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From state terror to state error: Patio 29, General Cemetery, Santiago

This chapter traces the journey of the many hundreds of bodies of victims killed in the first few months of the coup, from sites like the Stadium of Chile, to an obscure and humble precinct of the city's principal cemetery. Doña Nena González, caretaker of Patio (Precinct) 29 carries the story. She holds all its memories. Nena has seen its every phase: evidence of secret, nocturnal burials, brazen disposals in broad daylight, of coffinless naked bodies slung two at a time into any open grave, brutal repression of demonstrators, clandestine meetings, official exhumations, investigations, mass rallies at the Patio 29 endpoint of city marches, reburials, state ceremonies of recognition, mourners' families seeking information, and today, a flowing caterpillar of journalists and film crews who want to know everything and pay nothing. Once one of the most dangerous places in the country to ask questions, Patio 29 is today a national monument, still cared for, as it has been for 45 years, by Nena González. You'll still see her seven days a week, raking, tidying, sweeping, boiling a kettle outside her tiny shelter, lined, weary, rising with difficulty. The sadness in her eyes comes not from personal tragedy: it is the sadness of what she has seen, and not seen, what she was told, and not told; and, as a true secondary victim of Pinochet's coup, of what she has endured.

NARROW BUT ENDLESSLY DEEP



Nena González, caretaker of Patio 29, General Cemetery.

Source: Photograph by Peter Read, editing Con Boekel.

It is 2001. From the principal Santiago thoroughfare Providencia, a 66-year-old wife of a missing factory worker crosses the Mapocho River confined in its concrete channel. Left and right turns take her past the tourist area of Bellavista: down the Avenida de la Paz until on the right she comes to the grand entrance of the General Cemetery of Santiago. She does not go straight ahead into the space reserved for the heroes of the Republic; rather, she turns right, past the imposing mausolea of the nation's dominant families. Fifty metres from the main entrance, the orderly blocks of graves in their precincts or 'patios' begin to look less imposing but by no means neglected. At the very end of the cemetery, she turns left to walk beside the rear wall pierced with hundreds of regular niches into which a coffin will just fit. This woman has not seen her husband since 14 September 1973 when the military burst in their home, seized him and threw him into a truck. Today is their 44th wedding anniversary. And so she comes to Patio 29 with its characteristic white-on-green signage that the Chilean state uses for its national monuments:

Patio 29. Emblematic place of the human rights violations that took place between 1973 and 1990 as it was used to cover up the bodies and identities of the detained disappeared and politically executed during the military regime.

She greets the elderly caretaker in a blue dustcoat sweeping the paths between the empty holes and iron crosses with a worn-out broom. 'Buenos dias, Señora.'

Patios 28 and 30 on either side of Patio 29 blaze with colours, artificial blooms, little windmills and shade houses to shelter the dead and to reassure them that that they are not forgotten. Fresh flowers are constantly replaced. Birds hop about in the shrubs planted at the time of each interment. Everywhere there are people, on weekends the patios 28 and 30 are packed.¹ Yet Patio 29, which this widow is visiting, is bare and ugly, has few visitors. Iron crosses, many with 'NN' (No Name) painted crudely on them, intersperse with unsightly holes where bodies have been exhumed. At times the patio is green and verdant but more often dry and blasted. The widow has for

1 Recently, the cemetery patios have been renumbered, but for convenience here we refer to the old numeration.

company only photographs of the detained-disappeared blowing about or stuck crudely on the crosses. *Donde está?* they ask. Where is he? Where is she? Like many thousands of other Chileans she has no idea; but it is here at Patio 29 that she can contemplate where the body of her missing husband *may* have been surreptitiously dumped all those years ago. It is here that his body *may* have been surreptitiously exhumed in 1983 and disposed of elsewhere when the Pinochetistas began to realise that a reckoning of the disappeared would have to be made; but it is also from here that the human remains that she was assured were really *his* body were exhumed. The legitimate authorities examined and in 1995 identified the remains; but 18 months later told her that it wasn't her husband after all, and that whoever's body she had buried alongside her mother-in-law's, would have to come out again. It is here, in the end, that she can ponder on no more than this desolate, unprepossessing space *may* have been the last site on earth where sunlight or starlight touched the body of her missing husband for the last time.

