that *El Mercurio* bears enormous responsibility for the violation of human rights, and that it is one of the actors that has not
acknowledged that responsibility. . . . I have the impression that El Mercurio, to the extent that it steadfastly worked for the end of democracy in Chile, . . . from that point forward it has not had a generational renewal allowing it to renounce what that generation did. Because what they would have to say is “We should not have said or done what we did during Allende’s time.” But to do so they would have to say, “Nor should we have done what we did with the Universidad Católica.” They would then have to deny their history. In this sense, if there is one actor that will always defend human rights violations and will never be a bearer of a message of liberty and democracy, it is El Mercurio.10

The film’s narration is organized around the central premise of a workshop in which a group of journalism students from the Universidad de Chile participates, with each section of the film being structured around the cases they examine. This strategy transfers to the future journalists the task of evaluating the newspaper’s role during the dictatorship in terms of the medium’s own methodologies and professional conventions. It is they who consult the archives (which among other things provide access to El Mercurio’s records throughout its existence), discuss tactics, conduct interviews, and compare results. These are all aspects of the archival and filmmaking process that the documentary makes evident in its diegesis, helping to give it its self-reflexive character. In this way, collective viewpoint and voice are constructed that help to reduce the singular voice of typical documentary authorship, allowing the perspective of the film to be the one established by the agenda and the voice of the students. This process situates the viewer in the position of a third participant, observing the exchange among the students and their questioning of the subjects consulted, addressing the film’s call to self-examination to its diegetic subjects rather than to its audience. This distancing technique differs from the one we observed in the two previous documentaries examined, in which the format of direct autobiographical perspective (La ciudad de los fotógrafos) or mimetic autobiography (El juez y el general) allows for an immediate empathetic closeness between the viewer, the professionals, and the relatives of the victims that have been documented. In contrast, in El diario de Agustín both the narrative structure and the photographic work preclude any identification with the reporters and managers of the different departments of the newspaper or with the political officials of the dictatorship period with whom the newspaper maintained direct communication. Instead, they urge the viewer to apply the rigorous critical judgment made possible by checking these statements against the file documents, headlines from the newspaper itself, and the declarations of other witnesses.

The interviews with victims’ relatives affected by the dictatorial regime or the editorial policies of El Mercurio are consciously structured in two distinct formats. An example of this can be seen in the counterpoint between the conversation with Beatriz Undurraga, the only journalist from El Mercurio to be interviewed, and the interview with Hilda and Berta, sisters of Marta Ugalde, whose live body was thrown into the sea from the air and later returned by the sea (an act that Undurraga had reported as a crime of passion).11 The predominant photographic framing of the journalist is medium-range and slightly askew, with her body partly esconced in a large red sofa, wearing a pink T-shirt that fills the screen. Leaning forward, spread-legged, Undurraga is literally interrogated by the students. The documentary is careful to include in its
diegetic body both the questions and the reactions provoked in the interviewers by her answers:

[Undurraga]: I felt like I had written some ridiculous crap. . . . I have my values, I'm a Christian. . . . I went and asked those people to forgive me.
[Interviewer]: Really?

In contrast, the framing chosen for the Ugalde sisters is closer and positioned more classically front and center, with them seated on a brown sofa, bodies erect, dressed largely in tones of dark grey and brown. In contrast to Undurraga, who expresses herself rather coarsely, the sisters do so in a very careful, sober manner, matching the way the lens composes the photographic frame. Similarly, Hilda and Berta’s account is presented as a testimony (not an interrogation); the voice posing the questions has been eliminated. Along with the dignified approach sought in the photographic composition, this facilitates direct communication and identification between the subject documented and the viewer.