Or his body may never have been here at all.

Sola Sierra, whose husband had been missing for more than 20 years at the time she was interviewed in 1994, stood at the same ugly space of Patio 29 to reflect:

All that makes one think rationally that he is dead. But emotionally, until one confronts that situation, 100%, no, I just can't assume it. Sometimes when one hears of cases where remains have been recently discovered somewhere, one immediately begins to assume the possibility, that the person one was searching for over so many years might be in that gravesite. But when the remains are identified and they don't correspond, one feels a kind of release. Ah, it wasn't him.²

Maria Eugenia Horvitz is almost certain she is the widow, not the wife, of her husband Enriquez Paris, one of Allende's close advisers, who was with the President on the morning of the coup. By noon he had disappeared; yet she can never be completely certain that his body was one of those thrown into Patio 29:

2 Sola Sierra, interview, June 1994, in Mark Ensalaco, *Chile Bajo Pinochet, La Recuperación de la Verdad*, Alianza Editorial, Madrid, 2002, p. 160.

You have the same sensation described by Kafka. You fight against state terrorism, against giant machinery which has fallen over all your loved ones. And that all you're morally compelled to do is absolutely worthless. Except as the rescue of a truth that has to remain for others. It produces great anguish.³

The disposal of the bodies of those murdered at the Stadium of Chile and round the city presented a problem that the armed forces, for all their secret planning, evidently had not foreseen. In that first week after the deaths of Allende and Jara, hundreds of bodies lay rotting in the streets of the capital. Over 80 bodies were counted floating down the Mapocho. The carnage of the first four months after the coup amounted to half the total of those murdered or disappeared during the 17-year period of the dictatorship.⁴

The first military thoughts of how to dispose of the bodies were of mass cremations, turning quickly to secret burials in a handy location. But where? According to the then cemetery director Rogelio Rodriguez, Patio 29 by chance had 320 vacant lots ready for immediate use.⁵ Out of sight at the very back of the cemetery, it seemed ideal; so far, in the life of the cemetery, it had been used only for the graves of paupers who had died in the public street or the State Psychiatric Hospital.⁶ Thus from mid-September 1973, truckloads of makeshift coffins began to arrive from the morgue or the freezers of the Medical-Legal Institute. When the supply of coffins ran out, bodies were piled two or three at a time in wooden boxes, even on planks of wood. Under close military watch the bodies went into the front four rows of 80 waiting graves, each unmarked except for a tin

3 Horvitz in Estéban Larraín, *Patio 29: Historias de Silencio*, Fondo de Desarrollo de los Artes y la Cultura, Ministerio de Educación, Chile, Fundación Ford, documentary, 1998.

4 Larraín, *Patio 29*; Padilla Ballesteros Elías, *La Memoria y el Olvido – Detenidos Desaparecidos en Chile*; Marivic Wyndham and Peter Read, "'From state terrorism to state errorism': Post Pinochet Chile's long search for truth and justice", in J. Keene, ed., *Where Are the Bodies? A Transnational Examination of State Violence and Its Consequences. The Public Historian* 32(1), February 2010, 32–33.

5 Rogelio Rodriguez, interview, 7 and 8 November 2008.

6 Javier Bustamante and Stephen Ruderer, *Patio 29. Tras La Cruz de Fierro*, Ocho libros, Santiago, 2008, p. 40.

cross bearing NN.⁷ Three months later Patio 29 was bursting; excess bodies went into Patio 7. Workers were warned to keep strict silence, while any unauthorised approach to the area was strictly forbidden.

Every patio or precinct of the cemetery has a *cuidadora*, or caretaker. Each is charged with keeping her patio neat and welcoming: to rearrange flowers disordered in the wind, keep the weeds down, water the fresh flowers, keep the paths raked, keep track of who is buried where. She is expected to be able to answer questions and know most visiting family members by name. It is in her interest to be well informed: *cuidadoras* work mostly seven days a week during the opening hours of the cemetery, but receive no income from the state; they rely entirely on tips and donations. Each caretaker has a tiny shed where she can keep out of the rain, prepare a meal, lock up her tools.

The caretaker of Patio 29 was, and is, Nena González. Her grandmother and mother had served in the cemetery all their lives. Nena herself was born, she says, to the work. The site of the home where she was born is now inside the cemetery itself.

The news of Allende's death came to her as personal tragedy: as her family doctor he had fought to save her brother, suffering from polio, before he died. On the morning of the coup, like most Santiagans, she stayed at home, while the 'shoot on sight' curfew prevented her return for the rest of the week.

The first role of Rogelio Rodríguez, the cemetery director-general, was to find and dispose of the dozens of bodies arriving daily:

I saw how the dead bodies came all dismembered. Because if they were shot in front then their backs were all destroyed, it was atrocious. Later I had to go inside the trucks, to go and collect bodies in the streets. We went with the staff, to take bodies from the streets. It was September, October, November, at this time, to take bodies from the River Mapocho, we took the dead from the Mapocho River. Sometimes the corpses were piled up outside the Medical-Legal Institute in the Avenida de la Paz, because there was a curfew between eight at night

7 Larraín, *Patio 29*; Rogelio Rodríguez, interview, 22 September 2007.

till seven, in the morning, nobody could walk in the streets. Yes, it was a time of tremendous terror. [Unknown people] would bring and leave the bodies for me and my staff to bring them in and register them.⁸

Nena returned to her post as caretaker of Patio 29 on 15 September and found herself ignored by the military almost as if she wasn't there, but watching, from her shelter, at a distance of no more than 10 metres. She recalled in horror:

I saw the boxes when they came in twos, when they came naked, when they came stiff as if frozen, and that's not all I saw, I saw everything in the world. So I didn't resist. One day I fainted ...

Every day two trucks, one red, one grey, came bringing corpses from the morgue.

Nena had no option but to get used to the daily arrivals:

Later it became harder, later it didn't hurt me so much to see when the corpses came. It's like a scar that gets harder. Yes, it's a difficult thing to forget. It's a bad comparison, but it's like that you had realised that it was a slaughterhouse, animals hanging together with the difference that they came inside a box. All naked, men and women. And also children.

While burials continued until the end of 1973, Nena remained the only civilian allowed within 50 metres of her patio. By 1974 as the military patrols became intermittent, grieving relatives cautiously approached Nena – at great risk to everyone – to ask her if she had seen their loved one. Almost always she had to answer no, for all she had seen was the frozen disfigured corpses tipped two at a time into the holes. 'But are you sure? Are you sure?' Nobody, not even the military itself, could be sure.

Any information was precious, and for one family at least, Nena's luckily precise memory of a victim's location in her patio led to a late-night clandestine exhumation and reburial in the family plot in the nearby Catholic cemetery. When news of the relatives' bold operation eventually reached – and outraged and embarrassed – the military authorities, the blame and the punishment fell on the cemetery

8 Rogelio Rodriguez, interview.

workers. Some were dismissed. Some were detained and tortured. Nena somehow managed to escape suspicion. It was the only known case of a family exhumation from Patio 29 during the dictatorship.⁹

For the rest of 1973 Rogelio Rodriguez remained at the Medical-Legal Institute where bodies dragged from the river, university campuses and shanty towns must first be brought to be identified and registered:

And the people, so many people came to the Medical-Legal Institute to ask for news but I couldn't give them any reports. Yes, the family members came to me. There were tons of them, it seems like the soldiers were giving them orders to ask me.¹⁰

Eventually, suspected of concealing information, Rogelio Rodriguez was detained and tortured:

They threw me onto the ground and were going to cover me up, they were going to bury me alive. They threw a bucket of earth on top of me. Then they shoved my head into a bucket of water. Torture. And I, and everyone who came there, we were to be tortured there. I was with other comrades, workers and other sections who were taken because they accused them of being MIRistas or Communists. There was about thirty of us in this period, they threw each one of us into solitary confinement, without a bed, without anything, on the ground.

The tour, 2009

Seemingly harmless, unobtrusive, never staring the wrong way, Nena remained at her post. From her vantage point a little away from her patio, close to the tomb of Victor Jara and generally unnoticed by the cemetery workers and soldiers looking in the opposite direction, Nena was in the best position to surreptitiously follow all the daily events. Her tiny livelihood relied entirely on speaking with those grasping for every tiny detail.