Since the documentary leads us, on the one hand, to distance ourselves from those subjects who shirk their individual and professional responsibility and identify with those who, because of this irresponsibility and lack of ethical judgment, now occupy the status of victims, it becomes relevant to ask ourselves why the heir to the management of El Mercurio, Agustín Edwards, has chosen such a manner of exercising his professional and individual responsibility. Although this is a concern that could have been raised in an interview with Edwards himself (which was requested but never granted), the documentary does lavish on the viewer the experience of hearing the businessman’s own rationale by inserting the interview Edwards gave to Cecilia Serrano on the state television channel TVN following the return in February 1992 of his son Cristián, who had been held captive by the Frente Patriótico Manuel Rodríguez group for five months:12

[Serrano]: Mr. Edwards, prior to the kidnapping and disappearance of your son, there were other cases in Chile of people who disappeared for political reasons, and have yet to reappear—no one knows where they are. How has your viewpoint on this problem changed after the experience regarding your son Cristián?
[Edwards]: . . .
[Serrano]: What would you say to those mothers who still have not found their children? Would you like to say something to them following your experience? Edwards]: . . . Just to have faith. Have faith in the Lord, and that, ultimately, what he said is that it is a cross for you to bear, and it is a sign. It is a sign that is not necessarily bad. On the contrary, it is positive, because it brought us (my family) many positive things: family unity; brothers and sisters with whom we had not spoken for a long time came together. It was very positive.

The documentary chooses to conclude precisely with this scene: Edwards situated in the security of his own professional environment while being interviewed by one of the most iconic journalists of the dictatorship on a television channel that acted as a mouthpiece for the authoritarian regime. It is evident that he is surprised by such questions, which are possible only in the context of a return to democracy, a context to which the editorial policies of the television channel now confronting him have had to adjust. Edwards turns to the highest
moral authority in the Catholic world, using an office with religious images as background, including a photograph of himself posing with Pope John Paul II. On one hand he uses Christian martyrdom, which proclaims the redeeming value of suffering, thereby suggesting that these relatives are expiating their sins, and on the other he appeals to faith in the search for the bodies of the disappeared clamored for by the mothers Serrano mentions. Given that these disappearances were orchestrated by the dictatorship with the complicity of his newspaper, the insincerity of his response not only offends the very moral authority that he cites but is also exposed as an attempt to clear himself of all responsibility for the propaganda disseminated by El Mercurio that led to the coup d’état, propaganda that also had a fundamental role in covering up the crimes of the dictatorship, as is documented in the film with the case of “the list of 119.”

Arendt (2003: 45, my emphasis) maintains that developing personal judgment does not require great intelligence or expertise in related professional areas or indeed any sort of moral conviction. She confers a higher role on the act of “thinking” than on moral principles, as she explains in the German case:

The total moral collapse of respectable society during the Hitler regime may teach us that under such circumstances those who cherish values and hold fast to moral norms and standards are not reliable: we now know that moral norms and standards can be changed overnight, and that all that then will be left is the mere habit of holding fast to something.

Informed by this perspective, we may see that Edwards’s response to the journalist’s question serves as an archetypical example of the prevalence of a formulaic morality over basic personal judgment. In his language, Christian moral principles present themselves as mere verbiage; it does not stand the test of the most basic understanding because it contradicts itself. It is apparent that the paths of Edwards and Guzmán are diametrically opposed. While the latter delves into his own history and personal and professional responsibility, discovering a radical evil that separates him from divine absolution, Edwards takes refuge precisely in that authority in order to continue avoiding an encounter with his own role in the creation of such evil. This evidences a narcissistic response in which the “other” is simply not allowed to exist and that consequently offers only tautological arguments. Arendt (2003: 151–152) argues that moral considerations are related to the “self” while ethical ones are collective. Over and above being in harmony with patterns of morality, they are founded on judgment that must prioritize the common good: “The question is never whether an individual is good but whether his conduct is good for the world he lives in. The center of interest is the world and not the self.”