9 Nena González, interview.

10 Ibid.



In 1973 the caretaker hut of Nena González stood on this site in Patio 29. From here, unobserved, she witnessed the disposal of hundreds of those killed in the first weeks after the coup.

Source: Photograph by Peter Read, editing Con Boekel.

Almost every hole in the ground for her now tells a story. Once she hid two surreptitious visitors in an empty tomb nearby, and on another occasion concealed Neruda's widow Urrutia in her own tiny shelter when the military approached. Walking and reminiscing through her patio, she recalled perhaps the most disturbing incident revealing, incidentally, the extreme danger awaiting everyone trying to discover information:

The other thing I wanted to tell you, which I've never told anyone before – I knew one person here. He was in that section just there, so I got everything that happened here. One day a priest arrived, he came to the tomb. He always was very furtive. To the same tomb also came a mother and father. He was a young priest, but separately. And I had never worked out that they left a bit of paper under a stone. I'm frightened to tell you, but I'll tell you anyway. They hid the paper beneath the stone and the Señora, the mother, came and took out the paper and put another one [in the same place]. Up came the priest and he left another one. They interchanged in this way. And one day I stuck my nose in, which I regret all the days of my life, because I said to myself that they must have put something in it. I stuck my nose in

and read the paper ... The paper said 'My son, I love you profoundly, your mother and father love you, please take care of yourself, wherever you are or if you're away'. And the one by the little priest said, 'Mami I love you very much, I told Papi that I love him very much, look after yourselves, I am well, don't worry, that's all, I'm well, don't worry'.

From weeks of observation, and more note reading, she realised that the young priest, always dressed as a Carmelite, and supposedly executed by the military, was actually the son of the old people! An official must have bungled the identification; the priest had gone into hiding and somehow managed to let his parents know that he was alive, and that they could communicate by messages left beside what was supposed to be his grave. Nena's patio had become a family's clandestine post office. Once or twice the priest came to Nena to ask her wistfully what the old people looked like. 'Always sad', Nena replied. Though she had twigged to what was afoot, she kept the secret quite to herself. An overheard chance remark, to priest, parent, or anyone, might mean death for the son, tragedy for the parents, detention and torture, probable disappearance for herself. Did the young priest survive years in hiding in a Carmelite monastery? Did he escape overseas? She concluded her walk through the second pathway of her patio with a message to the priest himself: 'If you are still alive, and read these words, come and see me, because you know who I am, but you don't know that I know your story.'

Stopping by another empty grave beside the third pathway, Nena explains the deadly danger to anyone associated with Patio 29 of sudden and arbitrary arrest.

I'd be lying if I told you if I'd ever been harassed at any time here, no, never, never. The [military] sometimes made rude remarks but I always felt bad. I felt bad because they told me not to get involved here, or talk, not to talk to anyone. (I'd reply) 'How could I not speak to anybody if the public asked me questions about it?' Yes, I told them, it's the public who pays me and also talks with me in the gardens about the caretaking and everything else. 'You tell me not to talk about anything I have seen, but I haven't seen anything.'

Often she protected herself by feigning ignorance. But even a gentle or pious action on behalf of the dead invited retribution. She recalls that when she and a fellow caretaker made up a wreath of red carnations to place outside the niche containing the body of Victor Jara – she points to a niche 30 metres away – two soldiers ripped them up. (Red was the

colour always used to honour the dead of the political left.) She points to a rusty iron cross still bearing the initials NN. She recalls that she, two of her children and a friend were gathering a few flowers from the wreaths lying in other patios to place on the unnamed graves in 29:

One first of November, just the first of November of that year [the day of the Dead] 1973, I was here with two kids, now they're grown men. We were taking flowers right here, there were so many flowers and put them on the NN [No Name] graves. There were so many wreaths, I tell you, so we put them so they weren't NN any more. And one day up comes a Lieutenant and this Lieutenant tells us, me and the kids, here, and he says to us 'What are you doing here?' 'No, we're putting flowers on the deadies who don't have flowers, they're without little flowers.' And the Lieutenant says to me – I'm never going to forget – he says that 'these dogs aren't worth flowers' and it was a kick in the guts ... He obviously knew that I was working here. 'These dogs don't deserve a single flower.'

Observation and intuition could only take her so far. One afternoon a team of DINA troops arrived to hurriedly excavate and depart with a body she knew to be that of a 'gringo' (she meant an American). Was that the body of Charles Horman, subject of the film *Missing*?¹¹ To this day Nena González still does not know.

Yet traces of common humanity remained here and there among the military. A 'guardian angel' appeared, who when not doing cemetery duties, revealed himself to be a guard at Pinochet's house. He whispered information to her when seeming to converse officially; once he smuggled a carton of cigarettes for her. All thanks to Saint Lucy, says Nena, the patron saint of female martyrs. The risk to the soldier was much worse than for Nena: disgrace, torture, a terrible death.¹² She wonders what happened to him. Like so much else, that information too is lost in night and fog.¹³

11 Costa-Gavras, *Missing*, 1982, starring Jack Lemmon and Sissy Spacek. Seven months after the American businessman Ed Horman visited Chile to demand information on his son's whereabouts, he received the body of his son. An autopsy was, however, impossible.

12 For the punishment of a guard found to be aiding prisoners at Villa Grimaldi, see Chapter 7.

13 'Night and fog' was the policy of intimidating the population through causing individuals to disappear through arrest, then to deny all knowledge about them. Pinochet modelled the policy on Wehrmacht Chief of Staff Wilhelm Keitel (Ensalaco, *Chile Bajo Pinochet, La Recuperación de la Verdad*, p. 84).

In 1976, at great risk to herself, Nena passed the first of many messages to the Chilean Vicariate of Solidarity.

The Vicariate was a human rights organisation sponsored by the Catholic Church in a building next door to the Santiago Cathedral. It was even possible to enter its offices clandestinely through an underground passage from the cathedral itself. Officially set up by Pope Paul VI in 1976 at the request of the redoubtable Chilean primate Cardinal Raúl Silva Henríquez, it established first a public advocacy service for bereaved families; equally important, it began secretly to gather any information, from any source, about human rights violations, especially disappearances, clandestine burials and exhumations.¹⁴ Information gathering was highly dangerous for anyone caught communicating or receiving such information. Nena, thought to be a key informant, was invited on a clandestine visit to recount what she knew. Circuitously she made her way to the cathedral to appear as a worshipper. Trembling in fright she entered the Vicariate itself through the tunnel well used by anyone engaged in secret information seeking or gathering. There her nerve failed her. She returned to Patio 29. The second time in 1974 the Vicariate, promising to look after her, brought her in a taxi. This time Nena revealed all she had learned through her observations and her prohibited discussions with other workers. The director of the Vicariate, his information to no small extent based on Nena's, made public his belief that Patio 29 contained many hundreds of unidentified victims of the dictatorship.¹⁵ Continuing to appeal to international human rights bodies, in 1981 the Vicariate director demanded that the identities of those buried in Patio 29 should be revealed. A half-hearted Commission of Enquiry by a Judge Espejo required the Vicariate to provide him with all its information, including a map (provided by Nena), and Pinochet's newly established security agency known as the DINA, to hand over any of the inadequate and muddled autopsy information held by its

14 Technically it took over the work of the Chilean Committee for Cooperation for Peace until Pinochet closed it in May 1974. For 14 years it provided legal services, collated information, and recorded the human rights abuses of many thousands of Chileans; 'Historia', Arzobispado de Santiago, Fundación Documentación y Archivo de la Vicaría de la Solidaridad.

15 Rogelio Rodríguez holds the online registrations of several hundred people buried in Patio 29.

predecessors.¹⁶ Espejo's preliminary finding was that six of the bodies bore some characteristics of workers disappeared from the little town of Paine not far from Santiago; but after ordering the state not to cremate, disturb or transfer any further bodies buried in Patio 29, he unexpectedly declared himself to be incompetent and abruptly abandoned the commission. A year later, in 1982, the military government showed its scorn of this order by removing, as part of its contemptuously named 'Operation Removal of TV Sets', at least 200 of the 320 bodies conjectured to have been buried there. Probably they were then cremated. The identities of these bodies, and their final resting place, have never been discovered.