The institutions of Chile that are charged with providing compensation and sanctioning social crimes have largely fulfilled their responsibilities. What has not taken place is the social debate that would allow individuals to carry out a personal examination in order to promote a collective discourse that may judge the violations of people’s basic rights, one that might contribute to moderating the current climate of ideological polarization. While it is true that the documentaries studied here adopt three different narrative perspectives—autobiography (La ciudad de los fotógrafos), mimesis (El juez y el general), and what I have described as a distanced view (El diario de Agustín)—an appealtive stance, avoiding an authoritative and institutionally partisan voice, prevails in all of
them. In the case of *La ciudad de los fotógrafos* and *El juez y el general*, the first-person positioning is articulated by subjects who dig into historical and personal forensic ruins, only then to reconstitute their subjectivities and locate themselves reflexively in the present. In *El diario de Agustín*, the apppellative stance is directed largely toward the subjects, who are mostly interrogated. Nevertheless, the voice of authority is avoided or displaced, ceding the ability to speak to the titles, quotations, and photographs published in the Edwards family’s newspapers. The students who carry out the research and never direct themselves to the viewer become, narratively, the viewer’s alter ego. Notwithstanding, these three documentaries are far from providing impartial readings of the history examined or encouraging distance and neutrality with regard to these events. On the contrary, they challenge the viewer to employ critical judgment, and, though their narratives are structured in such a manner as to create empathy for the victims, this identification takes place once the viewers are compelled to dig into their own memories and roles in these forensic searches. While we cannot speak of a collective guilt for the atrocities committed by the Chilean military dictatorship, it is true that a common responsibility exists to mend, reconsider, and build its society, and it is in this context that the ability to judge has a fundamental role. To the question posed by Arendt—whether thinking can help to correct and eradicate acts of radical evil—we could respond that postauthoritarian Chilean documentary cinema finds itself dealing precisely with this possibility through accounts that, by means of personal experience and sifting through one’s own biographical ruins, call on spectators to delve into their own fears and complicities. Ultimately, it is a matter of performing an act of forensic memory in order to assume responsibility for the past and imagine a future.

**NOTES**

1. In particular, the films of Patricio Guzmán: *Chile, la memoria obstinada* (1997), *El caso Pinochet* (2001), *Salvador Allende* (2004), and *Nostalgia de la luz* (2010). Whereas Guzmán’s films reconstitute a memory based on forensic remains and traumatic memories, the film that focuses strictly on the forensic is *Fernando ha vuelto* (Silvio Caiozzi, 1998), while *La flaca Alejandra* (Carmen Castillo, 1994) does so on the basis of fractured memories of its leading character, as *La sombra de don Roberto* (Juan Diego Spoerer and Håkan Engström, 2007) would do later.

2. A paradigmatic example is Agave Díaz, widow of Fernando Olivaress Mori, whose case is presented in the above-mentioned film by Silvio Caiozzi, *Fernando ha vuelto*.


5. Two texts that deal with the media’s dwelling on violence and the consequent inability to empathize with “real” suffering are Moeller (1999) and Berlant (2004).

6. This becomes clear in documenting the testimony of victims collected by Patricio Guzmán in *El caso Pinochet*. In *El juez y el general* we find the testimony of Mónica Moya, the widow of Manuel Donoso, whose remains must be exhumed by Judge Guzmán.

8. The abandoned kilns in the town of Lonquén, where the remains of 15 campesino trade unionists were found in 1978. The iconic photograph of this discovery belongs to Luis Navarro, one of the photographers who provides testimony in La ciudad de los fotógrafos.


10. Garretón refers to the takeover of the Casa Central by Universidad Católica students on August 11, 1967. In its editorial on August 16 El Mercurio describes the event as a “new and daring maneuver of Marxism,” to which the students respond by unfurling a gigantic banner reading “Chilean: El Mercurio lies.”

11. Marta Ugarte Román was detained in August 1976 and found dead in September on a beach near La Ligua. Her body was the only one of those thrown alive from the air to be recovered.

12. The Manuel Rodríguez Patriotic Front (FPMR) is a guerrilla group that picks up on the historic legacy of the Chilean independence guerrilla fighter Manuel Rodríguez. It emerged on December 14, 1983, and, according to its web site, its principal mission is “the defense of the popular and patriotic interests of our people” (http://fpmr-chile.org/index1.html). It is responsible for the attempt against Pinochet in September 7, 1986, and the assassination in April 1991 of Senator Jaime Guzmán Errázuriz, founder of the Unión Democrática Independiente and one of the main ideologues of the 1980 Constitution enacted by the dictatorship.

13. Regarding this, Roberto Dorival, a relative of a detained-disappeared person, explains in the documentary: “The list of the 119 is a communications fabrication designed by the dictatorship to provide a response to international questioning about people who were detained and were being sought by their relatives.”

REFERENCES


Améry, Jean 1980 At the Mind’s Limits: Contemplations by a Survivor on Auschwitz and Its Realities. Translated by Sidney Rosenfeld and Stella P. Rosenfeld. Bloomington: Indiana University Press.