Meanwhile an anonymous tip-off from a cemetery worker to the Vicariate caused it to lay a formal complaint to the Military Prosecutor.¹⁷ Following the tip, Nena was again asked to come to the Vicariate to reveal what she had seen of the 'TV sets'.

Here when they took out (bodies) nobody knew what was going to happen. No, nothing, suddenly I saw that they were opening the patio that's all, and later I said to them [the Vicariate officials] that they're going to raze it, and later that's what happened, they took most of them out. They took them out and I don't know what they did with them, if they took them away or they burned them. To me, they [must have] burned them. So what happened was that I warned them [the Vicariate] that on another day they would take out quite a few more. So the Vicariate came around, and the journalists as well and everyone. But they couldn't do anything about it and it stayed that way. Of course, I warned them, I told them ...

Of course, I didn't want to go because I was terrified. And told them how it was, I told them everything.

Little was achieved beside gathering a bit more evidence. No one was able to stop the rumoured second mass exhumation.

16 The DINA was established in November 1973, with powers including the ability to aggregate all the existing intelligence services, and to enter homes and arrest and hold persons. The first director was Colonel Manuel Contreras Sepúlveda; Bruno Serrano, *Exhumación del Olvido*, CEIBO, Santiago, 2013, p. 33.

17 'Declaran Monumento Nacional al Patio 29' [Patio 29 declared a National Monument], CIREN, *Cronica Digital*, 13 July 2006, p. 1; Maxine Lowy, 'How Patio 29 was saved from (Total) Disappearance', *Human Rights Today*, 2006.

As we shall see so often in this discussion, it was not possible for the victims' families either to locate missing persons or to begin to memorialise a site of disappearance until after 1989, following the first free elections in 19 years. After the election, the new President and leader of an uneasy alliance of moderate Left and Centrist parties, Patricio Aylwin, declared that the transition to democracy had begun. Yet Aylwin was not encouraging to those whose relatives remained disappeared. The press reported that 'Each moment that passes makes the possibility more remote that the remains will reappear'.¹⁸ Aylwin's Commission of Enquiry into the Disappeared stressed, significantly, the need for national reconciliation in its working brief. The so-called Rettig Commission named 979 detained-disappeared (including illegal executions and death from torture) and 1,319 politically executed.¹⁹ The Vicariate issued criminal charges against those believed responsible either for the initial 'burials' or the 1982 illegal exhumations from Patio 29. Thus, in 1991, a government-appointed team of forensic anthropologists and doctors began the process of exhumation and identification. Patio 29 was the first priority, but which victims would be found and how would they be identified? Would the perpetrators be discovered, or named, or punished?

Aylwin remained adamant that his first priority was a national reconciliation that would include no punishment initiated by the state: 'there were to be no penal consequences in solving the issue of the identities of those responsible for the crimes'.²⁰ The lack of 'penal consequences' seemed the most secure way of preventing the military interrupting the process.

Patio 29, then, would be investigated – but no perpetrator would be prosecuted, nor even named. Indeed, the compromise suited the government and the immediate needs of most families. It also suited the military, which, thus protected from judicial procedures, could afford to appear conciliatory. In this way Patio 29 was becoming a site of unusual cooperation between all sides of politics. Everyone desired a successful and prompt resolution.

18 Gonzalo Vial, *El Mercurio*, Santiago, 30 April 2006.

19 Amnesty International's calculations in 1996 totalled 3,107 victims of all forms of disappearance and death.

20 Pamela Pereira, daughter of a Paine detained-disappeared and human rights lawyer, in Larraín, *Patio 29*.

Exhumations proceeded – with enormous difficulty. This memorable analogy was provided by Paco Etcheverría:

Imagine that a plane carrying you don't know how many passengers crashes in some place in the mountains which no one finds nor is interested in. Then later, a planeload of passengers whose identity you don't know, disappears. Ten years pass in these mountains until explorers climbing the mountain discover an abandoned cemetery in an abandoned town. The plane has crash-landed on top of it and the dead from this catastrophe remain buried mixed with the other dead who are already in this cemetery, and then, additionally, it happens that this plane has burnt on impact so that the remains of the rest of the passengers have disappeared. Bearing in mind that in *Patio 29*, when the judicial intervention happened [in 1981] they had already exhumed some, no, just a few ... They have had to make disappear also other detained-disappeared. To reiterate, so when they [authorities] announce that they have found the place where the plane definitely came down, they removed the rest of the bones of people who had nothing to do with it. The situation about the passengers who came down isn't clear, and you've got in the laboratory I don't know how many bone fragments which now are mixed up.²¹

In 13 days the forensic team unearthed 126 bodies in 107 graves. Some of the skeletons, in Nena's recollection, were still bound in barbed wire, wrapped around them in a figure of eight.

Most of the exhumed were aged between 20 and 30. In the laboratory each was laid out anatomically to determine age, height, sex, condition of teeth and special characteristics.²² Naturally, anxious relatives were active participants, recognising, or thinking they were recognising – their relative at first glance. 'This is my son. I would recognise him anywhere.' 'I knew him by his skull. My children inherited the same shape.'²³ Throughout the lengthy, well-intentioned and painful

21 Paco Etcheverría, interview in Bustamante and Ruderer, *Patio 29*, pp. 9–10.

22 'Memorias del Grupo de Antropología Forense y Suporte al Campo de los Derechos Humanos en Chile', V Congreso Chileno de Antropología, 8–12 November 2004.

23 Larrain, *Patio 29*.

process, staff and families worked closely together. 'Could you bring a photo of him, especially one in which he's smiling so we can compare tooth for tooth?' 'Do you have one of his shoes?'²⁴

The act of returning the remains was solemn and traumatic both for the families and the staff of the Medical-Legal Institute. Close relatives followed the specialist, often enough, by now, a friend, to inspect the assembled skeleton. He or she explained in painstaking and excruciating detail every injury detected: a fractured rib, an arm broken in childhood, a punctured skull. 'This is the trajectory where the bullet entered and exited his brain.' 'The lack of any scar tissue suggests that he was still alive when they applied a soldering iron to his legs.' No one wished to be spared the narrative of horror. Devastating as it was, it was now *their* narrative, a central element of family history for decades to come. It was truth at its cruellest, but it was *their* truth. The son, daughter, husband or wife was no longer 'disappeared' but 'executed'. The relatives could now join the 'normal' community of mourners, decide on a burial place, place a name on the plaque with a date and loving message, bring flowers and offerings to the grave. Some were buried nearby, or in family mausolea. A few remains were flown overseas. The wives of the detained-disappeared became, overnight, widows with considerable legal and financial benefits. Theirs to claim were now a pension, subsidies for their children's health and education.²⁵ Rituals and visits to the grave on birth or wedding days became part of family life. Widows remarried. Parents died secure in the knowledge that their child's remains now lay safe at last.²⁶

Between 1993, the year of identification, and 1998, 96 of the 126 remains had found their resting place. The rest remained unidentified. Though other remains from elsewhere in the country had been identified and reinterred, Patio 29 remained the centrepiece of successive Concertación (centre-left) governments' claims that they had done all they could.

24 Silvio Caiozzi Caiozzi, *Fernando Ha Vuelto*, Andrea Films Production, documentary, 1998; Enrique Ahumada, 'Dr Patricia Hernández: La ardua tarea de identificar los cuerpos de detenidos desaparecidos' [The difficult task of identifying the bodies of the detained-disappeared], *Caso Pinochet*.

25 The benefits available today for the victims and families are available through Instituto Nacional de Derechos Humanos, 'Beneficios establecidos por ley a las víctimas y familiares de violaciones ocurridas durante la dictadura', www.indh.cl.

26 Caiozzi, *Fernando Ha Vuelto*.

April 2006 brought an urgent request by the institute staff to all of the 96 family representatives to attend a meeting. Without warning of what to expect, they were subjected to a powerpoint presentation in which the names were listed of several categories of remains wrongly identified. Individual families had to search a list on the screen to find the names of their loved ones. The latest DNA techniques undermined all the findings. The terrible revelation was that eight of the 96 remains had been definitely wrongly identified, and all the rest were in doubt. Families who had waited 25 years to discover the fate and whereabouts of their missing family member now discovered that the remains they had laid to rest years before did not – or might not – belong to them after all. A parent exclaimed:

Misidentified means reopening the wounds, restarting the search. It means our loved ones have disappeared once again: a pain that we never thought we would live through again.²⁷

The revelations demanded re-exhuming the remains from the family tombs, relinquishing widows' pensions, returning the narratives of torture and murder that the families had come so agonisingly to possess. They now belonged to someone else's family. But whose? The Medical-Legal Institute issued a public apology, peremptorily rejected by a daughter of a newly redesignated detained-disappeared:

Let him go to church and ask for forgiveness, This is not a matter of forgiveness ... We are not here to commiserate with anybody.²⁸

A leading figure from the Group of Families of Detained-Disappeared conceded that while anything had been possible under the dictatorship, that period was over:

But what outrage that this should happen in these times? ... We speak of the negligence of the Medical-Legal Institute. But also of the indifference of the authorities who would not listen to us. There are Presidents who would not listen to us – Aylwin, Frei and Lagos – but were prepared to listen to those proposing projects of impunity.²⁹

27 Victor Orsorio, 'El Escándalo del Patio 29: Los errores de identificación' [The scandal of Patio 29: The errors of identification], *Ercilla*, No. 3293, 8–21 May 2006.

28 Pamela Pereira, in J.J. Ortiz, C. Uruza and H. Cossio, 'Dramática notificación a familiares de DD.DD por error del SML: Anuncian acciones legales', *La Tercera*, 22 April 2006.

29 Alejandra Chacón, 'Patio 29: El dolor de verlos desaparecer dos veces' [The grief at seeing them disappeared twice], *La Nación*, 22 April 2006, pp. 1–10.

New revelations of government complicity in withholding critical doubts further tore the fragile relationships between the state and the families of victims. It emerged that as early as 1994, a team of forensic experts from Glasgow University, checking on progress, had urged drastic changes to the procedures of identification and the personnel – but the report had been quietly shelved. A second report by an independent agency questioned the qualifications of the Medical-Legal Institute professionals, warning that the staff had not been assessed or accredited by any international forensic organisation. It urged that any further identifications be suspended until the matter was cleared, another recommendation that was ignored. The ‘Scandal of Patio 29’, as it began to be called, threatened even to divide the once tightly knit human rights community. The focus of the accusations, some argued, should not be on the errors made by the Medical-Legal Institute, nor even on the remains themselves. Rather, it should be the failed responsibility of the state, past and present.

Bones are not a person’s most important thing. If there were no Law of Amnesty [prohibiting the prosecution or naming of perpetrators] and if they would name the people military officials involved, more exact information would be obtained, and we would be closer to reconciliation. The bodies don’t give us that, [information] it’s the political will to arrive at justice.³⁰

Rogelio Rodriguez:

Yes, I suddenly go to the cemetery, yes, I go there sometimes. To visit the *compañeros*. Yes, I go to see my dead friends that I’m telling you about, because I have faith in the dead. I know many people in the families of the detained-disappeared, they’re for the most part, dead. Yes, I see people suffer greatly, mothers for their sons, several women for their husbands, for their fathers. It was very sad in all that time, to see lines of bodies waiting at my crematoria. Wanting information.

30 Javier Rebolledo and Luis Narvaez, ‘Patio 29. Muertos sin nombre’ [The dead without a name], *La Nación*, 29 April 2006, pp. 3–4.

Nena reflected in 2007:

I wouldn't like to live through it again, I wouldn't want to see it again. Because I've got children, I have grown-up grandchildren, I have great grandchildren, little ones, so I wouldn't like to live through it because I get emotional easily, it moves me when I remember. I'd say it would have been better if they had left them there in the Patio, so they would recognise them with a Memorial, a nice thing to do would be to fix it. I'd like to see a square with a monolith with the name of everyone [disappeared] just to know if the bodies existed here or not. Of course. And I hate what I saw, what was done here, that I wouldn't want to see it again, but to me I'd like to see this beautiful square, I'd like to see it as a plaza like they've done in other parts where people were shot, when they were detained and disappeared they have done lots of memorials. So why don't they do it here when the bodies are here?

The story of whether Nena's vision has been fulfilled must await the last chapter.

This text is taken from *Narrow But Endlessly Deep: The struggle for memorialisation in Chile since the transition to democracy*, by Peter Read and Marivic Wyndham, published 2016 by ANU Press, The Australian National University, Canberra, Australia.